



# SALT LAKE CITY TRANSMITTAL

**To:**  
Salt Lake City Council Chair

**Submission Date:**  
04/21/2025

**Date Sent to Council:**  
04/29/2025

**From:**

**Department\***  
Community and Neighborhood

**Employee Name:**  
Seeley, Alicia

**E-mail**  
[Alicia.Seeley@slc.gov](mailto:Alicia.Seeley@slc.gov)

**Department Director Signature**

*Tammy Hunsaker*

**Chief Administrator Officer's Signature**

*Jill Love*

**Director Signed Date**  
04/25/2025

**Chief Administrator Officer's Signed Date**  
04/29/2025

**Subject:**  
Zoning Map Amendment - 128 N N St

**Additional Staff Contact:**  
Alicia Seeley | [alicia.seeley@slc.gov](mailto:alicia.seeley@slc.gov)  
Kelsey Lindquist | [kelsey.lindquist@slc.gov](mailto:kelsey.lindquist@slc.gov)

**Presenters/Staff Table**  
Alicia Seeley | [alicia.seeley@slc.gov](mailto:alicia.seeley@slc.gov)  
Kelsey Lindquist | [kelsey.lindquist@slc.gov](mailto:kelsey.lindquist@slc.gov)

**Document Type**  
Ordinance

**Budget Impact?**  
☐ Yes  
☒ No

**Recommendation:**  
Approve

**Background/Discussion**  
See first attachment for Background/Discussion

**Will there need to be a public hearing for this item? \***  
☒ Yes  
☐ No

**Public Process**  
Recommended for approval by Planning Commission - January 22, 2025  
Recommended for approval by Historic Landmark Commission - February 6, 2025

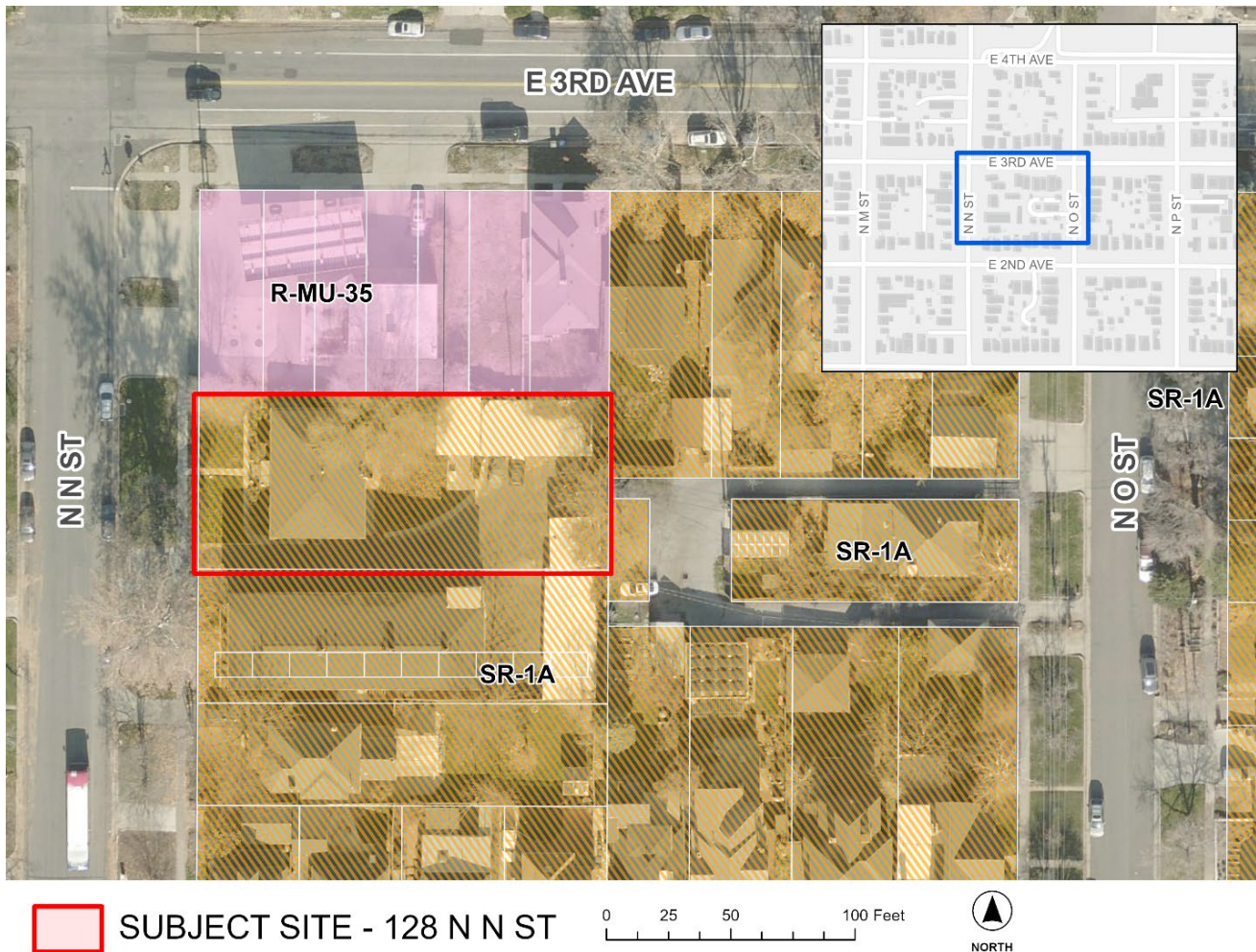
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## CITY COUNCIL TRANSMITTAL

### BACKGROUND/DISCUSSION:

Salt Lake City has received a request from John Van Trigt, the property owner, to amend the zoning map for (or rezone) the property at approximately 128 N N St (Parcel ID 09323790090000) from the SR-1A Special Development Pattern Residential District to the RMF-30 Low Density Multi-Family Residential District. The intent of this rezone is to enable an infill development comprising of three rental housing units behind the principal structure. The property sits on the East side of N St and one parcel South of the corner of N St and 3<sup>rd</sup> Ave. It is currently occupied by a historic four-plex structure and six detached garages at the rear of the lot. The four-plex would not be altered as part of this proposal, but four of the existing detached garages would be demolished and replaced by the new housing units.



SUBJECT SITE - 128 N N ST

0 25 50 100 Feet



The SR-1A district does not permit multi-family dwellings. Multi-family and row house units can be achieved through either zoning incentive options, the Affordable Housing Incentive or the Building Preservation Incentive. It also limits building height to 23 feet and minimum lot size restrictions of 5,000 square feet per dwelling unit (or 4,000 square feet per unit for a twin home). The proposed RMF-30 district permits multi-family structures, allows a maximum height of 30 feet, and has a minimum lot size restriction of 2,000 square feet per dwelling unit. The RMF-30 district also allows bonus units for infill developments when a principal structure is retained. Per 21A.50.050.C the applicant is proposing providing a minimum of two bedrooms in each of the newly built units for a community benefit. Additionally, the applicant is not required to submit a plan amendment to the Avenues Future Land Use Map, as proposed infill development is compatible with surrounding neighborhood in terms of bulk and intensity. The project also meets the criteria in title 19 requiring compliance with the general plan.

The subject property is located in the Avenues Local Historic District. If this requested amendment is adopted, the applicant would be required to seek approval for new construction from the Historic Landmark Commission.

#### **PUBLIC PROCESS:**

**Early Notification** – On October 8, 2024, Planning staff sent the Greater Avenues Community Council the required 45-day notice for recognized community organizations. The community council did not request a presentation from the applicant, but sent back a letter of support for the rezone. In addition to the notice sent to the Greater Avenues Community Council, staff also sent notices to all property owners and occupants within 300 feet of the subject property, posted a public notice sign on the property, and provided an online open house on the Planning Division’s website from October 2024 to February 2025.

**Planning Commission Meeting** – On January 22, 2025, the Planning Commission held a public hearing for the request. The commission voted unanimously to recommend that the City Council approve the Zoning Map Amendment request with the condition that the City Council enter into a development agreement to ensure the agreed upon public benefit is provided by the applicant. The full public meeting can be viewed at [this link](#). This request begins at [19:35](#).

**Historic Landmark Commission Meeting** – On February 6, 2025, the Historic Landmark Commission held a public hearing for the request. The commission voted unanimously to recommend that the City Council approve the Zoning Map Amendment request. The full public meeting can be viewed at [this link](#). This request begins at [1:44:35](#).

#### **Planning Commission (PC) Records**

- a) [PC Agenda of January 22, 2025](#)
- b) [PC Minutes of January 22, 2025](#)
- c) [Planning Commission Staff Report January 22, 2025](#)

#### **Historic Planning Commission (HLC) Records**

- a) [HLC Agenda of February 6, 2025](#)
- b) [HLC Minutes February 6, 2025](#)
- c) [Historic Landmark Commission Staff Report February 6, 2025](#)

#### **EXHIBITS:**

- 1. Ordinance
- 2. Project Chronology
- 3. Notice of City Council Public Hearing



4. Staff Report
5. Mailing List

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## **1. ORDINANCE**

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2025

(Amending the zoning map pertaining to a parcel of property located at 128 North N Street from SR-1A Special Development Pattern Residential District to RMF-30 Low Density Multi-Family Residential District)

An ordinance amending the zoning map pertaining to a parcel of property located at 128 North N Street (“Property”) from SR-1A Special Development Pattern Residential District to RMF-30 Low Density Multi-Family Residential District pursuant to Petition No. PLNPCM2024-01079.

WHEREAS, the Salt Lake City Planning Commission (“Planning Commission”) held a public hearing on January 22, 2025, on an application submitted by John Van Tright, on behalf of the owner of the Property, to rezone the Property from SR-1A Special Development Pattern Residential District to RMF-30 Low Density Multi-Family Residential District pursuant to Petition No. PLNPCM2024-01079; and

WHEREAS, at its January 22, 2025, meeting, the Planning Commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council (“City Council”) on said petition; and

WHEREAS, at its February 6, 2025, meeting, the Salt Lake City Historic Landmarks Commission held a public hearing on the petition and also voted in favor of forwarding a positive recommendation to the City Council on said petition; and

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

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

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the *Salt Lake City Code*, relating to the fixing of boundaries and zoning districts, shall be and

hereby is amended to reflect that the Property, as more particularly described on Exhibit “A” attached hereto, shall be and hereby is rezoned from SR-1A Special Development Pattern Residential District to RMF-30 Low Density Multi-Family Residential District.

SECTION 2. Condition. This map amendment is conditioned upon the owner of the Property entering into a development agreement requiring that any new dwelling unit on the Property be comprised of at least two bedrooms before a certificate of occupancy is issued for such dwelling unit.

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder. The Salt Lake City Recorder is instructed to not publish this ordinance until the condition set forth in Section 2 is satisfied as certified by the Salt Lake City Planning Director or his designee.

SECTION 4. Time. If the condition set forth in Section 2 above has not been met within one year after adoption, then this ordinance shall become null and void. The City Council may, for good cause shown, by resolution, extend the time period for satisfying the condition identified above.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

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

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



Mayor's Action: \_\_\_\_\_Approved. \_\_\_\_\_Vetoed.

\_\_\_\_\_  
MAYOR

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

(SEAL)

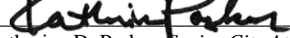
Bill No. \_\_\_\_\_ of 2025.

Published: \_\_\_\_\_.

Ordinance Rezoning 128 North N St to RMF-30\_v1

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

Date: April 21, 2025

By:   
Katherine D. Pasker, *Senior City Attorney*

# Exhibit “A”

## Legal description of the Property

Tax ID No. 09-32-379-009-0000

### Parcel 1:

Commencing 12-1/2 feet North of the Southwest corner of Lot 3, Block 24, Plat G, Salt Lake City, Survey; and running thence North 70 feet; thence East 165 feet; thence South 70 feet; thence West 165 feet to the point of beginning.

### Parcel 1A (Easement Estate):

Together with a Shared Access Easement as created by that certain Declaration recorded June 2, 2005 as Entry No. 9393224, Book 9139, Page 7344 of Official Records, more particularly described as follows:

Beginning at the Northwest corner of Lot 2, Block 24, Plat G, Salt Lake City Survey and running thence North 00°00'26" West along the Westerly line of said Block 24, 20.50 feet; thence North 89°52'50" East 128.50 feet; thence North 23.83 feet; thence East 36.59 feet to a point on the Westerly line of Lot 4 of said Block 24, thence South 00°00'17" West along said Westerly line 12.01 feet; thence West 18.59 feet; thence South 20.29 feet; thence West 4.58 feet; thence South 7.97 feet; thence West 25.01 feet; thence South 89°43'40" West 12.59 feet; thence South 1.21 feet; thence North 89°45'09" West 11.68 feet; thence South 00°03'58" East 2.64 feet; thence South 89°56'02" West 30.26 feet; thence South 85°19'18" West 3.68 feet to a point on the North line of said Lot 2; thence South 89°52'50" West along said North line 58.72 feet to the point of beginning.

### Parcel 1B (Easement Estate):

Together with a Common Entrance Easement as created by that certain Amended and Restated Declaration recorded March 13, 2006 as Entry No. 9660652, Book 9265, Page 8769 of Official Records, more particularly described as follows:

Beginning at a point on the Westerly line of said Block 25, said point being South 00°00'26" West along said Westerly line 144.62 feet from the Northwest corner of said Block 24, and running thence North 89°52'50" East 126.64 feet; thence South 00°41'34" East 16.44 feet; thence West 9.92 feet; thence South 89°43'40" West 116.92 feet to said Westerly line; thence North 00°00'26" East along said Westerly line 16.73 feet to the point of beginning.

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## **2. PROJECT CHRONOLOGY**



## PROJECT CHRONOLOGY

**Petition:** PLNPCM2024-01079

|                           |   |
|---------------------------|---|
| <b>September 19, 2024</b> | Petition for the zoning map amendment received by the Salt Lake City Planning Division.   |
| <b>October 8, 2024</b>    | Petition assigned to Alicia Seeley, Principal Planner.  |
| <b>October 8, 2024</b>    | Information about the proposal was sent to the Greater Avenues Community Council to solicit public comments and start the 45-day Recognized Organization input and comment period.  |
| <b>October 8, 2024</b>    | Planning staff sent an early notification announcement of the project to all residents and property owners living within 300 feet of the project site, providing information about the proposal and how to give public input on the project.  |
| <b>Oct 2024-Feb 2025</b>  | Planning staff hosted an online Open House to solicit public comments on the proposal.  |
| <b>Nov 2024-Jan 2025</b>  | Planning staff worked with the applicant to improve the quality of their application material, including revising the requested zone to better fit the neighborhood context, reviewing options for meeting the Community Benefit requirements, and addressing concerns brought up by the community. |
| <b>January 7, 2025</b>    | Planning Staff posted notices on City and State websites and sent notices via the Planning list serve for the Planning Commission meeting on January 22, 2025. Public hearing notice mailed.  |
| <b>January 8, 2025</b>    | Applicant adjusted their application and proposed zoning district based on concerns brought up through public comments and staff feedback.  |
| <b>January 10, 2025</b>   | Planning staff posted a public hearing notice sign with project information and notice of the Planning Commission public hearing on the property.   |
| <b>January 22, 2025</b>   | The Planning Commission held a public hearing for the request. By a vote of 6-0, the Planning Commission forwarded a positive recommendation to the City Council for the proposed zoning map amendment.   |
| <b>January 22, 2025</b>   | Planning Staff posted notices on City and State websites and sent notices via the Planning list serve for the Historic Landmark Commission meeting on February 6, 2025. Public hearing notice mailed.   |
| <b>January 25, 2025</b>   | Planning staff posted a public hearing notice sign with project information and notice of the Historic Landmark Commission public hearing on the property.  |



**February 6, 2025**

The Historic Landmark Commission held a public hearing for the request. By a vote of 7-0, the Historic Landmark Commission forwarded a positive recommendation to the City Council for the proposed zoning map amendment.

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

## **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council is considering Petition **PLNPCM2024-01079 128 N N St Rezone**. Salt Lake City has received a request from John Van Trigt, the property owner, to amend the zoning map for (or rezone) the property at approximately 128 N N St (Parcel ID 09323790090000) from the SR-1A Special Development Pattern Residential District to the RMF-30 Low Density Multi-Family Residential District. The intent of this rezone is to enable the development of three residential infill rental housing units behind the primary structure on the property. The property sits on the East side of N St one parcel South of the corner of N St and 3rd Avenue.

As part of their 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:**

**PLACE:**       **Electronic and in-person options.**  
                  **451 South State Street, Salt Lake City, Utah**

**\*\* This meeting will be held via electronic means while also providing an in-person opportunity to attend or participate in the hearing at the City and County Building, located at 451 South State Street, Room 326, Salt Lake City, Utah. For more information, including WebEx connection information, please visit [www.slc.gov/council/virtual-meetings](http://www.slc.gov/council/virtual-meetings). Comments may also be provided by calling the 24-Hour comment line at 801.535.7654 or sending an email to [council.comments@slcgov.com](mailto:council.comments@slcgov.com). All comments received through any source are shared with the Council and added to the public record.**

If you have any questions relating to this proposal or would like to review the file, please call Alicia Seeley at 801.535.7922 between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, or by e-mail at [alicia.seeley@slcgov.com](mailto:alicia.seeley@slcgov.com). The application details can be accessed at <https://www.slc.gov/planning/2024/10/29/openhouse2024-01079/>.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at [council.comments@slcgov.com](mailto:council.comments@slcgov.com), 801-535-7600, or relay service 711.

