

---

# SALT LAKE CITY COUNCIL STAFF REPORT

---

**DATE:** September 16, 2010

**SUBJECT:** Petition PLNPCM2009-01347 - request from by Matt Hansen representing PEG Development to rezone property located at approximately 556 East 300 South and 350 South 600 East from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed Use RMU.

**AFFECTED COUNCIL DISTRICTS:** If the ordinance is adopted the zoning text change will affect Council District 4

**STAFF REPORT BY:** Janice Jardine, Land Use Policy Analyst

**ADMINISTRATIVE DEPT:  
AND CONTACT PERSON:** Community Development Department, Planning Division  
Doug Dansie, Senior Planner

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

---

## POTENTIAL MOTIONS:

1. ["I move that the Council"] Refer this item to a future Council meeting.
2. ["I move that the Council"] Adopt the ordinance rezoning property located at approximately 556 East 300 South from Residential Office RO to Residential Mixed Use RMU **with the understanding that the Administration and the developer finalize the developer's voluntary offer to assure public access through the development.**
3. ["I move that the Council"] Adopt the ordinance rezoning property located at approximately 556 East 300 South from Residential Office RO to Residential Mixed Use RMU.
4. ["I move that the Council"] Not adopt the ordinance rezoning property located at approximately 556 East 300 South from Residential Office RO to Residential Mixed Use RMU.

## PUBLIC HEARING SUMMARY/NEW INFORMATION:

- A. On August 17, 2010, the Council held a public hearing, adopted a motion to rezone property located at approximately 350 South 600 East from RMF-35 to RMU and deferred action rezoning property at approximately 556 East 300 South to a future Council meeting. Issues noted at the public hearing related to public access through the block, parking and traffic impacts and design of the project.
- B. On September 1, 2010, the Historic Landmark Commission reviewed revised plans for the Broadway Place senior housing to be located on 556 East 300 South. The Commission voted to approve the design of the proposed development. (Please see the attached site plan and building rendering for details.)

- C. Planning staff has provided the following information regarding issues that have been raised.
1. The walkway is required as part of the Planned Development approval. A development agreement is not necessary or contemplated at this time. (Development agreements have been used in cases such as Nine and One condos - 900 East 100 South - where other processes such as conditional use, planned development, or variance applied that would bind the project to a specific design.)
  2. As a courtesy, the petitioner took the project back to the Community Council for their August meeting to provide an update of where it was in the process and to show them the design that was approved by the Historic Landmark Commission. No vote was taken.
  3. Some of the concerns raised by the Community Council were addressed at the meeting. For example:
    - a. Concern that the project is bigger than what was previously approved. The project is the same size as what was presented to the Community Council in January and slightly smaller than the project previously approved by the Planning Commission and City Council.
    - b. The community did not like the original design presented in January and neither did the Historic Landmark Commission. The Commission steered the petitioners away from faux historic look and arrived at the current modern design.
    - c. The Commission held several public hearings for the project and the petitioners followed their recommendations. There was minimal community attendance at the Commission's meetings which is why the petitioners returned to the Community Council to show them the final design of the 600 East building.
    - d. The Plaza and the walkway are in the same location as they were on the originally approved plan.
    - e. The originally approved plan (original phase two and three of Emigration Court) were not fully developed, but did include parking beneath the buildings.
- 

The following information was provided previously for the Council Work Session on August 5, 2010. It is provided again for background purposes.

---

## **KEY ELEMENTS:**

- A. An ordinance has been prepared that would rezone two properties located at approximately 556 East 300 South and 350 South 600 East from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed- Use RMU. The ordinance will become effective on the date of its first publication.
- B. This action would facilitate development of approximately 253 residential units in two separate apartment complexes (market rate with no age restrictions and market rate senior housing), allow an increase in density and height, and provide a consistent zoning classification for the two properties. The proposed development is located in the Central City Historic District. The project will be developed in two phases based on the following timeline.
  1. Eastside Apartments (600 East – the larger of the two buildings)
    - Construction start: August 2010
    - Construction completion: October 2011 (the front buildings could open around July 2011)
  2. Broadway Place Apartments (300 South – marketed to seniors)
    - Construction start: April 2011
    - Construction completion: March 2012
- C. In 2003, the Council approved three separate ordinances to rezone the two properties now under consideration and the existing Emigration Court Apartments located at 321-331 South 500 East. (The applicant for the current proposal is not the owner of the Emigration Court Apartments.) The original project was to be developed on three separate parcels in three phases for financial and marketing reasons and to allow parking to be consolidated.

1. The three ordinances adopted by the Council included consecutive deadlines (from 1-3 years) to rezone the properties as each development phase received building permit approval.
  2. The Council approved several time extensions for the remaining two phases. Due to changing financial and housing markets the ordinances were allowed to expire and the two parcels were not rezoned.
  3. The Administration's transmittal notes that the new proposal would be similar to the original development consisting of three apartment buildings with a central plaza and each building facing a different street (500 East, 300 South and 600 East).
- D. The Planning staff report provides the following findings for the requested zoning map change. Analysis and findings were evaluated in the Planning staff report and considered by the Planning Commission. (Discussion, analysis and findings are found on pages 5-6 of the Planning staff report.)
1. The proposed zoning map change is supported by general policy elements of the Central Community Master Plan as long as the resulting development is sensitive to specific design concerns. The final design of the buildings is being reviewed by both the Planning Commission and the Historic Landmark Commission to ensure compatibility.
  2. The proposed zoning accommodates the increased housing and responds to transit opportunities. The design of the proposed apartments, as submitted and reviewed, meets the intent of the purpose statement.
  3. The proposed zoning map change, combined with associated design review, will have a positive impact on surrounding properties.
  4. The zoning map change is consistent with the Historic Preservation Overlay district and its associated standards.
- E. The Administration's transmittal letter and the Planning staff report provide details relating to the proposed zoning map change and new development. (Please refer to those documents for details.) The Planning staff report prepared for the planned development conditional use application identifies the following key components regarding the proposed development. (The planned development conditional use staff report is not included in the Administration's transmittal for the zoning map change. Conditional use applications do not require City Council action. Information regarding the proposed development is being provided for background purposes.)
1. Construction of a three to six story apartment building facing 600 East (market rate housing) and a three to four story apartment building facing 300 South (senior housing).
  2. The proposed development is generally consistent with the Central community Master Plan by providing a variety of housing, balancing increased density with historic district concerns and adjacent transit. The density is an increase of historical density levels but is consistent with the Master Plan.
  3. The building on 600 East will have 3-stories facing the street with the taller portion stepped back to the interior of the block.
  4. The general massing of the structures are designed to increase sensitivity to the pedestrian environment by stepping back the building height. Further refinement to the architecture and design will be determined by the Historic Landmark Commission to ensure compatibility.
  5. The buildings are designed with main entrances and some units oriented to the street.
  6. Building setbacks provided along 300 South and 600 East are consistent with existing setbacks.
  7. Parking, service and delivery access will be underground or to the rear of the buildings.
  8. The current parking design provides a total of 292 parking stalls. A majority of the parking will be located in underground parking garages. (It is anticipated that not all residents will choose to or be able to drive). The parking breakdown by building includes:
    - 223 stalls at the Eastside Apartments (500 East), and
    - 64 stalls at the Broadway Place Apartments (300 South) plus.

9. Access to the site is available through a private drive from 500/600 East and 300 South. Pedestrian access is available along the east/west central private drive and is intended to function as a mid-block walkway for the larger neighborhood.
  10. Open space has been provided in the center of the block to serve residents in all three buildings (the two new buildings and the existing Emigration Court Apartments).
  11. The proposed development is being reviewed by the Historic Landmark Commission, which has final approval authority, to ensure compliance with residential guidelines and standards for the Central City Historic District.
- F. Current zoning on the block is a mix of Residential Office, Residential Multi-Family RMF-35 and Residential Mixed Use and also includes Historic Preservation and Groundwater Source Protection Overlay zoning classifications. (The Overlay districts zoning would remain the same.) As previously noted, the site is within the Central City Historic District.
- G. The purpose of the Residential Mixed Use RMU district is to reinforce the residential character of the area and encourage the development of areas a high-density residential urban neighborhoods containing supportive retail, service commercial and small scale office uses. The design guidelines are intended to facilitate the creation of walkable urban neighborhood with an emphasis on pedestrian scale activity while acknowledging the need for transit and automobile access. (Sec. 21A.24.170.A)
- H. The purpose of the Moderate Density Multi-Family Residential RMF-35 district is to provide an environment suitable for a variety of moderate density housing types including multi-family dwellings. (Sec. 21A.24.130.A)
- I. The purpose of the Residential Office RO district is intended to provide a suitable environment for existing and future mixed use areas consisting of a combination of residential dwellings and office use. This district should encourage the maintenance and rehabilitation of appropriate existing buildings and neighborhood scale. (Sec. 21A.24.180.A)
- J. An Overlay District is defined as a geographically or thematically definable area which contains buildings, structures, sites, objects, landscape features, archeological sites and works of art, or a combination thereof that contribute to the historic preservation goals of Salt Lake City. (Sec. 21A.34.020.B.1)
1. The purpose of the Historic Preservation Overlay H district is to:
    - a. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
    - b. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
    - c. Abate the destruction and demolition of historic structures;
    - d. Implement adopted plans of the city related to historic preservation;
    - e. Foster civic pride in the history of Salt Lake City;
    - f. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors; and
    - g. Foster economic development consistent with historic preservation. (Sec. 21A.34.020.A)
  2. The purpose of the Groundwater Source Protection Overlay district is to protect, preserve and maintain existing and potential public drinking groundwater sources in order to safeguard the public health, safety and welfare of customers and other uses of the City's public drinking water supply, distribution and delivery system. The intent is to establish and designate drinking water source protection zones and groundwater recharge areas for all underground sources of public drinking

water which enter the City's culinary drinking water supply, distribution and delivery system, whether such sources are located with or outside of the City's corporate boundaries. (Sec. 21A.34.060.B)

- K. The appropriate City Departments and Divisions have reviewed the request. The Planning staff report notes that the comments were generally supportive, with some concern about the need to increase the size of some water lines for fire suppression. There were no issues raised by the City that would prevent the proposal from proceeding. The development proposal must comply with all City requirements.
- L. The public process included a presentation to the Central City Community Council on January 6, 2010 and written notification of the Planning Commission hearing to Community Council Chairs and the Planning Division electronic list serve. Notice was also posted on the City's website.
  - The Administration's transmittal notes that the Community Council felt that the design was incompatible with the neighborhood because it was too suburban in its design. Concern was also expressed regarding the size and scale of the existing Emigration Court Apartments. The design has been significantly altered from what was originally presented to the Community Council in response to community and Historic Landmark Commission feedback.
- M. On February 25, 2010, the Planning Commission held a joint Planned Development subcommittee meeting with the Historic Landmark subcommittee. The meeting focused on the design of the complex and assumed the increased densities allowed by the propose zoning map change.
- N. On April 14 and May 26, 2010, the Planning Commission held a public hearing and voted to forward a positive recommendation to the City Council for the zoning map change. (Due to a noticing error, the petition was reheard by the Planning Commission on May 26.) The vote was 6 in favor, none opposed. The Planning Commission also approved a planned development conditional use for the proposed development pending approval of the rezoning request by the City Council. (Please see Item 6C – Planning Commission Agenda and Minutes in the Administration's paperwork for additional details.)
- O. Public comment and key issues discussed at the Planning Commission meeting related to:
  - 1. Public comment – The owner of the Emigration Court Apartments expressed concern regarding parking and access issues and the Covenants, Conditions and Restrictions related to the subject properties and the Emigration Court Apartments.
    - The applicant indicated to staff that they have been corresponding with the owners of Emigration Court through their attorney. The CC&Rs already grant the access easements needed for both phases of the project. The only item of concern for which they we have not been able to get a clear answer on is a storm water easement they would like to have. This would allow their flows to be directed through the existing system and into 500 East. Otherwise, they will have to go down 600 East into 400 South, which will be costly and inconvenient. Either way, this should not impact the feasibility of the project.
  - 2. Planning Commission discussion - Building design elements, proposed landscaping, and providing commercial or residential units on the main level to provide permeability and movement of people.

## **MASTER PLAN AND POLICY CONSIDERATIONS:**

- A. The Administration's transmittal letter and Planning staff report note that the Central Community Master Plan identifies the area for a combination of housing densities: Medium density transit (10-50 dwelling units per acre) along 600 East, residential office (10-50 units per acre) on the corner or 600 East and 300 South and high mixed-use (50 or more units per acre) on 300 South. This specific proposal is consistent with the Master Plan in that it places the density in the interior and western portions of the block and lowers the building along 600 East.

