
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: October 6, 2006

SUBJECT: Petition 400-06-06 – 639 W. North Temple, LLC – request to:

- Rezone property located at 644 West North Temple from Commercial Corridor CC and Special Development Pattern Residential SR-3 to Moderate/High Density Multi-Family Residential RMF-45
- Amend the Capitol Hill Community Master Plan Future Land Use Map

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the rezoning and master plan amendment will affect Council District 3 and abutting Council Districts 1 and 2

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community Development Department, Planning Division
Everett Joyce, Senior Planner

NOTICE REQUIREMENTS: Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing

WORK SESSION SUMMARY/NEW INFORMATION:

- A. On September 12, 2006, the Council received a briefing from the Administration regarding the proposed rezoning and master plan amendment.
- B. Issues discussed included:
1. Location of the building on the west side of the site as requested by the Community Council.
 2. Traffic impacts from future higher density development in the area. The City expects development intensification in this area surrounding the light rail corridor. Access to light rail is expected to alleviate some of the congestion.
 3. Number of units = 72-74 Proposed unit size = 1,100 sq. ft. approximately
Project will be 100% condominium with 20% available for investor purchases
Unit price range = \$225,000 + for 2 bedroom unit and under \$200,000 for 1 bedroom unit

POTENTIAL MOTIONS:

1. ["I move that the Council"] **Adopt an ordinance:**
 - Rezone property located at 644 West North Temple from Commercial Corridor CC and Special Development Pattern Residential SR-3 to Moderate/High Density Multi-Family Residential RMF-45
 - Amend the Capitol Hill Community Master Plan Future Land Use Map
2. ["I move that the Council"] **Not adopt the proposed ordinance:**
 - Rezone property located at 644 West North Temple from Commercial Corridor CC and Special Development Pattern Residential SR-3 to Moderate/High Density Multi-Family Residential RMF-45
 - Amend the Capitol Hill Community Master Plan Future Land Use Map

The following information was provided for the Council Work Session on September 12, 2006.
It is provided again for your reference.

KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration to:
 - 1. Rezone property at 644 West North Temple from Commercial Corridor CC and Special Development Pattern Residential SR-3 to Moderate/High Density Multi-Family Residential RMF-45.
 - 2. Amend the Capitol Hill Community Master Plan Future Land Use Map designation for the property from low-density residential to medium-density residential land use.
 - 3. Subject to the following conditions:
 - a. Submission of the proposed development site plan (Exhibit B in the ordinance)
 - b. Filing a complete building permit application to build the proposed development (Exhibit B in the ordinance)
 - 4. The ordinance will become effective on the date of its first publication.
 - 5. The City Recorder is instructed not to publish the ordinance until the Planning Director certifies that the conditions have been met.
- B. The rezoning and master plan amendment would facilitate construction of a 72-unit condominium residential development with three stories of dwelling units above one level of parking on a vacant parcel. (Please see the Planning staff report and Planning Commission minutes for details.) The Administration's transmittal and Planning staff report note:
 - 1. The applicant's original development proposal located the condominium structure on the eastern portion of the lot.
 - 2. The revised site plan locates the condominium structure on the western portion of the lot. This is in response to concerns raised in the Fairpark Community Council meetings regarding the building location and its impacts on the adjacent low-density residential properties to the east.
 - 3. Amending the Capitol Hill Community Master Plan Future Land Use map from Commercial and Low-Density Residential to Medium-Density Residential is necessary to accommodate the proposed development's density.
 - 4. The proposed condominium development will comply with the requirements of the RMF-45 zoning district.
 - 5. The property was previously used for commercial use. A motel occupied the site until the property was acquired for reconstruction of Interstate 15. The subject parcel is the remainder of the original parcel acquired by the Utah Department of Transportation.
 - 6. In 1999 to 2001, during the development of the Capitol Hill Community Master Plan the property was used as a staging area for the reconstruction of Interstate 15. It was unknown at that time how much of the property would be used for freeway purposes. The Future Land Use Plan for the area identified transportation and commercial land uses along the North Temple Street frontage and the interior block for residential land use.
 - 7. Preliminary condominium approval of the proposed development should be reviewed by the Planning Commission with specific consideration to adequately address building setbacks from adjacent low-density properties and development.
 - 8. In the mid 1990's a concerted effort was made by the City to ensure that new multi-family development would be located on major arterials along the edges of neighborhoods rather than within low-density neighborhoods. In addition, light rail is slated to be developed along North Temple Street.

9. Development of this property, which was once commercial, as medium/high density residential land use is appropriate.
- C. The Planning staff report notes that the overall character of the area contains a variety of land uses ranging from single-family residential uses to commercial land uses. Surrounding residential uses include single-family dwelling units, duplexes, 3-4 unit apartments and high-density apartments. Immediately east of the subject parcel are commercial uses on the North Temple Street frontage and low-density residential uses to the east. Single-family and duplex residential uses are located to the north. The development character south of the subject property includes high-density residential and a mix of non-residential uses. Commercial land uses are located west of Interstate 15 along the North Temple street frontage. (Please see attached map for details).
- D. The purpose of the Special Development Pattern Residential SR-3 zoning district is to provide lot, bulk and use regulations in scale with the character of development located within the interior portions of City blocks. Off-site parking facilities in this district to supply required parking for new development may be approved as part of the conditional use process. Maximum building height in the zone is 30 feet or 2 ½ stories, whichever is less. Maximum density in the SR-3 zone is 29 units/acre for single-family attached dwellings and multi-family developments.
- E. The purpose of the Commercial Corridor CC zoning district is to provide an environment for efficient and attractive automobile oriented commercial development along arterial and major collector streets. Maximum building height in the zone is 30 feet or 2 ½ stories, whichever is less. Multi-family residential uses in addition to a broad range of commercial uses are permitted in this zone.
- F. The purpose of the Moderate/High Density Multi-Family Residential RMF-45 zoning district is to provide for an environment suitable for multi-family dwellings of a moderate/high density. Commercial and office types of uses are not permitted in this zone. Maximum building height in the zone is 45 feet. Maximum density in the RMF-45 zone is:
- 14.5 units/acre for single-family attached dwellings
 - 30.5 units/acre for multi-family developments with less than 15 units
 - 43.2 units/acre for multi-family developments over 15 units with 1 acre
 - 43.0 units/acre for multi-family developments over 15 units and above 1 acre
- G. The City's Fire, Police, and Public Utilities Departments and Transportation and Engineering Divisions have reviewed the request. The development proposal will be required to comply with City standards and regulations and demonstrate that there are adequate services to meet the needs of the project. In addition, North Temple is a State road and the proposed development will require review by the Utah Department of Transportation (UDOT) for access and driveway location approval. The Planning staff report and Department/Division comments note:
1. The Public Utilities Department stated that high groundwater is typical in this area. If below grade buildings or structures are proposed, a stamped geotechnical report identifying the highest expected groundwater must be submitted to Public Utilities for review and approval.
 2. The Police Department identified that this property has been an area of concern for residents for many years. This project would be a positive addition to the neighborhood and a good use of that space. Steps should be taken to implement as many "crime prevention" strategies in the design of the structure and site configuration as possible to minimize potential needs for increased Police Services.
 3. The Transportation Division reviewed the traffic data identifying additional trips generated and that the property has direct access to an arterial street. Street lighting upgrades may be required to comply with the City's street lighting master plan.
 4. Public way improvements may be required to comply with City Engineering standards.

5. The Permits Department noted the RMF-45 zone requires a 10 ft. landscaped buffer along single or two family districts that abut the property. This property abuts an SR-1 zone to the north and east, therefore, the project will need to provide the landscape buffer. The submitted site plan shows a 10 ft. setback and some trees but does not clearly define the buffer area or plantings. Also, it appears that some playground equipment may encroach into the buffer area.
- H. The public process included presentation of the proposed development to the Fairpark and Poplar Grove Community Councils and written notification of the Planning Commission hearing to surrounding property owners and affected Community Councils. The Administration's transmittal and Planning staff report note:
1. The proposed development was presented to the Fairpark Community Council on March 23 and April 27 of 2006. Issues raised related to traffic impacts on North Temple and impacts on adjacent properties. The applicant addressed the traffic impact issues related to traffic being able to transition onto the property without creating conflicts with North Temple traffic movement. The applicant modified the site plan showing a visitor parking lot at the front portion of the parcel and has located the vehicle access gate to the remainder of the property well back from the North Temple Street frontage. Another concern was the impact on adjacent properties if the zoning is changed to allow 45-foot high buildings adjacent to single family residential uses. (The revised site plan locates the condominium structure on the western portion of the lot.)
 2. After discussion of the issues, the Community Council voted not to support the requested zoning change 11-7 for the proposed condominium project. Those in favor of the plan saw an upscale economic boost to the area, while those opposed, felt it was too dense of a population for the lot size, did not like having such a tall building go in right next to them and worried about who it might bring into the neighborhood. It was recommended by adjacent residents that higher density should be placed on the commercial zoned portion of the property and lower density on the SR-3 back portion of the parcel.
 3. The Planning Division received comments on the proposed rezoning amendment petition. These responses are in opposition to the proposal and are included in the Planning staff report, Exhibit 5 – Other Public Comments. (For ease of reference the items have been brought forward from the Administration's transmittal and attached at the end of this staff report.)
- I. The Planning staff report provides the following findings for the Zoning Ordinance Section 21A.50.050 - Standards for General Amendments. The standards were evaluated in the Planning staff report and considered by the Planning Commission. (Discussion and findings for these standards are found on pages 5-8 of the Planning staff report.)
1. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.
Findings: Although the proposed amendment is not consistent with the future land use map an amendment to the Capitol Hill Community Master Plan to a medium-density land use designation would be required. The proposed amendment supports the provision of housing opportunity that is consistent with policies of the Salt Lake City Transportation Master Plan and the Salt Lake City Community Housing Plan with respect to the North Temple transit corridor.
 2. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.
Findings: With appropriate setbacks the proposed development will be compatible with the scale and character of the neighborhood. The proposed development plan is harmonious with the overall character of existing development. The proposed amendment is harmonious with the land use character desired along a major arterial and transit corridor.

3. The extent to which the proposed amendment will adversely affect adjacent properties.
Findings: With appropriate design and site configuration of development on the subject property to meet RMF-45 landscape buffer requirements and setback standards, the proposed amendment will not adversely affect adjacent properties.
4. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts that may impose additional standards.
Findings: The property is not within any overlay districts.
5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
Findings: The public facility services and utilities are in place to serve the subject parcel. If specific development demands exceed service capacity, the developer would be required to make system improvements as part of obtaining a building permit. The adjacent arterial streets can absorb the traffic generated by the proposed uses.
6. In addition, the Planning staff report notes the following findings regarding the proposed Capitol Hill Community Master Plan amendment:
Findings: Amendment of the Capitol Hill Master Plan Future Land Use map for the subject property supports the Salt Lake City Transportation Master Plan by providing for the accommodation of higher residential density along the North Temple transit corridor and supports the Salt Lake City Community Housing Plan policy regarding transit oriented development.

Amendment of the Capitol Hill Community Master Plan Future Land Use Map from commercial and low-density residential to medium-density residential does not detract from the desirability of maintaining the Guadalupe neighborhood as a low-density residential community.

- **RECOMMENDATION (Planning staff):**

Based on the findings of fact, staff recommends that the Planning Commission forward a recommendation to the City Council to approve the request of Petition 400-06-06, to amend the Capitol Hill Community Master Plan Future Land Use Map for medium density residential land uses and rezone the property from CC and SR-3 to an RMF-45 zoning classification.

- J. On June 14, 2006, the Planning Commission voted to forward a positive recommendation to the City Council to rezone the property and amend the Capitol Hill Community Master Plan Future Land Use Map subject to the rezoning being contingent upon the site plan showing the building location on the western portion of the property. (Please see the Planning staff report and Planning Commission minutes for details.)
- K. Issues and public comment discussed at the Planning Commission meetings (summarized below) included:
 1. Density concerns regarding the potential for additional high-density housing in the area (future multi-family developments proposed for this site and on surrounding properties) and the impact on adjacent neighborhoods.
 2. The North Temple corridor is currently being considered as a potential transit oriented corridor including mixed-use and high-density development.
 3. Potential traffic and parking impacts on the surrounding area.
 4. Design issues relating to height, mass, scale, buffering, lighting, landscaping and neighborhood character compatibility of the proposed development.
 5. Potential impacts of a larger structure on surrounding low-density single-family structures.