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## **5. MAILING LIST**

| OWN_FULL_NAME                              | OWN_ADDR                  | own_unit | OWN_CITY            | OWN_STATE | OWN_ZIP |
|--|---------------------------|----------|---------------------|-----------|---------|
| DREW SHARP; SARAH WILLS (JT)               | 821 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| THIRD AVENUE INVESTMENTS, LLC              | 11113 S OLD ROSEBUD LN    |          | SOUTH JORDAN        | UT        | 84095   |
| STEFFEY REVOCABLE TRUST 12/30/2008         | 786 PARK WY               |          | SOUTH SAN FRANCISCO | CA        | 94080   |
| HANSEN LIVING TRUST 04/17/2023             | 659 N LOMA VISTA CIR      |          | MESA                | AZ        | 85213   |
| TRUST NOT IDENTIFIED                       | 1791 E MICHIGAN AVE       |          | SALT LAKE CITY      | UT        | 84108   |
| TRUST NOT IDENTIFIED                       | 164 N N ST                |          | SALT LAKE CITY      | UT        | 84103   |
| TOTH-STOESSER LLC                          | 327 N I ST                |          | SALT LAKE CITY      | UT        | 84103   |
| JARED MEADORS                              | PO BOX 541842             |          | HOUSTON             | TX        | 77254   |
| SANDRA KOPANON                             | 859 E THIRD AVE # 2       |          | SALT LAKE CITY      | UT        | 84103   |
| KYLIE KATICH; ALEX KATICH (JT)             | 867 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| HEATHER ROCHELLE CURTIS                    | 873 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| MARTHA T GONZALES; EDUARDO A VALDEZ (JT)   | 879 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| MARTHA T GONZALES; EDUARDO A VALDEZ (JT)   | 879 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| TRUST NOT IDENTIFIED                       | 881 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| HAO NGOC EVANS TRUST 12/23/2015            | 887 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| SUSAN L DICKINSON                          | 818 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| 820 EAST 3RD AVE LLC                       | 4120 BONAVILLA DR         |          | OGDEN               | UT        | 84403   |
| LESLIE G KELEN; JOYCE A KELEN (JT)         | 128 N M ST                |          | SALT LAKE CITY      | UT        | 84103   |
| HEATHER HOLMES REVOCABLE TRUST 12/20/20    | 124 N M ST                |          | SALT LAKE CITY      | UT        | 84103   |
| TRISTAN KM MOORE; KRISTY L MOORE (JT)      | 14624 72ND ST E           | 96       | SUMNER              | WA        | 98390   |
| LANDWEST, LLC                              | 2074 E MARYLAND CIR       |          | HOLLADAY            | UT        | 84124   |
| R&JKFT                                     | 827 E SECOND AVE          |          | SALT LAKE CITY      | UT        | 84103   |
| COLOMBIA-WASATCH LLC                       | 535 SW WINTER CIR         |          | PULLMAN             | WA        | 99163   |
| FRED J EVANS                               | 133 N N ST                |          | SALT LAKE CITY      | UT        | 84103   |
| TRUST NOT IDENTIFIED; ROBERT A DAY         | PO BOX 11959              |          | SALT LAKE CITY      | UT        | 84147   |
| ALE A GICQUEAU                             | 1930 VILLAGE CENTER CIR   |          | LAS VEGAS           | NV        | 89134   |
| LANDWEST, LLC                              | 2074 E MARYLAND CIR       |          | HOLLADAY            | UT        | 84124   |
| 119 NORTH N STREET, LLC                    | 11616 S STATE ST # 1504   |          | DRAPER              | UT        | 84020   |
| JONATHAN EUGENE HOLLOWAY                   | 7230 E 1000 N             |          | HUNTSVILLE          | UT        | 84317   |
| JO ANN WHIRLEDGE                           | 103 N N ST                |          | SALT LAKE CITY      | UT        | 84103   |
| DAVID W PETERS                             | 872 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| BECKIE A BRADSHAW LIVING TRUST 05/19/2020  | 878 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| PATRICIA OWEN                              | 884 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| JOHN C CANDELARIA                          | 1564 W ALMOND LN          |          | WEST JORDAN         | UT        | 84088   |
| DP FAM TRUST                               | 888 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| BUSHWEEK, LLC                              | PO BOX 2753               |          | SALT LAKE CITY      | UT        | 84110   |
| WILL & ALEX LLC                            | 10799 LAS POSAS RD        |          | CAMORILLO           | CA        | 93012   |
| DP FAM TRUST                               | 888 E THIRD AVE           |          | SALT LAKE CITY      | UT        | 84103   |
| MICHAEL GARRY CRANDALL REVOCABLE TRUST (   | 118 N N ST                |          | SALT LAKE CITY      | UT        | 84103   |
| ROBERT JAMES SYLVESTER                     | 853 E SECOND AVE          |          | SALT LAKE CITY      | UT        | 84103   |
| DANIEL ERMANN; VICTORIA VARDELL (JT)       | 859 E SECOND AVE          |          | SALT LAKE CITY      | UT        | 84103   |
| ANDREA R GLOBOKAR TRUST 02/17/2023         | PO BOX 9070               |          | SALT LAKE CITY      | UT        | 84109   |
| MARY A STONEMAN                            | 865 E SECOND AVE          |          | SALT LAKE CITY      | UT        | 84103   |
| WALTER M WILHELM; NATALIE B WILHELM (JT)   | 7061 SUNLIGHT DR          |          | HUNTINGTON BEACH    | CA        | 92647   |
| KATHERINE G HOLMSTROM; SCOTT T HOLMSTR     | 879 E SECOND AVE          |          | SALT LAKE CITY      | UT        | 84103   |
| BORGENICHT-LAMBERT FAMILY TRUST 08/07/20   | 881 E SECOND AVE          |          | SALT LAKE CITY      | UT        | 84103   |
| TRUST NOT IDENTIFIED                       | 111 N O ST                |          | SALT LAKE CITY      | UT        | 84103   |
|  | 158 E 1460 N              |          | OREM                | UT        | 84057   |
| 860 E 3RD AVE TH LLC                       | 11707 S MORNING POINT WY  |          | SOUTH JORDAN        | UT        | 84009   |
| 860 E 3RD AVE TH LLC                       | 11707 S MORNING POINT WY  |          | SOUTH JORDAN        | UT        | 84009   |
| 860 E 3RD AVE TH LLC                       | 11707 S MORNING POINT WY  |          | SOUTH JORDAN        | UT        | 84009   |
| 860 E 3RD AVE TH LLC                       | 11707 S MORNING POINT WY  |          | SOUTH JORDAN        | UT        | 84009   |
| 860 E 3RD AVE TH LLC                       | 11707 S MORNING POINT WY  |          | SOUTH JORDAN        | UT        | 84009   |
| 860 E 3RD AVE TH LLC                       | 11707 S MORNING POINT WY  |          | SOUTH JORDAN        | UT        | 84009   |
| KIMBERLY FRAZER MCKINLEY                   | 89 N N ST                 |          | SALT LAKE CITY      | UT        | 84103   |
| ALEXANDER M MCCOMBS                        | 90 N N ST                 |          | SALT LAKE CITY      | UT        | 84103   |
| VICTORIA LIN                               | 86 N N ST                 |          | SALT LAKE CITY      | UT        | 84103   |
| JOSEPH HUGH KAMERATH; TAMARA KIDD KAME     | 866 E SECOND AVE          |          | SALT LAKE CITY      | UT        | 84103   |
| ZACHARY E IMEL; KAREN W TAO (JT)           | 870 E SECOND AVE          |          | SALT LAKE CITY      | UT        | 84103   |
| WALTER S PALMER; SANDRA K PALMER (JT)      | 46 HINCKLEY RD            |          | MILTON              | MA        | 02186   |
| JOSEPH HUGH KAMERATH; TAMARA KIDD KAME     | 868 E SECOND AVE          |          | SALT LAKE CITY      | UT        | 84103   |
| LINDA GAIL KUHN LERUTH; MIRANDA EVE KUHN   | 122 N N ST                | 1        | SALT LAKE CITY      | UT        | 84103   |
| JESSICA WESTON STILES                      | 122 N N ST                |          | SALT LAKE CITY      | UT        | 84103   |
| DEANNE R WILLIAMS FAMILY TRUST 09/02/2008  | 122 N N ST                | 3        | SALT LAKE CITY      | UT        | 84103   |
| TERESA WHARTON; KYLE WHARTON (JT)          | PO BOX 263                |          | MIDWAY              | UT        | 84049   |
| MARK J STUBBS                              | 506 W 100 S # 154         |          | SALT LAKE CITY      | UT        | 84101   |
| GRACE BROWN                                | 122 N N ST # 6            |          | SALT LAKE CITY      | UT        | 84103   |
| JERRY D GODWIN; LISA L GODWIN (JT)         | 1317 SALMON FALLS RD      |          | EL DORADO HILLS     | CA        | 95762   |
| JAMES CARRINGTON; PATRICK N BURNAH (JT)    | 122 N N ST                | 8        | SALT LAKE CITY      | UT        | 84103   |
| ANNE MARIE L ALFRED; CAROLINE M ALFRED; JA | 122 N N ST                | 9        | SALT LAKE CITY      | UT        | 84103   |
| ANNE MERCEDES GOODMAN; DILLON SCOTT BE     | 20041 OSTERMAN RD #U1     |          | LAKE FOREST         | CA        | 92630   |
| NOTTING COURT CONDOMINIUMS OWNERS ASS      | 1949 E MURRAY HOLLADAY RD |          | HOLLADAY            | UT        | 84117   |

|  |                   |      |                |    |       |
|--|-------------------|------|----------------|----|-------|
| JULIA D SILGE; ROBERT L SILGE (JT)         | 903 E THIRD AVE   |      | SALT LAKE CITY | UT | 84103 |
| DOMINIC J SMITH; SHALENE A SMITH (JT)      | 1820 E SIGGARD DR |      | MILLCREEK      | UT | 84106 |
| JEAN-JACQUES D GROSSI; SONJA T GROSSI (JT) | 124 N O ST        |      | SALT LAKE CITY | UT | 84103 |
| STEVEN E SWENSON                           | 120 N O ST        |      | SALT LAKE CITY | UT | 84103 |
| WILLIAM THOMAS XANDO NEVINS                | 118 N O ST        |      | SALT LAKE CITY | UT | 84103 |
| DAVID R BEAUFORT; M LINDA BEAUFORT (JT)    | 116 N O ST        |      | SALT LAKE CITY | UT | 84103 |
| KARLIAN LEE ZUCKERMAN GIFT TRUST 04/14/20  | 903 E SECOND AVE  |      | SALT LAKE CITY | UT | 84103 |
| Current Occupant                           | 821 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 825 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 827 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 829 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 166 N N ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 167 N O ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 851 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 859 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 867 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 873 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 879 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 879 E 3RD AVE     | EAST | Salt Lake City | UT | 84103 |
| Current Occupant                           | 881 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 887 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 818 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 820 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 817 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 823 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 827 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 149 N N ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 127 N N ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 123 N N ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 823 E 2ND AVE     | NFF1 | Salt Lake City | UT | 84103 |
| Current Occupant                           | 119 N N ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 109 N N ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 872 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 878 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 884 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 886 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 888 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 119 N O ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 128 N N ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 117 N O ST        | NFF1 | Salt Lake City | UT | 84103 |
| Current Occupant                           | 853 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 859 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 863 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 865 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 871 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 879 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 881 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 868 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 860 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 860 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 860 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 860 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 860 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 860 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 866 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 870 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 81 N O ST         |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 868 E 2ND AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 122 N N ST        | 4    | Salt Lake City | UT | 84103 |
| Current Occupant                           | 122 N N ST        | 5    | Salt Lake City | UT | 84103 |
| Current Occupant                           | 122 N N ST        | 6    | Salt Lake City | UT | 84103 |
| Current Occupant                           | 122 N N ST        | 7    | Salt Lake City | UT | 84103 |
| Current Occupant                           | 122 N N ST        | 10   | Salt Lake City | UT | 84103 |
| Current Occupant                           | 122 N N ST        |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 903 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 906 E 3RD AVE     |      | Salt Lake City | UT | 84103 |
| Current Occupant                           | 903 E 2ND AVE     |      | Salt Lake City | UT | 84103 |

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## **4. STAFF REPORT**





# Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

**To:** Salt Lake City Historic Landmarks Commission  
**From:** Alicia Seeley, Principal Planner, [alicia.seeley@slc.gov](mailto:alicia.seeley@slc.gov), 801-535-7922  
**Date:** February 6, 2025  
**Re:** PLNPCM2024-01079: Zoning Map Amendment from SR-1A Special Development Pattern Residential District to RMF-30 Low Density Multi-Family Residential District at 128 N N St

## Zoning Map Amendment

**PROPERTY ADDRESS:** 128 N N ST

**PARCEL ID:** 09-32-379-009-0000

**GENERAL PLAN:** [Avenues Plan](#)

**CURRENT ZONING DISTRICT:** [SR-1A Special Pattern Residential District](#)

**PROPOSED ZONING DISTRICT:** [RMF-30 Low Density Multi-Family Residential District](#)

**COUNCIL DISTRICT:** District 3, [Chris Wharton](#)

### REQUEST:

John Van Trigt, representing the property owner, is requesting to amend the zoning map for the property located at approximately 128 N N St from the SR-1A Special Development Pattern Residential District to RMF-30 Low Density Multi-Family Residential District. The intent of this rezone is to add three new residential units with attached garages. To address additional parking needs, the applicant intends to construct two free-standing carports. The historic four-plex currently located on the subject property would not be altered and no tenants would be displaced.

### RECOMMENDATION:

Based on the findings in this report, Planning staff recommends that the Historic Landmarks Commission forward a positive recommendation to the City Council for the proposed Zoning Map Amendment with the following condition:

1. That City Council enter into a development agreement to ensure the agreed upon public benefit, which is that each of the newly built units provides a minimum of two bedrooms, is provided prior to a certificate of occupancy being issued for any building within the future development.

### ATTACHMENTS:

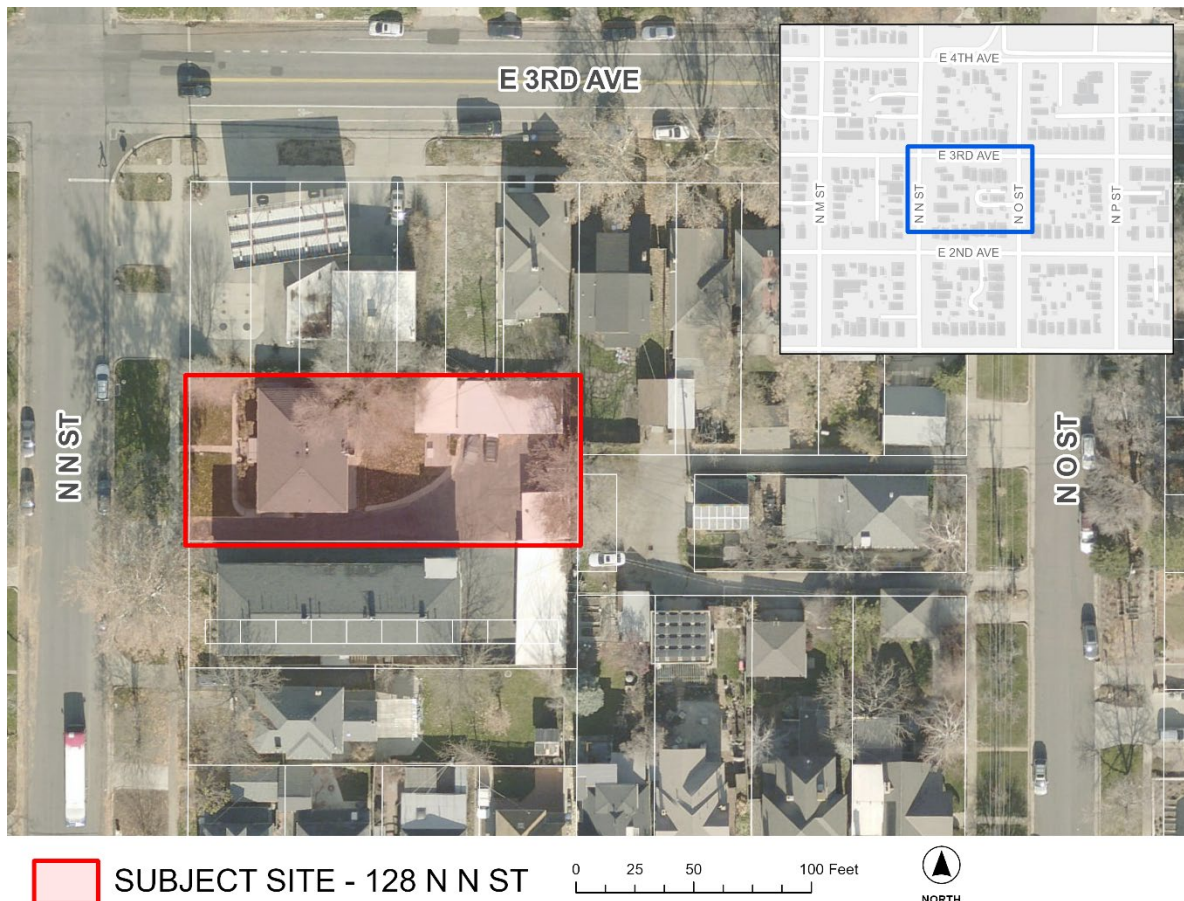
- A. [ATTACHMENT A: Location Map](#)
- B. [ATTACHMENT B: Applicant Submission](#)
- C. [ATTACHMENT C: Site Photos](#)

- D. [ATTACHMENT D: Zoning District Comparison](#)
- E. [ATTACHMENT E: General Plan Policies](#)
- F. [ATTACHMENT F: Analysis of Relevant Standards](#)
- G. [ATTACHMENT G: Public Process & Comments](#)
- H. [ATTACHMENT H: Department Review Comments](#)

## PROJECT DESCRIPTION

### Background

This request is for a zoning map amendment for the property located at approximately 128 N N St. Specifically, the applicant has requested to rezone the property from the current [SR-1A Special Development Pattern Residential District](#) to [RMF-30 Low Density Multi-Family Residential District](#). The property sits on the east side of N St, one parcel south of 3<sup>rd</sup> Ave. It is currently occupied by a historic four-plex residence fronting N St. To the south of the historic four-plex is a driveway providing access to five rear garages; 4 on the north property line, and one in the southeast corner (see the map below or in [Attachment A](#)). The subject property is located in the Avenues Local Historic District and the existing 4-plex is identified as a contributing structure to the district. The regulations found in [21A.34.020.H](#) are applicable to this property.