- Additional citywide Master Plan and Policy considerations are provided below.
- B. The East Downtown Neighborhood Plan purpose statement includes the following key points:
1. Stop the erosion of the residential character of the neighborhood;
  2. Preserve and enhance the neighborhood’s unique character and viability;
  3. Suggest several actions to develop East Downtown as a high density residential neighborhood and create a vibrant, strong, integrated mixed use urban neighborhood.
- C. The properties are located within the *Brownstone-Apartment Mixed Use* and *Bryant Residential* sub-areas of the East Downtown Neighborhood Plan. Key characteristics identified for the sub-areas include:
1. Brownstone-Apartment Mixed Use:
    - a. The area should remain the high density apartment residential service district and primary urban neighborhood for the Central Business District.
    - b. Commercial activity should focus on providing services to the area and not compete with the Central Business District.
    - c. A special emphasis should be placed on safety and street level pedestrian activities compatible with the existing large landscaped, open space character of the area.
    - d. Development design should focus on:
      - a high density residential character with ground level commercial activity at a human scale;
      - reinforce the unique grid pattern of this area;
      - enhance the architectural character of the area;
      - emphasize a variety of textures, colors, and shapes compatible with existing environments;
      - high-rise building walls should be set back or terraced down to street level.
  2. Bryant Residential area:
    - a. The area should remain medium density, high quality residential.
    - b. Street parks and reduced widths would reintroduce residential character and discourage additional traffic impacts.
    - c. The area should be exclusively residential in character without any commercial office uses and only existing neighborhood commercial support services.
    - d. Development design should focus on:
      - Enhancement on the predominant residential character of the area.
      - Buildings should be compatible with adjoining development in respect to scale, building location, use and character.
      - Landscaped buffering and interior block redesign are needed to ease the transition from commercial to residential.
      - Signs and billboards should not be allowed.
      - Pedestrian safety should be should be the first priority in dealing with traffic movement and circulation.
- D. The Council’s adopted Policy Statement on the Future Economic Development of Downtown encourages housing development in this area.
- E. The Community Housing Plan and Transportation Plan contain policy statements that support creating a wide variety of housing types citywide and changing the focus of transportation decisions from moving cars to moving people.
1. Housing policy statements address a variety of issues including quality design, public and neighborhood participation and interaction, transit-oriented development, encouraging mixed-

- use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
2. Transportation policy statements 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 notes that encouraging higher density housing and concentrating business/commercial uses at transit stations allows greater opportunity for ridesharing and use of mass transit.
- 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 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 and creating attractive conditions for business expansion including retention and attraction of large and small businesses.
- H. 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. Policy concepts include:
1. Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
  2. Ensure that land uses make a positive contribution to neighborhood improvement and stability.
  3. Ensure that building restoration and new construction enhance district character.
  4. Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
  5. Treat building height, scale and character as significant features of a district’s image.
  6. Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.

## **CHRONOLOGY:**

The Administration’s transmittal provides a chronology of events relating to the proposed zoning map change. Key dates are listed below. Please refer to the Administration’s chronology for details.

- November 19, 2009      Petition submitted to City
- December 9, 2009      Petition assigned to planner
- January 6, 2010        Central City Neighborhood Council meeting
- February 3, 2010        Introduction to Historic Landmark Commission
- February 10, 2010      Introduction to Planning Commission
- February 25, 2010      Historic Landmark Commission and Planning Commission joint  
subcommittee meeting
- April 14, 2010        Planning Commission public hearing and decision
- May 26, 2010        Planning Commission public hearing and decision
- June 23, 2010        Planning Commission ratified minutes for April 14 and May 26, 2010
- July 14, 2010        Transmittal received in Council office

cc: David Everitt, Bianca Shreeve, Holly Hilton, Karen Hale, Lisa Harrison-Smith, Ed Rutan, Lynn Pace, Paul Nielson, Jeff Niermeyer, Tom Ward, Frank Gray, Mary De Le Mare-Schaefer, Tim Harpst, Kevin Young, Wilf Sommerkorn, Cheri Coffey, Joel Paterson, Craig Spangenberg, Randy Isbell, Janice Lew, Carl Leith, Doug Dansie, Orion Goff, Les Koch, Larry Butcher, Council Liaisons, Mayors Liaisons

File Location: Community Development Dept., Planning Division, Rezoning, PEG Development (Matt Hansen), 556 East 300 South and 350 South 600 East





RECEIVED

AUG 30 2010

SLC COUNCIL OFFICE

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2010

(Amending the zoning map pertaining to property located  
at approximately 556 East 300 South)

An ordinance amending the zoning map to re-zone property located at approximately 556 East 300 South from RO (Residential Office) to RMU (Residential Mixed Use) pursuant to Petition No. PLNPCM2009-01347.

WHEREAS, the Salt Lake City Planning Commission ("Planning Commission") held a public hearing on May 26, 2010 on an application submitted by PEG Development ("Applicant") to amend the City's zoning map (Petition No. PLNPCM2009-01347) to re-zone properties located at approximately 556 East 300 South and approximately 350 South 600 East (Tax ID Nos. 16-06-283-009 and 16-06-427-038) (the "Properties") from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed Use); and

WHEREAS, at its May 26, 2010 meeting, the Planning Commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council ("City Council") on said application; and

WHEREAS, the City Council held a public hearing on August 17, 2010 and voted in favor of re-zoning the property located at approximately 350 South 600 East, and deferred action on the property located at approximately 556 East 300 South; and

WHEREAS, the City Council, finding that re-zoning of the 556 East 300 South parcel is appropriate, has determined that the following ordinance is in the best interest of the City.

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

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that the property located at

approximately 556 South 300 East, and which is more particularly described on Exhibit "A" attached hereto, shall be and hereby are re-zoned from RO (Residential Office) to RMU (Residential Mixed Use).

SECTION 2. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2010.  
Published: \_\_\_\_\_.

<p><b>APPROVED AS TO FORM</b> Salt Lake City Attorney's Office</p> <p>Date: <u>August 30, 2010</u></p> <p>By: <u>Paul C. Nielson</u> Paul C. Nielson, Senior City Attorney</p>
--

---

# SALT LAKE CITY COUNCIL STAFF REPORT

---

**DATE:** August 12, 2010

**SUBJECT:** Petition PLNPCM2009-01347 - request from by Matt Hansen representing PEG Development to rezone property located at approximately 556 East 300 South and 350 South 600 East from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed Use RMU.

**AFFECTED COUNCIL DISTRICTS:** If the ordinance is adopted the zoning text change will affect Council District 4

**STAFF REPORT BY:** Janice Jardine, Land Use Policy Analyst

**ADMINISTRATIVE DEPT:  
AND CONTACT PERSON:** Community Development Department, Planning Division  
Doug Dansie, Senior Planner

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

---

## POTENTIAL MOTIONS:

1. ["I move that the Council"] Refer this item to a future Council meeting.
2. ["I move that the Council"] Adopt the ordinance rezoning property located at approximately 556 East 300 South and 350 South 600 East from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed Use RMU.
3. **I further move that the Administration and the developer work to finalize the developer's voluntary offer to provide an easement, development agreement or other document to assure public access through the development.**
4. ["I move that the Council"] Not adopt the ordinance rezoning property located at approximately 556 East 300 South and 350 South 600 East from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed Use RMU.

---

The following information was provided previously for the Council Work Session on August 5, 2010. It is provided again for background purposes.

---

## KEY ELEMENTS:

- A. An ordinance has been prepared that would rezone two properties located at approximately 556 East 300 South and 350 South 600 East from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed- Use RMU. The ordinance will become effective on the date of its first publication.
- B. This action would facilitate development of approximately 253 residential units in two separate apartment complexes (market rate with no age restrictions and market rate senior housing), allow an

increase in density and height, and provide a consistent zoning classification for the two properties. The proposed development is located in the Central City Historic District. The project will be developed in two phases based on the following timeline.

1. Eastside Apartments (600 East – the larger of the two buildings)
    - Construction start: August 2010
    - Construction completion: October 2011 (the front buildings could open around July 2011)
  2. Broadway Place Apartments (300 South – marketed to seniors)
    - Construction start: April 2011
    - Construction completion: March 2012
- C. In 2003, the Council approved three separate ordinances to rezone the two properties now under consideration and the existing Emigration Court Apartments located at 321-331 South 500 East. (The applicant for the current proposal is not the owner of the Emigration Court Apartments.) The original project was to be developed on three separate parcels in three phases for financial and marketing reasons and to allow parking to be consolidated.
1. The three ordinances adopted by the Council included consecutive deadlines (from 1-3 years) to rezone the properties as each development phase received building permit approval.
  2. The Council approved several time extensions for the remaining two phases. Due to changing financial and housing markets the ordinances were allowed to expire and the two parcels were not rezoned.
  3. The Administration’s transmittal notes that the new proposal would be similar to the original development consisting of three apartment buildings with a central plaza and each building facing a different street (500 East, 300 South and 600 East).
- D. The Planning staff report provides the following findings for the requested zoning map change. Analysis and findings were evaluated in the Planning staff report and considered by the Planning Commission. (Discussion, analysis and findings are found on pages 5-6 of the Planning staff report.)
1. The proposed zoning map change is supported by general policy elements of the Central Community Master Plan as long as the resulting development is sensitive to specific design concerns. The final design of the buildings is being reviewed by both the Planning Commission and the Historic Landmark Commission to ensure compatibility.
  2. The proposed zoning accommodates the increased housing and responds to transit opportunities. The design of the proposed apartments, as submitted and reviewed, meets the intent of the purpose statement.
  3. The proposed zoning map change, combined with associated design review, will have a positive impact on surrounding properties.
  4. The zoning map change is consistent with the Historic Preservation Overlay district and its associated standards.
- E. The Administration’s transmittal letter and the Planning staff report provide details relating to the proposed zoning map change and new development. (Please refer to those documents for details.) The Planning staff report prepared for the planned development conditional use application identifies the following key components regarding the proposed development. (The planned development conditional use staff report is not included in the Administration’s transmittal for the zoning map change. Conditional use applications do not require City Council action. Information regarding the proposed development is being provided for background purposes.)
1. Construction of a three to six story apartment building facing 600 East (market rate housing) and a three to four story apartment building facing 300 South (senior housing).
  2. The proposed development is generally consistent with the Central community Master Plan by providing a variety of housing, balancing increased density with historic district concerns and adjacent transit. The density is an increase of historical density levels but is consistent with the Master Plan.

3. The building on 600 East will have 3-stories facing the street with the taller portion stepped back to the interior of the block.
  4. The general massing of the structures are designed to increase sensitivity to the pedestrian environment by stepping back the building height. Further refinement to the architecture and design will be determined by the Historic Landmark Commission to ensure compatibility.
  5. The buildings are designed with main entrances and some units oriented to the street.
  6. Building setbacks provided along 300 South and 600 East are consistent with existing setbacks.
  7. Parking, service and delivery access will be underground or to the rear of the buildings.
  8. The current parking design provides a total of 292 parking stalls. A majority of the parking will be located in underground parking garages. (It is anticipated that not all residents will choose to or be able to drive). The parking breakdown by building includes:
    - 223 stalls at the Eastside Apartments (500 East), and
    - 64 stalls at the Broadway Place Apartments (300 South) plus.
  9. Access to the site is available through a private drive from 500/600 East and 300 South. Pedestrian access is available along the east/west central private drive and is intended to function as a mid-block walkway for the larger neighborhood.
  10. Open space has been provided in the center of the block to serve residents in all three buildings (the two new buildings and the existing Emigration Court Apartments).
  11. The proposed development is being reviewed by the Historic Landmark Commission, which has final approval authority, to ensure compliance with residential guidelines and standards for the Central City Historic District.
- F. Current zoning on the block is a mix of Residential Office, Residential Multi-Family RMF-35 and Residential Mixed Use and also includes Historic Preservation and Groundwater Source Protection Overlay zoning classifications. (The Overlay districts zoning would remain the same.) As previously noted, the site is within the Central City Historic District.
- G. The purpose of the Residential Mixed Use RMU district is to reinforce the residential character of the area and encourage the development of areas a high-density residential urban neighborhoods containing supportive retail, service commercial and small scale office uses. The design guidelines are intended to facilitate the creation of walkable urban neighborhood with an emphasis on pedestrian scale activity while acknowledging the need for transit and automobile access. (Sec. 21A.24.170.A)
- H. The purpose of the Moderate Density Multi-Family Residential RMF-35 district is to provide an environment suitable for a variety of moderate density housing types including multi-family dwellings. (Sec. 21A.24.130.A)
- I. The purpose of the Residential Office RO district is intended to provide a suitable environment for existing and future mixed use areas consisting of a combination of residential dwellings and office use. This district should encourage the maintenance and rehabilitation of appropriate existing buildings and neighborhood scale. (Sec. 21A.24.180.A)
- J. An Overlay District is defined as a geographically or thematically definable area which contains buildings, structures, sites, objects, landscape features, archeological sites and works of art, or a combination thereof that contribute to the historic preservation goals of Salt Lake City. (Sec. 21A.34.020.B.1)
1. The purpose of the Historic Preservation Overlay H district is to:
    - a. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;

- b. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
  - c. Abate the destruction and demolition of historic structures;
  - d. Implement adopted plans of the city related to historic preservation;
  - e. Foster civic pride in the history of Salt Lake City;
  - f. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors; and
  - g. Foster economic development consistent with historic preservation. (Sec. 21A.34.020.A)
2. The purpose of the Groundwater Source Protection Overlay district is to protect, preserve and maintain existing and potential public drinking groundwater sources in order to safeguard the public health, safety and welfare of customers and other uses of the City's public drinking water supply, distribution and delivery system. The intent is to establish and designate drinking water source protection zones and groundwater recharge areas for all underground sources of public drinking water which enter the City's culinary drinking water supply, distribution and delivery system, whether such sources are located with or outside of the City's corporate boundaries. (Sec. 21A.34.060.B)
- K. The appropriate City Departments and Divisions have reviewed the request. The Planning staff report notes that the comments were generally supportive, with some concern about the need to increase the size of some water lines for fire suppression. There were no issues raised by the City that would prevent the proposal from proceeding. The development proposal must comply with all City requirements.
- L. The public process included a presentation to the Central City Community Council on January 6, 2010 and written notification of the Planning Commission hearing to Community Council Chairs and the Planning Division electronic list serve. Notice was also posted on the City's website.
- The Administration's transmittal notes that the Community Council felt that the design was incompatible with the neighborhood because it was too suburban in its design. Concern was also expressed regarding the size and scale of the existing Emigration Court Apartments. The design has been significantly altered from what was originally presented to the Community Council in response to community and Historic Landmark Commission feedback.
- M. On February 25, 2010, the Planning Commission held a joint Planned Development subcommittee meeting with the Historic Landmark subcommittee. The meeting focused on the design of the complex and assumed the increased densities allowed by the propose zoning map change.
- N. On April 14 and May 26, 2010, the Planning Commission held a public hearing and voted to forward a positive recommendation to the City Council for the zoning map change. (Due to a noticing error, the petition was reheard by the Planning Commission on May 26.) The vote was 6 in favor, none opposed. The Planning Commission also approved a planned development conditional use for the proposed development pending approval of the rezoning request by the City Council. (Please see Item 6C – Planning Commission Agenda and Minutes in the Administration's paperwork for additional details.)
- O. Public comment and key issues discussed at the Planning Commission meeting related to:
- 1. Public comment – The owner of the Emigration Court Apartments expressed concern regarding parking and access issues and the Covenants, Conditions and Restrictions related to the subject properties and the Emigration Court Apartments.
    - The applicant indicated to staff that they have been corresponding with the owners of Emigration Court through their attorney. The CC&Rs already grant the access easements needed for both phases of the project. The only item of concern for which they we have not been able to get a clear answer on is a storm water easement they would like to have. This would allow their flows

to be directed through the existing system and into 500 East. Otherwise, they will have to go down 600 East into 400 South, which will be costly and inconvenient. Either way, this should not impact the feasibility of the project.