6. Options available to develop the project and address compatibility such as granting approval based on the site plan presented at the Commission meeting or issuance of a building permit. Planning staff identified this option. They noted that ensuring that the plan return to the Commission is not appropriate to the present request and the buildings are presently defined as condominiums and not as a planned development.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

- A. The Council may wish to request more information from the Planning Division on the issues considered at the Planning Commission meeting and noted in written comments in relation to this petition. For example, density concerns regarding the potential for additional high-density housing in the area (future multi-family developments proposed for this site and on surrounding properties) and the impact on adjacent neighborhoods. Does the Planning staff feel that this issue has been adequately addressed? What options or tools may be available to address this issue in the future?
- B. In discussing the density ranges for the different land use classifications identified in the Plan with Planning staff, it was recognized that the Future Land Use Map actually should be changed to a medium-HIGH density classification. This action is necessary to ensure consistency with the land use map in the master plan and the density of the proposed development. The City Attorney's office recommends that the Council modify the recommendation of the Planning Commission to address this issue. A new ordinance will be provided prior to the Council's public hearing.
 - The final site plan presented and recommended by the Planning Commission proposes 72 units. The site is a 2.07-acre parcel which equates to a density of 34.8 dwelling units/acre.
 - Density ranges in the Plan specify Medium Density = 15-30 units/acre and Medium-High Density = 30-45 units.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Capitol Hill Community Master Plan (November 2001) is the adopted land-use policy document that guides new development in the area surrounding the proposed rezoning and master plan amendment. The Future Land Use Map identifies this area for Commercial and Low Density residential uses. (As previously noted, amending the Future Land Use Map in the Capitol Hill Community Master Plan is part of this petition.)
- B. The Planning staff report notes:
 1. The site is located in the Guadalupe Neighborhood.
 2. The Capitol Hill Community Master Plan states that over the past several decades, Guadalupe has become less desirable as a low-density residential neighborhood due to a high concentration of rental units and neglected properties in combination with, and partially due to, the isolation and noise impacts associated with the transportation corridors that surround it.
 3. Several adjacent policy plans and actions affect the surrounding neighborhood and have potential impact on the subject parcel. Particular policy issues related to North Temple Street and adjacent areas are identified below:
 - a. The Salt Lake City Transportation Master Plan identifies North Temple Street as a major arterial (State roadway) and future transit corridor.
 - b. The Gateway Master Plan has identified commercial and residential land uses along the south side of North Temple Street between Interstate -15 and 300 West Street.
 - c. The Northwest Community Master Plan identifies as an implementation strategy to develop a plan for the North Temple Street corridor.

- d. The Salt Lake City Community Housing Plan goal is to enhance, maintain and sustain a livable community that includes a vibrant downtown integrated with surrounding neighborhoods that offer a wide range of housing choices, mixed uses, and transit oriented design. The Salt Lake City Housing Plan further identifies City Council policy statements supporting transit oriented development and design through the provision of:
 - Housing densities and mixed uses that support the use of alternative and public transportation, depending on the characteristics of each area.
 - Appropriate housing densities in areas where public transit and local services are conveniently available or can be provided and area accessible on foot.
 - Reinvestment in existing urban and inner suburban areas.
- C. The City's Comprehensive Housing Plan policy statements address a variety of housing issues including quality design, architectural designs compatible with neighborhoods, public and neighborhood participation and interaction, accommodating different types and intensities of residential developments, transit-oriented development, encouraging mixed-income and mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
- D. The Transportation Master Plan contains policy statements that include support of alternative forms of transportation, considering impacts on neighborhoods on at least an equal basis with impacts on transportation systems and giving all neighborhoods equal consideration in transportation decisions. The Plan recognizes the benefits of locating high density housing along major transit systems and reducing dependency on the automobile as a primary mode of transportation.
- E. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments.
- F. The Council's growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
 1. Is aesthetically pleasing;
 2. Contributes to a livable community environment;
 3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
 4. Forestalls negative impacts associated with inactivity.
- G. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed rezoning and master plan amendment. Key dates are listed below. Please refer to the Administration's chronology for details.

- | | |
|-----------------------------|---|
| • March 22, 2006 | Poplar Grove Community Council meeting |
| • March 23 & April 27, 2006 | Fairpark Community Council meetings |
| • June 14, 2006 | Planning Commission hearing |
| • June 15, 2006 | Ordinance requested from City Attorney's office |

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, Melanie Reif, Louis Zunguze, Chris Shoop, Alex Ikefuna, Doug Wheelwright, Cheri Coffey, Everett Joyce, Marge Harvey, Jennifer Bruno, Barry Esham

File Location: Community Development Dept., Planning Division, Rezoning and Master Plan Amendment, 639 West North Temple, LLC., 644 West North Temple



Joyce, Everett

From: vickyorme@utah-inter.net
Sent: Saturday, June 03, 2006 10:15 PM
To: Joyce, Everett
Subject: 639 West North Temple

I am the Chair of the Fairpark community council. Mike Embley and others from the proposed development on North Temple came to our community council meeting in April to present the planned 74 unit development at 650 West and North Temple.

After seeing the plans and much discussion, a vote was taken in which the zoning change necessary to allow such development was voted down 11-7.

Those in favor of the plan saw an upscale economic boost to the area, while those opposed, which included those who lived directly to the North and East of the development, felt it was too dense of population for the lot size, did not like having such a tall building go in right next to them, and worried about who it might bring into the neighborhood.

The development is for the North side of North Temple, and I think, therefore that it must end in an even number, so I put 650 W for an example. It may not be the exact address, but is between the I-15 freeway and the plasma center.

Victoria Orme, Chair, FPCC

801 706- 8691

If you have any questions please feel free to ask. VO

6/6/2006

To: Salt Lake City Planning Commission & City Council

From: Jon Robinson
Home Owner at 129 North 600 West

RE: Developers request to up-zone the old Se Rancho Motel site at 640 West North Temple.

Commission and Council members:

I am writing this letter in opposition of the rezoning of the property referenced above.

The property in question is currently zoned CC along the North Temple frontage with the balance being SR-3. My opposition is with the SR-3 being up-zoned to RMF-45. When the Capital Hill Master Plan was created a few years ago one of its goals was to maintain the Guadalupe neighborhood as a quiet, low density, owner occupied neighborhood. Most of the properties in the area were actually down-zoned to meet this goal. My property was down-zoned from R6 to SR-1. I believe all of the property on my block is now SR-1 except the CC along North Temple and this site, which is SR-3.

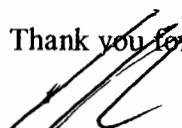
I think it is contrary to the intent of the Master Plan to allow this property to be up-zoned. The existing SR-3 is already higher than the adjoining residential properties. The Planning Commission recently approved zoning changes to limit "Monster" homes in my neighborhood. It seems contradictory to do this but then allow other property in the neighborhood to be up-zoned to allow large, high density housing.

I don't fault the developers wanting to maximize their profit on this development, that's their business. But I don't think it's fair for the neighbors/neighborhood to bear the burden of having an excessively large condo project in our backyards to facilitate that goal. This property was SR-3 when they purchased it and should be developed under that zoning.

There is current planning underway to build 300 to 1000 residential units within 1 block of this project. Those developments would not take any zoning changes. I don't believe we need to specifically up-zone this property to add even more residential density to the Guadalupe neighborhood.

The specific design of the 70+ condos is even more questionable. They have aligned the buildings along the eastern edge of their property, which is the closest to the SR-1 property. If the buildings were moved to the west, with their parking lot on the east side, this would at least provide a buffer for the SR-1 neighbors.

Thank you for your consideration,


Jon Robinson

Joyce, Everett

From: Maria Garciaz [maria@slnhs.org]
Sent: Monday, June 05, 2006 5:13 PM
To: Joyce, Everett
Subject: Petition 400-06-08

Hi Everett, hope all is well,
Regarding Petition 400-06-06, 639 West North Temple to amend from SR3 to RMF 45. NHS attended the Fairpark community council where the proposed development was presented to the community. NHS certainly supports owner occupied housing and excited that the vacant land will be developed, but we are concerned with the density specific to the surrounding residential area that is R2. I believe it is important that Planning Department take into consideration the comments by the residents adjacent to the proposed development. Their recommendations were higher density on the commercial zoned property and lower density on the SR3. Citifront Phase II will build 300 units of condos and Richard Miles (developer) is proposing an additional 500 units on the pallet property. NHS is proposing 66 units of multifamily senior on the demolished senior center. Given all the proposed multifamily we are reconsidering redesigning the senior development for lower density/owner occupied town homes for seniors and NHS would take a substantial loss on the development because of land costs. No one ever wants to take a loss on development and we seldom do, but we also realize that all the multifamily development being built over the next five years will have high traffic impact in Guadalupe and North Temple. Please call me if you have any questions. Thanks

*Maria Garciaz
Executive Director
Salt Lake Neighborhood Housing Services
622 West 500 North
SLC, Utah 84116
801.539.1590 ext 102*

MISSION: Salt Lake Neighborhood Housing Services (NHS) builds on the strengths of neighborhoods, creating opportunities through housing, resident leadership, youth and economic development. We work in partnership with our residents, government and business to build and sustain neighborhoods of choice. www.slnhs.org

A. LOUIS ZUNGUZE
DIRECTOR

BRENT B. WILDE
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION

DEPT. OF COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON
MAYOR

CITY COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer **DATE:** July 27, 2006

FROM: Louis Zunguze, Community Development Director

RE: **Petition 400-06-06** by 639 W North Temple, LLC, requesting to rezone property located at 644 West North Temple Street to a Residential Multi-Family RMF-45 zoning classification from the existing Commercial Corridor CC and Special Residential SR-3 zoning. This action requires amendment of the Capitol Hill Community Master Plan Future Land Use Map designation from Low Density Residential and Commercial designations to a Medium Density Residential land use designation.

STAFF CONTACTS: Everett L. Joyce, Senior Planner, at 535-7930 or
everett.joyce@slcgov.com

RECOMMENDATION: That the City Council hold a briefing and schedule a Public Hearing regarding the proposed zoning text and Master Plan amendment

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION:

Issue Origin: Petition 400-06-06, initiated by Mike Embley of 639 W North Temple, LLC, is a request to rezone the property located at 644 West North Temple Street from Commercial Corridor CC and Special Residential SR-3 zoning to Residential Multi-Family RMF-45 zoning to facilitate the development of a future residential condominium project.

Analysis: The request to rezone the property to Residential Multi-Family RMF-45 will allow higher density development than is permitted by current zoning. The existing site is vacant; the initial site plan depicted a 74-unit condominium development with the structure located on the east portion of the lot. Concerns were raised in the Fairpark Community Council meetings regarding the building location and its impact on adjacent low density residential properties to the east. The revised site plan submitted to the Planning Commission depicts the building location on the western portion of the property, thereby reducing the impact upon adjacent properties.

Master Plan Considerations: The Capitol Hill Community Master Plan designates the property as low density residential and general commercial land uses. The zoning was set in place in 1995 and corresponded with the uses at that time (Se Rancho Motel), and the property was split zoned commercial and residential.

Particular policy issues related to North Temple Street and adjacent areas are identified below:

- The Salt Lake City Transportation Master Plan identifies North Temple Street as a major arterial (State roadway) and future transit corridor.
- The Gateway Master Plan has identified commercial and high density residential mixed land uses along the south side of North Temple Street between I-15 and 300 West Street.
- The Northwest Community Master Plan identifies, as an implementation strategy, development of a North Temple Street Corridor Plan.
- The Salt Lake City Community Housing Plan goal is to enhance, maintain, and sustain a livable community that includes a vibrant Downtown integrated with surrounding neighborhoods that offer a wide range of housing choices, mixed uses, and transit-oriented design. The Salt Lake City Housing Plan further identifies City Council policy statements supporting transit-oriented development and design through the provision of:
 - i. Housing densities and mixed uses that support the use of alternative and public transportation, depending on the characteristics of each area.
 - ii. Appropriate housing densities in areas where public transit and local services are conveniently available or can be provided, and are accessible on foot.
 - iii. Reinvestment in existing urban and inner suburban areas.