### **Intent of the Zoning Amendment Request**

The applicant, John Van Trigt, has submitted this request with the intent to add three residential infill units to the rear of the property. While official development plans and building designs have not yet been produced, a preliminary site plan was included with the submission for reference. That preliminary plan and all other materials submitted by the applicant can be found in [Attachment B](#).

The SR-1A district does not permit construction of multi-family dwellings unless they are part of an adaptive reuse project in eligible buildings. The maximum building height allowed in the SR-1A district is twenty-three feet (23') for a pitched roof and sixteen feet (16') for a flat roof. These height limitations would not allow for dwellings to be built on top of garage units.

If the Salt Lake City Council adopts this rezone request, the applicant would then need to submit the necessary development applications, and the project would need to comply with all relevant regulations within the Salt Lake City Zoning Ordinance. Review by the Planning Commission would be required if the applicant requests modifications to zoning regulations through the Planned Development or Design Review processes. Since this request is not for the development of the site, Planning staff has not reviewed the submitted plans for compliance with applicable zoning requirements.

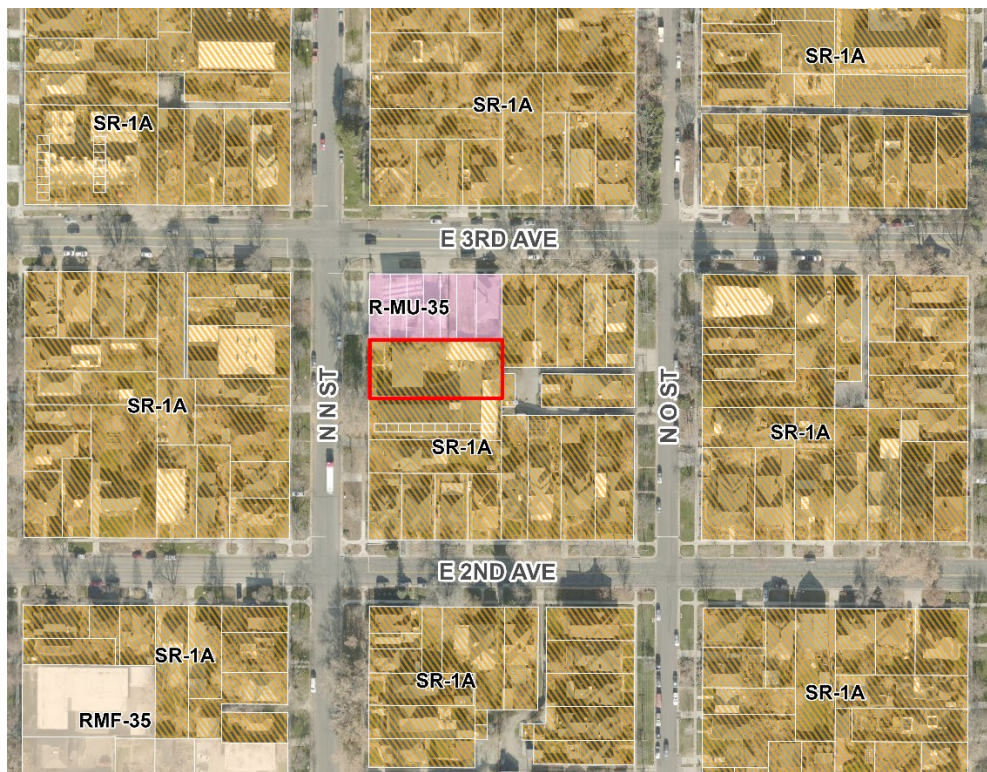
### **Existing and Proposed Zoning Districts**

The following provides an overview of the existing and proposed zoning designations. [Attachment D](#) provides a detailed comparison of each district's standards.

#### **Existing Zoning District – SR-1A Special Development Pattern Residential District**

The subject site and all adjacent properties, with the exception of the property directly north, are zoned SR-1A. The SR-1A district is intended to promote the character of older, predominantly single-family and two-family dwelling neighborhoods. It encourages low intensity, small-scale residential uses.





***Property and Surrounding Zoning Districts***

### **Proposed Zoning District – RMF-30 Low Density Multi-Family Residential District**

The primary intent of the RMF-30 district is to maintain the physical character of established neighborhoods while allowing for incremental growth through the integration of small-scale multi-family building types. It promotes new development to provide increased housing opportunities that are compatible in mass and scale with existing structures.

### **Comparison**

While both these districts are intended to promote low density residential development, the RMF-30 district allows for greater variety in height and bulk standards, as well as a modest increase in density from the SR-1A district. Both districts are appropriate for the Avenues neighborhood context, but the RMF-30 district will allow for gentle infill development that would not be permitted in SR-1A. For additional information on the comparison of the development and land use allowances see [Attachment D](#).

## **Neighborhood Context**

### **Historic Preservation Overlay**

The subject property is located in a Historic Preservation Overlay District and is considered an eligible or contributing structure. As such, it is subject to regulations as outlined in [21A.34.010:G](#). In the case of new construction, the historic landmark commission shall determine whether the project substantially complies with adopted preservation standards to ensure that the proposed project fits into the established context in ways that respect and contribute to the evolution of Salt Lake City's architectural and cultural traditions. The future new construction will be reviewed by the Historic Landmark Commission. More information on the historic status of the structure can be found in the attachments to this report.



***Historic Photo of the Subject Property***

## **Characteristics**

As discussed earlier in this report, the subject property is occupied by a historic multi-family building with four dwelling units. Buildings within the vicinity are strictly residential uses and contain mostly single-family homes and a few condo units and multi-family homes. To the immediate south along N Street are the Notting Court Condominiums, and to the immediate north on the corner of N Street and 3<sup>rd</sup> Avenue are the newly built townhomes zoned R-MU-35. Buildings along N street are mostly one to two stories in height, but the properties on either side of the subject site are three stories.

## **Amenities**

The surrounding neighborhood is almost exclusively residential use. The subject site is located about a block and a half directly south of the Salt Lake City Cemetery. The closest grocery store is Smiths, located approximately one mile away. There are also a few amenities such as coffee shops and small cafes within a mile of the property. The nearest school is Wasatch elementary, located approximately half a mile southeast of the property, and the nearest public park is Dr Ellis Reynolds Shipp Park, located half a mile west of the property.

## **Infrastructure and Public Services**

### **Transportation**

This neighborhood is fairly car-dependent for residents' daily needs. The closest walkable public transit amenity is the bus stop located at 3<sup>rd</sup> Ave/N St, with service via UTA bus route 223, which runs once an hour. The nearest frequent bus service is route 1 which runs along South Temple, with the nearest stop located 0.3 miles from the site (approximately a 5-minute walk). The neighborhood is relatively

pedestrian and bike friendly, with a dedicated bike lane along 3<sup>rd</sup> Ave and a robust network of sidewalks.

## Utilities

Public Utilities staff reviewed the proposed site plan and noted that the proposed densification may place greater demands on water, sewer, and storm drain systems, which could exceed the capacity of the existing infrastructure. In that case, the property owners and developers would be required to upgrade the offsite public utilities to ensure sufficient capacity for the new development. (see [Attachment H](#) for additional discussion from the department of Public Utilities)

## APPROVAL PROCESS AND COMMISSION AUTHORITY

### Review Processes: Zoning Map Amendment

Zoning map amendment proposals are legislative decisions reviewed against a set of considerations from the Zoning Ordinance (found in section 21A.50.050.B). Those considerations are listed in Attachment F. Planning staff is required by ordinance to analyze proposed zoning map amendments against existing adopted City policies and other related adopted City regulations, as well as consider how a zoning map amendment will affect adjacent properties. The Planning Commission must recommend approval or denial of the amendment to the City Council and should do so based on their review of the applicable considerations. Ultimately, a decision to amend the zoning map is up to the discretion of the City Council, who are not held to any one standard.

## KEY CONSIDERATIONS

Planning staff reviewed this proposal and identified the following key considerations:

1. General Plan Compatibility
2. Neighborhood Concerns

### Consideration 1: General Plan Compatibility

The standards for zoning map amendments ([21A.50.050.B](#)) suggest that rezone requests should be consistent with “the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents.” In other words, the request should ideally align with stated policies in the City’s adopted plans. Planning staff’s analysis of the proposed amendment’s compliance with specific applicable initiatives within each plan can be found in [Attachment E](#).

#### [Plan Salt Lake \(2015\)](#)

**Policy Statement 1:** *"Density in the appropriate locations, including near existing infrastructure, compatible development, and major transportation corridors, can help to accommodate future growth more efficiently. This type of compact development allows people to live closer to where they work, recreate, shop, and carry out their daily lives, resulting in less automobile dependency and greater mobility"*

**Discussion:** The Avenues neighborhood offers a complete network of existing infrastructure and safe and pleasant pedestrian conditions. A reasonable increase in density in this neighborhood can promote walkability.



**Policy Statement 2:** *"It will be critical for us to encourage and support a diversity of new housing options and types with a range of densities throughout the City to best meet the changing population."*

**Discussion:** The proposed rezone would allow the development of rental housing other than single-family detached homes or a large apartment building. It will also provide two-bedroom units, increasing housing options for renters in the neighborhood.

**Policy Statement 3:** *"Initiative: Enable moderate density increases within existing neighborhoods where appropriate."*

**Discussion:** The proposed rezone would allow for a moderate density increase that is not permitted under current zoning regulations.

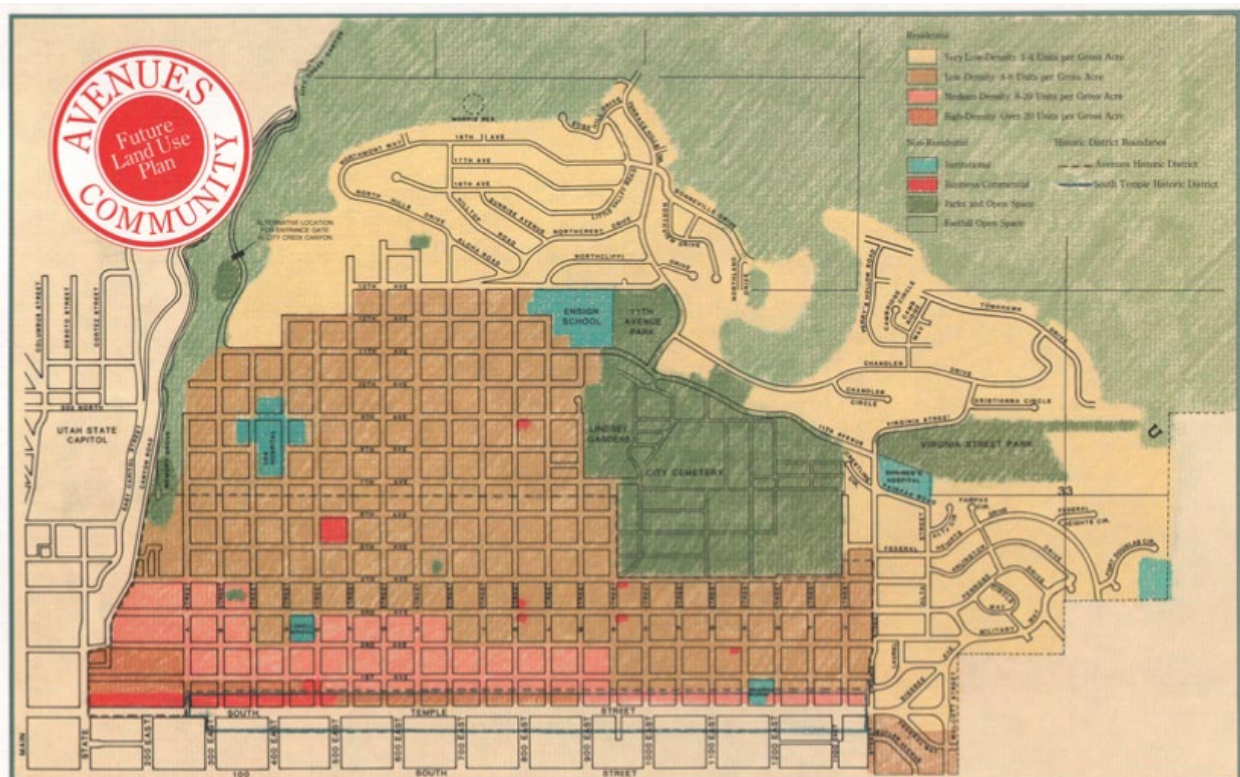
### Avenues Plan (1987)

**Policy Statement 1:** *"Many of the incompatibility problems created by new construction in residential areas are associated with excessing building height; new dwellings that tower over adjacent homes, and second-level or rear additions that overwhelm the original structure."*

**Discussion:** The RMF-30 zoning district has a maximum height of 30 feet, which would allow the desired infill development without overwhelming the original four-plex on the subject lot.

**Policy Statement 2:** Future land use map designation.

**Discussion:** According to the future land use map in the Avenues plan, the subject site is listed as appropriate for 'low density development', being



identified in the plan as 4-8 units per gross acre. The proposed infill would bring this property to a higher density than the plan calls for. However, planning staff analysis finds that a future land use map amendment is not needed, as the surrounding neighborhood has grown since this plan was written to allow moderate density increases in the immediate vicinity. The proposed infill development is therefore compatible with the bulk and intensity of the block on which it is located. Additionally, in accordance with [Title 19.02.040:B.1](#), community plans and associated land use plans for the city that include a future land use map or description of future development characteristics qualify as element plans and are part of the general plan. As this proposal is supported by Plan Salt Lake and other relevant housing plans that provide direction for future changes to the zoning code, it meets the criteria outlined in title 19 requiring compliance with the general plan of Salt Lake City.

### Thriving in Place (2023)

**Policy Statement 1:** *“Create and preserve rental housing and ownership options in all part of the city, especially housing that is affordable in perpetuity. More affordable housing is needed, of different types, and in every neighborhood.”*

**Discussion:** The proposed rezone is intended to allow the creation of more rental housing which intends to serve the needs of small families.

**Policy Statement 2:** *“Support zoning and code changes as well as City investments that help to create more middle housing types in neighborhoods throughout the city.”*

**Discussion:** The proposed change will allow additional housing units that would be classified as a type of middle housing.

### Housing SLC 2023-2027 (2022)

**Policy Statement 1:** *“Increase housing options and choices everywhere. Create gentle infill and rental housing opportunities in every neighborhood.”*

**Discussion:** The proposed rezone would allow gentle infill where it is not currently permitted and increase the supply of rental units in the Avenues.

**Policy Statement 2:** *“Promote the development of affordable family-sized housing*

**Discussion:** The additional housing units being proposed will each include two bedrooms and are intended to provide family-sized housing.

### **Consideration 2: Neighborhood Concerns**

Planning staff received several comments from surrounding residents (included in [Attachment G](#)). While a handful were in support of the proposal, many expressed concerns. Planning staff reviewed these comments and found that the majority of concerns were related to negative impacts from the recent townhome development on the corner of N Street and 3<sup>rd</sup> Avenue, and lack of parking. Staff made sure to consider these concerns while reviewing the proposal's compliance with the required standards (which are listed and reviewed in [Attachment F](#)). A summary of the proposal's impact on the above-listed issues can be found below.



### **Recent abutting townhome development**

Many comments from neighbors cited negative impacts experienced from the recent townhome development on the corner of N Street and 3<sup>rd</sup> Avenue, fearing that allowing a multi-family project on the subject property would bring similar impacts. Several comments complained of the disruptive construction noise, lack of maintenance and upkeep on the property, and the highly unaffordable prices of the new units. This development is still vacant and is seen as an undesirable project by surrounding residents.