2. Planning Commission discussion - Building design elements, proposed landscaping, and providing commercial or residential units on the main level to provide permeability and movement of people.

## **MASTER PLAN AND POLICY CONSIDERATIONS:**

- A. The Administration's transmittal letter and Planning staff report note that the Central Community Master Plan identifies the area for a combination of housing densities: Medium density transit (10-50 dwelling units per acre) along 600 East, residential office (10-50 units per acre) on the corner of 600 East and 300 South and high mixed-use (50 or more units per acre) on 300 South. This specific proposal is consistent with the Master Plan in that it places the density in the interior and western portions of the block and lowers the building along 600 East.
  - Additional citywide Master Plan and Policy considerations are provided below.
- B. The East Downtown Neighborhood Plan purpose statement includes the following key points:
  1. Stop the erosion of the residential character of the neighborhood;
  2. Preserve and enhance the neighborhood's unique character and viability;
  3. Suggest several actions to develop East Downtown as a high density residential neighborhood and create a vibrant, strong, integrated mixed use urban neighborhood.
- C. The properties are located within the *Brownstone-Apartment Mixed Use* and *Bryant Residential* sub-areas of the East Downtown Neighborhood Plan. Key characteristics identified for the sub-areas include:
  1. Brownstone-Apartment Mixed Use:
    - a. The area should remain the high density apartment residential service district and primary urban neighborhood for the Central Business District.
    - b. Commercial activity should focus on providing services to the area and not compete with the Central Business District.
    - c. A special emphasis should be placed on safety and street level pedestrian activities compatible with the existing large landscaped, open space character of the area.
    - d. Development design should focus on:
      - a high density residential character with ground level commercial activity at a human scale;
      - reinforce the unique grid pattern of this area;
      - enhance the architectural character of the area;
      - emphasize a variety of textures, colors, and shapes compatible with existing environments;
      - high-rise building walls should be set back or terraced down to street level.
  2. Bryant Residential area:
    - a. The area should remain medium density, high quality residential.
    - b. Street parks and reduced widths would reintroduce residential character and discourage additional traffic impacts.
    - c. The area should be exclusively residential in character without any commercial office uses and only existing neighborhood commercial support services.
    - d. Development design should focus on:
      - Enhancement on the predominant residential character of the area.
      - Buildings should be compatible with adjoining development in respect to scale, building location, use and character.

- Landscaped buffering and interior block redesign are needed to ease the transition from commercial to residential.
  - Signs and billboards should not be allowed.
  - Pedestrian safety should be should be the first priority in dealing with traffic movement and circulation.
- D. The Council’s adopted Policy Statement on the Future Economic Development of Downtown encourages housing development in this area.
- E. The Community Housing Plan and Transportation Plan contain policy statements that support creating a wide variety of housing types citywide and changing the focus of transportation decisions from moving cars to moving people.
1. Housing policy statements address a variety of issues including quality design, public and neighborhood participation and interaction, transit-oriented development, encouraging mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
  2. Transportation policy statements 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 notes that encouraging higher density housing and concentrating business/commercial uses at transit stations allows greater opportunity for ridesharing and use of mass transit.
- 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 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 and creating attractive conditions for business expansion including retention and attraction of large and small businesses.
- H. 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. Policy concepts include:
1. Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
  2. Ensure that land uses make a positive contribution to neighborhood improvement and stability.
  3. Ensure that building restoration and new construction enhance district character.
  4. Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
  5. Treat building height, scale and character as significant features of a district’s image.
  6. Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.

## CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed zoning map change. Key dates are listed below. Please refer to the Administration's chronology for details.

- November 19, 2009 Petition submitted to City
- December 9, 2009 Petition assigned to planner
- January 6, 2010 Central City Neighborhood Council meeting
- February 3, 2010 Introduction to Historic Landmark Commission
- February 10, 2010 Introduction to Planning Commission
- February 25, 2010 Historic Landmark Commission and Planning Commission joint subcommittee meeting
- April 14, 2010 Planning Commission public hearing and decision
- May 26, 2010 Planning Commission public hearing and decision
- June 23, 2010 Planning Commission ratified minutes for April 14 and May 26, 2010
- July 14, 2010 Transmittal received in Council office

cc: David Everitt, Bianca Shreeve, Holly Hilton, Karen Hale, Lisa Harrison-Smith, Ed Rutan, Lynn Pace, Paul Nielson, Jeff Niermeyer, Tom Ward, Frank Gray, Mary De Le Mare-Schaefer, Tim Harpst, Kevin Young, Wilf Sommerkorn, Cheri Coffey, Joel Paterson, Craig Spangenberg, Randy Isbell, Janice Lew, Carl Leith, Doug Dansie, Orion Goff, Les Koch, Larry Butcher, Council Liaisons, Mayors Liaisons

File Location: Community Development Dept., Planning Division, Rezoning, PEG Development (Matt Hansen), 556 East 300 South and 350 South 600 East

FRANK B. GRAY  
DIRECTOR

MARY DE LA MARE-SCHAEFER  
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.  
DEPUTY DIRECTOR

**SALT LAKE CITY CORPORATION**  
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
OFFICE OF THE DIRECTOR

SCANNED TO: *Mayer*  
SCANNED BY: *Becker*  
DATE: *7/14/2010 8:26 AM*  
RALPH BECKER



**CITY COUNCIL TRANSMITTAL**

  
\_\_\_\_\_  
David Everitt, Chief of Staff

Date Received: 07/14/2010

Date Sent to City Council: 07/15/2010

**TO:** Salt Lake City Council  
JT Martin, Chair

**DATE:** June 30, 2010

**FROM:** Frank Gray, Community & Economic  
Development Department Director

**RE:** Petition PLNPCM2009-01347. Zoning Map Amendment by Matt Hansen of PEG Development, approximately 556 East 300 South (including 350 South 600 East) from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed- Use RMU.)

**STAFF CONTACTS:** Doug Dansie, Senior Planner, at 535-6182 or  
doug.dansie@slcgov.com

**RECOMMENDATION:** That the City Council hold a briefing and schedule a Public Hearing

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

**DISCUSSION:**

**Issue Origin:** Matt Hansen of PEG Development is requesting to rezone property located at approximately 556 East 300 South (including 350 South 600 East) from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed-Use RMU. The applicant wishes to increase the potential density to accommodate two new apartment buildings and to maintain consistent zoning across the entire site. A rezone was previously approved on this site as part of Petition 400-01-37 (2003) but the approval expired due to the failure to obtain a building permit for the second and third phases of the development. The first phase is Emigration Court Apartments located at 343 South 500 East. The applicant for the current proposal is not the owner of Emigration Court Apartments.

There is a concurrent planned development proposal (PLNPCM2009-01348) delineating the specific details of the proposed project. The planned development is also being reviewed by the Historic Landmark Commission to insure Central City Historic District compatibility (Petition PLNHLC2009-01346).

**Analysis:** The site is currently vacant. The applicant is proposing to build a three to six story apartment complex facing 600 East and a three to four story apartment complex (marketed to seniors) facing 300 South. The 600 East frontage will have three story buildings facing the street with the taller portions at the interior of the block. The shorter height on 600 East would be similar to the existing RMF-35 zoning requirements, but the densities are higher. The building on 300 South is proposed to be shorter than what would be allowed in the existing RO zone. There was a previous planned development of similar size and scale that was approved for this site, but only phase one (Emigration Court Apartments) was built. The new proposal would be similar to the original proposal in that it has three apartment buildings centered on a central plaza in the rear, with each facing a different street in the front (500 East, 600 East and 300 South). The proposal meets all parking and service requirements and has all parking located underground (except for a few loading stalls). The City Council approved the rezoning to accommodate the previous project, timed with the phasing of the development and based upon receiving building permits for the specific project. The first phase was constructed but the second and third phases were not constructed during the allotted time and the approvals expired.

Under the current proposal, Emigration Court Apartments remains the first phase of this complex (the central open space was developed with Emigration Court) and the next two phases are proposed to be developed along the following timeline:

Eastside Apartments (600 East – the larger of the two buildings)

Construction start: August 2010

Construction completion: October 2011 (the front buildings could open around July 2011)

Senior Apartments (300 South – marketed to seniors)

Construction start: April 2011

Construction completion: March 2012

**Master Plan Considerations:** The Central Community Master Plan calls for the area to be a combination of housing density: Medium density transit (10-50 dwelling units per acre) along 600 East, residential office (10-50 units per acre) on the corner of 600 East and 300 South and high mixed-use (50 or more units per acre) on 300 South. This specific proposal is consistent with the master plan in that it presses the density towards the interior and western portions of the block and lowers the building along 600 East.

## **PUBLIC PROCESS:**

The project was presented to the Central City Neighborhood Council on January 6, 2010. The Neighborhood Council felt that the design was incompatible with the neighborhood because it

was too suburban in its design. Concern was also expressed regarding the size and scale of the existing Emigration Court Apartments. The design has been significantly altered from what was originally presented to the Community Council, in response to community and Historic Landmark Commission feedback.

The Planning Commission held a joint Planned Development subcommittee meeting with the Historic Landmark subcommittee on February 25, 2010. The meeting focused on the design of the complex and assumed the increased densities allowed by the zone change.

The Planning Commission held a public hearing on April 14, 2010. Issues raised at the public hearing tended to focus on the design of the building. The Planning Commission also held a public hearing on May 26, 2010. The Planning Commission passed a motion to forward a positive recommendation to the City Council for the map change. The vote was six in favor; zero opposed.

#### **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 4 of the Planning Commission Staff Report (see Attachment 5b).

## TABLE OF CONTENTS

1. PROJECT CHRONOLOGY
2. PROPOSED ORDINANCE
3. NOTICE OF CITY COUNCIL HEARING
4. MAILING LABELS
5. PLANING COMMISSION
  - A) ORIGINAL NOTICE AND POSTMARK  
April 1, 2010  
May 14, 2010
  - B) STAFF REPORT  
April 9, 2010 (publication date)
  - C) AGENDA AND MINUTES  
April 14, 2010  
May 26, 2010
6. ORIGINAL PETITION

## **1. PROJECT CHRONOLOGY**

**PROJECT CHRONOLOGY**  
**Petition No. PLNPCM2009-01048**

November 19, 2009	Petition submitted to City for consideration and processing.
December 9, 2009	Petition assigned to Doug Dansie Senior Planner for staff analysis and processing.
December 9, 2009	Routed petition for review to applicable Departments and Divisions of Salt Lake City.
January 6, 2010	Reviewed by Central City Neighborhood Council.
February 3, 2010	Introductory Historic Landmark Commission meeting.
February 10, 2010	Introductory Planning Commission meeting.
February 25, 2010	Historic Landmark Commission and Planning Commission held joint subcommittee meeting.
April 1, 2010	Mailed public hearing notice for the April 14, 2010 Planning Commission meeting.
April 9, 2010	Published Planning Commission Staff Report.
April 14, 2010	Planning Commission conducted public hearing
May 20, 2010	Published public hearing notice for the May 26, 2010 Planning Commission meeting in the Salt Lake Tribune.
May 26, 2010	Planning Commission conducted public hearing and voted 6-0 to recommend forwarding a positive recommendation to the City Council.
June 23, 2010	Planning Commission ratified meeting minutes for April 14 and May 26, 2010.

## **2. PROPOSED ORDINANCE**

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2010

(Amending the zoning map pertaining to properties located at approximately 556 East 300 South and approximately 350 South 600 East)

An ordinance amending the zoning map to re-zone properties located at approximately 556 East 300 South and approximately 350 South 600 East from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed Use) pursuant to Petition No. PLNPCM2009-01347.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on May 26, 2010 on an application submitted by PEG Development (“Applicant”) to amend the City’s zoning map (Petition No. PLNPCM2009-01347) to re-zone properties located at approximately 556 East 300 South and approximately 350 South 600 East (Tax ID Nos. 16-06-283-009 and 16-06-427-038) (the “Properties”) from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed Use); and

WHEREAS, at its May 26, 2010 meeting, the Planning Commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council (“City Council”) on said application; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

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

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that the Properties located at approximately 556 South 300 East and approximately 350 South 600 East, and which are more particularly described on Exhibit “A” attached hereto, shall be and hereby are re-

zoned from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed Use).

SECTION 2. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2010.  
Published: \_\_\_\_\_.