PUBLIC PROCESS:

The petition was presented to the Poplar Grove Community Council on March 22, 2006, which gave support to the proposed rezone and development.

The proposed development was presented to the Fairpark Community Council on March 23 and April 27 of 2006. Issues raised by the Fairpark Community Council related to the impact on traffic on North Temple Street and impacts on adjacent properties. The applicant addressed the traffic impact issues related to traffic being able to transition onto the property without creating conflicts with North Temple traffic movement. The applicant modified the site plan showing a visitor parking lot located in front of the access control gate. Another concern was the impact on adjacent properties if a 45-foot high building were adjacent to the single family structures.

Based on these issues, the Fairpark Community Council voted 11-7 not to support the requested zoning change. Those in favor of the plan saw an upscale economic boost to the area, while

those opposed felt it was too dense of a population for the lot size, did not like having such a tall building right next to lower density homes, and worried about who it might bring into the neighborhood. It was recommended by adjacent residents that higher density should be placed on the commercial zoned portion of the property and lower density on the SR-3 back portion of the parcel.

The Planning Commission held a Public Hearing on June 14, 2006, and passed a motion to transmit a favorable recommendation to the City Council to:

1. Amend the Capitol Hill Community Master Plan Future Land Use Map identifying the property as medium-density residential land use;
2. Rezone the property from Commercial Corridor (CC) and Special Residential (SR-3) to Residential Multi-Family (RMF-45) zoning classification; and
3. That the rezone be contingent upon the site plan showing the building location on the western portion of the property.

RELEVANT ORDINANCES:

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail starting on page 5 of the Planning Commission Staff Report (see Attachment 4iv).

State standards for zoning and Master Plan amendment are Utah State Code Section 10-9a-503 Zoning Map Amendment, Section 10-9a-404 General Plan Amendment, and Section 10-9a-201 Required Notice. The petition for zoning and Master Plan amendment was published in the newspaper on May 31, 2006 meeting State Law requirements for Master Plan amendments.

Exhibit 1

Chronology

Chronology

February 15, 2006	Petition delivered to the Planning office
February 17, 2006	Petition assigned to Everett Joyce
February 27, 2006	Requested City departmental review of proposed master plan amendment and rezoning of the subject property
March 22, 2006	Petition presented to the Poplar Grove Community Council
March 23, 2006	Petition presented to the Fairpark Community Council
April 27, 2006	Petition presented for second time to the Fairpark Community Council
May 26, 2006	Posted property
May 30, 2006	Mailed notices for Planning Commission public hearing
May 31, 2006	Newspaper notice published
June 3, 2006	E-mail comments sent from the Fairpark Community Council chair
June 14, 2006	Planning Commission public hearing
June 15, 2006	Ordinance request sent to City Attorney
June 28, 2006	Planning Commission ratified minutes of June 14, 2006 meeting

Exhibit 2 Ordinance

Amending Master Plan and Rezoning Property

SALT LAKE CITY ORDINANCE

No. _____ of 2006

(Rezoning Property Generally Located at 644 West North Temple Street and Amending the Capitol Hill Master Plan)

REZONING PROPERTY GENERALLY LOCATED AT 644 WEST NORTH TEMPLE STREET, FROM CORRIDOR COMMERCIAL DISTRICT (CC) AND SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT (SR-3) TO MODERATE/HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (RMF-45), AND AMENDING THE CAPITOL HILL MASTER PLAN PURSUANT TO PETITION NO. 400-06-06.

WHEREAS, the Planning Commission and the City Council of Salt Lake City, Utah, have held public hearings and have taken into consideration citizen testimony, filing, and demographic details of the area, the long range general plans of the City, and any local master plan as part of their deliberations. Pursuant to these deliberations, the City Council has concluded that the proposed amendment to the Master Plan and change of zoning for the property generally located at 644 West North Temple Street is appropriate for the development of the community in that area and in the best interest of the city.

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

SECTION 1. REZONING OF PROPERTY. The property generally located at 644 West North Temple Street, which is more particularly described on Exhibit "A" attached hereto, shall be and hereby is rezoned from Corridor Commercial District (CC) and Special Development Pattern Residential District (SR-3) to Moderate/High Density Multi-Family Residential District (RMF-45).

SECTION 2. AMENDMENT TO 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 consistent with the rezoning of properties identified above.

SECTION 3. AMENDMENT OF MASTER PLAN. The Capitol Hill Master Plan, as previously adopted by the Salt Lake City Council, shall be, and hereby is amended consistent with the rezoning set forth herein and shall be further amended to reflect “medium-high density residential land use” rather than “low density residential” and “commercial.”

SECTION 4. CONDITIONS. This Ordinance shall not become effective until the following conditions have been met:

- A. Submission of the proposed development site plan, which is more particularly described on Exhibit “B” attached hereto; and
- B. Filing a complete application for a building permit to build the proposed development, which is more particularly described on Exhibit “B” attached hereto.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective on the date of its first publication. The City Recorder is instructed not to publish this Ordinance until the Salt Lake City Planning Director certifies that the conditions identified above have been met.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____,
2006.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2006.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 8-8-06
By [Signature]

Exhibit "A"

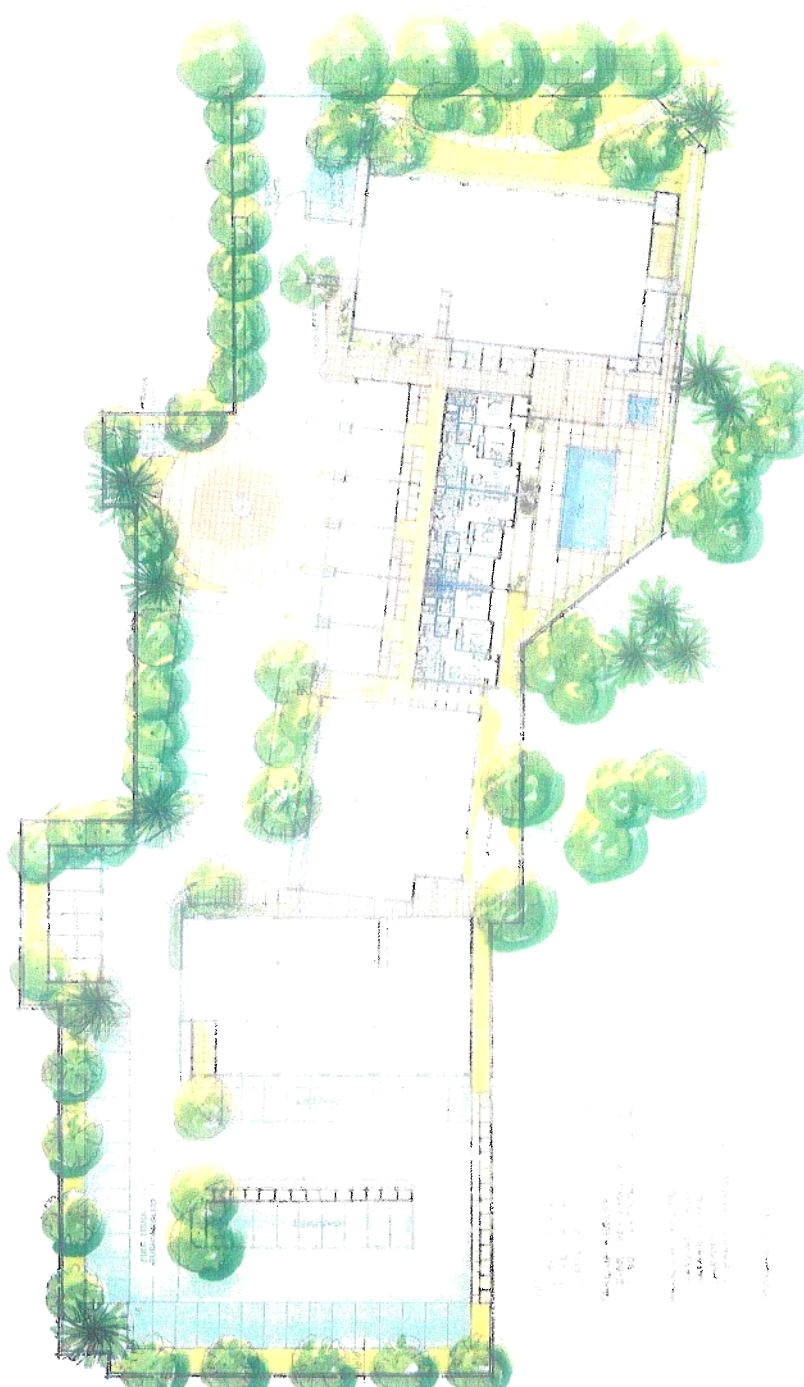
Sidwell Parcel Number: 08-36-351-033

Boundary Description

A Parcel of land being in the southwest Quarter of Section 36, Township 1 North, Range 1 West, Salt Lake Base and Meridian being a portion of Block 61, Plat C, Salt Lake City Survey, and described as follows:

Beginning at the southeast corner of Lot 3, Block 61, Plat C, Salt Lake City Survey; N 89°53'41" W 51.32 feet; thence N 40°15'53" W 29.91 feet; thence northerly along the arc of a 4871.92 feet radius curve to left 153.61 feet; thence N 50°11'47" E 70.34 feet; thence N 00°06'52" E 109.39 feet; thence S 89°53'41" E 12.50 feet; thence N 00°06'52" E 180 feet; thence S 89°53'41" E 70 feet; thence S 00°06'52" W 1 feet; thence S 89°53'41" E 78.90 feet; thence S 00°06'52" W 7.50 feet; thence S 89°53'41" E 19.20 feet; thence S 00°15'37" E 137.60 feet; thence S 89°53'41" E 14.30 feet; thence S 00°17'28" E 74.90 feet; thence N 89°53'41" W 43.70 feet; thence S 00°01'19" W 124 feet; thence S 89°53'41" E 12.20 feet; thence S 00°06'52" W 38 feet; thence N 89°53'41" W 52 feet; thence S 00°06'52" W 127 feet; thence N 89°53'41" W 113 feet to the point of beginning.
2.07 Acres

E. J. Boyle
July 6, 2006

[illegible]

2000

Exhibit 3
City Council Notice
and Mailing List

Exhibit 3i
City Council Hearing Notice

NOTICE OF PUBLIC HEARING

The Salt Lake City Council will review **Petition No. 400-06-06** by 639 W North Temple, LLC to rezone property located at 644 West North Temple Street to an RMF-45 zoning classification from the existing CC and SR-3 zoning. This action requires amendment of the Capitol Hill Community Master Plan Future Land Use Map designation from Low Density Residential and Commercial designations to a Medium Density Residential land use designation. The subject property is a 2.07 acre vacant parcel.

As part of this request the City Council is holding an advertised public hearing to receive comments regarding this petition request. During this hearing, the Planning staff may present information on the petition and anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 P.M.

PLACE: City Council Chambers
Room 315
City and County Building
451 South State Street
Salt Lake City

If you have any questions relating to this proposal, please attend the meeting or call Everett L. Joyce at 535-7930, between the hours of 8:30 a.m. and 5:30 p.m. Monday through Friday.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this City Council meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact Everett Joyce at 535-7930; TDD 535-6021.