### **Parking**

Neighbors raised concerns about the plan to increase housing units on this parcel without increasing the number of parking spaces. Current tenants of the property worry that this means they will lose access to the garages they currently use for parking and storage. Neighbors worry about the displacement of cars will increase demand for street parking as well as general parking congestion in the area.

### **STAFF RECOMMENDATION**

Staff finds that the proposed zoning map amendment is compatible with applicable master plan policies and initiatives, and the proposed zone is compatible with the surrounding neighborhood.

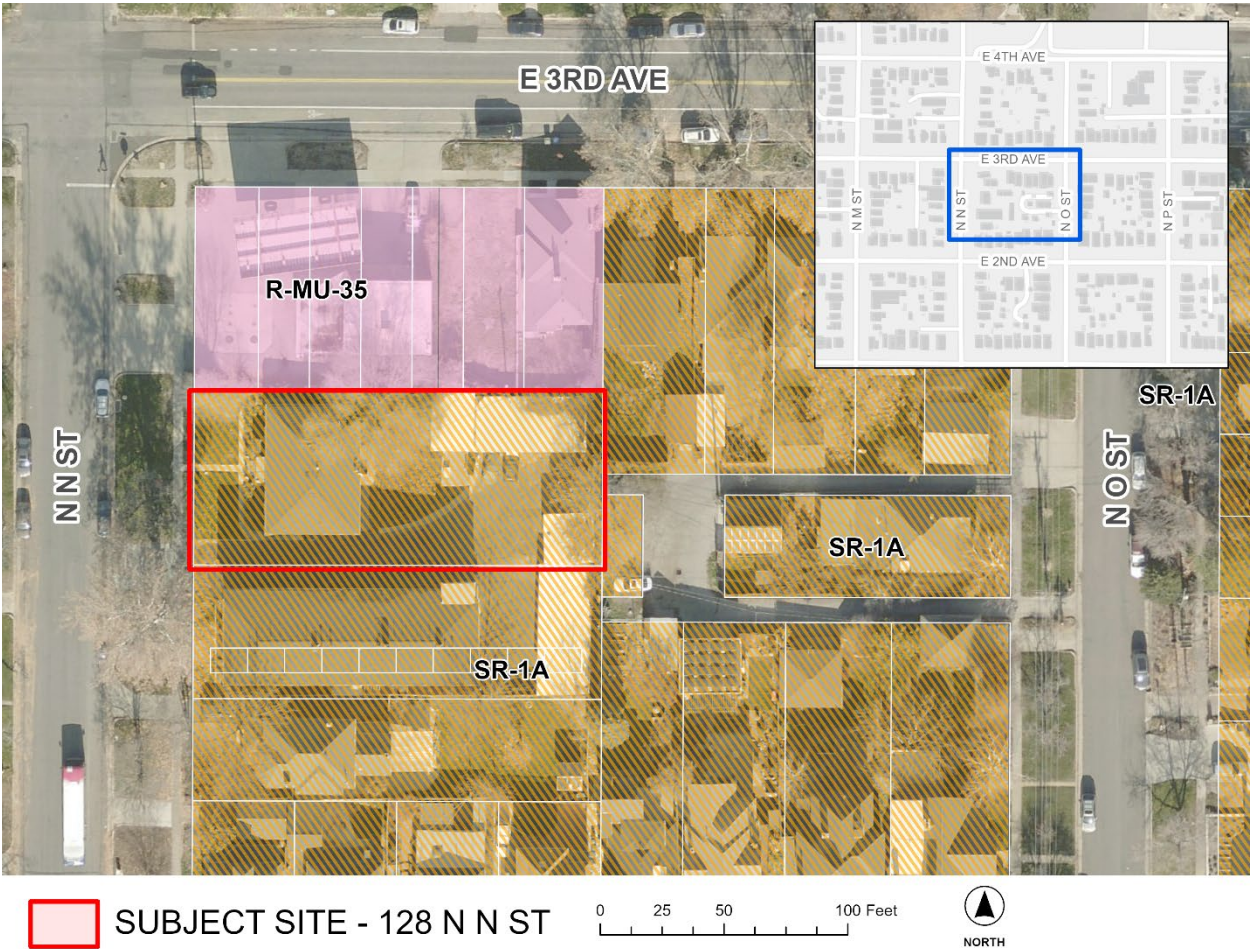
Based on the information and findings listed in the staff report, it is the Planning staff's finding that the request generally meets the applicable standards of approval and therefore recommends the Historic Landmarks Commission forward a positive recommendation to City Council.

### **NEXT STEPS**

#### **Approval or Denial of the Request**

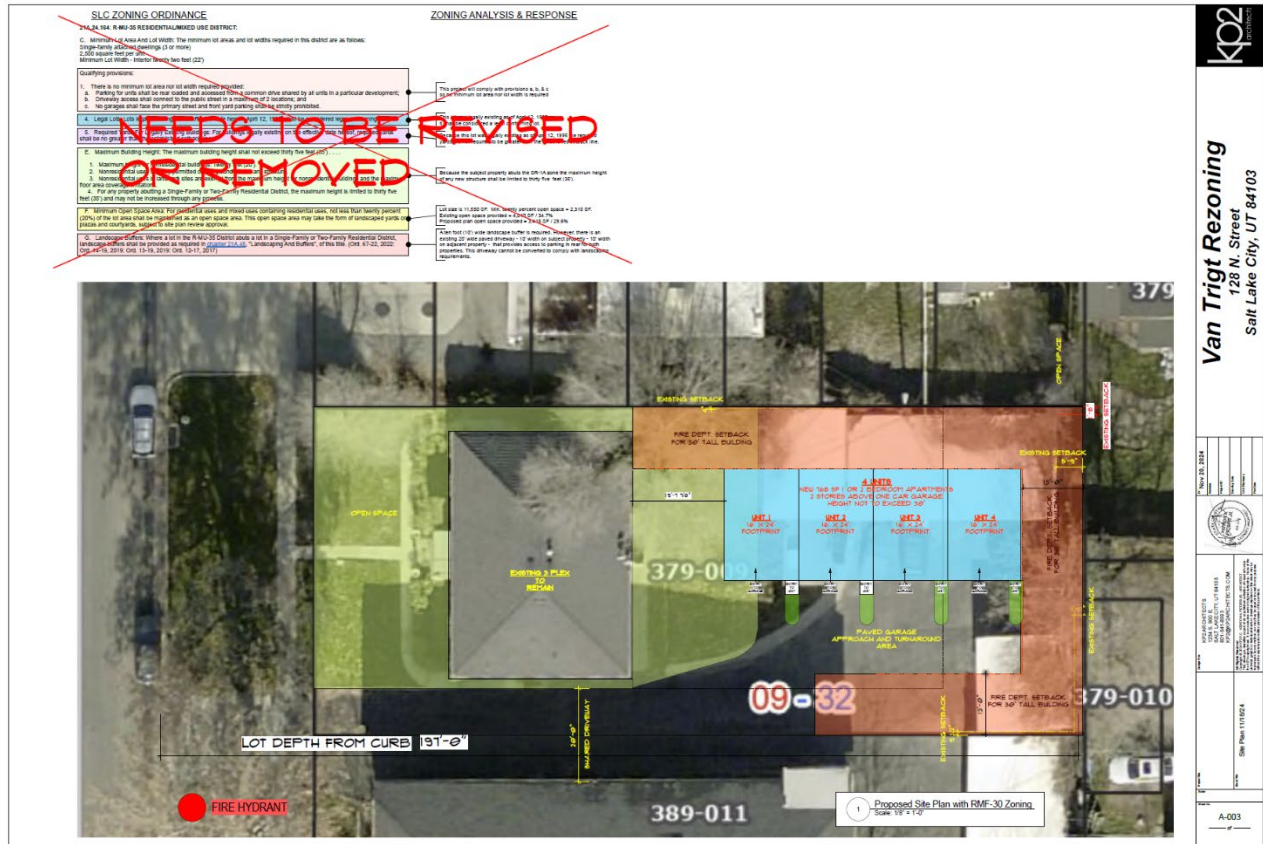
Recommendations from both the Planning Commission and Historic Landmark Commission will then be forwarded to the City Council for their consideration as part of the final decision on this petition. If the council approves the proposed Zoning Amendment, the applicant may proceed with their stated proposal or any other development proposal that complies with the RMF-30 district standards and other relevant regulations.

# ATTACHMENT A: Location Map



# ATTACHMENT B: Applicant Submission

Note: The applicant submission has been revised since the completion of this document and no longer reflects the current proposal.





## SLC PLANNING APPLICATION SUBMISSION

The following is a request to rezone (Map Amendment) the parcel at 128 N. N Street located in an area known as the Lower Avenues, referred to herein as "The Property."

### PROPERTY DESCRIPTION

The Property is located one parcel south from the southeast corner of the intersection at 3rd Avenue and N Street. The parcel includes a residential 4plex (M/R GRM-2.1), and six (6) garages which are detached from the 4plex and are located in the back of The Property. The garages are not visible from the street. The applicant proposes rezoning the Property to RMF-30 to add 4 residential units by demolishing the existing 6 garages and rebuilding 4 units above the 4 newly rebuilt garages and a 2 standing carports. The historic 4plex residence would NOT be altered but maintained per its original use and intent. No tenants will be displaced. The site area would have pedestrian access from the west (N Street), as well as access from the driveway to the rear of the Property.

There are three goals with this project:

1. To create a housing solution addressing the City's need for small- and mid-sized developments compatible with the surrounding neighborhood;
2. To create a sensitive design solution that maintains historic preservation of the district;
3. To provide 1 unit (25% of additional units) of affordable housing to address the City's required community benefit.

The first goal addresses a need for increased housing in Salt Lake City. These proposed units will offer additional opportunities for housing in an established neighborhood setting. The project seeks to alleviate the low supply of rental residences within the Lower Avenues. This housing dilemma is due, in part, from rising land costs and challenges limiting density.

The second goal is to maintain the historic architectural nature of the area. Accordingly, the 4plex structure, originally built in 1950, will remain in its existing state with no demolition. The additional units will be built in a sensitive manner in keeping with the historic district. The units will be located behind the existing structure and will not be directly visible from the street. The units will be above the garages. After completion, the total number of parking spaces will be six (6): two (2) carports and four (4) garages. The intent is to mitigate pressure on the available parking in the surrounding neighborhood.

The third goal is to provide affordability for a new resident that otherwise might be priced out of the neighborhood. Affordability will be determined using the SLC HUD Metro Area Adjusted Home Income Limits (80% AMI).

## **REASONS FOR REZONING**

Within the immediate 2-block radius and within the SR-1A zone, there are currently a handful of dense, multi-family developments. It is understood that these structures are grandfathered into the zoning ordinance, but they are consistent with the density and scale to what this project proposes. Specifically, The Property has adjacent parcels which have 7 units to the north and 10 units to the south. Also, by virtue of its location, the project supports alternate methods of transportation with bus routes on 3rd Avenue, South Temple and Virginia Street. These aspects speak directly to addressing some of the primary goals outlined in *Plan Salt Lake* and *Growing SLC*: providing responsible density where transit is readily available and providing housing units to entice in-commuters to relocate to the city, or current residents to remain.

## **COMMUNITY BENEFIT**

The proposed project will safeguard and preserve the existing historical structure. The two story brick building was completed in 1950 and fits well within the fabric of the surrounding structures in the Lower Avenues. The additional units will be designed to be consistent with the 4plex, although updated for the current building requirements.

It is also contemplated that no tenant displacement in the 4plex will be necessary for this project. One of the units will be set aside as affordable.

## **APPROACH**

In order to develop the best possible project, the applicant proposes working closely with the SLC Planning Department and the Historic Landmark Commission. In that regard, we have retained a local architect, Kenton Peters of kp2architects, to work on the architectural design and other issues relating to this proposal.

We will coordinate the proposed site development with a dedicated City Planner and the project's architect to develop an informed site and architectural solutions. We understand the importance and benefit of following the necessary review steps. Thank you for your time and consideration in reviewing this Application.

Regards

Excerpt from *Growing SLC*

"However, in the context of Salt Lake City's anticipated growth it is also clear that there are not enough housing types or housing affordability to sustain the demand from each of these populations. Our current neighborhoods are not equipped to serve the needs of our growing and evolving population. Therefore, it will be critical that there is a focus on land-use reform that can integrate the needs of each growing population into the now homogenous design of neighborhoods and there is demonstrable support for such a shift. According to an Envision Utah survey, 78 percent of Utahns want communities that include a full mix of housing types (including small lot detached homes, townhomes, condos, and apartments) that match the affordability profile of residents. Furthermore, Utah residents are willing to allow more housing types in more communities in order to achieve this goal.

These preferences are in line with national trends favoring the development of "Missing Middle" housing types, which bridge the product gap between large-lot single-family homes and large apartment or condo structures. An increase in diverse ownership products — in terms of structure, type, and price-point- could help the city attract and retain workers and residents in the city, as well as increase ownership rates for disadvantaged populations."

## DATA COLLECTION

### SITE OVERVIEW

128 N. N Street  
Lower Avenues Neighborhood  
Predominant SR-1A zoning  
Avenues Historic District

### EXISTING CONDITIONS:

Two story brick residential multi-family 4plex Building size - 3600 sq. ft.  
Six garages in back of 4plex  
Vacant Land between 4plex and garages

### PROPOSED PROJECT:

Demolish existing garages  
Maintain historic 4plex  
Create 4 residential units, rebuild 4 garages and 2 carports

### PROPERTY INFORMATION

Number of Dwellings: 4

|        |            |             |           |
|--------|------------|-------------|-----------|
| Unit 1 | 2 bedrooms | \$1,200 mo. | 2 persons |
| Unit 2 | 2 bedrooms | \$1,200 mo. | 2 persons |
| Unit 3 | 2 bedrooms | \$1,200 mo. | 2 persons |
| Unit 4 | 1 bedroom  | \$800 mo.   | 1 person  |

Total 2024 Rent: \$4,400 mo.

#### Rent roll history

|      |             |
|------|-------------|
| 2023 | \$4,250 mo. |
| 2022 | \$4,100 mo. |

# ZONING AMENDMENT

## IMPORTANT INFORMATION



### CONSULTATION

Available prior to submitting an application. For questions regarding the requirements, email us at [zoning@slcgov.com](mailto:zoning@slcgov.com).



### SUBMISSION

Submit your application online through the [Citizen Access Portal](#). Learn how to submit online by following the [step-by-step guide](#).



### REQUIRED FEES

- **Map Amd:** \$1,262 filing fee, plus \$121 per acre (in excess of 1 ac).
- **Text Amd:** \$1,262 filing fee.
- Additional required notice fees assessed after submission.

## APPLICANT INFORMATION

PROJECT NAME (OPTIONAL)

ADDRESS OF SUBJECT PROPERTY

128 N. N Street Salt Lake City Utah 84103-3866

REQUEST

Change zoning to R-MU-35

NAME OF APPLICANT

Will & Alex LLC c/o John Van Trigt

PHONE

805-558-9616

MAILING ADDRESS

1911 Michigan Avenue Salt Lake City Utah 84108

EMAIL

johnvantrigt1@gmail.com

APPLICANT'S INTEREST IN PROPERTY (\*owner's consent required)

☒ Owner ☐ Architect\* ☐ Contractor\* ☐ Other\*

IF OTHER, PLEASE LIST

NAME OF PROPERTY OWNER (if different from applicant)

Will & Alex LLC

PHONE

MAILING ADDRESS

1911 Michigan Avenue Salt Lake City Utah 84108

EMAIL

johnvantrigt1@gmail.com

## OFFICE USE

CASE NUMBER

RECEIVED BY

DATE RECEIVED

**DISCLAIMER:** PLEASE NOTE THAT ADDITIONAL INFORMATION MAY BE REQUIRED BY THE PROJECT PLANNER TO ENSURE ADEQUATE INFORMATION IS PROVIDED FOR STAFF ANALYSIS. ALL INFORMATION REQUIRED FOR STAFF ANALYSIS WILL BE COPIED AND MADE PUBLIC, INCLUDING PROFESSIONAL ARCHITECTURAL OR ENGINEERING DRAWINGS, FOR THE PURPOSES OF PUBLIC REVIEW BY ANY INTERESTED PARTY.

ZONING AMENDMENT PROCESS

6

PLANNING DIVISION v7.1.24



## ACKNOWLEDGMENT OF RESPONSIBILITY

1. This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application will be processed under the name provided below.
2. By signing the application, I am acknowledging that I have read and understood the instructions provided for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided are considered public records and may be made available to the public.
3. I understand that my application will not be processed until the application is deemed complete by the assigned planner from the Planning Division. I acknowledge that a complete application includes all of the required submittal requirements and provided documents comply with all applicable requirements for the specific applications. I understand that the Planning Division will provide, in writing, a list of deficiencies that must be satisfied for this application to be complete and it is the responsibility of the applicant to provide the missing or corrected information. I will keep myself informed of the deadlines for submission of material and the progress of this application.
4. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Planning Division and posted on the Division website when it has been finalized.