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office  
Date: JUNE 28, 2010  
By: *Paul C. Nielsen*  
Paul C. Nielsen, Senior City Attorney

# Attachment A

## Legal Description

### 556 East 300 South:

BEGINNING AT THE NORTHWEST CORNER OF LOT 6, BLOCK 38, PLAT "B", SALT LAKE CITY SURVEY, SAID POINT ALSO LYING ON THE SOUTH LINE OF 300 SOUTH STREET; THENCE NORTH 89°57'38" EAST 181.496 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 00°01'22" EAST 190.346 FEET TO A POINT ON THE NORTH LINE OF PHASE 1; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID PHASE 1 THE FOLLOWING THREE COURSES: WEST 151.056 FEET; THENCE NORTH 24.585 FEET; THENCE SOUTH 89°57'40" WEST 30.450 FEET TO A POINT ON THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°01'22" WEST 165.657 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

### approximately 350 South 600 East:

BEGINNING AT THE SOUTH EAST CORNER OF LOT 6, BLOCK 38, PLAT "B", SALT LAKE CITY SURVEY, SAID POINT ALSO LYING ON THE WEST LINE OF 600 EAST STREET; THENCE SOUTH 0°01'25" EAST 290.061 FEET ALONG SAID WEST LINE TO A SET REBAR AND CAP # 158397; THENCE SOUTH 89°57'38" WEST 330.667 FEET TO THE EAST LINE OF LOT 3 OF SAID BLOCK 38; THENCE NORTH 0°01'22" WEST 66.664 FEET ALONG SAID EAST LINE TO THE NORTH EAST CORNER OF SAID LOT 3, SAID POINT ALSO LYING ON THE SOUTH LINE OF PHASE 1; THENCE ALONG THE SOUTHERLY AND EASTERLY BOUNDARY OF SAID PHASE 1 THE FOLLOWING FIVE COURSES: NORTH 89°57'40" EAST 30.361 FEET; THENCE NORTH 17.736 FEET; THENCE EAST 153.750 FEET; THENCE NORTH 181.083 FEET; THENCE WEST 2.694 FEET TO THE SOUTH EAST CORNER OF PHASE 2; THENCE NORTH 0°01'22" WEST 24.682 FEET ALONG THE EAST LINE OF SAID PHASE 2 TO A POINT ON THE SOUTH LINE OF THE AFOREMENTIONED LOT 6; THENCE NORTH 89°57'38" EAST 149.167 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

### **3. NOTICE OF CITY COUNCIL HEARING**

## NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing regarding Petition No. PLNPCM2009-01347 submitted by Matt Hansen of PEG Development requesting a Zoning Map Amendment at approximately 556 East 300 South (including 350 S 600 East) from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed- Use RMU.

As part of its study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, 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:** Room 315 (City Council Chambers)\*  
Salt Lake City and County Building  
451 S. State Street  
Salt Lake City, UT

\*Please enter building from east side.

If you have any questions relating to this proposal or would like to review the petition on file, please call Doug Dansie, Senior Planner, at 535-6182 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com).

People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. The City & County Building is an accessible facility. For questions, requests, or additional information, please contact the ADA Coordinator at (801) 535-7971; TDD 535-6021.

#### **4. MAILING LABELS**

Name	ALLEN, JANE & DOMAN, DAVID M (JT)	BIRTOK MANAGEMENT, LLC
Address1	1307 BROOKS ST	15709 HIGHLAND DR
Address2	ANN ARBOR, MI 48103-3171	SAN JOSE, CA 95127-1742
BLEAZARD, WILLIAM J	CAL TEMPLE PROPERTIES, LLC	COLE WG SALT LAKE CITY UT DST
630 E 300 S	71590 PO BOX	104 WILMOT RD
SALT LAKE CITY, UT 84102-2104	SALT LAKE CITY, UT 84171-0590	DEERFIELD, IL 60015-5121
COOK, STEPHEN W & LYNDA; TRS	CUTLER, ROGER F & KAREN B; JT	DAISY PROPERTIES
2840 WILLOW HILLS DR	4621 FORTUNA WAY	5544 GREEN ST
SANDY, UT 84093-1932	SALT LAKE CITY, UT 84124-4764	MURRAY, UT 84123-5798
Doug Dansie	DOW, REED R	EAST DOWNTOWN SPE LLC
PO BOX 145480	618 E 300 S	35547 PO BOX
Salt Lake City, UT 84111-5480	SALT LAKE CITY, UT 84102-2104	TULSA, OK 74153-0547
EAST DOWNTOWN SPE LLC	EVANS, BRENT K; ET AL	FISHER, ROBERT E, TR; ET AL
712139 PO BOX	3068 IVORY WAY	511 E 300 S
SALT LAKE CITY, UT 84171-2139	WEST JORDAN, UT 84084-5300	SALT LAKE CITY, UT 84102-4001
GLICK, ELAINE	H B BOYS INC; ET AL	HARMAN MANAGEMENT CORP
238 S 600 E	2280 S MAIN ST	5544 GREEN ST
SALT LAKE CITY, UT 84102-2012	SALT LAKE CITY, UT 84115-2629	MURRAY, UT 84123-5798
HOUCK, RAY & CARYL B; TRS	HOWELL, ANDREW A & JULIE A; TC	IHC HEALTH SERVICES, INC
643 16TH AVE	906 CROSSWIND WAY	201 S MAIN ST #STE 1100
SALT LAKE CITY, UT 84103-3704	DRAPER, UT 84020-3102	SALT LAKE CITY, UT 84111-2208
JOHNSON, STEPHEN L & ELIZABETH L; TRS	JOPPIEN-WU, SUSAN M & SHAUGHNESSY, WALTER R; JT	JUNIOR LEAGUE OF SALT LAKE CITY
631 E 300 S	640 E 300 S	526 E 300 S
SALT LAKE CITY, UT 84102-2103	SALT LAKE CITY, UT 84102-2104	SALT LAKE CITY, UT 84102-4010
JUSTESEN, GARY K	KILLGREEN, JERRY F & KARIN S; JT	KNIGHT FAMILY REAL ESTATE LLC
275 D ST	609 E 300 S	254 S 600 E
SALT LAKE CITY, UT 84103-2743	SALT LAKE CITY, UT 84102-2103	SALT LAKE CITY, UT 84102-2079
KNUDSEN, DARWIN C & LENORE W; TRS	MATTHEW W DRIGGS FAMILY LIMITED PARTNERSHIP, THE	MAVERIK COUNTRY STORES INC
7177 HIGHLAND DR	331 S 600 E	880 W CENTER ST
COTTONWOOD HEIGHTS, UT 84121-	SALT LAKE CITY, UT 84102-4013	NORTH SALT LAKE, UT 84054-2913

MCCALL, CLYDE D & DELORES H; JT  
615 E 300 S  
SALT LAKE CITY, UT 84102-2103

PERSON, CAROLYN W D; TR  
275 S 600 E  
SALT LAKE CITY, UT 84102-2011

Residents  
537 E 300 S  
SALT LAKE CITY, UT 84102-4001

Residents  
569 E 300 S  
SALT LAKE CITY, UT 84102-4005

Residents  
253 S 600 E  
SALT LAKE CITY, UT 84102-2035

Residents  
516 E 300 S  
SALT LAKE CITY, UT 84102-4010

Residents  
580 E 300 S  
SALT LAKE CITY, UT 84102-4032

Residents  
612 E 300 S #REAR  
SALT LAKE CITY, UT 84102-2104

Residents  
508 E 300 S  
SALT LAKE CITY, UT 84102-4010

Residents  
575 E 400 S  
SALT LAKE CITY, UT 84102-2702

OSIER, JON  
636 E 300 S  
SALT LAKE CITY, UT 84102-2104

PETERSON, PAUL F & AQUINO,  
PEARLA U; JT  
625 E 300 S  
SALT LAKE CITY, UT 84102-2103

Residents  
545 E 300 S  
SALT LAKE CITY, UT 84102-4001

Residents  
573 E 300 S  
SALT LAKE CITY, UT 84102-4001

Residents  
255 S 600 E  
SALT LAKE CITY, UT 84102-2014

Residents  
526 E 300 S #BLDG 1  
SALT LAKE CITY, UT 84102-4010

Residents  
602 E 300 S  
SALT LAKE CITY, UT 84102-2104

Residents  
614 E 300 S  
SALT LAKE CITY, UT 84102-2104

Residents  
318 S 600 E  
SALT LAKE CITY, UT 84102-4011

Residents  
321 S 600 E #BSMT  
SALT LAKE CITY, UT 84102-4013

OSTERLOH INVESTMENT CO  
4325 ADONIS DR  
SALT LAKE CITY, UT 84124-3406

Residents  
515 E 300 S  
SALT LAKE CITY, UT 84102-4001

Residents  
555 E 300 S  
SALT LAKE CITY, UT 84102-4001

Residents  
247 S 600 E  
SALT LAKE CITY, UT 84102-2011

Residents  
621 E 300 S  
SALT LAKE CITY, UT 84102-2103

Residents  
308 S 600 E  
SALT LAKE CITY, UT 84102-4014

Residents  
612 E 300 S  
SALT LAKE CITY, UT 84102-2104

Residents  
616 E 300 S  
SALT LAKE CITY, UT 84102-2104

Residents  
555 E 400 S  
SALT LAKE CITY, UT 84102-2702

Residents  
323 S 600 E  
SALT LAKE CITY, UT 84102-4078

Residents  
605 E 400 S  
SALT LAKE CITY, UT 84102-2803

Residents  
512 E 400 S  
SALT LAKE CITY, UT 84102-2703

Residents  
562 E 400 S  
SALT LAKE CITY, UT 84102-2750

Residents  
624 E 400 S  
SALT LAKE CITY, UT 84102-2804

Residents  
624 E 300 S  
SALT LAKE CITY, UT 84102-2146

Residents  
363 S 500 E  
SALT LAKE CITY, UT 84102-4006

Residents  
635 E 400 S  
SALT LAKE CITY, UT 84102-2803

Residents  
665 E 400 S  
SALT LAKE CITY, UT 84102-2803

Residents  
531 E 400 S  
SALT LAKE CITY, UT 84102-2702

SERGAKIS, GEORGE M & EFFROSENE K;  
JT  
9499 CANDLE TREE LN  
SANDY, UT 84092-3204

Residents  
316 VINCENT CT  
SALT LAKE CITY, UT 84102-2109

Residents  
576 E 400 S  
SALT LAKE CITY, UT 84102-2750

Residents  
612 E 400 S  
SALT LAKE CITY, UT 84102-2804

Residents  
634 E 400 S  
SALT LAKE CITY, UT 84102-2804

Residents  
613 E 400 S  
SALT LAKE CITY, UT 84102-2865

Residents  
455 S 500 E  
SALT LAKE CITY, UT 84102-2753

Residents  
639 E 400 S  
SALT LAKE CITY, UT 84102-2803

Residents  
335 S 500 E  
SALT LAKE CITY, UT 84102-4031

ROBBINS, WILSON K; TR  
3730 MILLSTREAM DR  
SALT LAKE CITY, UT 84109-3221

STAYNER, GEORGE C  
321 S 600 E  
SALT LAKE CITY, UT 84102-4013

Residents  
510 E 400 S  
SALT LAKE CITY, UT 84102-2703

Residents  
532 E 400 S  
SALT LAKE CITY, UT 84102-2750

Residents  
618 E 400 S  
SALT LAKE CITY, UT 84102-2804

Residents  
259 S 500 E  
SALT LAKE CITY, UT 84102-2017

Residents  
621 E 400 S  
SALT LAKE CITY, UT 84102-2803

Residents  
358 S 700 E  
SALT LAKE CITY, UT 84102-2161

Residents  
645 E 400 S  
SALT LAKE CITY, UT 84102-2803

Residents  
343 S 500 E  
SALT LAKE CITY, UT 84102-4004

SALT LAKE APARTMENT BUILDERS LLC  
750 E 9000 S  
SANDY, UT 84094-3092

STEEL ENCOUNTERS INC  
525 E 300 S  
SALT LAKE CITY, UT 84102-4001

STEEL ENCOUNTERS INC  
536 E 300 S  
SALT LAKE CITY, UT 84102-4010

THIRD SOUTH LLC  
7000 SW VARNS ST  
PORTLAND, OR 97223-8145

UTAH FEDERAL CREDIT UNION INC  
564 E 300 S  
SALT LAKE CITY, UT 84102-4032

WINN, STEVEN E, JR & LEAH W; JT  
246 S 600 E  
SALT LAKE CITY, UT 84102-2012

TANNER, BRUCE R & STEPHANIE S; TRS  
501 E 300 S  
SALT LAKE CITY, UT 84102-4001

Thomas Mutter  
228 East 500 South  
Salt Lake City, UT 84111

UTAH STATE RETIREMENT BOARD  
540 E 200 S  
SALT LAKE CITY, UT 84102-2099

WODZINSKI, ELIZABETH  
244 S 600 E  
SALT LAKE CITY, UT 84102-2012

TGM EMIGRATION LLC  
500 N DEARBORN ST #STE 400  
CHICAGO, IL 60654-3386

TNM ENTERPRISES LLC  
45820 PO BOX  
SALT LAKE CITY, UT 84145-0820

WENDYS OLD FASHIONED  
HAMBURGERS OF NEW YORK INC  
1155 PERIMETER W CTR  
ATLANTA, GA 30338-5463

PEG Development LLC  
480 W 800 N STE 203  
OREM, UT 84057

**5.A PLANNING COMMISSION  
ORIGINAL NOTICE AND POSTMARK**

PLANNING COMMISSION AGENDA

Salt Lake City Planning Division  
PO Box 145480  
Salt Lake City UT 84114

MAILED FROM ZIP CODE 84116  
0004277032 APR 01 2010  
02 1M \$ 00.440



FIRST CLASS



STATE MAIL SVC 05/17/2009 01:51 AM

Planning Commission Public Hearing Procedures

1. Fill out registration card and indicate if you wish to speak, and which agenda item you will address.
2. After staff and petitioners presentations, hearings will be opened for public comment. Recognized Community Councils will present their comments at the beginning of the public hearing.
3. Speakers will be called by the Chair.
4. Please state your name and your affiliation to the petition, or whom you represent at the beginning of your comments.
5. Speakers should address their comments to the Chair. PC members may have questions for the speaker. Speakers may not debate with other meeting attendees.
6. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
7. After those registered have spoken, the Chair will invite other comments. Prior speakers maybe allowed to supplement their previous comments at this time.
8. After the Hearing is closed the discussion will be limited among the Planning Commissioners and staff. Under unique circumstances, the PC may choose to reopen the hearing to obtain additional information.
9. The Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make special 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 Offices at 801-535-7757 or TDD at 801-535+6220.
10. Public comments are limited to two (2) minutes per person, per item. 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  
PO Box 145480  
Salt Lake City, UT 84114



841145480 145480

Salt Lake City, UT 84114-5480

**SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, April 14, 2010 at 5:45 p.m.

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commissioners and Staff at 5:00p.m., in Room 126. **Work Session**—The Planning Commission may discuss project updates and minor administrative matter. This portion of the meeting is open to the public for observation.