Exhibit 3ii
City Council Mailing List



NT rezone. 400-06-06

08363040210000
CARTER, COLLEEN; TR
1810 W INDIANA AVE
SALT LAKE CITY UT 84104

08363510260000
AMERICAN TRAVEL
420 E SOUTHTEMPLE ST
SALT LAKE CITY UT 84111

08363520130000
PUCKETT, BILL D
540 W NORTHTEMPLE ST
SALT LAKE CITY UT 84116

08363040230000
GUESS, KIM H
624 W 200 N
SALT LAKE CITY UT 84116

08363510280000
JONDON INVESTMENTS LLC
3296 E ENCHANTED HILLS DR
COTTONWOOD HTS UT 84121

08363520140000
PUCKETT, KIMBERLY A
540 W NORTHTEMPLE ST
SALT LAKE CITY UT 84116

08363510120000
HAUSEN, DONALD M &
PO BOX 17844
HOLLADAY UT 84117

08363510290000
JONDON INVESTMENTS LLC
3296 E ENCHANTED HILLS DR
COTTONWOOD HTS UT 84121

08363520150000
PUCKETT, BILL
540 W NORTHTEMPLE ST
SALT LAKE CITY UT 84116

08363510130000
CORCORAN FAMILY PROPERTIES
1644 S 1400 E
SALT LAKE CITY UT 84105

08363510300000
JONDON INVESTMENTS LLC
3296 E ENCHANTED HILLS DR
COTTONWOOD HTS UT 84121

08363520160000
AUBELE, DARLENE K; ET AL
CO BOX 31547
PHOENIX AZ 85046

08363510140000
CORCORAN FAMILY INVESTMENT
1644 S 1400 E
SALT LAKE CITY UT 84105

08363510310000
ROBINSON, JON J; TR
129 N 600 W
SALT LAKE CITY UT 84116

08363520270000
SALT LAKE NEIGHBORHOOD
622 W 500 N
SALT LAKE CITY UT 84116

08363510150000
SALT LAKE COUNTY
2001 S STATE ST # N4500
SALT LAKE CITY UT 84190

08363510320000
UTAH DEPARTMENT OF
4501 S 2700 W
TAYLORSVILLE UT 84119

08363530180000
CITY FRONT PARTNERS LLC
5295 S COMMERCE DR # 175
MURRAY UT 84107

08363510160000
MUNOZ, OTELIA S
147 N 600 W
SALT LAKE CITY UT 84116

08363510330000
K S BUILDING ENTERPRISES INC
4700 S 900 E # 14
SALT LAKE CITY UT 84117

08363040240000
CHRISTENSEN, NANCY A
2250 W 14850 S
RIVERTON UT 84065

08363510190000
RR COMPANY OF AMERICA LLC
1100 CAMELLIA BLVD #201
LAFAYETTE LA 70508

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SISNEROS, HENRIQUE R &
577 W 200 N
SALT LAKE CITY UT 84116

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GUERRA, MAXIMO R
632 W 200 N
SALT LAKE CITY UT 84116

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RR COMPANY OF AMERICA LLC
1100 CAMELLIA BLVD #201
LAFAYETTE LA 70508

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SMITH, KIRK A &
166 N 600 W
SALT LAKE CITY UT 84116

08363040400000
SALT LAKE CITY CORPORATION
4501 S 2700 W
TAYLORSVILLE UT 84119

08363510250000
SINE, JERRY; ET AL
420 E SOUTHTEMPLE ST
SALT LAKE CITY UT 84111

08363520100000
MILLER, JUSTIN J
162 N 600 W
SALT LAKE CITY UT 84116

08363040410000
EARL, STEPHEN &
310 MILLBROOK CT
VACAVILLE CA 95687

08363040580000
COTTO, ANGEL L
612 W 200 N
SALT LAKE CITY UT 84116

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HANSEN PROPERTY INVESTMENT
1432 E PEACH ORCHARD CT
DRAPER UT 84020

08363510050000
RR COMPANY OF AMERICA LLC
1100 CAMELLIA BLVD #201
LAFAYETTE LA 70508

08363510110000
GODINA, FERNANDO S
PO BOX 70875
RENO NV 89570

Mark deBry
6465 S 3000 E
Suite 205
SLC UT 84121
Mike Embly
7084 S 2300E Suite 210
SLC UT 84121

Vicki Orme, Chair
Fairpark Com Council
159 N 1320 W
SLC UT 84116

Cheri Coffey
625 E. Wilson Ave
SLC UT 84105

Mike Harmon
Poplar Grove CC
1044 W 300 South
SLC, UT 84105

Everett Joyce
Rm 406
451 So. State St
SLC, UT 84111



08363040210000
CARTER, COLLEEN; TR
1810 W INDIANA AVE
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AMERICAN TRAVEL
420 E SOUTHTEMPLE ST
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AUBELE, DARLENE K; ET AL
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TAYLORSVILLE UT 84119

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5295 S COMMERCE DR # 175
MURRAY UT 84107

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MUNOZ, OTELIA S
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1044 W 300 South
SLC, UT 84105

Everett Joyce
Rm 406
451 So. State St
SLC, UT 84111

Exhibit 4

Planning Commission

Public Hearing Notice/Postmark/Agenda

Newspaper Ad

Minutes

Staff Report

Additional Information Submitted to Planning Commission

Exhibit 4i
Public Hearing Notice/Postmark/Agenda

AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, June 14, 2006, at 5:45 p.m.

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting is open to the public for observation.

1. APPROVAL OF MINUTES from Wednesday, May 24, 2006.

2. REPORT OF THE CHAIR AND VICE CHAIR

3. PUBLIC NOTICE AGENDA Salt Lake City Property Conveyance Matters (Staff – Doug Wheelwright at 535-6178 or doug.wheelwright@slcgov.com or John Spencer at 535-6938 or john.spencer@slcgov.com)

- a. Schoolhouse Downtown, LLC and Salt Lake City Property Management Division — Schoolhouse Downtown, LLC is requesting that Salt Lake City approve a lease agreement for continued under-sidewalk vault space and for surface encroachment into the sidewalk area of the street right-of-way on Pierpont Avenue, for outdoor dining purposes. The subject property adjacent to the encroachments is located at 122 West and 134 West Pierpont Avenue, and currently contains the Café Pierpont and the Baci's restaurants. It is zoned Central Business District (D-1). Property Management staff intends to approve the lease agreements as proposed.
- b. Roman Catholic Bishop of Salt Lake City, Inc. and Salt Lake City Property Management Division — The Roman Catholic Bishop of Salt Lake City is requesting that Salt Lake City approve a lease agreement to allow the installation of two sports field lighting poles within the right-of-way for 1000 East Street at approximately 650 South, for athletic field illumination of the new Football Stadium at Judge Memorial Catholic High School. The adjacent property zoning is Institutional (I). Property Management staff intends to approve the lease agreement as proposed.
- c. Emigration Market and Salt Lake City Property Management Division — Emigration Market is requesting that Salt Lake City approve a lease agreement to allow the installation of a planter box encroachment within the public way of 1700 East Street for fencing purposes to separate the outdoor dining area from the sidewalk. The adjacent property is located at 1706 South 1300 East in the Neighborhood Commercial (CN) Zoning District. Property Management staff intends to approve the lease agreement as requested.

4. UNFINISHED BUSINESS

- a. Petition 410-06-08 — A request by Ken Menlove for a Planned Development for the construction of additional mini-warehouse space to an existing warehouse/storage building located at 510 West 100 South in the Gateway Mixed-Use (G-MU) Zoning District. All new construction is a Planned Development in the G-MU District. Also a Conditional Use approval to modify the exterior building materials and for mini-warehouse use. (Staff – Doug Dansie at 535-6182 or doug.dansie@slcgov.com)
- b. Petition 490-06-18 — A request by Ken Menlove for Preliminary Subdivision for a storage facility at 510 West 100 South. (Staff – Doug Dansie at 535-6182 or doug.dansie@slcgov.com)

5. PUBLIC HEARINGS

- * a. Petition 400-06-06 — A request by 639 W North Temple, LLC to amend the Capitol Hill Community Master Plan Future Land Use Map from Low Density Residential and Commercial to Medium Density Residential Land Use and to rezone the property located at approximately 644 West North Temple Street from Commercial Corridor (CC) and Special Residential (SR-3) Zoning to Residential Multifamily (RMF-45). The rezone and plan amendment is to allow for the development of a 74-unit condominium project. (Staff – Everett Joyce 535-7930 or everett.joyce@slcgov.com)
- b. Petition 410-777 — A request by RTTA, LLC for planned development approval for new construction within the Community Shopping (CS) Zoning District at approximately 137 N Redwood Road. The applicant proposes to construct a retail service establishment / financial institution; a permitted use. (Staff – Everett Joyce 535-7930 or everett.joyce@slcgov.com)
- c. Petition Number 400-02-41 — A request by the Salt Lake City Planning Commission to modify the existing Capitol Hill Protective Area Overlay District text to restrict height limits and to amend the Capitol Hill Community Master Plan and Zoning Map to expand the western boundary of the Overlay Zone to approximately 200 West and the southeast boundary to "A" Street. The Capitol Hill Protective Area Overlay District lies within the Capitol Hill and Avenues Planning Communities. The general boundaries proposed are from Girard Avenue (550 North) to North Temple Street and from 200 West Street to "A" Street. The Capitol Hill Protective Area Overlay District restricts building heights and does not affect the types of land uses permitted within the base zoning districts. (Staff – Everett Joyce 535-7930 or everett.joyce@slcgov.com)
- d. Petition 400-06-09 — A rezone request located at approximately 99 East 700 North from FR-2 (Foothills Residential) to R-2 (Single and Two-Family Residential) Zoning District to build a two-family dwelling (duplex) on the site. (Staff – Lex Traughber at 535-6184 or lex.traughber@slcgov.com)
- e. Petition 410-06-05 — A planned development request by Bruce Manka to modify minimum yard requirements to allow encroachments for proposed second-story balcony structures and the roofs of lower-level patios at 650 North 300 West Street. The property is located in a RMF-35 (Residential Multi-Family) and a R-MU (Residential Mixed Use) Zoning District. (Staff – Janice Lew at 535-7625 or janice.lew@slcgov.com)
- f. Petition 410-06-14 — A request by Wayne Belka of Prosperity Enterprises for planned development approval at 479 South 600 East for a retail bakery building in a Community Shopping (CS) Zoning District, in the Central City Historic District. Staff – Elizabeth Giraud at 535-7128 or elizabeth.giraud@slcgov.com)
- g. Petition 410-768 — A request by Jerome Gourley of T-Mobile USA, Inc. for conditional use approval to replace a 33-foot high utility pole at the rear of the property located at approximately 1596 East Stratford Avenue with a 43-foot high pole for a wireless telecommunications antennae. (Staff – Elizabeth Giraud at 535-7128 or elizabeth.giraud@slcgov.com)

6. REPORT OF THE DIRECTOR

The next scheduled Planning Commission meeting will be June 28, 2006. This information can be accessed at www.slcgov.com/CED/planning.

NOTICE OF HEARING

016H16501573
\$00.390
 05/30/2006
 Mailed From 84111
US POSTAGE

POSTAGE



Salt Lake City Planning Division
 451 South State Street, Room 406
 Salt Lake City UT 84111

(E)

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearing will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considered of everyone attending the meeting, public comments are limited to three (3) minutes per person, per item. A spokesperson who has already been asked by a group to summarize their concerns will be allowed five (5) minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:
 Salt Lake City Planning Commission
 451 South State Street, Room 406
 Salt Lake City UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Office at 535-7757; TDD 535-6021.

Exhibit 4ii
Newspaper Ad

Newspaper Agency Corporation

4770 S. 5600 W.

P.O. BOX 704005

WEST VALLEY CITY, UTAH 84170

FED. TAX I.D.# 87-0217663

The Salt Lake Tribune

DESERET
Morning News

CUSTOMER'S
COPY

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
PLANNING DIVISION 451 SOUTH STATE STREET, ROOM 4 SALT LAKE CITY UT 84111	P5356184L-07	05/31/06

ACCOUNT NAME	
PLANNING DIVISION	
TELEPHONE	INVOICE NUMBER
801-535-6184	TL8203172Q1
SCHEDULE	
START 05/31/06 END 05/31/06	
CUST. REF. NO.	
CAPTION	
SALT LAKE CITY PLANNING COMMIS	
SIZE	
47 LINES 1.00 COLUMN	
TIMES	RATE
1	1.68
MISC. CHARGES	AD CHARGES
.00	83.96
TOTAL COST	
83.96	

SALT LAKE CITY PLANNING COMMISSION MASTER PLAN AMENDMENT AND REZONE PUBLIC HEARING

On Wednesday, June 14, 2006 at 5:45 P.M., the Salt Lake City Planning Commission will hold a hearing to take comment on Petition 400-06-06 to amend the Capitol Hill Community Master Plan and rezone property at 644 W North Temple St. Requested is changing the land use designation from General Commercial and Low Density Residential to Medium Density Residential and rezone the property from CC and SR-3 to RMF-45. All persons interested and present will be given an opportunity to be heard.