**NAME OF APPLICANT**

Will & Alex LLC c/o John Van Trigt

**EMAIL**

johnvantrigt1@gmail.com

**MAILING ADDRESS**

1911 Michigan Avenue Salt Lake City Utah 84108

**PHONE**

805-558-9616

**APPLICATION TYPE**

Zoning amendment

**SIGNATURE**



**DATE**

9/30/2024

## LEGAL PROPERTY OWNER CONSENT

If the applicant is not the legal owner of the property, a consent from property owner must be provided. Properties with a single fee title owner may show consent by filling out the information below or by providing an affidavit.

**Affirmation of sufficient interest:** I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

BEG12.5 FT N FRSWCOR Lot3 BLK 24Plat GSLC SUR N70 FTE10 RDS S70FT W10 RDS TO BEG7276-2294 9139-7342-9142-1117

**NAME OF OWNER**

Will & Alex LLC

**EMAIL**

johnvantrigt1@gmail.com

**MAILING ADDRESS**

1911 Michigan Avenue Salt Lake City Utah 84108

**SIGNATURE**



**DATE**

9/30/2024

1. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
2. If a joint venture or partnership is the fee owner, attach copy of agreement authorizing action on behalf of the joint venture or partnership.
3. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

**DISCLAIMER:** BE ADVISED THAT KNOWINGLY MAKING A FALSE, WRITTEN STATEMENT TO A GOVERNMENT ENTITY IS A CRIME UNDER UTAH CODE CHAPTER 76-8, PART 5. SALT LAKE CITY WILL REFER FOR PROSECUTION ANY KNOWINGLY FALSE REPRESENTATIONS MADE PERTAINING TO THE APPLICANT'S INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION.

ZONING AMENDMENT PROCESS

7

PLANNING DIVISION v7.1.24

# SUBMITTAL REQUIREMENTS

1 / 1

Please provide the following information with your application. Confirm that you have included each of the requirements listed below by adding a check mark for each item.

| CHECK   | STAFF                    | REQUIREMENTS (21A.50)   |
|---|--------------------------|---|
| <input checked="" type="checkbox"/>   | <input type="checkbox"/> | A statement declaring the purpose and justification for the proposed amendment.   |
| <input checked="" type="checkbox"/>   | <input type="checkbox"/> | A written general description of any future development that is planned for the property including the anticipated use, density, scale of development, timing of development, the anticipated impact to existing land uses and occupants of the land subject to the proposal, and any additional land use petitions that may be anticipated to develop the site. Visual renderings and basic site plans may be provided by the applicant. |
| <input checked="" type="checkbox"/>   | <input type="checkbox"/> | Is the request amending the Zoning Map? If so, please list the parcel numbers to be changed and a map that shows the current use of the subject property and adjacent properties.   |
| <input type="checkbox"/>  | <input type="checkbox"/> | Is the request amending the text of the Zoning Ordinance? If so, please include language and the reference to the Zoning Ordinance to be changed. Text that is proposed to be added shall be underlined and text that is proposed to be deleted shall be shown with a strikethrough line.   |
| <b>COMMUNITY BENEFIT (21A.50.050.C)</b>   |                          |   |
| <input checked="" type="checkbox"/>   | <input type="checkbox"/> | A written description regarding the proposed community benefit(s) associated with the amendment. The description shall adequately describe the necessary details to demonstrate that the proposed community benefit is roughly proportionate to the potential increase in development right if the proposed amendment were to be adopted. See 21A.50.050.C for a list of community benefits that can be proposed.                         |
| <b>DATA COLLECTION (21A.50.040.A)</b>   |                          |   |
| DISCLAIMER: FILL OUT THE REQUIRED DATA COLLECTION INFORMATION BELOW BY USING THIS <a href="https://bit.ly/skplanning-datacollection">LINK</a> . DO NOT UPLOAD THIS INFORMATION TO THE CITIZENS ACCESS PORTAL. <a href="https://bit.ly/skplanning-datacollection">https://bit.ly/skplanning-datacollection</a> |                          |   |
| <input checked="" type="checkbox"/>   | <input type="checkbox"/> | For residential properties, the following information must be provided: <ul style="list-style-type: none"> <li>The current or prior number of dwellings;</li> <li>Square footage and number of bedrooms for each dwelling unit;</li> <li>The current cost of rent and the cost of rent for the previous 36 months;</li> <li>The total number of people residing on the property.</li> </ul>   |
| <input type="checkbox"/>  | <input type="checkbox"/> | For nonresidential properties, the following information must be provided: <ul style="list-style-type: none"> <li>Details on the nature of the existing and prior use;</li> <li>Square footage of the leasable area;</li> <li>Detailed list of current or prior occupants;</li> <li>The current cost to lease and the cost to lease for the previous 36 months.</li> </ul>  |

INCOMPLETE INFORMATION WILL NOT BE ACCEPTED

INITIALS

DISCLAIMER: I ACKNOWLEDGE THAT SALT LAKE CITY REQUIRES THE ITEMS ABOVE TO BE SUBMITTED BEFORE MY APPLICATION CAN BE PROCESSED. I UNDERSTAND THAT PLANNING WILL NOT ACCEPT MY APPLICATION UNLESS ALL OF THE FOLLOWING ITEMS ARE INCLUDED IN THE SUBMITTAL PACKAGE.

## ATTACHMENT C: Site Photos

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***Historic four-plex, viewed from N street***



***Drive access on south side of property and adjacent apartment building***





***Detached garages on north side of subject lot***



***Additional garages in the southeast corner of subject lot***



***North property line and grade change***



***Detached garages viewed from existing four-plex***





***View from N street looking north***



***Street parking on N street***



***View from N street looking south***



***North property line and adjacent townhomes***

# ATTACHMENT D: Zoning District Comparison

The proposed RMF-30 district has different development standards than the current SR-1A district. A comparison can be found below:

| Parameter   | SR-1A (existing)  | RMF-30 (proposed)   |
|---|---|---|
| <b>Building Height</b>                                    | 23' (pitched roof) or 16' (flat roof)   | 30'   |
| <b>Minimum Front Setback</b>                              | equal to the average of the front yards of existing buildings within the block face                                     | 20' or the average of the block face                                    |
| <b>Maximum Front Setback</b>                              | equal to the average of the front yards of existing buildings within the block face                                     | 20' or the average of the block face                                    |
| <b>Corner Side Setback</b>                                | 10'   | 10'   |
| <b>Interior Side Setback</b>                              | 4' on one side, 10' on the other  | 10' for multi-family residential  |
| <b>Rear Setback</b>                                       | Twenty-five percent (25%) of the lot depth, but not less than fifteen feet (15') and need not exceed thirty feet (30'). | Minimum of 20% lot depth, need not exceed 25'                           |
| <b>Minimum Lot Width</b>                                  | None, as multi-family dwellings not permitted   | No minimum  |
| <b>Maximum Lot Width</b>                                  | None, as multi-family dwellings not permitted   | 110'  |
| <b>Minimum Lot Size</b>                                   | None, as multi-family dwellings not permitted   | 2,000 sq. ft. per dwelling unit   |
| <b>Open Space, Landscape Yards, and Landscape Buffers</b> | None required   | 10' when abutting single or two-family, or special development district |

## Design Standards

While the SR-1A district is not subject to additional design standards, RMF-30 requires adherence to certain standards (found in [Chapter 21.A.37](#)). The table below summarizes what is required in this district



| Parameter  | RMF-30 (proposed)   |
|--|---|
| <b>Building Materials, ground floor (%) (21A.37.050.B2)</b>  | At least <b>50%</b> of street-facing facades must be clad in durable materials (excluding doors and windows)  |
| <b>Building Materials, upper floors (%) (21A.37.050.B.2)</b> | At least <b>50%</b> of street-facing facades must be clad in durable materials (excluding doors and windows)  |
| <b>Glass: ground floor (%) (21A.37.050.C.1)</b>              | At least <b>20%</b> of the street-facing façade's ground floor must have glass between 3 and 8 feet above grade   |
| <b>Glass: upper floor (21A.37.050.C.2)</b>                   | At least <b>15%</b> of street-facing facades must have transparent glass  |
| <b>Building Entrances (21A.37.050.D)</b>                     | At least <b>one</b> operable building entrance on the ground floor is required for every street facing façade   |
| <b>Blank Wall Maximum Length (21A.37.050.E)</b>              | <b>15 feet</b>  |
| <b>Entry features (21A.37.050.P)</b>                         | Each required entrance per Section <a href="#">21A.37.050.D</a> and <a href="#">21A.37.050.L</a> of this title shall include a permitted entry feature with a walkway connected to a public sidewalk and exterior lighting that highlights the entryway(s). Where a building does not have direct public street frontage, the entry feature should be applied to the façade where the primary entrance is determined to be located. A two-family dwelling arranged side by side, row house and cottage court developments shall include at least one entry feature per dwelling unit adjacent to a public street. |

## Uses

The following is a list of permitted and conditional uses unique to each district. Uses marked with a (C) are conditional within their respective districts

| SR-1A (existing) | RMF-30 (proposed) |
|------------------|-------------------|
|------------------|-------------------|

|   |   |
|---|---|
| Accessory use, except those that are otherwise specifically regulated elsewhere in this title | Accessory use, except those that are otherwise specifically regulated elsewhere in this title |
| Adaptive reuse for additional uses in eligible buildings (C)                                  | Adaptive reuse for additional uses in eligible buildings (C)                                  |
| Affordable housing incentives development   | Affordable housing incentives development   |
| Community garden (C)  | Community garden  |
| Daycare center, child   | Daycare center, child   |
| Dwelling, accessory unit  | Dwelling, accessory unit  |
| Dwelling, assisted living facility (limited capacity) (C)                                     | Dwelling, assisted living facility (limited capacity) (C)                                     |
| Dwelling, congregate care facility (small) (C)  | Dwelling, congregate care facility (small) (C)  |
| Dwelling, group home (small)  | <b>Dwelling, group home (large) (C)</b>   |
| Dwelling, manufactured home   | Dwelling, group home (small)  |
| Dwelling, multi- family   | Dwelling, manufactured home   |
| Dwelling, single- family (detached)   | Dwelling, multi- family   |
| Dwelling, twin home   | <b>Dwelling, single- family (attached)</b>  |
| Dwelling, two- family   | Dwelling, single- family (detached)   |
| Governmental facility (C)   | Dwelling, twin home   |
| Home occupation   | Dwelling, two- family   |
| Municipal service use, including City utility use and police and fire station (C)             | Governmental facility (C)   |
| Open space on lots less than 4 acres in size  | Home occupation   |
| Park  | Municipal service use, including City utility use and police and fire station (C)             |
| Parking, park and ride lot shared with existing use   | Open space on lots less than 4 acres in size  |
| Place of worship on lots less than 4 acres in size (C)  | Park  |
| School, seminary and religious institute (C)  | Parking, park and ride lot shared with existing use   |
| Urban farm  | Place of worship on lots less than 4 acres in size (C)  |
| Utility, building or structure  | School, seminary and religious institute (C)  |
| Utility, transmission wire, line, pipe or pole  | Urban farm  |



|  |  |
|--|--|
|  | Utility, building or structure                 |
|  | Utility, transmission wire, line, pipe or pole |

The following are conditional uses within the SR-1A district that would be permitted within the RMF-30 district

- Community garden

The following are not permitted uses within the SR-1A district that would be permitted within the RMF-30 district

- Dwelling, group home (large) (Conditional)
- Dwelling, single- family (attached)

## PURPOSE STATEMENTS

### **SR-1A: Special Development Pattern Residential District**

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

### **RMF-30: Low Density Multi-Family Residential District**

*Purpose Statement: The purpose of the RMF-30 Low Density Multi-Family Residential District is to provide area in the city for various multi-family housing types that are small scale in nature and that provide a transition between single-family housing and larger multi-family housing developments. The primary intent of the district is to maintain the existing physical character of established residential neighborhoods in the city, while allowing for incremental growth through the integration of small-scale multi-family building types. The standards for the district are intended to promote new development that is compatible in mass and scale with existing structures in these areas along with a variety of housing options. This district reinforces the walkable nature of multi-family neighborhoods, supports adjacent neighborhood-serving commercial uses, and promotes alternative transportation modes.*

# ATTACHMENT E: General Plan Policies

The tables below contain language from several adopted plans that apply to this proposal. Each table also briefly discusses how the language may apply to the proposal and whether the proposed zoning amendment is consistent with the adopted policy.

In general, the proposed rezone from SR-1A to RMF-30 is supported by the various adopted plans. SUMMARY.

## Plan Salt Lake (2015)

| Policy or Objective   | Status             | Discussion   |
|---|--------------------|--|
| <b>Pg 9 – SUSTAINABLE GROWTH &amp; DEVELOPMENT</b>  |                    |  |
| <i>"Density and compact development are important principles of sustainable growth, allowing for more affordable transportation options and creating vibrant and diverse places. Density in the appropriate locations...can help to accommodate future growth more efficiently"</i> | Consistent         | The Avenues is an existing walkable neighborhood with several nearby amenities, making it an appropriate location for density and compact development. |
| <b>Pg 19 - GROWTH</b>   |                    |  |
| <i>Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.</i>  | Neutral/Consistent | The Avenues neighborhood has a complete network of existing amenities and infrastructure, with a few connections to frequent transit.                  |
| <b>Pg 21 - HOUSING</b>  |                    |  |
| <i>"... it will be critical for us to encourage and support a diversity of new housing options and types with a range of densities throughout the City to best meet the changing population."</i>   | Consistent         | Project plans to provide a housing option other than single family detached homes or a large apartment building.                                       |
| <b>Pg 21 - HOUSING</b>  |                    |  |
| <i>Enable moderate density increases within existing neighborhoods where appropriate.</i>   | Consistent         | Project is considered a moderate density increase.   |

## Avenues Plan (1987)

| Policy or Objective | Status | Discussion |
|---------------------|--------|------------|
|---------------------|--------|------------|

| <b>Pg 2 – LAND USE</b>   |            |  |
|--|------------|--|
| <i>"Reduce Building Height Potential - Many of the incompatibility problems created by new construction in residential areas are associated with excessing building height; new dwellings that tower over adjacent homes, and second-level or rear additions that overwhelm the original structure."</i> | Consistent | Although the rezone will allow a moderate increase in height, by limiting the height to 30' consistent with RMF-30 standards, the additional structures will not overwhelm the original four-plex and will be shorter than abutting developments on both the north and south sides |

### ***Thriving in Place (2023)***

| <b>Policy or Objective</b>  | <b>Status</b> | <b>Discussion</b>  |
|---|---------------|--|
| <b>Pg 48 – FACILITATE CREATION OF MORE DIVERSE HOUSING CHOICES</b>  |               |  |
| <i>"Support zoning and code changes as well as City investments that help to create more middle housing types in neighborhoods throughout the city."</i>  | Consistent    | The proposed rezone is requested in order to provide more dwelling units that would be classified as a middle housing type.  |
| <i>"Create and preserve rental housing and ownership options in all part of the city, especially housing that is affordable in perpetuity. More affordable housing is needed, of different types, and in every neighborhood."</i> | Consistent    | The Avenues is a highly desirable neighborhood in Salt Lake City. Adding new rental units, especially with two or more bedrooms, will help expand housing options for renters. |

### ***Housing SLC 2023-2027 (2022)***

| <b>Policy or Objective</b>   | <b>Status</b> | <b>Discussion</b>  |
|--|---------------|--|
| <b>Pg 3 – SALT LAKE CITY'S ANTI-DISPLACEMENT STRATEGY</b>  |               |  |
| <i>"Increase housing options and choices everywhere. Create gentle infill and rental housing opportunities in every neighborhood."</i> | Consistent    | The proposed rezone would allow for a gentle infill project that is not possible under the regulations of the current zone. The project also intends to provide more rental units. |

## **ATTACHMENT F: Analysis of Relevant Standards**

## Zoning Map Amendment

21A.50.050: A decision to amend the text of this title of 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. In making a decision to amend the zoning map, the City Council should consider the following:

| <b>1. Whether a proposed map amendment is consistent with and helps implement the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</b>  |
|--|
| <b>Finding:</b> The proposed amendment is consistent with and helps implement adopted City goals and objectives. <a href="#">Key Considerations 1</a> and <a href="#">Attachment E</a> provides a full analysis of relevant standards and objectives in the City's adopted planning documents.   |
| <b>Discussion:</b> The proposed rezone aligns with initiatives found in multiple adopted neighborhood and city-wide plans. Initiatives in Salt Lake City's general plan, Plan Salt Lake (2015) call for more density and compact development to promote sustainable growth, including allowing for moderate density increases where appropriate. The plan also calls for supporting a mix of housing types, particularly middle housing types, that give residents options other than single-family detached homes or large-scale apartment buildings.<br><br>Other city-wide housing plans, including Thriving in Place (2023) and Housing SLC (2022) also set forth policies that align with this proposal. They echo the need for increased support for middle housing types, family-sized units, affordability at all levels, gentle infill development, and rental housing opportunities in every neighborhood.<br><br>Finally, the Avenues Plan (1987) cautions against incompatible development that is not consistent with height and bulk of the existing surrounding neighborhood, but designates the subject site as appropriate for multi-family development.  |
| <b>2. Whether a proposed map amendment furthers the applicable purpose statements of the zoning ordinance;</b>   |
| <b>Finding:</b> The proposed amendment generally meets the intent of applicable purpose statements   |
| <b>Discussion:</b> Applicable purpose statements from the zoning ordinance are listed and discussed below  |
| <b>General Purpose and Intent of the Salt Lake City Zoning Ordinance</b>   |
| <i>The purpose of the zoning ordinance is to promote the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and, in addition:</i><br><br><i>A. Lessen congestion in the streets or roads;</i><br><i>B. Secure safety from fire and other dangers;</i><br><i>C. Provide adequate light and air;</i><br><i>D. Classify land uses and distribute land development and utilization;</i><br><i>E. Protect the tax base;</i><br><i>F. Secure economy in governmental expenditures;</i><br><i>G. Foster the city's industrial, business, and residential development; and</i><br><i>H. Protect the environment.</i><br><br>The SR-1A and RMF-30 districts are both low-density residential districts that encourage small-scale housing development. However, the RMF-30 district is intended to provide multi-family housing and allows for more flexibility in lot size per unit, height, and bulk standards.<br><br>While many aspects of the general purpose statement appear to be neutral to the change, at least three points support it: D. Classify land uses and distribute land development and utilization; G, Foster the city's industrial, business, and residential development; and H. Protect the environment. |

## Purpose of the Current and Proposed Zoning Districts

### **SR-1A Special Development Pattern Residential District**

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

### **RMF-30 Low Density Multi-Family Residential District**

*Purpose Statement: The purpose of the RMF-30 Low Density Multi-Family Residential District is to provide area in the city for various multi-family housing types that are small scale in nature and that provide a transition between single-family housing and larger multi-family housing developments. The primary intent of the district is to maintain the existing physical character of established residential neighborhoods in the city, while allowing for incremental growth through the integration of small-scale multi-family building types. The standards for the district are intended to promote new development that is compatible in mass and scale with existing structures in these areas along with a variety of housing options. This district reinforces the walkable nature of multi-family neighborhoods, supports adjacent neighborhood-serving commercial uses, and promotes alternative transportation modes*

As discussed in other areas of this report, the SR-1A and RMF-30 districts are similar in many ways. They both promote small-scale residential development designed to be compatible with the character of older neighborhoods. However, they differ in permitted dwelling unit types as well as height, bulk, and lot size per unit standards. This means that RMF-30 allows for gentle infill and a moderate density increase that would not be possible with current SR-1A regulations.