Approval of Minutes from Wednesday, March 24, 2010

Report of the Chair and Vice Chair

Report of the Director

Public Hearing

1. **PLNPCM2009-00510; North Temple Boulevard Station Area Plans**—a master plan amendment regarding the North Temple Viaduct Station Area Plan, a section of the North Temple Boulevard Station Area Plans. A public draft of the plan can be viewed on the project website at [www.northtempleboulevard.com](http://www.northtempleboulevard.com). Located in Council District 3 represented by Stan Penfold and District 4 represented by Luke Garrott (Staff: Nick Norris at 801.535.6173 or [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com)).
- \* 2. **Eastside Apartments Development Project**—a request by Peg Development LLC to develop multi-family housing on the properties at approximately 556 East 300 South and approximately 350 South 600 East. The property is located within Council District 4 represented by Luke Garrott (Staff contact: Doug Dansie at 801.535.6182or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)).
  - a. **PLNPCM2009-01347; Rezoning**- a request for a zoning map amendment to change the zoning on the property at approximately 556 East 300 South from Residential Office (RO) to Residential Mixed Use (RMU) and to change the zoning on the property at approximately 350 South 600 East from Residential Multi-Family -35 (RMF-35) to Residential Mixed Use (RMU).
  - b. **PLNPCM2009-01348; Planned Development / Conditional Use**- a request for Planned Development/Conditional Use approval to construct two a multi-family apartment buildings one of which be built at approximately 556 East 300 South and one of which will be built at approximately 350 South 600 East. The applicant is requesting the Planning Commission modify the rear yard setback requirements in the RMU zoning district to accommodate access to the shared underground parking garage in the middle of the block and to allow for cross access between the properties. The applicant is also requesting modification to design regulations of the Conditional Building and Site Design Review regulations in order to ensure consistency with the H Historic Preservation Overlay Zoning District regulations.
3. **PLNPCM2010-00028; Regional Sports Complex Master Plan Amendment and Zoning Map Amendment**—a request by Mayor Ralph Becker to accommodate the future construction of a field house and the construction of additional sport play fields as part of the Regional Sports Complex at approximately 2223 -2349 North Rose Park Lane. The subject property is located in Council District 1, represented by Carlton Christensen (Staff contact: Everett Joyce at 801.535.7930 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com)).
  - a. **Master Plan Amendment**-a request to amend the Rose Park Small Area Master Plan future land use map to identify the property as Open Space rather than Agriculture. The proposal is to acknowledge the City's purchase of this property for the purpose of incorporating the land into the Regional Sports Complex facility.
  - b. **Zoning Map Amendment**- a request to rezone the property from AG-2, Agriculture to OS – Open Space and PL – Public Lands zoning. The request also includes rezoning a portion of the OS – Open Space zoning to PL – Public Lands in order to accommodate a future field house at the Regional Sports Complex.

Visit the Planning Division's website at [www.slcgov.com/CED/planning](http://www.slcgov.com/CED/planning) for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at [www.slctv.com](http://www.slctv.com)

ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at [www.slctv.com](http://www.slctv.com)

#### MEETING GUIDELINES

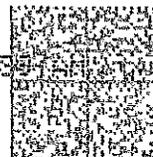
1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to two (2) minutes per person, per item. 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  
PO Box 145480  
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. 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 and 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 535-6220.

Salt Lake City Planning Commission  
PO Box 145480  
Salt Lake City UT 84111

STATEMAIL SVCS 05/18/2010 03:55



UNITED STATES POSTAGE  
METRE BOWLES  
02 1M \$ 00.44<sup>0</sup>  
0004278608 MAY 14 2010  
MAILED FROM ZIP CODE 84116

Angele Hasenberg  
PO BOX 145480  
SLC UT 84111

**SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**  
**In Room 326 of the City & County Building at 451 South State Street**  
**Wednesday, May 26, 2010 at 5:45 p.m.**

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commissioners and Staff at 5:00p.m., in Room 126 **Work Session**—The Planning Commission may discuss project updates and minor administrative matters. This portion of the meeting is open to the public for observation.

**Approval of Minutes from Wednesday, April 14 and April 28, 2010**  
**Report of the Chair and Vice Chair**  
**Report of the Director**

Petitions 410-761 and 490-06-04 Time Extension for Bouck Village Planned Development (now known as Macland Subdivision Planned Development)—a request by Monte Yedlin for a time extension for the approval of the Bouck Village Planned Development and preliminary subdivision. The property is located at approximately 1566 West 500 North in a Single Family Residential (R-1/5,000) zoning district. The project was originally approved by the Planning Commission on May 10, 2006. This project is located in Council District 1, represented by Carlton Christensen. (Staff contact: Cheri Coffey at 801-535-6188 or [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com))

**Public Hearings**

1. **PLNHLC2010-00181 Westmoreland Historic District**. A request by the Salt Lake City Council to amend the Salt Lake City Zoning Map and establish an H Historic Preservation Overlay District for the area known as Westmoreland Place. The property is generally located between 1500 and 1600 East and 1300 South and Browning Avenue. This request requires the Historic Landmark Commission and Planning Commission to forward a recommendation to the City Council. The property is zoned R-1-7000 and R-1-5000 (Single-Family Residential District) and is located in City Council District 5, represented by Jill Remington Love. (Staff contact: Janice Lew, 801-535-7625, [janice.lew@slcgov.com](mailto:janice.lew@slcgov.com))
2. **PLNPCM2010-00173: Conditional Use for Crematorium**— A request by Russon Brothers Mortuary for a conditional use to install a crematorium in an existing funeral home located at approximately 255 South 200 East. The property is zoned D-1 Central Business District in City Council District 4, represented by Luke Garrott (Staff contact: Ray Milliner at 801-535-7645 or [ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com)).
3. **PLNPCM2010-00132: Conditional Use for an Animal Cremation Service**— A request by Major Street Pet Services for a conditional use to install an animal cremation service in an existing building located at approximately 1727 South Major Street. The property is zoned CC Corridor Commercial in City Council District 5 represented by Jill Remington Love (Staff contact: Ray Milliner at 801-535-7645 or [ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com))
4. **PLNPCM2010-00096 North Temple Boulevard and Vicinity Rezoning**: A request by the Salt Lake City Planning Commission regarding the adoption of the TSA Transit Station Area Zoning District and amending the official zoning map by rezoning certain properties along North Temple Boulevard and other properties in close proximity to the Airport Light Rail Line between approximately 300 West and 2400 West. The properties are located in Council District 1 represented by Carlton Christensen, District 2 represented by Van Turner and District 3 represented by Stan Penfold (Staff contact: Nick Norris at 801-535-6173 or [nicknorris@slcgov.com](mailto:nicknorris@slcgov.com)).
5. **PLNPCM2009-00510 North Temple Boulevard Station Area Plans**: a request to the Planning Commission to reconsider the boundaries of the draft Cornell and 1950 West Station Area Plans. The Planning Commission will hold a public hearing to consider a clarification on the station area map within the Cornell and 1950 West Station Areas. A public draft of the plan can be viewed on the project website at [www.northtempleboulevard.com](http://www.northtempleboulevard.com). The properties are located in Council Districts 1 represented by Carlton Christensen and District 2 represented by Van Turner. (Staff: Nick Norris at 801.535.6173 or [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com)).
6. **PLNPCM2010-00071 900 South Railroad Rezoning**: A request by Mayor Becker to rezone 1.385 acres of land that is currently zoned Open Space to M-1 Light Industrial. The subject property is within the right of way of the Union Pacific Railroad property on the south side of 900 South, between 700 and 800 West. This rezoning is for the south half of the property. The subject property is in Council District 2 represented by Van Turner. (Staff – Cheri Coffey at 801.535.6188 or [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com)).
7. **PLNPCM2009-01347: Eastside Apartments**: A request by Peg Development LLC for a zoning map amendment to change the zoning at approximately 556 East 300 South (including 419 S 600 East) from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed-Use). The purpose is to construct a multi-family apartment/senior living complex in Council District 4 represented by Luke Garrott (Staff contact: Doug Dansie at 801-535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com))

**ISSUES ONLY HEARING**

8. **PLNSUB2010-00044 Alder-Robinson Subdivision** - a request by Greg Robinson to amend the Amended Plat of the Arcadia Heights Plat A Subdivision. The proposed subdivision is located at approximately 2857 East 2100 South in the FR-3 Foothills Residential zoning district in Council District 7 represented by Council Member Soren Simonsen. (Staff Contact: Wayne Mills at 801-535-7282 or [wayne.mills@slcgov.com](mailto:wayne.mills@slcgov.com))

Visit the Planning Division's website at [www.slcgov.com/CED/planning](http://www.slcgov.com/CED/planning) for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
PLANNING DIVISION, PO BOX 145480  SALT LAKE CITY UT 84114	9001394298	5/24/2010

ACCOUNT NAME	
PLANNING DIVISION,	
TELEPHONE	AD ORDER# / INVOICE NUMBER
8015356184	0000578138 /
SCHEDULE	
Start 05/20/2010	End 05/20/2010
CUST REF NO	
PC 5/26/10 Hearing	
CAPTION	
SALT LAKE CITY ZONING AMENDMENTS On Wed	
SIZE	
59 Lines	2.00 COLUMN
TIMES	RATE
4	
MISC CHARGES	AD CHARGES
TOTAL COST	
203.24	

SALT LAKE CITY ZONING AMENDMENTS

On Wednesday, May 26, 2010, the Salt Lake City Planning Commission will hold a public hearing to consider making a recommendation to the City Council regarding the following petitions:

PLNPCM2010-00071 - 900 South Railroad Rezoning - A request by Mayor Becker to rezone 1.385 acres of land that is currently zoned Open Space to M-1 Light Industrial. The subject property is within the right of way of the Union Pacific Railroad property on the south side of 900 South, between 700 and 800 West. This rezoning is for the south half of the property.

PLNPCM2009-00346 - Zoning Map Amendment - A request by Mayor Becker to amend the Salt Lake City Zoning Map for properties south of OC Tanner between approximately 2000 South and 2100 South and between State Street and Main Street. The proposed Zoning Map amendment would change the current zoning from Business Park (BP) to Residential Mixed Use RMU-45 and Commercial Corridor (CC) to Residential Mixed Use (RMU).

PLNPCM2010-00096 - North Temple Boulevard and Vicinity Rezoning - A request by the Salt Lake City Planning Commission regarding the adoption of the TSA Transit Station Area Zoning District and amending the official zoning map by rezoning certain properties along North Temple Boulevard and other properties in close proximity to the Airport Light Rail line between approximately 300 West and 2400 West. The properties are located in Council District 1 represented by Carlton Christensen, District 2 represented by Van Turner and District 3 represented by Stan Penfold.

PLNPCM2009-00510 - North Temple Boulevard Station Area Plans - A request to the Planning Commission to reconsider the boundaries of the draft Cornell and 1950 West Station Area Plans. The Planning Commission will hold a public hearing to consider a clarification on the station area map within the Cornell and 1950 West Station Areas. A public draft of the plan can be viewed on the project website at [www.northtempleboulevard.com](http://www.northtempleboulevard.com).

PLNPCM2009-01347: Eastside Apartments: A request by Peg Development LLC for a zoning map amendment to change the zoning at approximately 552 East 300 South (including 419 S 600 East) from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed-Use). The purpose is to construct a multi-family apartment/senior living complex.

The public hearing will begin at 5:45 p.m. in Room 326 of the City & County Building, 451 South State Street, Salt Lake City, Utah. For more information, please contact the Staff Contact. For special ADA accommodations, which may include alternative formats, interpreters and other auxiliary aids, please contact or call TDD 801-535-6220.

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **SALT LAKE CITY ZONING AMENDMENTS On Wed** 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. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY.

PUBLISHED ON Start 05/20/2010 End 05/20/2010

SIGNATURE

*Kinda L. Stone*



VIRGINIA CRAFT  
 Notary Public, State of Utah  
 Commission # 581469  
 My Commission Expires  
 January 12, 2014

DATE 5/24/2010

*Virginia Craft*

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

**6.B PLANNING COMMISSION  
STAFF REPORT**

# PLANNING COMMISSION STAFF REPORT

Eastside Apartments  
**PLNPCM2009-01347**  
Zoning Map Amendment  
556 East 300 South  
April 14, 2010



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:**

Matt Hansen of City and PEG  
Development

**Staff:**

Doug Dansie, 535-6182  
Doug.Dansie@slcgov.com

**Tax ID:**

16-06-283-009  
16-06-427-038

**Current Zone:**

RMF-35 and RO (RMU proposed as  
part of petition PLNPCM2009-  
01347)

**Master Plan Designation:**

Central Community Master Plan:  
medium density residential of 15-30  
per acre.