The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street. Accessible parking and entrance is located on the east side of the building. Hearing impaired individuals who wish to attend this meeting should contact our TOD service number, 535-6021, four days in advance. For further information regarding this hearing, call Everett Joyce at 535-7930. R203172Q

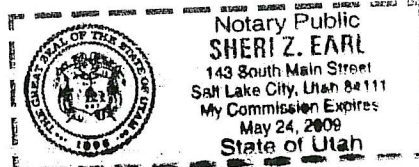
AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKKEEPER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF SALT LAKE CITY PLANNING COMMIS FOR PLANNING DIVISION WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH.

PUBLISHED ON START 05/31/06 END 05/31/06

SIGNATURE

DATE 05/31/06



THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT.

Exhibit 4iii
Minutes

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, June 14, 2006**

PUBLIC HEARINGS

Petition 400-06-06 — A request by 639 W North Temple, LLC to amend the Capitol Hill Community Master Plan Future Land Use Map from Low Density Residential and Commercial to Medium Density Residential Land Use and to rezone the property located at approximately 644 West North Temple Street from Commercial Corridor (CC) and Special Residential (SR-3) Zoning to Residential Multifamily (RMF-45). The rezone and plan amendment is to allow for the development of a 74-unit condominium project. *(This item was heard at 6:09 p.m.)*

Chairperson Noda recognized Everett Joyce as Staff Representative. Mr. Joyce presented a brief background of the project. He stated that the Capitol Hill Master Plan Future Land Use Map designates the property in a conflicting manner when consideration of other city policies is supported; namely, the Community Housing Policy, Transit Development and the Transportation Master Plan relating to Transit Corridors. He stated that the North Temple Corridor is a proposed future transit corridor, providing high-density residential structures – supporting the proposal. Mr. Joyce included that the impact of high-density housing will affect the surrounding area; however, the developer has proposed an alternate site plan than the one provided in the Staff Report to better suite the neighborhood requests. The new site plan places the building along the freeway instead of near the backyards of the existing residents. Mr. Joyce reinforced the request for a rezone and an amendment to a master plan.

Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to approve the requested amendments.

The Commissioners expressed concern regarding noise, lighting, landscaping and the permitted uses in the area if the rezone is approved.

Staff referred noise concerns to the applicant and clarified that landscape buffering is required when site approval is requested. Mr. Joyce reiterated that the current request is for a rezone to allow multi-family residential dwellings at 45 feet in height. Staff clarified that 1.7 acres of the property would be re-zoned from SR-3 to RMF-45, given approval.

At 6:20 p.m., Chairperson Noda recognized the applicants.

Mike Embley, representing the developer (Ken Shirley), Tim Short, and Architect Mark de Bry represented the applicant. Mr. Embley commended the Commissioners for their public service. He stated that the site is awkward in its design because of the commercial and street frontage. He indicated that there are privacy and security concerns for the area, but that he intends to work with the neighbors regarding the development.

Tim Short provided a brief description of the setting, the neighborhood, and the background of the project. He noted that the goal is to pattern the project after the

Gateway Park Condominiums in developing a classy, business clientele. Mr. Short also included that the new site plan is being proposed to help mitigate the concerns of the neighborhood.

Commissioner De Lay expressed concern regarding Mr. Embley's comment about isolation from the neighborhood.

Mr. Embley stated that his intention is not to isolate the building, but rather to provide a safe, secure environment for the owners. Mr. Short mentioned that a wrought-iron gate would be constructed to provide an open, yet secure area. He noted that the goal was to be courteous to the surrounding residential neighbors. Mr. Short indicated that an alleyway (or right-of-way) is located on the northern end of the property, with potential for walkable access, and will be considered upon site plan approval.

Commissioner De Lay raised attention to the letter from Maria Garcia, Neighborhood Housing Executive Director, regarding the potential for high density housing in the area and the impact it will have on adjacent neighborhoods.

Chairperson Noda requested comments from Community Council Chairs and from the public.

Jon Robinson, 129 North 600 West, expressed concern regarding the size of the proposed building in relation to the size of the parcel. He raised concern regarding the rezone approval and the potential for an inappropriate structure to be placed on the property if it is sold or redesigned. Mr. Robinson suggested that a condition be placed on the motion to include the current site plan.

Commissioner De Lay expressed concern regarding the impact to the neighborhoods to high-density housing, as Citifront is also proposing to build in the area. Commissioner Scott requested additional information regarding the soil on the property.

Mr. Embley stated that they would do all things possible to satisfy the neighbors, as far as their property is concerned. He also stated that an environmental engineering study has been conducted for the whole project and is satisfactory. He noted that ½ story of underground parking will be constructed.

Chairperson Noda closed the public hearing.

The Commissioners discussed the proposed rezone and requested that the site plan be a condition of the approval.

Mr. Joyce stated that if the Commissioners wanted site plan approval, the motion could include that the rezoning would not be in place until a building permit had been issued with site plan approval of the Planning Commission. He noted that the buildings are presently defined as condominiums and not as a planned development, due to their upper level connection.

Mr. Ikefuna suggested that the Planning Commission add that the approval be conditioned upon the building permit; however, ensuring that the plan return to the Planning Commission is not appropriate to the present request. He also addressed the density concerns of the Planning Commission by stating that the North Temple Corridor

is being considered as a potential Transit Oriented Corridor including mixed use and high density development towards the Interstate 80 area. Mr. Ikefuna recommended that the petition request be approved.

The Commissioners discussed the option of (a) adding a condition to return to the Commission with a site plan, (b) deny the petition, or (c) to grant approval based on the presented site plan. The uniqueness of the parcel and its location was raised to support the rezone request. Some of the Commissioners agreed that safeguards exist in order to mitigate the adjacency of RMF-45 buildings and residential housing; therefore, placing trust in the applicants to work with the neighbors to create a satisfactory result for all parties involved.

Ms. Coffey suggested the rezoning request be conditioned upon the site plan distributed at the meeting, given the fact that a condition cannot be required to return to the Planning Commission.

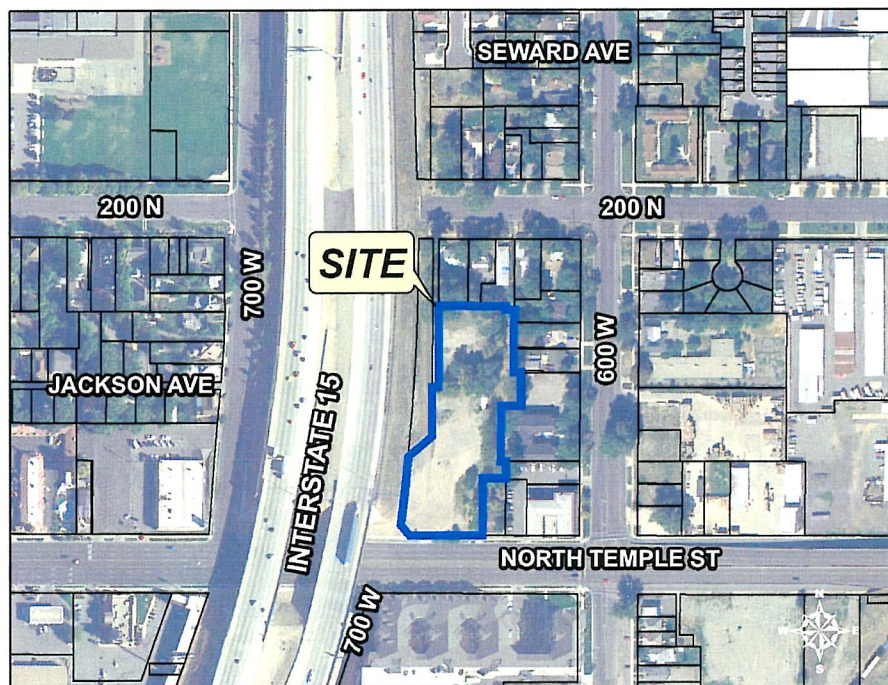
Based upon the findings of fact in the Staff report, Commissioner Muir made a motion for the Planning Commission to transmit a favorable recommendation to the City Council to amend the Capitol Hill Community Master Plan Future Land Use Map for medium-density residential land use and to rezone the property from CC (Commercial Corridor) and SR-3 (Special Development Pattern Residential District) to RMF-45 zoning classification, contingent upon the latest site plan submitted as part of the record. The motion was seconded by Commissioner Scott. All vote "Aye". The motion passed.

Commissioner De Lay clarified that her intent in requesting the applicant to return to the Planning Commission was not to micro-manage the project, but to rather be more aware of the upcoming density to the North Temple and 300 West areas.

Exhibit 4iv
Staff Report

DATE: June 8, 2006
TO: Salt Lake City Planning Commission
FROM: Everett L. Joyce, AICP
RE: **STAFF REPORT FOR THE JUNE 14, 2006 PLANNING COMMISSION MEETING**

CASE #: 400-06-06 Master Plan and Zoning Amendment
APPLICANT: 639 W North Temple LLC
PROJECT LOCATION: 644 W North Temple Street
PROJECT/PROPERTY SIZE: 2.07 acres
COUNCIL DISTRICT: District 3, Councilmember Jergensen
REQUESTED ACTION: Amend the Capitol Hill Community Master Plan Future Land Use Map from Low Density Residential and Commercial to Medium Density Residential land use and rezone the subject property RMF-45.



Vicinity Map

PROPOSED USE(S): Development of a 74 unit residential condominium project.

SURROUNDING ZONING DISTRICTS:

North SR-1 Single Family / Duplex
South GMU Gateway Mixed Use
East SR-1 Single Family / Duplex
West SR-1 west of I-15

SURROUNDING LAND USES:

North Single family, duplex, 3-4 unit apartments
South High density apartments
West Interstate 15 and low density residential
East Single family, duplex, apartment and commercial

APPLICABLE LAND USE REGULATIONS:

21A.50.050 Standards for general amendments.
Utah Code 10-9a-404 General Plan amendment

MASTER PLAN SPECIFICATIONS:

The Capitol Hill Community Master Plan designates the subject property for low density residential and commercial land uses.

ACCESS:

The subject parcel fronts on North Temple Street.

PROJECT DISCRIPTION:

Applicant is requesting master plan amendment and zoning classification amendment to accommodate the development of a condominium project with three stories of dwelling units on top of one level of parking on a vacant parcel.

COMMENTS, ANALYSIS AND FINDINGS:

COMMENTS

City Department Comments.

Transportation - The Transportation Division reviewed the petition proposal and recommended approval based on the following. North Temple is an arterial roadway and needs to be reviewed for access approvals by the Utah Department of Transportation.

We require that the existing public way be reviewed for improvements upgrades as required per engineering, along with street lighting upgrades per the City's lighting master plan.

The site development requires standard plan review per city compliance. The plan submitted indicates 120 stalls required and notes 138 provided, but the parking layout only shows 136 stalls. One of the (5) ADA stalls needs to be revised for van accessible use which will reduce the number to 135 stalls. The gated entry needs to indicate a 17.5 foot setback from the back of walk for vehicle staging not to impact the pedestrian sidewalk. Final approvals are subject to full plan set reviews.

Public Utilities - The Public Utilities Department reviewed the proposed request for zoning and plan amendment and provided the following comments related to the construction of the proposed residential development. The Department's detailed responses are located in Exhibit 3 Department Comments.

- All design and construction must conform to State, County, City and Public Utilities standards and ordinances.
- Use of the existing sewer laterals and water services are subject to the condition and capacity of each.
- A Master Grading and Drainage Plan must be submitted for this development. The development will be required to provide on-site detention of the storm water.
- High groundwater is typical in this area. If below grade buildings or structures are proposed, a stamped geotechnical report identifying the highest expected groundwater must be submitted to Public Utilities for review and approval.

Fire Department – The Fire Department has no objection to the zoning change request. Site plan approval for development (fire hydrant number and location, fire access roads) will require review and approval by the Fire Department prior to building permit issuance. The footprint of the building and access as shown on the preliminary drawing shows inadequate access for fire apparatus.

Police Department – The Police Department identified that this property has been an area of concern for residents for many years now. This project would be a positive addition to the neighborhood and a good use of that space. However, steps should be taken to implement as many “crime prevention” strategies as possible. Police services have already increased to that area due to another multi-unit project.