## General Purpose of the Zoning Amendments Process

*The purpose of this chapter is to provide standards and procedures for making amendments to the text of this title and to the zoning map. This amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person, but only to make adjustments necessary in light of changed conditions or changes in public policy.*

### **3. The extent to which a proposed map amendment will affect adjacent and nearby properties due to the change in development potential and allowed uses that do not currently apply to the property;**

**Finding:** The proposed zoning amendment would somewhat impact the nearby properties due to the change in development potential (modest increase in height and increased intensity), although the allowed use will remain the same.

### **Discussion:**

The subject site is surrounded by residential dwellings on all sides. The increased height, while noticeable, will keep any new development at a lower height than adjacent buildings to the North and South of the property, and will not overwhelm the original historic structure. The increased density at the site may cause noticeable impacts to nearby properties in terms of parking demand, but should generally be compatible with existing uses and will not affect the ability of adjacent residents to enjoy their properties.

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

**Finding:** The proposed map amendment is consistent with the overlaying historic district. Any development or alteration to the site will be subject to the standards of the historic district. Any new construction would be reviewed by the Historic Landmark Commission.

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

**Finding:** Public utility infrastructure may need to be upgraded at the property owner's expense. All other public facilities are adequate to support the zoning change.

Discussion: Each applicable public facility is listed and discussed below (see Attachment H for additional discussion):

- **Roadways:** The roads and transportation facilities intended to serve the subject property have adequate capacity for a change to the RMF-30 district.
- **Parks and Recreation Facilities:** As discussed earlier in this report, the subject site is within half a mile of Salt Lake Cemetery and several parks. The nearby park and recreational facilities have more than adequate capacity to support this small increase in dwelling units.
- **Police and Fire Protection:** Fire code reviewers noted that any proposed development would need to comply with all fire codes, but they did not indicate insufficient capacity from nearby fire stations or an inability to develop the infill structures compliant with current regulations.
- **Schools:** Several elementary schools have been closed due to the drop in enrollment within the Salt Lake City School District. However, for that same reason, the remaining schools are likely to be able to accommodate an increase in school-aged children. The potential increase in school-aged children due to the addition of four dwelling units will likely be negligible.
- **Public Utilities:** Staff from the Department of Public Facilities have noted that the property owner will be responsible for any upgrades to public facilities that may be required due to increased density on the site.

**6. The status of existing transportation facilities, any planned changes to the transportation facilities, and the impact that the proposed amendment may have on the city's ability, need, and timing of future transportation improvements;**

**Finding:** The proposed change will not impact the city's ability, need, and timing of future transportation improvements.

**Discussion:** The existing transportation facilities are adequate to support the zoning change. The Transportation division has noted that they are supportive of the request (see [Attachment H](#))

**7. The proximity of necessary amenities such as parks, open space, schools, fresh food, entertainment, cultural facilities, and the ability of current and future residents to access these amenities without having to rely on a personal vehicle;**

**Finding:** The site is accessible to some of the above amenities without reliance on a personal vehicle, but the neighborhood is still fairly car dependent.

**Discussion:** Although there are some amenities within walking distance and a frequent bus route nearby, most residents still rely on a personal vehicle to access a wider variety of amenities than those available on foot or by transit.

**8. The potential impacts to public safety resources created by the increase in development potential that may result from the proposed amendment;**

**Finding:** There are no anticipated impacts to public safety.

|  |
|--|
| <b>9. The potential for displacement of people who reside in any housing that is within the boundary of the proposed amendment and the plan offered by the petitioner to mitigate displacement;</b>  |
| <b>Finding:</b> No residents would be displaced as a result of the proposed zoning change.   |
| <b>Discussion:</b> The historic four-plex on the subject site will be retained and none of the current residents will be displaced.  |
| <b>10. The potential for displacement of any business that is located within the boundary of the proposed amendment and the plan offered by the petitioner to mitigate displacement;</b>   |
| <b>Finding:</b> There are no businesses located within the boundary of the proposed amendment.   |
| <b>11. The community benefits that would result from the proposed map amendment as identified in Section <a href="#">21A.50.050.C</a>;</b>   |
| <b>Finding:</b> Staff finds that the proposed community benefit of “Providing housing that aligns with the current or future needs of the community as determined by the general plan.” sufficiently reflects the scale and the intent of the proposed rezone. |
| <b>Discussion:</b> Please review staff’s analysis of the Community Benefit Standards below.  |

## Community Benefit Standards

21A.50.050.C: Each petition for a zoning amendment that is initiated by a private property owner shall identify a community benefit(s) provided by the proposal that would not otherwise be provided without the amendment as provided for in this section.

### Type of Community Benefit

|  |
|--|
| <b>1. The proposed community benefit(s) shall be within any of the following categories:</b> <ol style="list-style-type: none"> <li>Providing housing that aligns with the current or future needs of the community as determined by the general plan. Needs could include the level of affordability in excess of the number of dwellings that exist on the site, size in terms of number of bedrooms, or availability of housing for purchase;</li> <li>Providing commercial space for local businesses or charitable organizations;</li> <li>Providing a dedication of public open space;</li> <li>Providing a dedication or other legal form of protection from future development of land that is adjacent to a river, creek, wetland, floodplain, wildlife habitat, or natural lands;</li> <li>Preserving historic structures not otherwise protected;</li> <li>Expanding public infrastructure that expands capacity for future development.</li> </ol> |
| <b>Finding/Discussion:</b> Staff finds that the proposed rezone and subsequent housing development aligns with current needs of the community and is supported by initiatives and goals in the general plan and city-wide housing plans. Those needs include the increase in housing supply, and size in terms of number of bedrooms.  |

## Community Benefit Standards

21A.50.050.C.2: The proposed community benefit may be evaluated based on the following, if applicable:



|  |
|--|
| <b>a. For proposals that are intended to increase the housing supply, the level of affordability of the additional density that may be allowed if the proposal were to be adopted;</b>   |
| <b>Finding:</b> The proposed benefit does not meet this standard.  |
| <b>Discussion:</b> The additional housing will be provided at market rate.   |
| <b>b. The percentage of space allocated to commercial use compared to the total ground floor area that could be developed on the site;</b>   |
| <b>Finding:</b> This standard is not applicable to the proposed community benefit.   |
| <b>c. The size of the public open space compared to the total developable area of the lot, exclusive of setbacks, required landscaped yards, and any open space requirement of the proposed zoning district;</b>   |
| <b>Finding:</b> This standard is not applicable to the proposed community benefit.   |
| <b>d. The relative size and environmental value of any land that is to be dedicated;</b>   |
| <b>Finding:</b> This standard is not applicable to the proposed community benefit  |
| <b>e. The historic significance of the structures proposed to be preserved;</b>  |
| <b>Finding:</b> The proposed benefit does not meet this standard   |
| <b>Discussion:</b> The historic four-plex fronting the property is already protected by the historic district overlay and thus does not qualify for community benefit.   |
| <b>f. The amount of development that could be accommodated due to the increase in public infrastructure capacity compared to the general need for the area;</b>  |
| <b>Finding:</b> The proposed benefit does not meet this standard   |
| <b>Discussion:</b> Any public infrastructure improvements needed will only be made to support the additional units on the subject site and will not expand capacity for further future development.  |
| <b>g. The input received related to the community benefit during the 45-day engagement period;</b>   |
| <b>Finding:</b> The applicant adjusted the request in response to public feedback received.  |
| <b>Discussion:</b> The property owner originally submitted a petition to rezone to R-MU-35 and add five units to the subject site. After a number of concerns were raised by the public during the 45-day engagement period, the applicant revised the proposal to request RMF-30 and add three units to the site, in order to mitigate public concerns and keep the project compatible with the existing neighborhood. The Greater Avenues Community Council Land Use Committee wrote a letter in favor of the proposed rezone, stating that ‘this is a thoughtful project in an appropriate location.’ |
| <b>h. Policies in the general plan that support the proposed community benefit;</b>  |
| <b>Finding:</b> Adopted plans are supportive of the proposed community benefit.  |
| <b>Discussion:</b> As discussed earlier in the report, the proposed rezone and subsequent housing development aligns with current needs of the community and is supported by initiatives and goals in the general plan and city-wide housing plans.  |



# ATTACHMENT G: Public Process & Comments

## Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project since the applications were submitted:

- October 8, 2024 – The Downtown Community Council was sent the 45 day required notice for recognized community organizations. The council did not provide comments.
- October 8, 2024 - Property owners and residents within 300 feet of the development were provided early notification of the proposal.
- October 2024 - January 2025 – The project was posted to the Online Open House webpage.

Notice of the public hearing for the proposal included:

- January 10, 2025
  - Public hearing notice sign posted on the property
- January 10, 2025
  - Public hearing notice mailed
  - Public notice posted on City and State websites and Planning Division list serve

## Public Input:

Planning staff received several comments opposing this proposal and a few that were supportive. It is worth noting that during the public comment period, the requested zoning district for this property was R-MU-35. After reviewing the public comments received as well as staff feedback, the applicant agreed to revise the proposal to mitigate concerns and create a project that is more compatible with the existing neighborhood, requesting to rezone to RMF-30. All public comments received are included with this attachment.

# ATTACHMENT H: Department Review Comments

This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

**Engineering: Scott Weiler - [Scott.Weiler@slc.gov](mailto:Scott.Weiler@slc.gov)**

No objections

**Transportation: Jena Carver – [Jena.Carver@slc.gov](mailto:Jena.Carver@slc.gov)**

Given the modification to the site plan and reduction in the required parking due to the building preservation incentives, Transportation has no concerns with the proposed rezone.

**Fire: Doug Bateman - [Douglas.Bateman@slc.gov](mailto:Douglas.Bateman@slc.gov)**

Unsure of building heights and the maximum distance from fire access roads to all ground level exterior walls as the hose would be deployed. If they are proposing to use the shared drive as part of fire access, it would need to be rated for 75,000 pounds and have no parking signs installed. The verification would need to be come from an engineering analysis.

**Public Utilities: Kristeen Beitel - [Kristeen.Beitel@slc.gov](mailto:Kristeen.Beitel@slc.gov)**

With increased densification, applicant must consider the potential increase in construction costs resulting from required offsite utility improvements, potentially downstream of the subject property. Densification may place greater demands on water, sewer, and storm drain systems, which could exceed the capacity of the existing infrastructure. Property owners and developers will be required to upgrade the offsite public utilities to ensure sufficient capacity for the new development.

Additional comments have been provided to assist in the future development of the property. The following comments are provided for information only and do not provide official project review or approval. Comments are provided to assist in design and development by providing guidance for project requirements.

- Public Utility permit, connection, survey, and inspection fees will apply.
- All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.
- All utilities must meet horizontal and vertical clearance requirements. Water and sewer lines require 10 ft minimum horizontal separation and 18” minimum vertical separation. Sewer must maintain 5 ft minimum horizontal separation and 12” vertical separation from any non-water utilities. Water must maintain 3 ft minimum horizontal separation and 12” vertical separation from any non-sewer utilities.
- Public street light requirements are determined during building permit review.
- CC&R’s must address utility service ownership and maintenance responsibility from the public main to each individual unit.

- Utilities cannot cross property lines without appropriate easements and agreements between property owners.
- Site utility and grading plans will be required for building permit review. Site utility plans should include all existing and proposed utilities, including water, irrigation, fire, sewer, stormwater, street lighting, power, gas, and communications. Grading plans should include arrows directing stormwater away from neighboring property. Please refer to APWA, SLCDPU Standard Practices, and the SLC Design Process Guide for utility design requirements. Other plans such as erosion control plans and plumbing plans may also be required, depending on the scope of work. Submit supporting documents and calculations along with the plans. OR Site utility and grading plans will be required for building permit review. Site utility plans should include all existing and proposed utilities, including water, irrigation, fire, sewer, stormwater, street lighting, power, gas, and communications. Please refer to APWA, SLCDPU Standard Practices, and the SLC Design Process Guide for utility design requirements.
- Applicant must provide fire flow, culinary water, and sewer demand calculations to SLCDPU for review. The public sewer and water system will be modeled with these demands. If the demand is not adequately delivered or if one or more reaches of the sewer system reach capacity as a result of the development, a water/sewer main upsizing will be required at the property owner's expense. Required improvements on the public water and sewer system will be determined by the Development Review Engineer and may be downstream of the project. Additionally, if a new fire hydrant is required, then a water main upsize will be required. Per State law, hydrants cannot be installed on the existing 6" water main.
- One culinary water meter is permitted per parcel and fire services, as required, will be permitted for this property. Each service must have a separate tap to the main.
- A minimum of one sewer lateral is required per building. The laterals must be 4" or 6" and meet minimum slope requirements (2% for 4" laterals, 1% for 6" laterals). Any unused sewer laterals must be capped and plugged at the main. AND Shared laterals require a request for variance.
- A minimum of one exterior cleanout is required on the sewer lateral within 5 feet of the building. Additional cleanouts are required at each bend and at least one every 50 feet for 4" laterals and every 100 feet for 6" laterals.
- Site stormwater must be collected on site and routed to the public storm drain system. Stormwater cannot discharge across property lines or public sidewalks.
- Stormwater treatment is required prior to discharge to the public storm drain. Utilize stormwater Best Management Practices (BMP's) to remove solids and oils. Green Infrastructure should be used whenever possible. Green Infrastructure and LID treatment of stormwater is a design requirement and required by the Salt Lake City UPDES permit for Municipal Separate Storm Sewer System (MS4). If green infrastructure is not used, then applicant must provide documentation of what green infrastructure measures were considered and why these were not deemed feasible. Please verify that plans include appropriate treatment measures. Please visit the following websites for guidance with Low Impact Development: <https://deq.utah.gov/water-quality/low-impact-development?form=MY01SV&OCID=MY01SV> and <https://documents.deq.utah.gov/water-quality/stormwater/updes/DWQ-2019-000161.pdf?form=MY01SV&OCID=MY01SV>.

J. Shane and Sharon C. Franz  
Third Avenue Investments, LLC.  
11113 Old Rosebud Ln  
South Jordan, UT 84095  
[REDACTED]

Councilman Chris Wharton,  
Planning Commission Members,  
Alicia Seeley, Planning Division  
451 S State Street Room 406  
Salt Lake City, UT 84114  
(801) 535-7922  
Alicia.seeley@slc.gov

October 23, 2024

**VIA UNITED STATES POSTAL MAIL AND ELECTRONIC MAIL**

Re: John Van Trigt, Will & Alex LLC, Petition Number: PLNPCM2024-01079  
proposal to rezone the subject property from SR-1A to R-MU-35.