**Council District:**

District Four Luke Garrott

**Community Council:**

Central City

**Lot Size:**

2.10 acres this phase 4.59 total  
complex

**Current Use:**

Vacant

**Applicable Land Use Regulations:**

21A.50.050: Standards for general  
amendments

**Notification**

- Notice: April 1, 2010
- Sign: April 1, 2010
- Web: April 1, 2010

**Attachments:**

- A. Photographs
- B. Department Comments

## ***Request***

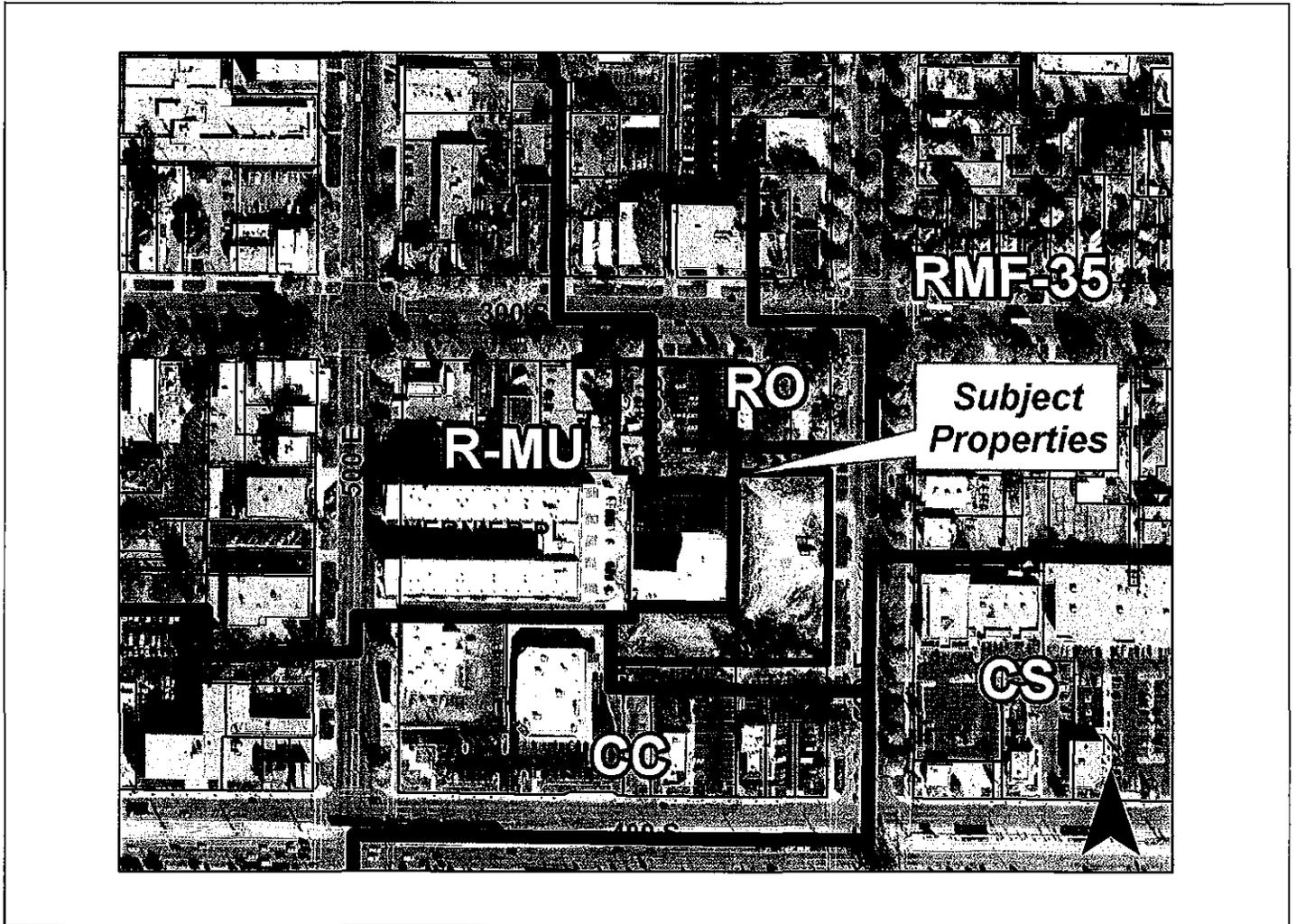
This is a request to rezone property located at approximately 556 East 300 South (including 350 S 600 East) from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed- Use RMU. The applicant wishes to increase the potential density to accommodate two new apartment buildings and to maintain consistent zoning across the entire site. A rezone was previously approved on this site as part of Petition 400-01-37 but the approval expired due to the failure to obtain a building permit for the second and third phases of the development. The first phase is Emigration Court Apartments located on 500 East. The applicant for the current proposal is not the owner of Emigration Court Apartments.

There is a concurrent planned development proposal (PLNPCM2009-01348) delineating the specific details of the proposed project. The planned development is also being reviewed by the Historic Landmark Commission to insure Central City Historic District compatibility (Petition PLNHLC2009-01346).

## ***Staff Recommendation***

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the proposal generally meets the applicable standards and therefore, recommends the Planning Commission forward a positive recommendation to the City Council to approve the requested zoning map amendment.

## VICINITY MAP



### **Background**

#### **Project Description**

The site is presently zoned RMF-35 and RO. The petitioner is proposing RMU. There was a previous conditional use and rezone proposed for this site consisting of a similar apartment proposal (Planned Development Petition 410-584 Rezone Petition 400-01-37). The applicant has submitted petition PLNPCM2009-01348 as a Conditional Use/Planned Development and PLNHLC2009-01346 as a Historic Landmark review concurrent with this rezone petition.

The site is currently vacant.

The applicant is proposing to build a three to six story apartment complex facing 600 East and a three to four story apartment complex (marketed to seniors) facing 300 South. The 600 East frontage will have three story buildings facing the street with the taller portions at the interior of the block. The shorter height on 600 East would be similar to the existing RMF-35 zoning requirements, but the densities are higher. The building on 300 South is proposed to be shorter than what would be allowed in the existing RO zone. There was a previously approved planned development of similar size and scale that was approved for this site, but only phase one (Emigration Court Apartments) was built. The new proposal would be similar to the original proposal in that it

has three apartment buildings centered on a central plaza in the rear, with each facing a different street in the front (500 East 600 East and 300 South). The proposal meets all parking and service requirements and has all parking located underground (except for a few loading stalls).

The City Council approved the rezoning to accommodate the previous project, timed with the phasing of the development and based upon receiving building permits for the specific project. The first phase was constructed but the second and third phases were not constructed during the allotted time and the approvals expired.

Under the current proposal, Emigration Court Apartments remains the first phase of this complex (the central open space was developed with Emigration Court) and the next two phases are proposed to be developed along the following timeline:

Eastside Apartments (600 East – the larger of the two buildings))

Construction start: August 2010

Construction completion: October 2011 (the front buildings could open around July 2011)

Senior Apartments (300 South – marketed to seniors)

Construction start: April 2011

Construction completion: March 2012

## **Comments**

### **Public Comments**

The project was presented to the Central City Community Council on January 6, 2010. The Community Council felt that the design was incompatible with the neighborhood because it was too suburban in its design. Concern was also expressed regarding the size and scale of the existing Emigration Court Apartments. The design has been significantly altered from what was originally presented to the Community Council, in response to community and Historic Landmark Commission feedback.

### **City Department Comments**

Department comments are attached. The comments were generally supportive, with some concern about the need to increase the size of some water lines for fire suppression. There are no issues that would prevent the rezone of the property or the construction of this project. (Comments pertaining to the specific development proposal, not merely the rezone request, are attached to Petition PLNPCM2009-01348)

## **Project Review**

The Planning Commission held a joint Planned Development subcommittee with the Historic Landmark subcommittee on meeting on February 25, 2010. The meeting focused on the design of the complex and assumed the increased densities allowed by the zone change.

## ***Analysis and Findings***

### **Options**

There was a previous rezone petition approved on the site, which expired because a building permit was not obtained (Planned Development Petition 410-584, Rezone Petition 400-01-37). Failure to grant this zoning change would still allow for the construction of apartments, but not at proposed densities. Cross easements, shared open space and midblock pedestrian access have been developed as part of the planned development; they could still take place without a zone change, however, three different zoning districts on the same complex alter the economics of the development and potentially alter the terms of those agreements.

### **Findings**

A decision to amend the Salt Lake City 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. However, in making a decision concerning a proposed amendment, the City Council should consider the following factors:

**B. 1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents.**

**Analysis:** The Central Community Master Plan calls for the area to be a combination of housing density: Medium density transit (10-50 dwelling units per acre) along 600 East, residential office (10-50 units per acre) on the corner of 600 East and 300 South and high mixed-use (50 or more units per acre) on 300 South. This specific proposal is consistent with the master plan in that it presses the density towards the interior and western portions of the block and lowers the building along 600 East.

**Finding:** The proposed zoning map amendment is supported by general policy elements of the Central Community Master Plan as long as the resulting development is sensitive to specific design concerns. The final design of the buildings is being reviewed by both the Planning Commission and the Historic Landmark Commission to ensure compatibility.

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

**Analysis:** The purpose of the R-MU residential/mixed use district is to reinforce the residential character of the area and encourage the development of areas as high density residential urban neighborhoods containing supportive retail, service commercial, and small scale office uses. The design guidelines are intended to facilitate the creation of a walkable urban neighborhood with an emphasis on pedestrian scale activity while acknowledging the need for transit and automobile access.

400 South is immediately adjacent to the site (to the south) and is major arterial for both autos and transit.

**Finding:** The proposed zoning accommodates increased housing and responds to transit opportunities. The design of the proposed apartments, as submitted and reviewed, meets the intent of the purpose statement.

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

**Analysis:** The surrounding uses are mixed, including single and multi-family, office and retail. The development represents an overall increase in density from previous land uses (the site is now vacant), however efforts have been made to ensure the proposed buildings are in scale with surrounding development along street frontages. Due to the existence of light rail transit within walking distance of this site, increased densities are appropriate as long as they are designed sensitively.

The proposed apartments would need separate Planned Development approval; Petition PLNSUB2009-01348 and Historic Landmark review; Petition PLNHLC2009-01346. These review processes are in place to ensure that the increased densities are designed sensitively to the neighborhood and historic district.

**Finding:** The proposed zoning map amendment, combined with associated design review, will have a positive impact on surrounding properties.

### **4. Whether a proposed map amendment is consistent with the purposes provisions of any applicable overlay zoning district which may impose additional standards.**

**Analysis:** The proposed map amendment is within the Central City Historic District which is governed by section 21A.34.020 of city code: H HISTORIC PRESERVATION OVERLAY DISTRICT

In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H historic preservation overlay district is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors; and
7. Foster economic development consistent with historic preservation.

The site will be reviewed by the Historic Landmark Commission and requires approval prior to issuing building permits: Petition PLNHLC2009-01346. The Historic Landmark Commission has provided preliminary feedback to the developer, who has modified the proposal accordingly. Once the Planning Commission takes action on the planned development, the Historic Landmark Commission will review the project design details to ensure compliance with adopted preservation regulations and standards (pending City Council approval of the zone change).

**Finding:** The map amendment is consistent with the H Historic Preservation Overlay District and its associated standards.

**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 wastewater and refuse collection.**

**Analysis:** Salt Lake City Public Utilities has indicated that utilities are adequate at this location; however some water lines may need to be upsized for fire suppression.

The light rail system runs in the center of 400 South Street, which provides major transit service to the area; including access to schools, recreation, parks and urban services.

**Finding:** Existing or proposed utility services will be adequate, or are capable of being made adequate, for the development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources. The site is more than adequately served by auto and transit access.