Building and Permits Department – The Permits Department had the following comments regarding the petition request. The RMF-45 zone requires 10 feet of landscaped buffer along single or two family districts that abut the property. This property abuts an SR-1 zone to the north and east, therefore the project will need to provide the landscape buffer. The submitted site plan shows a 10' setback and some trees but does not well define the buffer area or the plantings. Also, it appears that some playground equipment may encroach into the buffer area.

Engineering Department – The key Salt Lake City Engineering Department review comments are summarized below, the full detailed comments are shown in Exhibit 3 Department Comments.

- Salt Lake City Engineering has no objection to the proposed rezone.
- Curb, gutter and sidewalk exist in North Temple along the frontage of the proposed development. Since North Temple is a State road, UDOT controls the access onto it. The applicant must obtain approval from UDOT for the proposed drive approach.
- A certified address is required prior to applying for a building permit.

Community Council Comments

The proposed development was presented to the Fairpark Community Council on March 23 and April 27 of 2006.

Issues raised related to the impact on traffic on North Temple Street and impacts on adjacent properties. The applicant addressed the traffic impact issues related to traffic being able to transition onto the property without creating conflicts with North Temple traffic movement. The applicant modified the site plan showing a visitor parking lot at the front portion of the parcel and has located the vehicle access gate to the remainder of the property well back from the North Temple Street front. Another concern was the impact on adjacent properties if the zoning is changed to allow 45 foot high buildings adjacent to single family residential uses.

After discussion of the issues, the Community Council voted not to support the requested zoning change 11-7 for the proposed condominium project. Those in favor of the plan saw an upscale economic boost to the area, while those opposed, felt it was too dense of a population for the lot size, did not like having such a tall building go in right next to them and worried about who it might bring into the neighborhood. It was recommended by adjacent residents that higher density should be placed on the commercial zoned portion of the property and lower density on the SR-3 back portion of the parcel.

Other Public Comments - The Planning Division received comments on the proposed rezoning amendment petition. These responses are in opposition to the proposal and are included in Exhibit 5 – Other Public Comments.

ANALYSIS AND FINDINGS

ZONING AMENDMENT

Section 21A.50.050 Standards for General Amendments.

A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

Discussion: The Capitol Hill Master Plan's Future Land Use Map designates the subject property for commercial and low density residential land use. The site is located in the Guadalupe Neighborhood.

The Capitol Hill Community Master Plan states that over the past several decades, Guadalupe has become less desirable as a low density residential neighborhood due to a high concentration of rental units and neglected properties in combination with, and partially due to, the isolation and noise impacts associated with the transportation corridors which surround it.

Several adjacent policy plans and actions affect the surrounding neighborhood and have potential impact on the subject parcel. Particular policy issues related to North Temple Street and adjacent areas are identified below:

- The Salt Lake City Transportation Master Plan identifies North Temple Street as a major arterial (State roadway) and future transit corridor.
- The Gateway Mater Plan has identified commercial and residential land uses along the south side of North Temple Street between Interstate -15 and 300 West Street.
- The Northwest Community Master Plan identifies as an implementation strategy to develop a plan for the North Temple Street corridor.
- The Salt Lake City Community Housing Plan goal is to enhance, maintain and sustain a livable community that includes a vibrant downtown integrated with surrounding neighborhoods that offer a wide range of housing choices, mixed uses, and transit oriented design. The Salt Lake City Housing Plan further identifies City Council policy statements supporting transit oriented development and design through the provision of:
 - i. Housing densities and mixed uses that support the use of alternative and public transportation, depending on the characteristics of each area.
 - ii. Appropriate housing densities in areas where public transit and local services are conveniently available or can be provided and area accessible on foot.
 - iii. Reinvestment in existing urban and inner suburban areas.

During the development of the Capitol Hill Community Master Plan the property was used as a staging area for the reconstruction of Interstate 15. The Utah Department of Transportation acquired the property for interstate widening purposes. It was unknown at

that time how much of the property would be used for freeway purposes. The use of the property before it was acquired by UDOT was for commercial use, a motel. The Future Land Use Plan for the area depicted transportation land use, commercial land use along the North Temple Street frontage and interior block residential land use.

Findings: Although the proposed amendment is not consistent with the future land use map and amendment to the Capitol Hill Community Master Plan to a medium density land use designation would be required. The proposed amendment supports the provision of housing opportunity that is consistent with policies of the Salt Lake City Transportation Master Plan and the Salt Lake City Community Housing Plan with respect to the North Temple transit corridor.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

Discussion: Previous use of the property was for commercial use. A motel occupied the site until the property was acquired for reconstruction of Interstate 15. The subject parcel is the remainder of the original parcel acquired by Utah Department of Transportation.

The overall character of the area contains a variety of land uses ranging from single family residential uses to commercial land uses. Immediately east of the subject parcel are commercial uses on the North Temple Street frontage and low density residential uses to the east. Single family and duplex residential uses are located to the north. The development character south of the subject property is high density residential and a mix of nonresidential uses. West of Interstate 15 the street front uses on North Temple are commercial uses.

A policy of the master plan for infill development within the Guadalupe Neighborhood is to require that new development be compatible in scale, design, site configuration and character within the historical development patterns present in Guadalupe, to strengthen the stability of the neighborhood.

Findings: With appropriate setbacks the proposed development will be compatible in scale and character of the neighborhood. The proposed development plan is harmonious with the overall character of existing development. The proposed amendment is harmonious with the land use character desired along a major arterial and transit corridor.

C. The extent to which the proposed amendment will adversely affect adjacent properties.

Discussion: Adjacent low density residential properties are impacted by structures with additional building height. The existing zoning has a 30 foot building height while the requested zoning allows a 45 foot building height. Impacts from additional building height can also be affected by setback standards. The SR-3 Zoning District allows a 4-foot interior side yard and the RMF-45 allows an 8-foot interior side yard. The rear yard

setback requirement is the same for both zoning district. The rear yard setback for the property would be 30 foot.

It is recommended by the staff, that the preliminary condominium approval of the proposed development be reviewed by the Planning Commission with specific consideration of adequate building setbacks from adjacent low density properties and development.

Findings: With appropriate design and site configuration of development on the subject property to meet RMF-45 landscape buffer requirements and setback standards, the proposed amendment will not adversely affect adjacent properties.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts, which may impose additional standards.

Discussion: The subject property is not within any overlay district boundaries.

Findings: This standard does not apply to the subject site.

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

Discussion: Applicable City Departments were requested to review and comment on the proposed amendments and identify whether existing facilities and services are adequate to accommodate the development associated with the proposed amendments.

The Public Utilities Department stated that a high groundwater is typical in this area. If below grade buildings or structures are proposed, a stamped geotechnical report identifying the highest expected groundwater must be submitted to Public Utilities for review and approval.

The Police Department identified that this property has been an area of concern for residents for many years now. This project would be a positive addition to the neighborhood and a good use of that space. However, steps should be taken to implement as many “crime prevention” strategies in the design of the structure and site configuration as possible to minimize potential needs for increased Police Services.

The Transportation Division reviewed the traffic data identifying additional trips generated and that the property has direct access to an arterial street. The Division recommended approval.

Findings: The public facility services and utilities are in place to serve the subject parcel. If specific development demands exceed service capacity, then the developer would be

required to make system improvements as part of obtaining a building permit. The adjacent arterial streets can absorb the traffic generated by the proposed uses.

MASTER PLAN AMENDMENT

Discussion: The Capitol Hill Community Master Plan Future Land Use map designates the property for commercial and low density residential uses. Land use designations in master plans identify the City's policy for future land uses. To accommodate the proposed development requires amending the Capitol Hill Community Master Plan land use designation for the subject property for medium density residential land uses.

The Salt Lake City Transportation Master Plan identifies North Temple Street as a major arterial (State roadway) and future transit corridor. The Salt Lake City Community Housing Plan goal is to enhance, maintain and sustain a livable community that includes a vibrant downtown integrated with surrounding neighborhoods that offer a wide range of housing choices, mixed uses, and transit oriented design. The Salt Lake City Housing Plan further identifies City Council policy statements supporting transit oriented development and design through the provision of housing densities and mixed uses that support the use of alternative and public transportation, depending on the characteristics of each area.

In the mid 1990's a concerted effort was made by the City to ensure that new multifamily development be located on major arterials on the edges of neighborhoods rather than within low density neighborhoods. In addition, light rail is slated to be developed along North Temple Street. Therefore, development of this property, which was once commercial development as medium high density residential land use is appropriate.

Findings: Amendment of the Capitol Hill Master Plan Future Land Use map for the subject property supports the Salt Lake City Transportation Master Plan by providing for the accommodation of higher residential density along the North Temple transit corridor and supports the Salt Lake City Community Housing Plan policy regarding transit oriented development.

Amendment of the Capitol Hill Community Master Plan Future Land Use Map from commercial and low density residential to medium density residential does not detract from the desirability of maintaining the Guadalupe neighborhood as a low density residential community.

Notice Requirement. A notice for the Master Plan amendment was published in the Salt Lake City Tribune and Deseret News on May 31, 2006 meeting State Law requirements for Master Plan amendments.

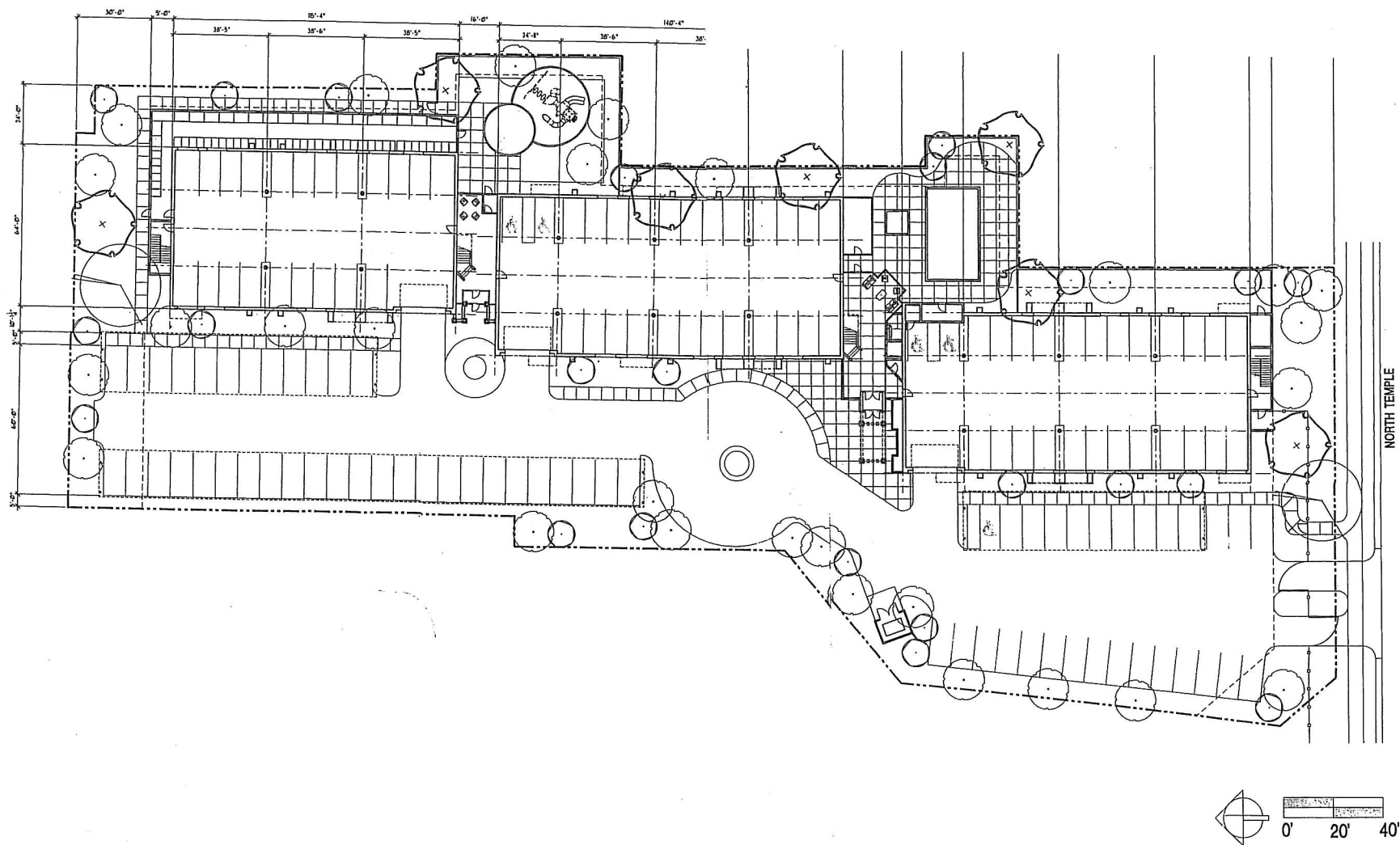
RECOMMENDATION:

Based on the findings of fact, staff recommends that the Planning Commission forward a recommendation to the City Council to approve the request of Petition 400-06-06, to amend the Capitol Hill Community Master Plan Future Land Use Map for medium density residential land uses and rezone the property from CC and SR-3 to an RMF-45 zoning classification

Exhibits

- Exhibit 1: Site Plan
- Exhibit 2: Elevations
- Exhibit 3: Department Comments
- Exhibit 4: Community Council Comments
- Exhibit 5: Other Public Comments

Exhibit 1
Site Plan



project:
**NORTH TEMPLE
 CONDOMINIUMS**
 SALT LAKE CITY, UTAH

date
 FEBRUARY 9, 2006

revisions

data
 project no: 0567
 drawn by: XXX
 checked by: XXX
 title
**SITE
 PLAN**
 sheet

Exhibit 2

Elevations



WEST ELEVATION
Building A1
NORTH TEMPLE CONDOMINIUMS
JSA Architects
9 February 2008



Exhibit 3
Department Comments

Joyce, Everett

From: Walsh, Barry
Sent: Wednesday, March 08, 2006 5:31 PM
To: Joyce, Everett
Cc: Young, Kevin; Smith, Craig; Butcher, Larry; Larson, Bradley; Stewart, Brad
Subject: Pet 400-06-06
Categories: Program/Policy

March 8, 2006

Everett Joyce, Planning

Re: Petition 400-06-06, By 639 North Temple LLC – request to rezone a parcel at 644 West North Temple Street for development of the North Temple Condominiums.

The transportation division review comments and recommendations are for approval of the proposed zone change for a 66 unit condo.

North Temple is an arterial roadway and needs to be reviewed for access approvals by UDOT.

We require that the existing public way be reviewed for improvements upgrades as required per engineering, along with street lighting up grades per the City's lighting master plan compliance.

The site development requires standards plan review per city compliance. The plan submitted indicates 120 stalls required and notes 138 provided, but the parking layout only shows 136 stalls. One of the (5) ADA stalls needs to be revised for van accessible use which will reduce the number to 135 stalls. The gated entry needs to indicate a 17.5 foot setback from the back of walk for vehicle staging not to impact the pedestrian sidewalk. Final approvals are subject to full plan set reviews.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Craig Smith, Engineering
Larry Butcher, Permits
Brad Larson, Fire
Brad Stewart, Utilities
File

Joyce, Everett

From: Larson, Bradley
Sent: Friday, March 17, 2006 2:26 PM
To: Joyce, Everett
Subject: Petition #400-06-06 / 639 North Temple LLC

Everett,

The Fire Department has no objections to the above named Petition in general. However, the footprint of the building and access as shown on the proposed preliminary drawing presents inadequate access for fire apparatus. The petitioners may call or meet with me to discuss solutions prior to final submittal for a building permit. Please feel free to contact me should you have any questions or need further assistance.

Brad Larson
Deputy Fire Marshal
Salt Lake City Fire Department
801-799-4162 office
801-550-0147
bradley.larson@slcgov.com

5/25/2006

TO: EVERETT JOYCE, PLANNING

FROM: SCOTT WEILER, P.E., ENGINEERING

DATE: MARCH 13, 2006

SUBJECT: **Rezone for the North Temple Condominiums**
Petition #400-06-06
639 W. North Temple

SLC Engineering's review comments are as follows:

1. SLC Engineering has no objection to the proposed rezone.
2. Curb, gutter and sidewalk exist in North Temple along the frontage of the proposed development. Since North Temple is a State road, UDOT controls the access onto it. The applicant must obtain approval from UDOT for the proposed drive approach.
3. The developer must enter into a subdivision improvement construction agreement. This agreement requires the payment of a 5% fee based on the estimated cost of constructing the street/driveway improvements. A copy of the agreement is available in my office. The developer should contact Joel Harrison (535-6234) to discuss insurance requirements for the project.
4. Improvement plans will be required for the private driveway. A standard SLC Subdivision cover sheet is required on the plans. The following approval signatures are required on the cover sheet:

SLC Transportation for approval of street geometrics.
SLC Fire Department
SLC Public Utility Department (sewer, water & drainage improvements)
SLC Engineering Division (street design)
SLC Planning Department

Mylar drawings must be submitted by the developer to each of these SLC divisions for signature approval.

5. A certified address is required prior to applying for a building permit.

cc: Brad Stewart
Barry Walsh
Vault

Joyce, Everett

From: Brown, Jason
Sent: Monday, March 06, 2006 11:26 AM
To: Joyce, Everett
Cc: Garcia, Peggy; Niermeyer, Jeff
Subject: Petition # 400-06-06 to rezone a parcel at 644 West North Temple for North Temple Condominiums
Categories: Program/Policy

Dear Joyce,

Salt Lake City Public Utilities has reviewed the above referenced Zoning Map Amendment application request and offers the following comments:

All design and construction must conform to State, County, City and Public Utilities standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities General Notes.

A master meter and sewer utility plan must be submitted for this development. The plan must show all proposed pipe routings. Sizes, types, boxes, meters, detector checks, fire lines and hydrant locations. Culinary and fire connection must be separate connections at the main. The engineer must provide calculations for expected peak sewer flows from this development. With this information Public Utilities will verify if the sanitary sewer system downstream for this development can handle these additional flows. If not, the developer will be responsible to provide offsite improvements as necessary to accommodate these additional flows. All offsite improvements must be approved by Salt Lake City Traffic and Engineering. For all culinary services larger than 3-inches, the water meter size must be justified by submitting AWWA M-22 method calculations or by an approved equivalent method. Numerous water services are currently connected to this property. Only one of these services may be used as and irrigations service. All other services must be killed at the main per Salt Lake Public Utilities requirements.

Use of the existing sewer laterals and water services are subject to the condition and capacity of each. If they are not used, it is the responsibility of the developer to insure that a licensed and bonded plumbing contractor disconnect each water service at the main line and cap each sewer lateral at the property line. All of the above-mentioned work must be inspected and approved by Public Utilities.

A Master Grading and Drainage Plan must be submitted for this development. Storm water flows are not allowed to sheet flow onto adjacent lots. The development will be required to provide on-site detention of the storm water. All detention must be above the highest expected groundwater for this site or one foot above the top of the existing 84-inch storm drain in North Temple.

High groundwater is typical in this area. If below grade buildings or structures are proposed, a stamped geotechnical report identifying the highest expected groundwater must be submitted to Public Utilities for review and approval. This assessment must be based upon historical well records, borings, etc. All finished floor elevations must be above the highest groundwater

elevation.

Fire Department approval will be required. Fire flow requirements, hydrant spacing and access issues will need to be resolved with the Fire Department.

All existing easements must be provided before final plat recordation. If a sewer lateral or a water lateral service crosses through an adjacent property, an easement for that utility must be provided.

All sewer, water and storm drain connection agreements must be completed and fees paid in full prior to any approvals from our Department. A \$343 per quarter acre drainage impact fee will be assessed for any new impervious surface added to this property. If offsite improvements are required, all construction must be bonded by the developer.

Please call Peggy Garcia or myself if you have any questions.

Jason Brown, PE

Development review
Salt Lake City Pubic Utilities
(801) 483-6727

Joyce, Everett

From: Johnson, Linda
Sent: Tuesday, March 14, 2006 4:01 PM
To: Joyce, Everett
Subject: Petition Number 400-06-06 "North Temple Condominiums"
Categories: Program/Policy

Hi Everett,

I'm sorry that this is a day late. I have been off work due to surgery, and I have been trying to get caught up with all the work that has accumulated in my absence! I reviewed the proposal for the rezone of this property for the intended condominium project. I know that this property has been an area of concern for residents for many years now. I think that this project would be a positive addition to the neighborhood and a good use of that space. However, steps should be taken to implement as many "crime prevention" strategies as possible. Police services have already increased to that area due to another multi-unit project. Has, or will this proposal be presented at the Fairpark (or Capitol Hill) Community Council? I know the Fairpark community is very vocal about some of the "new additions" to that particular area of North Temple.

3/19/2006

Exhibit 4
Community Council Comments

Joyce, Everett

From: vickyorme@utah-inter.net
Sent: Saturday, June 03, 2006 10:15 PM
To: Joyce, Everett
Subject: 639 West North Temple

I am the Chair of the Fairpark community council. Mike Embley and others from the proposed development on North Temple came to our community council meeting in April to present the planned 74 unit development at 650 West and North Temple.

After seeing the plans and much discussion, a vote was taken in which the zoning change necessary to allow such development was voted down 11-7.

Those in favor of the plan saw an upscale economic boost to the area, while those opposed, which included those who lived directly to the North and East of the development, felt it was too dense of population for the lot size, did not like having such a tall building go in right next to them, and worried about who it might bring into the neighborhood.

The development is for the North side of North Temple, and I think, therefore that it must end in an even number, so I put 650 W for an example. It may not be the exact address, but is between the I-15 freeway and the plasma center.

Victoria Orme, Chair, FPCC

801 706- 8691

If you have any questions please feel free to ask. VO

6/6/2006

Exhibit 5

Other Public Comments

To: Salt Lake City Planning Commission & City Council

From: Jon Robinson
Home Owner at 129 North 600 West

RE: Developers request to up-zone the old Se Rancho Motel site at 640 West North Temple.

Commission and Council members:

I am writing this letter in opposition of the rezoning of the property referenced above.

The property in question is currently zoned CC along the North Temple frontage with the balance being SR-3. My opposition is with the SR-3 being up-zoned to RMF-45. When the Capital Hill Master Plan was created a few years ago one of its goals was to maintain the Guadalupe neighborhood as a quiet, low density, owner occupied neighborhood. Most of the properties in the area were actually down-zoned to meet this goal. My property was down-zoned from R6 to SR-1. I believe all of the property on my block is now SR-1 except the CC along North Temple and this site, which is SR-3.

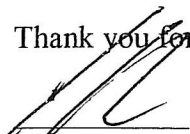
I think it is contrary to the intent of the Master Plan to allow this property to be up-zoned. The existing SR-3 is already higher than the adjoining residential properties. The Planning Commission recently approved zoning changes to limit "Monster" homes in my neighborhood. It seems contradictory to do this but then allow other property in the neighborhood to be up-zoned to allow large, high density housing.

I don't fault the developers wanting to maximize their profit on this development, that's their business. But I don't think it's fair for the neighbors/neighborhood to bear the burden of having an excessively large condo project in our backyards to facilitate that goal. This property was SR-3 when they purchased it and should be developed under that zoning.

There is current planning underway to build 300 to 1000 residential units within 1 block of this project. Those developments would not take any zoning changes. I don't believe we need to specifically up-zone this property to add even more residential density to the Guadalupe neighborhood.

The specific design of the 70+ condos is even more questionable. They have aligned the buildings along the eastern edge of their property, which is the closest to the SR-1 property. If the buildings were moved to the west, with their parking lot on the east side, this would at least provide a buffer for the SR-1 neighbors.