Dear Councilman Wharton, Planning Commission Members and Ms. Seeley,

We are the family owners of the property located at 825 E 3<sup>rd</sup> Ave, located some 232 feet from the subject property located at 128 N N Street (EXHIBIT A). **We are writing to express our opposition to the proposal to rezone the subject property from SR-1A to R-MU-35.**

As lifelong residents of Salt Lake City, with deep interest in historic preservation, we would respectfully outline our concerns below. We own and have restored five historic homes within the Avenues Historic District and the Salt Lake City Historic District. We have dedicated much of our life savings to the preservation and improvement of historic structures for the next generation. We are passionate about maintaining the delicate balance that exists within our Historic Districts to maintain the exceptional lifestyle that makes the area attractive to residents of our city. We are intimately familiar with the 128 N N Street location and neighborhood, and are uniquely qualified to comment on the application.

Our concerns are as follows:

- 1) Property not large enough. The subject property is simply not large enough to accommodate what the applicant is trying to do. The property would lack green space and setback from other buildings. The applicant claims that their goal is "To create a housing solution addressing the City's

need for small- and mid-sized developments compatible with the surrounding neighborhood". This plan will be disastrous for the surrounding area property owners and tenants.

- 2) Lack of street parking. Adding Five units to the rear of the property would bring additional tenants which would require additional parking. Limited provision is made in the proposed plan to account for off street parking, and the new or existing tenants would be forced to park on already crowded streets. Lack of off-street parking would be especially problematic during the winter snow season. Street parking in the proximity to the subject property is already constrained for existing residents.

Note that based on applicant's plan, if every resident had one car, 19 parking spaces would be needed. The proposed plan calls for only 6 spaces. (8 bedrooms in existing four plex, plus 4 two-bedroom units, plus 1 three-bedroom unit.). Under the applicant's plan, a minimum of 13 cars plus their guests would be pushed onto the surrounding streets, whereas now, all residents can park on the property. The petitioner argues that residents will use bus lines, and they may occasionally, however there are few local grocery stores or work locations – the Avenues Historic District is a commuter area.

- 3) Height concerns. Applicant's architectural drawings state that new units could be up to 35 feet in height. This would have an adversarial effect on surrounding neighbors by blocking light, as illustrated in EXHIBIT C. Most existing structures in the historic district are only one or two stories. This would be inharmonious with the character of the surrounding properties.
- 4) Lack of proper planning. Note that there are key errors in the proposal, (EXHIBIT B, C) including labeling the existing fourplex on as a triplex, lack of planning for a large dumpster and recycling container placement, and lack of storage for tenant items such as bicycles, snow removal equipment, property maintenance equipment, etc. Other areas of concern are utilities and access. Where would 5 additional gas and power meters be located? Where would overhead electric lines run from?
- 5) Incongruous with Historic District. The proposed zone density is inharmonious with the surrounding historic district. The applicant claims their goal is: "To create a sensitive design solution that maintains historic preservation of the district." Avenues living is for people who want to live downtown but still enjoy a small yard and the historic charm of the quaint cottage homes, small walkable streets and vibrant old neighborhood. If

people want high density housing, there is now an abundance of it downtown. Our avenues tenants cite that they specifically wish to live outside of the high-density buildings which have become so abundant. We do not need this type of housing here.

- 6) Dangerous precedent. Our Avenues Historic district is full of properties where someone else could try to over densify their property, just as this applicant. Where does it stop? If we continue, we will destroy the special character and desirability of the historic district. What we have now is special and can be found only here. This proposal is far more dangerous than allowing someone to build an ADU above their garage.
- 7) Exploitation of our city by non-native investors. Applicant and owner's LLC is located in California, and not a Salt Lake native (EXHIBIT D, E). This is someone from out-of-town trying to exploit our city for profit. The petitioner wants to increase their wealth by creating housing in the quaint Avenues Historic District at the expense of those that currently live in the district. They do not care if they damage the delicate Historic District – it is all about profit. There is no vested interested in maintaining the historic area.

(Note that the tax notice for WILL & ALEX LLC is mailed to 10799 LAS POSAS RD CAMORILLO CA 93012).

- 8) Manufactured "housing crisis". Our city is now overbuilt with common "four over one," "five over one," and other high-density apartments. We have more of a problem as to what jobs are available and where will people work and shop. If the applicant is indeed altruistic, there are far better locations to build high density housing rather than the Avenues Historic District. The proposed solution is looking to answer a problem that does not exist in the Avenues Historic District.
- 9) Illusion of Affordable Housing. The petitioner states that their goal is "To provide 1 unit (20% of additional units) of affordable housing to address the City's required community benefit." The applicant could do this today with their existing property. There is no need for radical rezoning to accomplish this goal. Make no mistake, this is a for-profit venture.
- 10) History of Unethical Personal and Professional Conduct. Be it further noted that petitioner's company, HOLTHOUSE CARLIN & VAN TRIGT LLP, for which the petitioner is a founder and partner, and directs the accounting and audit group (Exhibit E), has a history of unethical behavior. The company was issued a cease-and-desist order, censured and ordered to pay significant fines by the Securities and Exchange

Commission for engaging in unethical or improper professional conduct for improperly simultaneously keeping and auditing their client's books. (EXHIBIT F). This illustrates that petitioner has a history of omitting or misstating material facts, or inappropriate self-dealing to induce improper outcomes. City staff and leaders should employ extra caution when considering this application.

In summary, we want protection for our precious Avenues Historic District from high density development. *The proposed improvements will be harmful to our property and tenants, disrupting their peaceful way of life.* What we have in the Avenues is unique and special – it is the kind of thing that people seek out when visiting our city. It is what makes it charming and distinct. We do not want to happen here what happened in Sugar House. It is unconscionable to us that we would entertain the idea of permanently rezoning our unique avenues landscape so some outside investor could make a quick buck.

Respectfully,

/Signed/

J. Shane and Sharon C. Franz

Cc: Trustees and other interested parties of the Third Avenue Investments Limited Partnership,  
Avenues Community Council,  
Mr. Judson T. Pitts, Legal Counsel for Third Avenue Investments.

EXHIBIT A - LOCATION OF SUBJECT PROPERTY  
TO 825 E 3<sup>RD</sup> AVE





Note mislabeling of existing building as a tri-plex, instead of four plex, and other errors (lack of dumpster space, utility meters, etc. as detailed in text.)



### EXHIBIT C - EXISTING GARAGES

(Photo courtesy Building Salt Lake, Samantha Hawkins). Note surrounding properties what will be immediately and totally blocked from view/sunlight if the proposed structure is built.



**EXHIBIT D – PROPERTY TAX NOTICE FOR SUBJECT  
PROPERTY  
ILLUSTRATING CALIFORNIA OWNERSHIP**



09-32-379-009-0000  
WILL & ALEX LLC  
10799 LAS POSAS RD  
CAMORILLO CA 93012

Office of the Salt Lake County Auditor  
2024 Notice of Property Valuation & Tax Changes  
Chris Harding, CPA, CFE, CIA  
Salt Lake County Auditor  
(385) 468-7200  
[slco.org/property-tax/](https://slco.org/property-tax/)



Property Location: 128 N N ST  
Acres: .27  
Above Ground Sq Ft:  
Tax Area: 13  
Type: 110 APARTMENT CONVERSION  
Last Review: 2020  
Parcel: 09-32-379-009-0000

|                                |  |   |
|--------------------------------|--|---|
| 2024 Market Value<br>\$996,000 | 2024 Proposed Property Tax<br>\$5,219.99 | Appeal to County Board of Equalization by<br>09/16/24 |
|--------------------------------|--|---|

**NOTICE OF PROPERTY VALUATION**

# EXHIBIT E – JOHN VAN TRIGT BIO

## NON-UTAH NATIVE – NO VESTED INTEREST IN MAINTAINING THE DELICATE NATURE OF THE HISTORIC AVENUES DISTRICT.

[Home](#) > [People](#) > [John Van Trigt](#)



### JOHN VAN TRIGT

Partner

[john@hcvr.com](mailto:john@hcvr.com)  
+1 (310) 566-1900

A founding partner of the firm, John directs the accounting and audit group for closely held entities with industry concentrations in real estate (tax credit development), entertainment, service businesses and high technology. Within these industry groups, John provides financial consulting and management advice. He also performs business valuations, including analysis of marketability and minority discounts.

Prior to forming HCVT, John was a senior manager for a Big 8 international public accounting firm in Los Angeles, where he managed audit and consulting engagements for closely held entities.

John graduated with honors from the University of California, Santa Barbara with a bachelor's degree in business economics. In 1994, John received the Distinguished Accounting Alumni of the Year Award from the University's Accounting Association.

John is a member of the California State Society of Certified Public Accountants. He is also associated with the American Institute of Certified Public Accountants, the Southern California Association of Non-Profit Housing, and the National Association of Certified Fraud Examiners.

#### CONTACT DETAILS

**Holthouse Carlin & Van Trigt LLP**  
(Principal Office)  
11444 West Olympic Blvd  
11th Floor  
Los Angeles  
California 90064  
U.S.A.

[VIEW FIRM](#)

**Holthouse Carlin & Van Trigt LLP**  
Westlake Park Place  
3011 Townsgate Road  
Suite 400  
Westlake Village  
California 91361  
U.S.A.

[VIEW FIRM](#)

EXHIBIT F – SEC ACTION (EXCERPTS) FOR PETITIONER’S  
COMPANY

UNITED STATES OF AMERICA  
Before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 84118 / September 13, 2018

INVESTMENT ADVISERS ACT OF 1940  
Release No. 5008 / September 13, 2018

ACCOUNTING AND AUDITING ENFORCEMENT  
Release No. 3970 / September 13, 2018

ADMINISTRATIVE PROCEEDING  
File No. 3-18762

In the Matter of

HOLTHOUSE CARLIN &  
VAN TRIGT LLP

Respondent.

ORDER INSTITUTING PUBLIC  
ADMINISTRATIVE AND CEASE-  
AND-DESIST PROCEEDINGS  
PURSUANT TO SECTION 203(k) OF  
THE INVESTMENT ADVISERS ACT OF  
1940, SECTIONS 4C AND 21C OF THE  
SECURITIES EXCHANGE ACT OF 1934,  
AND RULE 102(e) OF THE  
COMMISSION’S RULES OF PRACTICE,  
MAKING FINDINGS, AND IMPOSING  
REMEDIAL SANCTIONS AND A  
CEASE-AND-DESIST ORDER

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative and cease-and-desist proceedings be, and hereby are, instituted against Holthouse Carlin & Van Trigt LLP (“HCVT” or “Respondent”) pursuant to Section 203(k) of the Investment Advisers Act of 1940 (“Advisers Act”), Sections 4C<sup>1</sup> and 21C of the Securities Exchange Act of 1934 (“Exchange Act”) and Rule 102(e)(1)(ii) of the Commission’s Rules of Practice.<sup>2</sup>

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<sup>1</sup> Section 4C(a)(2) provides, in relevant part, that:  
The Commission may censure any person . . . if that person is found . . . to have engaged in unethical or improper professional conduct.

<sup>2</sup> Rule 102(e)(1)(ii) provides, in pertinent part, that:  
The Commission may censure a person . . . who is found . . . to have engaged in unethical or improper professional conduct.

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#### IV.

In view of the foregoing, the Commission deems it appropriate to impose the sanctions agreed to in Respondent HCVT's Offer.

Accordingly, it is hereby ORDERED, effective immediately, that:

A. Respondent shall cease and desist from committing or causing any violations and any future violations of Section 206(4) of the Advisers Act and Rule 206(4)-2, and Section 17(a) of the Exchange Act and Rule 17a-5.

B. Respondent is censured.

E. Respondent shall comply with the undertakings enumerated in Section III., Paragraphs 35 through 44.

G. Respondent shall, within 30 days of the entry of this Order, pay a civil money penalty in the amount of \$300,000 to the Securities and Exchange Commission for transfer to the general fund of the United States Treasury, subject to Exchange Act Section 21F(g)(3). If timely payment is not made, additional interest shall accrue pursuant to 31 U.S.C. §3717.

Payment must be made in one of the following ways:

- (1) Respondent may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request;
- (2) Respondent may make direct payment from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>; or
- (3) Respondent may pay by certified check, bank cashier's check, or United States postal money order, made payable to the Securities and Exchange Commission and hand-delivered or mailed to:

Enterprise Services Center  
Accounts Receivable Branch  
HQ Bldg., Room 181, AMZ-341  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

Payments by check or money order must be accompanied by a cover letter identifying HCVT as a Respondent in these proceedings, and the file number of these proceedings; a copy of the cover letter and check or money order must be sent to John W. Berry, Associate Regional

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**From:** [Shane Franz](#)  
**To:** [Seeley, Alicia](#); [Wharton, Chris](#); [Planning Public Comments](#); [City Council Liaisons](#)  
**Cc:** [REDACTED]  
**Subject:** (EXTERNAL) OPPOSITION TO ZONING AMENDMENT 128 N N STREET  
**Date:** Wednesday, October 23, 2024 1:30:44 PM  
**Attachments:** [Public Input 128 N N Street.pdf](#)

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

Dear Ms. Seeley, Planning Commission, Councilman Wharton, et al.,

Please see the attached letter detailing our **OPPOSITION** to the proposed rezoning for 128 N N Street from SR-1A to R-MU-35 petition number PLNPCM2024-01079.

Please feel free to contact me if you have any questions.

Respectfully,

J. Shane and Sharon C. Franz

**From:** [Emma Roberts](#)  
**To:** [Seeley, Alicia](#)  
**Subject:** (EXTERNAL) Public Comment on 128 North N St. Zoning Map Agreement  
**Date:** Thursday, November 7, 2024 12:42:07 AM

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

Hi Alicia,

I am a tenant of 128 N St, and my partner and I have lived here for almost 5 years now. I feel that this email may be futile, but I still would like to share my requests. I am asking that you please do not do this! Our entire apartment unit has endured a year and a half of constant construction due to the condos that were built next to us (that are still sitting empty by the way). The construction made our whole building constantly shake, and the noise was unbearable. It truly made our lives very stressful from day to day. I got very little sleep from being awoken at 7 AM (sometimes earlier) by crumbling concrete and a buzzsaw. This is especially disheartening because all of the units seem to have gone bankrupt and are EMPTY. I implore the city to focus on making all of these empty buildings more affordable, instead of building more that are unaffordable.

In addition to this, we use our current garage to hold all of our portable A/C units during the winter months. The summer is so hot inside, that we have to have 4 portable units for the whole place. A carport would not be a suitable replacement for what we have been using for this time. I know that my fellow tenants also use their garages for spare storage.

Thank you for your time and for allowing public comments.

Best Regards,  
Emma Roberts

**From:** [Jessica Stiles](#)  
**To:** [Seeley, Alicia](#)  
**Subject:** (EXTERNAL) Re: Proposed zoning change for 128 N N St SLC  
**Date:** Monday, October 14, 2024 3:40:10 PM  
**Attachments:** [image001.png](#)

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

Alicia,

I vote a hard no for this zoning proposal. I do live at 122 N St E, Salt Lake City, UT 84103. As a direct neighbor of this building, this would cause a lot of issues, concerning both short term and long term. For my own building, which most of us are owners and not renters, I wouldn't want these new units making the space even tighter and more difficult to live next door, there's already noise/parking issues late at all times of the day with the current tenants. My most important concern is the short term construction noise, for someone who sleeps during the day here. I bought and paid good money for my condo, for many a reason in this neighborhood. Let me know if you need any other information. Is there a way of finding out if the proposal will pass or not? Looking forward to hearing from you. Thank you.

Jessica Stiles

On Thu, Oct 10, 2024 at 10:48 Seeley, Alicia <[Alicia.Seeley@slc.gov](mailto:Alicia.Seeley@slc.gov)> wrote:

Good morning, Jessica.

Thank you for reaching out. At this time, you can send comments directly to me. All public comments I receive will go directly into the staff report to be reviewed by the planning commission and the city council as they evaluate this zoning change.

If you wish to also participate in person, there will be a public hearing held after the 45-day public comment period. The public hearing is tentatively scheduled for December 11, but is subject to be pushed to January if city staff request more time for review. Notices will be sent out 10 days before the public hearing. All who wish to learn more about the proposed change and address the planning commission in person are welcome. In case you miss the notice, keep an eye on the planning commission website, as agendas are posted one week before each meeting: <https://www.slc.gov/planning/public-meetings/planning-commission-agendas-minutes/>

Let me know if you have any other questions.

ALICIA SEELEY | (She/Her/Hers)  
Principal Planner



COMMUNITY AND NEIGHBORHOODS | SALT LAKE CITY CORPORATION  
Office: 801-535-7922  
Email: [alicia.seeley@slc.gov](mailto:alicia.seeley@slc.gov)  
[WWW.SLC.GOV](http://WWW.SLC.GOV)

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**From:** Jessica Stiles [REDACTED]  
**Sent:** Thursday, October 10, 2024 10:32 AM  
**To:** Zoning <[zoning@slc.gov](mailto:zoning@slc.gov)>  
**Subject:** (EXTERNAL) Proposed zoning change for 128 N N St SLC

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

Hi to whom this may concern,

Could I get help with how to petition against this zoning change? There's no links on the website and wanted to make sure we go about this correctly. Would love for your help and support. Looking forward to hearing from you! Thank you.