**Attachment A**  
Photographs



300 South (site)



300 South (site)



300 South (looking west)



300 South (north side)



300 South (north side)



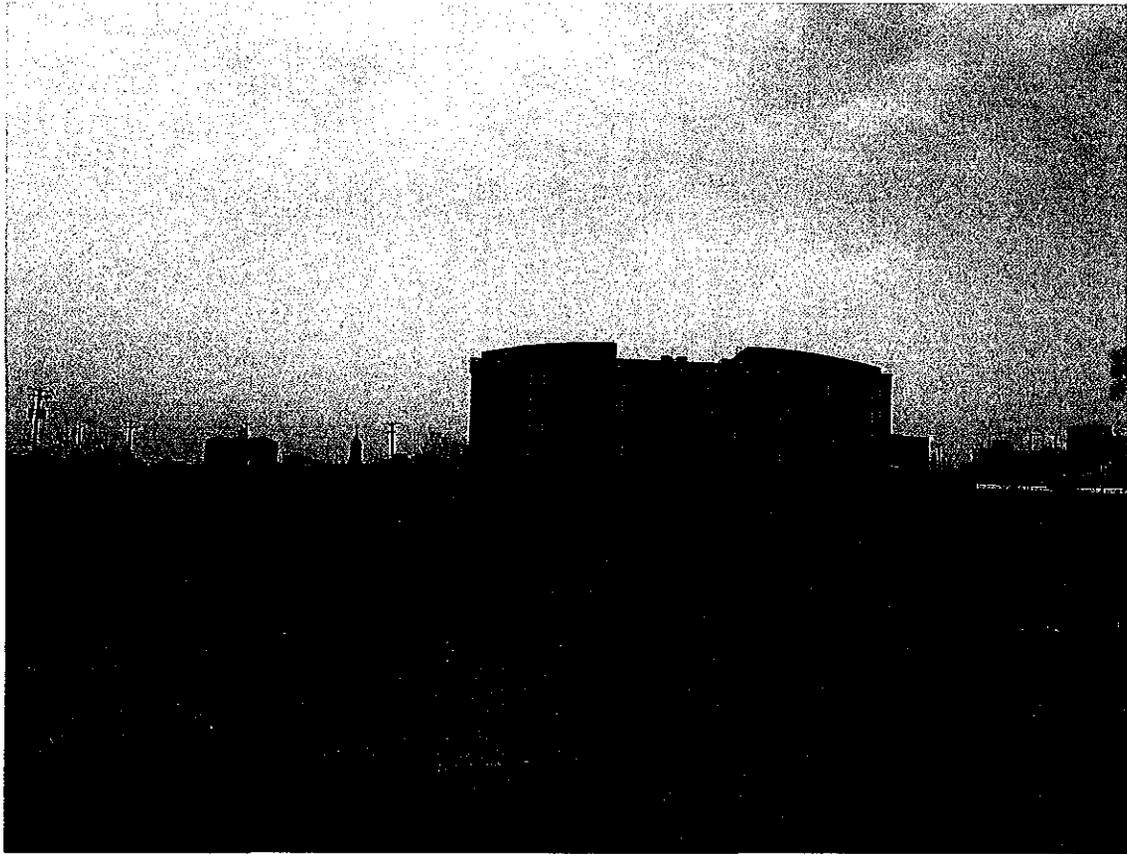
600 East (site)



600 East (looking north east)



600 East (site)



600 East (site)



600 East (site)



600 East (site looking north)



600 East (looking east)

**Attachment B**  
Department Comments

**Public Utilities Justin Stoker**

We have reviewed the proposed rezone for the Eastside Apartments located at approximately 556 E 300 S and 350 S 600 E. We have no objections to the proposed rezoning and look forward to a detailed review of the project when improvement plans have been submitted for review. Major issues that will need to be addressed during design include the capacity of the water and exist in 300 South and 600 East. The water mains in both of those streets are only 6-inches in size and are not adequate for buildings with a fire suppression system. It is highly likely that the water demand of this project will necessitate the upsizing of the water mains to provide for the project. Please work with us to ensure that adequate capacity exists in the sanitary sewer system and that an adequate solution is provided for the storm drain (no storm drain systems are currently located adjacent to the project).

**Building review Larry Butcher**

See Building comments 09-01348

**Engineering Randy Drummond**

We have no concerns regarding the rezone application.

**Transportation Barry Walsh**

Same as PLNPCM2009-01348

**6.C PLANNING COMMISSION  
AGENDA AND MINUTES**

**SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**  
**In Room 326 of the City & County Building at 451 South State Street**  
**Wednesday, April 14, 2010 at 5:45 p.m.**

**The field trip is scheduled to leave at 4:00 p.m.** Dinner will be served to the Planning Commissioners and Staff at 5:00p.m., in Room 126. **Work Session**—The Planning Commission may discuss project updates and minor administrative matter. This portion of the meeting is open to the public for observation.

**Approval of Minutes from Wednesday, March 24, 2010**

**Report of the Chair and Vice Chair**

**Report of the Director**

**Public Hearing**

1. **PLNPCM2009-00510; North Temple Boulevard Station Area Plans**—a master plan amendment regarding the North Temple Viaduct Station Area Plan, a section of the North Temple Boulevard Station Area Plans. A public draft of the plan can be viewed on the project website at [www.northtempleboulevard.com](http://www.northtempleboulevard.com). Located in Council District 3 represented by Stan Penfold and District 4 represented by Luke Garrott (Staff: Nick Norris at 801.535.6173 or [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com)).
2. **Eastside Apartments Development Project**—a request by Peg Development LLC to develop multi-family housing on the properties at approximately 556 East 300 South and approximately 350 South 600 East. The property is located within Council District 4 represented by Luke Garrott (Staff contact: Doug Dansie at 801.535.6182or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)).
  - a. **PLNPCM2009-01347; Rezoning-** a request for a zoning map amendment to change the zoning on the property at approximately 556 East 300 South from Residential Office (RO) to Residential Mixed Use (RMU) and to change the zoning on the property at approximately 350 South 600 East from Residential Multi-Family -35 (RMF-35) to Residential Mixed Use (RMU).
  - b. **PLNPCM2009-01348; Planned Development / Conditional Use-** a request for Planned Development/Conditional Use approval to construct two a multi-family apartment buildings one of which be built at approximately 556 East 300 South and one of which will be built at approximately 350 South 600 East. The applicant is requesting the Planning Commission modify the rear yard setback requirements in the RMU zoning district to accommodate access to the shared underground parking garage in the middle of the block and to allow for cross access between the properties. The applicant is also requesting modification to design regulations of the Conditional Building and Site Design Review regulations in order to ensure consistency with the H Historic Preservation Overlay Zoning District regulations.
3. **PLNPCM2010-00028; Regional Sports Complex Master Plan Amendment and Zoning Map Amendment**—a request by Mayor Ralph Becker to accommodate the future construction of a field house and the construction of additional sport play fields as part of the Regional Sports Complex at approximately 2223 -2349 North Rose Park Lane. The subject property is located in Council District 1, represented by Carlton Christensen (Staff contact: Everett Joyce at 801.535.7930 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com)).

- a. **Master Plan Amendment**-a request to amend the Rose Park Small Area Master Plan future land use map to identify the property as Open Space rather than Agriculture. The proposal is to acknowledge the City's purchase of this property for the purpose of incorporating the land into the Regional Sports Complex facility.
- b. **Zoning Map Amendment**- a request to rezone the property from AG-2, Agriculture to OS – Open Space and PL – Public Lands zoning. The request also includes rezoning a portion of the OS – Open Space zoning to PL – Public Lands in order to accommodate a future field house at the Regional Sports Complex.

*Visit the Planning Division's website at [www.slcgov.com/CED/planning](http://www.slcgov.com/CED/planning) for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at [www.slctv.com](http://www.slctv.com)*

## MEETING GUIDELINES

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, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to two (2) minutes per person, per item. 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  
PO Box 145480  
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 535-6220.

On Thursday, April 1, 2010 I personally posted copies of the foregoing notice within the City and County Building at 451 South State Street at the following locations: Planning Division, Room 406; City Council Bulletin Board, Room 315; and Community Affairs, Room 345. A copy of the agenda has also been faxed/e-mailed to all Salt Lake City Public Libraries for posting and to the Salt Lake Tribune and Deseret News.



**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**In Room 326 of the City & County Building**  
**451 South State Street, Salt Lake City, Utah**  
**Wednesday, April 14, 2010**

Present for the Planning Commission meeting was Chair Babs De Lay and Vice Chair Frank Algarin, and Commissioners Tim Chambless, Angela Dean, Michael Fife, Michael Gallegos, Kathleen Hill, Susie McHugh, Matthew Wirthlin, and Mary Woodhead.

There was no field trip prior to the meeting. A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:47 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were Wilford Sommerkorn, Planning Director, Joel Paterson, Programs Manager; Nick Norris, Senior Planner; Everett Joyce, Senior Planner; Doug Dansie, Senior Planner; Paul Nielson, City Attorney; and Angela Hasenberg, Senior Secretary.

**Approval of Minutes from Wednesday, March 24, 2010**

Commissioner McHugh made a motion to approve the minutes as written. Commissioner Gallegos seconded the motion. All in favor voted, "Aye". Commissioner Woodhead abstained. The motion passed unanimously.

**Eastside Apartments Development Project**—a request by Peg Development LLC to develop multi-family housing on the properties at approximately 556 East 300 South and approximately 350 South 600 East. The property is located within Council District 4 represented by Luke Garrett.

- a. **PLNPCM2009-01347; Rezoning**—a request for a zoning map amendment to change the zoning on the property at approximately 556 East 300 South from Residential Office (RO) to Residential Mixed Use (RMU) and to change the zoning on the property at approximately 350 South 600 East from Residential Multi-Family -35 (RMF-35) to Residential Mixed Use (RMU).
- b. **PLNPCM2009-01348; Planned Development / Conditional Use**—a request for Planned Development/Conditional Use approval to construct two a multi-family apartment buildings one of which be built at approximately 556 East 300 South and one of which will be built at approximately 350 South 600 East. The applicant is requesting the Planning Commission modify the rear yard setback requirements in the RMU zoning district to accommodate access to the shared underground parking garage in the middle of the block and to allow for cross access between the properties. The applicant is also requesting modification to design regulations of the Conditional Building and Site Design Review regulations in order to ensure consistency with the H Historic Preservation Overlay Zoning District regulations.

Commissioner Wirthlin noted that his firm represented an entity that has an interest and recused himself.

Chair De Lay recognized Doug Dansie as staff representative.

Mr. Dansie stated there is a third petition that is also associated with these apartments. The Historic Landmark Commission (HLC) would be hearing and approving that. He stated if the Planning Commission approved the rezone and the planned development

the Historic Landmark Commission would review the decision to ensure compatibility with the Central City Historic District.

He stated the site is located between 500 and 600 East and 300 and 400 South and this project had been around for approximately twelve years in some form, a planned development and rezone was approved about six years ago in three phases, Emigration Court and two other apartment buildings around the central courtyard which is built atop a parking garage. He stated because of the economy the second and third phases were never built so basically a new developer had proposed to build what were originally those last phases.

Mr. Dansie stated a subcommittee met that included members of the Planning and Historic Landmark Commissions, and the design was reviewed and revamped by the HLC. Originally the developer proposed that this project would facilitate assisted living but now this development would provide senior apartments. He stated this was also presented before the community council in January, the community did not like the design because it seemed to massive and suburban and did not reflect what they felt the character of the neighborhood was. He stated the developer changed the mass of the building by developing two buildings in the front that were kept to three stories, which is the historical height of many apartment buildings in the neighborhood. The corners were also dropped off the building to help the building appear less massive. There is also space between the two buildings and a fifteen foot landscape setback from the property line on 600 East in order to be sensitive to the spine of the Central City Historic District.

Mr. Dansie stated the difference between the RMU and RO zones is the RMU zone allows some commercial uses, while RO only allows residential and office uses. He stated the RMF-35 zone had a thirty-five foot height limit, so the rezone petition is to rezone all of the parcels to RMU to give the project the density needed as well as consistent zoning across the whole site.

Commissioner Chambless inquired if along with senior living this would also provide fair market housing.

Mr. Dansie stated yes.

Mr. Cameron Gunter, managing member of Peg Development, stated the 600 East piece of this development would be the fair market one and two bedroom units. He stated there would not be any three bedroom units based on the market study they reviewed. He stated the senior living side of the development would be restricted to 55 and older where functions would be available for seniors who lived there, including weekly socials. Commissioner Hill stated the neighborhood is a pretty heavy mix of commercial and residential and while reviewing the design for the north side the possibility of either two commercial spaces on the main level of that entry or residences that front on the street should be considered for permeability and movement of people through the spaces so it is not just one entry and massive windows.

Commissioner Dean stated she was on the subcommittee and a mixed-use component was discussed, but apparently it was tried before in Orem and did not work; however, Salt Lake City is a different place and she felt it was certainly worthy of consideration especially at this location.

### **Public Hearing**

Chair De Lay opened the public hearing.

The following person spoke to the petition: **Carl Barton** (60 East South Temple Street #2000) stated he was a partner with the Holland and Hart law firm in Salt Lake City,

representing TGM associates. He stated the developer was prepared to comply with everything in the CC&Rs that encumber phase 1, the existing apartments and the two later phases 2 and 3. He stated there were questions in the reports that went beyond legal question and he had spoken with Mr. Dansie over the past year. These questions related to land use and the parking and access. He stated there were approximately 240 units in the existing complex and more than 500 units would be added with common access ways that were fairly narrow which he viewed as a land use issue. He stated they would like input and participation in the land use process to make this a good, safe project where people enjoyed living.

Commissioner Woodhead inquired if Mr. Barton was asking the Commission to table this petition and not adopt the land use portion of this petition.

Mr. Barton stated they were asking for an opportunity to visit with PEG and the Planning staff to get the answers to some of their questions before the Commission made their decisions.

Chair De Lay stated there was a request for the amendment and then for the planned unit development, she inquired if they wanted input into both.

Mr. Barton stated they were more concerned about the conditional use then the rezone.

Chair De Lay closed the public hearing.

Mr. Dansie stated in terms of the CC&Rs between the two property owners, the City generally does not get involved in the details of legal contracts, but in terms of how it affects this project as in access, staff felt comfortable recommending the Commission's approval because when the original project was done the access points really had not changed and they were designed off of 500 and 600 East with roughly the combined number of apartments in all three phases, and the City Transportation Department felt comfortable with the size of the access points. He stated the petitioner had other issues, for example they originally had the potential to build on top of the existing parking structure, which is in the CC&Rs, but they were not proposing to do that.

He stated the second and third phase would be entirely self-contained in terms of their parking. He stated he did not have a problem with facilitating a discussion to make sure these issues were worked out if needed.

Commissioner Fife inquired if the access to the existing apartments was from 500 East.

Mr. Dansie stated yes, on 500 East there was access on the North and South sides of the Emigration Court Apartments, the original and the current planned development had a continuation of the North side access going clear through the block to 600 East along with pedestrian access.

Chair De Lay stated she liked this project because the design would open the block to pedestrians.

Commissioner Chambless inquired if the senior living structures should be defined and included in the zoning ordinance.

Mr. Dansie stated there was a distinction between assisted living and other aspects of at home medical or senior medical facilities. He stated the zoning ordinance did allow parking reductions for specialized populations for reasons like this because most assisted living facilities probably do not need 200 parking stalls.

Chair De Lay suggested a briefing at a future meeting regarding this because it is important.

Commissioner Dean stated she would suggest keeping some of the variation, roof pitch and height, and bracket detailing that were found in an earlier sketch of this project.

Mr. Rory Walker, senior design partner of Beecher Walker Architects, stated the color renderings had the same details as the black and white renderings Commissioner Dean had referred to.