Thank you for your consideration,



Jon Robinson

Joyce, Everett

From: Maria Garciaz [maria@slnhs.org]
Sent: Monday, June 05, 2006 5:13 PM
To: Joyce, Everett
Subject: Petition 400-06-08

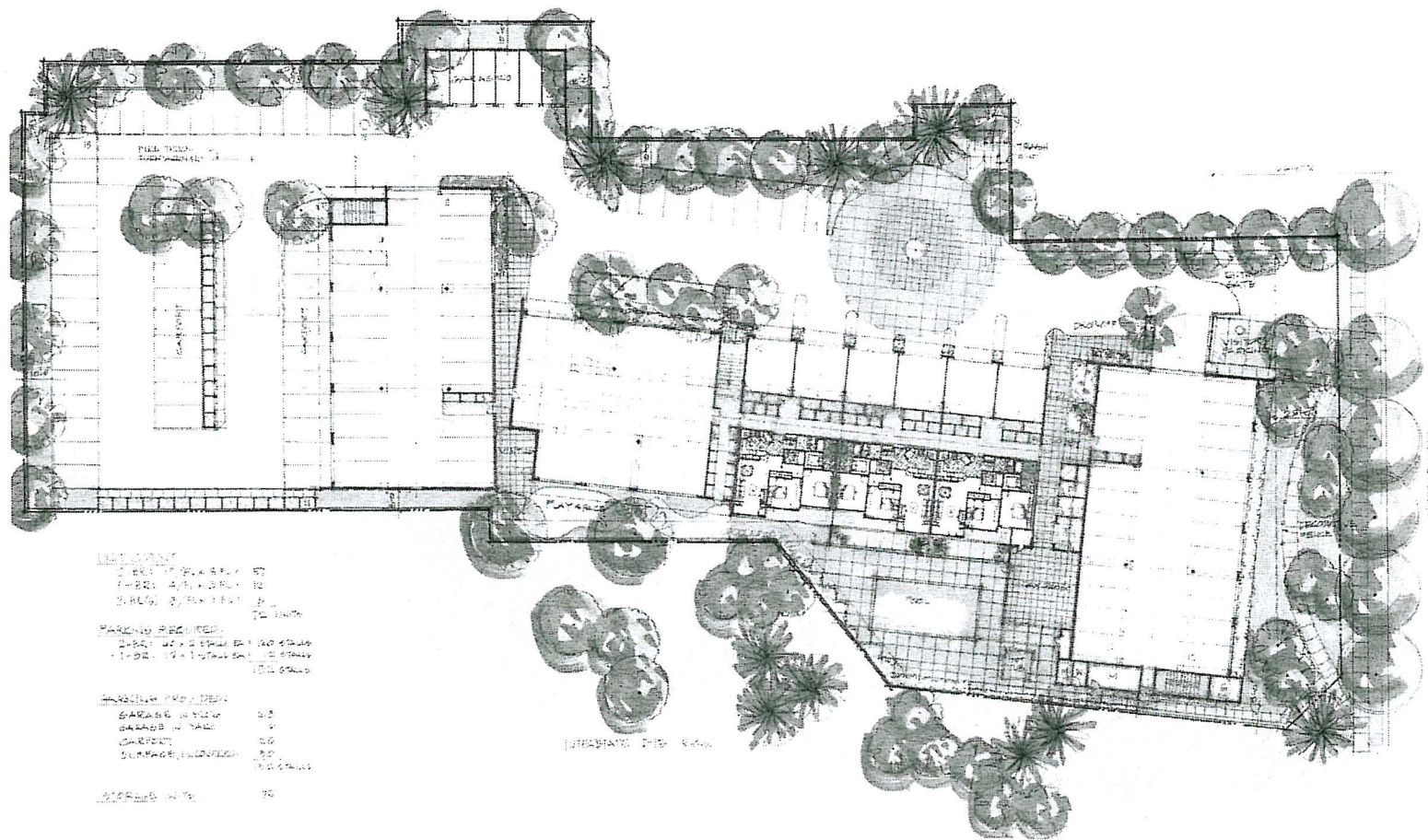
Hi Everett, hope all is well,
Regarding Petition 400-06-06, 639 West North Temple to amend from SR3 to RMF 45. NHS attended the Fairpark community council where the proposed development was presented to the community. NHS certainly supports owner occupied housing and excited that the vacant land will be developed, but we are concerned with the density specific to the surrounding residential area that is R2. I believe it is important that Planning Department take into consideration the comments by the residents adjacent to the proposed development. Their recommendations were higher density on the commercial zoned property and lower density on the SR3. Citifront Phase II will build 300 units of condos and Richard Miles (developer) is proposing an additional 500 units on the pallet property. NHS is proposing 66 units of multifamily senior on the demolished senior center. Given all the proposed multifamily we are reconsidering redesigning the senior development for lower density/owner occupied town homes for seniors and NHS would take a substantial loss on the development because of land costs. No one ever wants to take a loss on development and we seldom do, but we also realize that all the multifamily development being built over the next five years will have high traffic impact in Guadalupe and North Temple. Please call me if you have any questions. Thanks

*Maria Garciaz
Executive Director
Salt Lake Neighborhood Housing Services
622 West 500 North
SLC, Utah 84116
801.539.1590 ext 102*

MISSION: *Salt Lake Neighborhood Housing Services (NHS) builds on the strengths of neighborhoods, creating opportunities through housing, resident leadership, youth and economic development. We work in partnership with our residents, government and business to build and sustain neighborhoods of choice. www.slnhs.org*

6/6/2006

Exhibit 4v
Additional Information Submitted to
Planning Commission
Revised Site Plan



1. 10' x 10' PLANTER 10
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 100. 10' x 10' PLANTER 10

jsa architecture
planning
interiors

3042 N. 1000 East, Suite 200
 Salt Lake City, Utah 84143
 801.226.4341 Fax 801.226.4342

We are pleased to have been selected to provide architectural, planning, and interior design services for the North Temple Condominiums. We have worked closely with the client to ensure that the project meets their needs and expectations. We are committed to providing high-quality, innovative, and cost-effective solutions for all our clients.

The following information is provided for your reference. It is not intended to be a contract. The actual contract will be provided by the client. We are not responsible for any errors or omissions in this document.

consultant:

project:
**NORTH TEMPLE
 CONDOMINIUMS**
 SALT LAKE CITY, UTAH

date: 10/15/2003
 10/15/2003
 10/15/2003

revisions

data:
 population: 100
 density: 100
 climate: 100

title:
**SITE
 PLAN**
 sheet

A11

SITE PLAN

0' 20' 40'



Exhibit 5
Original Petition



Zoning Amendment

OFFICE USE ONLY

Petition No. 400-06-06

Receipt No. _____ Amount: 900.00

Date Received: 2-14-06

Reviewed By: C. Coffey 2/14/06

Project Planner: _____

Address of Subject Property: 639 West 200 North Salt Lake City, Utah

Name of Applicant: 639 North Temple, LLC Phone: 801-201-1512

Address of Applicant: 7084 South 2300 East Suite 210 Salt Lake City, UT 84121

E-mail Address of Applicant: mrembley@comcast.net Cell/Fax: 801-527-2080

Applicant's Interest in Subject Property: Owner

Name of Property Owner: 639 North Temple, LLC Phone: 801-201-1512

Address of Property Owner: 7084 South 2300 East Suite 210 Salt Lake City, UT 84121

Email Address of Property Owner: mrembley@comcast.net Cell/Fax: 801-527-2080

Existing Use of Property: Vacant Zoning: cc (south portion)+SR-3 (N)

County Tax ("Sidwell #"): 08-36-351-033-0000

- ☐ Amend the text of the Zoning Ordinance by amending Section: (attach map or legal description).
- ☐ Amend the Zoning Map by reclassifying the above property from an {CC/SR-3} zone to a {RM-45} zone.

Please include with the application:

1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
2. A complete description of the proposed use of the property where appropriate.
3. Reasons why the present zoning may not be appropriate for the area.
- ✓ 4. The names and addresses of all property owners within four-hundred fifty (450) feet of the subject parcel. The name, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
5. Legal description of the property.
6. Six (6) copies of site plans drawn to scale.
7. Related materials or data supporting the application as may be determined by the Zoning Administrator.
8. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as an agent.
9. Filing fee of \$800.00 plus \$100 for each acre over one acre is due at the time of application.

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition

Sidwell maps & names of property owners are available at:

Salt Lake County Recorder
2001 South State Street, Room N1600
Salt Lake City, UT 84190-1051
Telephone: (801) 468-3391

File the complete application at:

Salt Lake City Planning
451 South State Street, Room 406
Salt Lake City, UT 84111
Telephone: (801) 535-7757

Signature of Property Owner _____
Or authorized agent

Please Answer the Following Questions. Use an Additional Sheet if Necessary.

Please describe your project and explain why a zoning amendment is necessary:

Owner proposes to provide a multi-family, 4-story condominium development on subject property. Frontage portion is currently zoned "CC" with rear portion zoned SR-3. Neither allows for the type of development proposed. Owner requests both existing zones be changed to RM-45 and a conditional use be granted to allow the proposed development to proceed.

Exact language to be included in re-zoning application:

"Subject parcel currently zoned CC and SR-3 shall be re-zoned in its entirety to RM-45."

What are the land uses adjacent to the property (abutting and across the street)?

South (across the street): Multi-family

West: Interstate 80 Freeway

North: Single family residential

East: Single family residential and commercial

Have you discussed the project with nearby property owners? If so, what responses have you received?

No

I, Patrick M. Harris, do hereby state that I am a Registered Professional Land Surveyor holding certificate no. 286882 as prescribed by the laws of the State of Utah and represent that I have made a survey of the following described property. The purpose of this survey is to supply our client with boundary and topographical information for an ALTA survey. The Basis of Bearing is the line between the monuments at the intersections of 600 West Street and North Temple and 600 West and 200 North Streets, which bears North 0°01'00" West 782.11 feet (781.95 feet record).

PROPERTY DESCRIPTION

A parcel of land, situate in the Southwest Quarter of Section 36, Township 1 North, Range 1 West, Salt Lake Base and Meridian, being a portion of Block 61, Plat C, Salt Lake City Survey, more particularly described as follows:

Beginning at the Southeast Corner of Lot 3, Block 61, Plat C, Salt Lake City Survey, and running thence

thence North 89°53'41" West 51.32 feet along the southerly boundary line of said Lot 3 to a three inch brass cap UDOT right-of-way monument stamped No. 1757 on the easterly right of way and no-access line of I-15;

thence North 40°15'53" West 29.91 feet to a three inch brass cap UDOT right of way monument stamped No. 1758;

thence Northerly 153.61 feet along the arc of a 4871.92-foot radius non-tangent curve to the left (Note: Chord bears North 6°22'21" East for a distance of 153.61 feet) to a three inch brass cap UDOT right of way monument stamped No. 1759;

thence North 50°11'47" East 70.34 feet to a three inch brass cap UDOT right-of-way monument stamped No. 1760;

thence North 0°06'52" East 109.39 feet to the southwest corner of said Lot 7;

thence South 89°53'41" East 12.50 feet along the southerly boundary line of said Lot 7;

thence North 0°06'52" East 180.00 feet;

thence South 89°53'41" East 70.00 feet;

thence South 0°06'52" West 1.00 feet;

thence South 89°53'41" East 78.90 feet;

thence South 0°06'52" West 7.50 feet;

thence South 89°53'41" East 19.20 feet;

thence South 0°15'37" East 137.60 feet;

thence South 89°53'41" East 14.30 feet;

thence South 0°17'28" East 74.90 feet;

thence North 89°53'41" West 43.70 feet;

thence South 0°01'19" West 124.00 feet;

thence South 89°53'41" East 12.20 feet;

thence South 0°06'52" West 38.00 feet;

thence North 89°53'41" West 52.00 feet;

thence South 0°06'52" West 127.00 feet to the southerly boundary line of said Lot 2;

thence North 89°53'41" West 113.00 feet along said southerly boundary line to the point of beginning.

Parcel contains: 90,251 square feet or 2.07 acres.

To:

This is to certify that this map or plat and the survey on which it is based were made (i) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items 1,4,8,10 and 11(a) of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification, undersigned further certifies that survey measurements were made in accordance with the Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys.

Date

Patrick M. Harris
License No. 286882

Note: For conditions of record not shown hereon as well as specific references to items in the title report please refer to a title report supplied by Premier Title Insurance Agency, Inc. of Salt Lake City, Utah under Commitment No. 05-7566, dated effective March 18, 2005 @ 8:00 a.m.

REMARKS

Petition No. 400-06-06

By 639 North Temple, LLC

Is requesting a Zoning Amendment to reclassify the property located at 639 West 200 North from a CC/SR-3 classification to a RM-45 classification.

Date Filed _____

Address _____