Commissioner Hill stated there was a pitch on the roof on the front that was missing.

Mr. Walker stated the middle section where the roof was pitched was changed. He stated this project was originally presented to the Labor Commission then the HLC to get ideas and suggestions for the project. He stated as this project goes forward they are looking forward to additional comments and ideas from the various subcommittees and the HLC.

Chair De Lay stated this meeting did not have anything to do with design.

Commissioner Dean stated it would also be reasonable to suggest xeriscaping in park strips and front setbacks where the developer did not anticipate people hanging out on the lawn and turf grass.

Mr. Walker stated there is a 35 foot setback from the curb to the property line and then 15 more feet of property that is part of the Historic Landmark buffering zone and requires the building to be 50 feet from the street. He stated that is a large area and there needed to be some trees and grass there. He stated all of the parking for this project would be underground and would not be shared with surrounding units.

Mr. Dansie stated part of the staff recommendation was that the final landscaping plan be delegated to the Planning Director along with designs shown to the HLC. He stated another subcommittee could be scheduled to talk about landscaping details.

Chair De Lay inquired if the Commissioners who had been a part of the previous subcommittee would be willing to attend another meeting for landscaping.

Commissioner Dean, Hill, and Fife agreed.

**Commissioner Woodhead made a motion regarding Petition PLNPCM2009-01347, based on the findings in the staff report, the testimony heard received in the public hearing, the Planning Commission finds that this proposal meets the general applicable standards and recommends that this be petition be forwarded to the City Council to approve the requested zoning map amendment from RMF-35 and RO to a residential mixed-use (RMU).**

**Commissioner Dean seconded the motion.**

**Commissioners Gallegos, Fife, Dean, Hill, McHugh, Woodhead, Chambless, and Algarin voted, "Aye". The motion passed unanimously.**

Commissioner Woodhead stated she was inclined to defer to the information from staff and the staff report as far as that there is not anything specific in this petition that might require the Commission to table this. She stated the Commission had not heard any specific problems regarding this petition that would impact the other property but the property owners were encouraged to talk to each other.

**Commissioner Woodhead made a motion regarding Petition PLNPCM2009-01348; a planned development and conditional use, that the Planning Commission approves the request with modifications to setbacks and glass requirements pending adoption of the RMU zoning by the City Council as requested in this petition. The Planning Commission also delegates final decision authority regarding building materials, the site plan, and landscaping to the Planning Director based on the Historic Landmark**

**Commissions petition approval. The project will also comply with all other applicable City codes and master plans.**

**Commissioner McHugh seconded the motion.**

**Commissioner Dean suggested an amendment to add a requirement of a pedestrian way between 500 and 600 East.**

**Commissioner Woodhead accepted the amendment.**

**Commissioner McHugh seconded the amendment.**

**Commissioners Gallegos, Fife, Hill, McHugh, Dean, Woodhead, Chambless, and Algarin voted, "Aye". The motion passed.**

*Chair De Lay announced a short break at 7:00 p.m.*

*Chair De Lay reconvened the meeting at 7:11 p.m.*

*Chair De Lay adjourned the meeting at 9:13 p.m.*

---

Tami Hansen

**SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**  
**In Room 326 of the City & County Building at 451 South State Street**  
**Wednesday, May 26, 2010 at 5:45 p.m.**

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commissioners and Staff at 5:00p.m., in Room 126 **Work Session**—The Planning Commission may discuss project updates and minor administrative matters. Discussion will include the potential Historic District designation of the Westmoreland District. This portion of the meeting is open to the public for observation.

**Approval of Minutes from Wednesday, April 14 and April 28, 2010**

**Report of the Chair and Vice Chair**

**Report of the Director**

Petitions 410-761 and 490-06-04 Time Extension for Bouck Village Planned Development (now known as Macland Subdivision Planned Development)—a request by Monte Yedlin for a time extension for the approval of the Bouck Village Planed Development and preliminary subdivision. The property is located at approximately 1566 West 500 North in a Single Family Residential (R-1/5,000) zoning district. The project was originally approved by the Planning Commission on May 10, 2006. This project is located in Council District 1, represented by Carlton Christensen. (Staff contact: Cheri Coffey at 801-535-6188 or [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com))

**Public Hearing**

4. A request by the Salt Lake City Council to amend the Salt Lake City Zoning Map and establish an H Historic Preservation Overlay District for the area known as Westmoreland Place. The property is generally located between 1500 and 1600 East and 1300 South and Browning Avenue. This request requires the Historic Landmark Commission and Planning Commission to forward a recommendation to the City Council. The property is zoned R-1-7000 and R-1-5000 (Single-Family Residential District) and is located in City Council District 5, represented by Jill Remington Love. (Staff contact: Janice Lew, 801-535-7625, [janice.lew@slcgov.com](mailto:janice.lew@slcgov.com))
5. **PLNPCM2010-00173: Conditional Use for Crematorium** – A request by Russon Brothers Mortuary for a conditional use to install a crematorium in an existing funeral home located at approximately 255 South 200 East. The property is zoned D-1 Central Business District in City Council District 4, represented by Luke Garrett (Staff contact: Ray Milliner at 801-535-7645 or [ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com)).
6. **PLNPCM2010-00132: Conditional Use for an Animal Cremation Service** – A request by Major Street Pet Services for a conditional use to install an animal cremation service in an existing building located at approximately 1727 South Major Street.. The property is zoned CC Corridor Commercial in City Council District 5 represented by Jill Remington Love (Staff contact: Ray Milliner at 801-535-7645 or [ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com))
7. **PLNPCM2010-00096 North Temple Boulevard and Vicinity Rezoning:** A request by the Salt Lake City Planning Commission regarding the adoption of the TSA Transit Station Area Zoning District and amending the official zoning map by rezoning certain properties along North Temple Boulevard and other properties in close proximity to the Airport Light Rail Line between approximately 300 West and 2400 West. The properties are located in Council District 1 represented by Carlton Christensen, District 2 represented by Van Turner and District 3 represented by Stan Penfold (Staff contact: Nick Norris at 801-535-6173 or [nicknorris@slcgov.com](mailto:nicknorris@slcgov.com)).

8. **PLNPCM2009-00510 North Temple Boulevard Station Area Plans:** a request to the Planning Commission to reconsider the boundaries of the draft Cornell and 1950 West Station Area Plans. The Planning Commission will hold a public hearing to consider a clarification on the station area map within the Cornell and 1950 West Station Areas. A public draft of the plan can be viewed on the project website at [www.northtempleboulevard.com](http://www.northtempleboulevard.com). The properties are located in Council Districts 1 represented by Carlton Christensen and District 2 represented by Van Turner. (Staff: Nick Norris at 801.535.6173 or [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com)).
  
9. **PLNPCM2010-00071 900 South Railroad Rezoning:** A request by Mayor Becker to rezone 1.385 acres of land that is currently zoned Open Space to M-1 Light Industrial. The subject property is within the right of way of the Union Pacific Railroad property on the south side of 900 South, between 700 and 800 West. This rezoning is for the south half of the property. The subject property is in Council District 2 represented by Van Turner. (Staff contact: Bill Peperone at 801-535-7214 or [bill.peperone@slcgov.com](mailto:bill.peperone@slcgov.com)).
  
10. **PLNPCM2009-01347: Eastside Apartments:** A request by Peg Development LLC for a zoning map amendment to change the zoning at approximately 556 East 300 South (including 419 S 600 East) from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed-Use). The purpose is to construct a multi-family apartment/senior living complex in Council District 4 represented by Luke Garrott (Staff contact: Doug Dansie at 801-535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com))

#### Issues only Hearing

11. **PLNSUB2010-00044 Alder-Robinson Subdivision** - a request by Greg Robinson to amend the Amended Plat of the Arcadia Heights Plat A Subdivision. The proposed subdivision is located at approximately 2857 East 2100 South in the FR-3 Foothills Residential zoning district in Council District 7 represented by Council Member Soren Simonsen. (Staff Contact: Wayne Mills at 801-535-7282 or [wayne.mills@slcgov.com](mailto:wayne.mills@slcgov.com))

*Visit the Planning Division's website at [www.slcgov.com/CED/planning](http://www.slcgov.com/CED/planning) for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at [www.slctv.com](http://www.slctv.com)*

#### MEETING GUIDELINES

11. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
12. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
13. In order to be considerate of everyone attending the meeting, public comments are limited to two (2) minutes per person, per item. 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  
PO Box 145480  
Salt Lake City UT 84111
14. Speakers will be called by the Chair.
15. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
16. 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.
17. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
18. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
19. 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.
20. 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



**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**In Room 326 of the City & County Building**  
**451 South State Street, Salt Lake City, Utah**  
**Wednesday, May 26, 2010**

Present for the Planning Commission meeting were Chair Babs De Lay: and Commissioners Tim Chambless, Angela Dean, Michael Fife, Susie McHugh, Matthew Wirthlin, Mary Woodhead, and Kathleen Hill. Frank Algarin and Michael Gallegos, Commissioners were excused.

A field trip was held prior to the meeting. Planning Commissioners present were: Tim Chambless, Angela Dean, Michael Fife, and Matthew Wirthlin. Staff members present were: Joel Paterson, Wayne Mills and Ray Milliner.

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:45 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilford Sommerkorn, Planning Director, Joel Paterson Programs Manager; Janice Lew, Senior Planner, Ray Milliner, Principle Planner, Nick Norris, Programs Manager, Doug Dansie, Senior Planner, and Wayne Mills, Senior Planner; and Angela Hasenberg, Senior Secretary.

**PLNPCM2009-01347: Eastside Apartments:** A request by Peg Development LLC for a zoning map amendment to change the zoning at approximately 556 East 300 South (including 419 S 600 East) from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed-Use). The purpose is to construct a multi-family apartment/senior living complex in Council District 4 represented by Luke Garrott

Chairperson De Lay recognized Joel Paterson as staff representative.

Mr. Paterson stated that the proposal was to change the zoning from RMF-35 and RO to RMU. The commission considered this on April 14 and forwarded a positive recommendation to the City Council. Due to a noticing error, the petition was brought back to open the public hearing and issue an additional motion.

**Public Hearing: 7:53:54 PM**

Chairperson De Lay opened the public hearing. She noted there was no one present to speak to the petition, and closed the public hearing.

Chairperson De Lay noted that the decision will be based on the testimony from the April 14 Planning Commission hearing and information provided in the staff report.

**Motion:** 7:54:13 PM

**Commissioner Wirthlin made a motion regarding PLNPCM2009-01347: Eastside Apartments regarding the rezone for property from RMF-35 and RO to RMU recommend a positive recommendation for such a rezone based on the staff report and testimony received at the April 14 Planning Commission meeting.**

**Commissioner Fife seconded the motion**

**Vote: Commissioner Woodhead, McHugh, Chambless, Dean, Fife, Hill, and Wirthlin all voted aye, the motion passed unanimously.**

**7. ORIGINAL PETITION**



# Zoning Amendment

PLN PCM 2009-01347  
 OFFICE USE ONLY  
 Petition No. \_\_\_\_\_  
 Date Received: 11/19/09  
 Reviewed By: Thomas Irvin

- Amend the text of the Zoning Ordinance by amending Section:
- Amend the Zoning Map by reclassifying the above property from a zone to a zone. (attach map or legal description)

SALT LAKE CITY PLANNING

Address of Subject Property: 556 EAST 300 SOUTH / 350 SOUTH 600 EAST

---

Name of Applicant: PEG DEVELOPMENT, LLC Phone: 801-655-1998 X3050

---

Address of Applicant: 480 W. 800 N. SUITE 203, OREM, UT 84057

---

E-mail Address of Applicant: matt@pegdevelopment.com Cell/Fax: 801-655-0729

---

Applicant's Interest in Subject Property: FEE DEVELOPER WITH POTENTIAL TO PURCHASE PROPERTY

---

Name of Property Owner: SALT LAKE APARTMENT BUILDERS, LLC Phone: 801-262-9330

---

E-mail Address of Property Owner: dakota2@integrainline.com Cell/Fax: 801-860-0460

---

County Tax ("Sidwell #"): 16-06-283-009 / 16-06-427-038 Zoning: RD / RMF-35

---

Legal Description (if different than tax parcel number):

	Existing Property Use VACANT	Proposed Property Use MULTIFAMILY - APARTMENTS & ASSISTED LIVING
--	---------------------------------	--

**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. Printed address labels for all property owners within 450 feet of the subject property. The address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing label. Please include yourself and the appropriate Community Council Chair(s). Address labels are available at the address listed below. **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. - SEE ATTACHED ALTA SURVEY
6. Six (6) copies of site plans drawn to scale and one (1) 11 x 17 inch reduced copy of each plan and elevation drawing.
7. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as agent
8. Filing fee of \$885.92, plus \$110.74 for each acre over one acre and the cost of first class postage is due at time of application.

Applications must be reviewed prior to submission. Please call 535-7700 for an appointment to review your application.

**Notice:** Additional information may be required by the project planner to ensure adequate information is provided for staff analysis.

All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

NOV 19 2009  
 RECEIVED  
 BY: [Signature]

**County tax parcel ("Sidwell") maps and 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 Buzz Center  
451 South State Street, Room 215,  
Salt Lake City, UT 84111

Signature of Property Owner \_\_\_\_\_  
*Or authorized agent*

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be a first name followed by a last name, though the specific characters are difficult to decipher due to the cursive style.

**Remarks:**

Also see  
PLNHLC2009-01346 – New Construction  
PLNPCM2009-01348 – Conditional Use

Petition No: **PLNPCM2009-01347**

By: **PEG Development, LLC**

Zoning Amendment

Date Filed: November 19, 2009

Address: **556 East 300 South/350 South 600 East**