A concerned citizen,

Jessica Stiles

**From:** [Cat McQueen](#)  
**To:** [Seeley, Alicia](#)  
**Subject:** (EXTERNAL) Re: Zoning amendment  
**Date:** Thursday, October 17, 2024 1:49:53 PM  
**Attachments:** [image002.png](#)  
[image001.png](#)

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

Alicia,

I am concerned that the people who currently park in the garage area will no longer have parking once this construction is complete. I am also concerned that there is no way to do this construction without blocking the driveway, preventing 5 residents of 122 N from using their designated parking spaces. Additionally, the residents of 122 N use part of that driveway area to back their cars into their parking area. If the new building blocks parts of the driveway area then multiple of the people who use the parking behind 122 N would not be able to access their parking. That's 6-7 cars that would be displaced to street parking for a period of time or indefinitely. The driveway is also an exit for walking out of 122 N, as the staircase is on the far side of the building. If there is to be construction on the driveway, part of the driveway would need to remain cleared for people to at least walk out of the complex. If there is no plan to minimize the time blocking the driveway, I have concerns for the people who currently live here. This is already a relatively high density area for the avenues with 10 units at 122 N and 4 units in 128 N. I hope that the current residents here are considered when the plans are made for the construction and for the layout of the new building.

Thank you,

Cat

On Tue, Oct 15, 2024 at 11:27 AM Seeley, Alicia <[alicia.seeley@slc.gov](mailto:alicia.seeley@slc.gov)> wrote:

Good morning, Cat. Thanks for reaching out.

At this point, the property owner has not submitted building plans or designs, but they would like to demolish and rebuild the garages in the rear of the property and build the five additional units on top of the newly build garages in the same location, not visible from the street (see the attached map screenshot). The zoning change from SR-1A to R-MU-35 would allow these units to be built to a maximum height of 35 feet, rather than the maximum of 23 feet currently allowed. The new homes are proposed to be rental units, one of which will have a deed restriction to be rented out at an affordable rate for 30 years.

Please let me know if you have any other comments you would like to be included in the staff report for planning commission to review. This proposal is currently scheduled to go before the planning commission on December 11, and notices will be sent out 10 days prior

to the meeting for all who wish to participate in person.



Respectfully,



ALICIA SEELEY | (She/Her/Hers)  
Principal Planner  
COMMUNITY AND NEIGHBORHOODS | SALT LAKE CITY CORPORATION  
Office: 801-535-7922  
Email: [alicia.seeley@slc.gov](mailto:alicia.seeley@slc.gov)  
[WWW.SLC.GOV](http://WWW.SLC.GOV)

**From:** Cat McQueen [REDACTED]

**Sent:** Tuesday, October 15, 2024 11:04 AM

**To:** Seeley, Alicia <[alicia.seeley@slc.gov](mailto:alicia.seeley@slc.gov)>

**Subject:** (EXTERNAL) Zoning amendment

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

Hello,



I am a resident of 122 N St, and I was wondering if I could get more information on the 128 N St zoning amendment. I am fully supportive of adding additional housing in slc and especially the avenues but if possible I would like to see plans. Specifically on how the construction would be done and how they would keep from disrupting the two multi-unit buildings that share the driveway. I would also like to see plans on how construction could be done without significantly disrupting the lives of the people in either of these buildings. There are 4 units on the 128 N property and 10 units at 122 N. Thank you,

Cat

**From:** [REDACTED]  
**To:** [Seeley, Alicia](#)  
**Subject:** (EXTERNAL) zoning amendment - 128 N N Street  
**Date:** Wednesday, October 30, 2024 6:37:43 PM

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

I live on the opposite side of this block, and just wanted to lend my support to this rezoning. More multi unit mid-sized housing is always needed in a growing city like ours. I see no downsides to this proposed change, and don't expect it will impact the neighbors or neighborhood in a negative way.

Thanks for your work on this.

-Robert Silge, 3rd Ave and O St.

**From:** [William Barnett](#)  
**To:** [Seeley, Alicia](#)  
**Subject:** (EXTERNAL) Zoning Amendment - 128 N N Street  
**Date:** Saturday, November 2, 2024 1:36:54 PM

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

Dear Alicia,

My husband, Dr. Bernard Simbari, and I are not in favor of this zoning amendment. Townhome construction at 3rd Ave. and N Street(opposite corner of our block) took over 2 years, was very noisy, and they still sit empty several months after completion. Outside property there was not maintained and was an eyesore for the neighborhood. I toured the end unit in February and was shocked at the inflated asking price of \$1.5 million each.

Construction of the proposed units would be very noisy, especially for my husband who stays home all day. These again would have no guarantee of being occupied once completed. Home construction in the Avenues attracts developers due to the high average prices demanded for properties. This is not an appropriate time for zoning changes in the Avenues as also seen recently on the F Street green space fight between developers and the neighborhood.

For these reasons we oppose this proposed zoning change on our block,

Sincerely,

William Barnett and Dr. Bernard Simbari

Sent from my iPhone

**From:** [Raquel Speroni](#)  
**To:** [Seeley, Alicia](#)  
**Subject:** (EXTERNAL) Zoning Amendment 128 N N Street  
**Date:** Tuesday, November 5, 2024 1:02:16 PM

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

Dear Alicia,

I am the resident at 871 E 2nd Ave, and this proposed construction is pretty much my backyard. I oppose this construction. We both know all the surrounding neighbors oppose this construction. And we both know Salt Lake City will allow it anyway.

I find it comical these letters are sent out, under the guise that the city cares about what the affected residents have to say. The highest bidder always wins in our lovely little city.

Salt Lake City already allowed the new construction on the corner of 3rd Ave and N St., and not only does it destroy the charm and historic value of this neighborhood, they still sit there vacant. Monstrosities sitting outside their surrounding era. They collected weeds all summer, which were recently just freshly mowed down with what appears to be a renewed vigor to get these sold. I wonder if the broken windows have been replaced?

These new builds aren't good for our neighborhood, or us. It would be nice if the residents were heard, for once, but we both know that would require we pay you more than John Van Trigt/Will & Alex LLC will pay in whatever form to Salt Lake City. Personally speaking; again, this is almost quite literally my backyard. That white car you see in the photograph, on the south east corner of your border? That's mine. I sip coffee out there in the mornings and spend evenings unwinding out there. And Salt Lake City wants to turn it into a construction zone, again. It just sucks.

So, put me down as another "no" vote that Salt Lake City will choose to ignore for \$\$\$.

Sincerely,  
Raquel Speroni

**From:** [Jim Jenkin](#)  
**To:** [Seeley, Alicia](#)  
**Cc:** [Jurphy](#)  
**Subject:** (EXTERNAL) Petition Number: PLNPCM2024-01079, community response  
**Date:** Monday, November 18, 2024 3:42:12 PM  
**Attachments:** [128 N GACC response.pdf](#)

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

]Appended below and as attached PDF]

18 November, 2024

Ms Alicia Seeley, Principal Planner  
Salt Lake City Corporation

By Email: [Alicia.Seeley@slc.gov](mailto:Alicia.Seeley@slc.gov)

Re: Community Response, 128 N Street Rezoning Application, Greater Avenues  
Community Council Land Use Committee.

Dear Ms. Seeley, [et.al.](#),

The requested rezone from SR-1A to RMF-35 at this address was reviewed by the Land Use Committee of the Greater Avenues Community Council (GACC) in two consecutive meetings. The applicant was not asked by the GACC Board to make a community council presentation to the GACC. A presentation of the project details (as submitted) was presented by the Land Use Committee Chair, Jim Jenkin, at the GACC Meeting of 6 November. Comments made are listed below.

The Land Use Committee is generally in favor of the Proposed Rezoning for 128 N Street. As presented, this is a thoughtful project in an appropriate location. Our specific focus is on:

**Development Pattern:**

The existing historic building facing N Street will be preserved, maintaining the street front aspect of the property. There is no loss of existing housing, and, therefore, no loss of affordable housing. The proposed zoning is compatible with zoning or use of adjoining parcels and the existing development pattern of this area of the Avenues.

The re-zone meets the intent of the Avenues Master Plan, which generally places higher density housing between South Temple and Third Avenue.

**Access of the new units to Public Transportation:**

The project is served by frequent service on South Temple (Route 1), and infrequent service (hourly) on Third Avenue (Route 223). We note the recent elimination by UTA of Bus Route 3, which historically connected rental properties and homes along Third Avenue with the University of Utah at a 30-minute frequency.

**Light and Air, Massing:**

We note that more open space in this project may be more desirable than the tandem on-site parking shown in the proposal, which could be achieved by narrowing the entrance driveway and reconfiguring the site plan.

We note that the construction of 35-foot structures on minimal setbacks along the North border will produce a loss of light and air to the property directly to the North. Since this property is zoned RM-U-35, this is not considered a significant detriment.

**Summary**

The Land Use Committee recommends approval of the project.

In the November 6<sup>th</sup> GACC community meeting, residents viewing the project had questions about the affordability of the new housing and what affordable conditions were part of the development, the preservation of the existing fourplex structure, and the impact to the block face of the difference in height between the new and the existing structures/garages. No other action was taken at this meeting.

Respectfully submitted,

Jim Jenkin, GACC Land Use Committee Chair

[Redacted Signature]

Jim Jenkin  
Chair, Land Use Committee  
Greater Avenues Community Council

[Redacted Address]



18 November, 2024

Ms Alicia Seeley, Principal Planner  
Salt Lake City Corporation

By Email: [Alicia.Seeley@slc.gov](mailto:Alicia.Seeley@slc.gov)

Re: Community Response, 128 N Street Rezoning Application, Petition Number:  
PLNPCM2024-01079, Greater Avenues Community Council Land Use Committee.

Dear Ms. Seeley, et.al.,

The requested rezone from SR-1A to RMF-35 at this address was reviewed by the Land Use Committee of the Greater Avenues Community Council (GACC) in two consecutive meetings. The applicant was not asked by the GACC Board to make a community council presentation to the GACC. A presentation of the project details (as submitted) was presented by the Land Use Committee Chair, Jim Jenkin, at the GACC Meeting of 6 November. Comments made are listed below.

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The re-zone meets the intent of the Avenues Master Plan, which generally places higher density housing between South Temple and Third Avenue.

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The project is served by frequent service on South Temple (Route 1), and infrequent service (hourly) on Third Avenue (Route 223). We note the recent elimination by UTA of Bus Route 3, which historically connected rental properties and homes along Third Avenue with the University of Utah at a 30-minute frequency.

**Light and Air, Massing:**

We note that more open space in this project may be more desirable than the tandem on-site parking shown in the proposal, which could be achieved by narrowing the entrance driveway and reconfiguring the site plan.

We note that the construction of 35-foot structures on minimal setbacks along the North border will produce a loss of light and air to the property directly to the North. Since this property is zoned RM-U-35, this is not considered a significant detriment.

**Summary**

The Land Use Committee recommends approval of the project.

In the November 6<sup>th</sup> GACC community meeting, residents viewing the project had questions about the affordability of the new housing and what affordable conditions were part of the development, the preservation of the existing fourplex structure, and the impact to the block face of the difference in height between the new and the existing structures/garages. No other action was taken at this meeting.

Respectfully submitted,

Jim Jenkin, GACC Land Use Committee Chair

A solid black rectangular box used to redact the signature of Jim Jenkin.

**From:** [Miranda LeRuth](#)  
**To:** [Seeley, Alicia](#)  
**Subject:** (EXTERNAL) Concerns Regarding Rezoning at 128 N N St - Miranda LeRuth  
**Date:** Thursday, November 21, 2024 5:36:32 PM

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

Dear Principal Planner Alicia Seeley,

I am writing as the owner of Unit 1 within Notting Court Condominium, 122 N St, to express my concerns regarding the proposed rezoning and development at 128 N N St. This project risks negatively affecting my property, shared resources, and the broader neighborhood. **The HOA board will be sending more detailed complaints and concerns shortly**, though I am emailing separately with key points most critical to me. I urge the city to address the following before considering rezoning approval:

### **1. Easement Rights and Driveway Maintenance**

The shared driveway, protected under an easement recorded with Salt Lake County (March 13, 2006, Book 9265, pg 8769-8787, file 9660652), will endure significant stress from increased traffic and construction activity. My parking spot is in the back of the building and oftentimes two cars cannot pass one another via our driveway. If construction vehicles are in our driveway, I will not have access to my parking space.

- Further requests will be sent via the HOA board.

### **2. Parking and Traffic**

The proposed development lacks clarity on parking and will exacerbate existing congestion. Our parking, even via the street, is limited. Oftentimes my partner and I cannot park on our street, as it is fully occupied. This is a significant concern, as 128 N Street has numerous vehicles per unit (1-3 or 4 per unit).

- Further requests will be sent via the HOA board.

### **3. Construction Disruptions and Structural Risks**

Proximity to our back carport raises concerns about structural risks due to ground slopes, drainage, and construction disruptions.

- Enforce strict work hours (e.g., 8 a.m.–6 p.m. weekdays, no weekend activity).
- Require daily communication with a designated project manager.
- Obtain written assurances for immediate repair of damages to shared property.

### **4. Environmental and Property Value Concerns**

The proposed density and height of the development could overshadow

neighboring properties, limit sunlight, and alter the neighborhood's historical character. Additionally, the increased population density will negatively impact my property value, which is my highest concern.

- A shadow study is essential to ensure compliance with zoning restrictions.
- Tangible community benefits, such as subsidized transit passes or infrastructure improvements, should be mandated as conditions for approval.

## **5. Broader Safety Concerns**

While not directly related to zoning, the behavior of individuals associated with this property raises significant safety concerns, underscoring the need for fostering a respectful and safe residential community.

- **Matthew May**, a tenant of the property, has exhibited threatening and unsafe behavior, including yelling at neighbors, making intimidating gestures, threatening to kill people (police were called), and directing derogatory and ableist comments toward my partner, who is disabled. These actions create a hostile environment and highlight the risks posed by a lack of proper tenant management.
- **Jack Van Trigt**, the landlord, has failed to address these ongoing issues effectively, allowing the unsafe behavior to persist. This lack of accountability contributes to an environment where tenants feel unsafe and unsupported.

Thank you for your attention to these matters. I look forward to your response.

Sincerely,

Miranda LeRuth  
Owner, Unit 1  
Notting Court Condominium  
122 N Street SLC UT 84103

**From:** [James Carrington](#)  
**To:** [Seeley, Alicia](#)  
**Cc:** [J Stiles](#); [John Alfred](#)  
**Subject:** (EXTERNAL) Rezoning Map Amendment at 128 N N St  
**Date:** Friday, November 22, 2024 9:55:20 AM  
**Attachments:** [NCC Rezoning.pdf](#)

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

Dear Principal Planner Alicia Seeley,

Please see attached letter from the Notting Court Condominium Association in regards to zoning map amendment of 128 N St. We look forward to your response.

Best,

James Carrington  
Notting Court Condominium Association  
HOA Board, President

Docusign Envelope ID: CB1DC00F-BEB5-4782-8A1E-817C55D459CD

**Subject: Zoning Map Amendment at 128 N N St**

Dear Principal Planner Alicia Seeley

We are writing on behalf of the Notting Court Condominium Association, an adjacent 10-unit condominium that shares a driveway with the proposed rezoning of 128 N N St. Unlike other buildings on our block our front doors and porches open to the north (not west). For this reason, the impact of construction and the increase in occupants will have a very significant impact on our property. We have a 4-car carport in the front and a 6 car carport in the back that can only be accessed via our shared driveway. As an association, we have several concerned with the proposed rezoning and seek your support on several key concerns we have during and after any proposed construction.

**Easement Rights and Pavement Status**

Our condominiums share a driveway with this property and access through this driveway would be required during the construction. This driveway has an easement filed with Salt Lake County recorded March 13, 2006, Book 9265 pg 8769-8787 file 9660652 and we are concerned about potential damage or destruction that the proposed rezoning and subsequent construction with heavy vehicles would have. We would request that, if rezoning is approved, the city require that the owners of 128 N N St replace that shared driveway as soon as construction is completed. And that we would have the option (at our cost) to replace any utility service lines once the driveway is open. Given the increased utilization by 128 N N St of our shared driveway with five additional units and construction, we would request that the city require the owners of 128 N N St to renegotiate our current easement, at their expense.

**Parking**

We are concerned about the impact of our owners parking in our association during construction. We would like assurances that parking will not be affected during the duration of construction and that if portions of the driveway need to be closed owners are given sufficient notice. Additionally, the proposed construction could introduce additional hazards to our driveway including nails and we would like to ensure the owners that these risks are reduced as much as possible.

Additionally, the proposal is unclear if five or six new garages will be added with one carport. An introduction of five new units without a net increase from the six existing garages at 128 N N St will lead to increased utilization of street parking in front of 128 N St, which is already used, including by current tenants of 128 N N St who have vehicles parked in their garage, outside their garage, and in the street. We propose that the owners of 128 N N St provide a way to reduce the need for so many vehicles on the project such as UTA passes for residents who share this driveway (see reasons for rezoning). We request the applicant to provide a traffic and parking study. Additionally, we would request input/review of their CC&Rs and architecture approvals including considerations for garages to be used for parking, not storage, and a limited number of cars per unit.



**Building Density and Height**

We request clarification on the existing zoning density and building height restrictions versus the proposed rezoning. Specifically, what is the density of the proposed 5 residential units? Is there potential of overshadowing, limiting sunlight, daylight and temperatures with a 35' building. This is of particularly importance to the 6 townhomes immediately north of this proposed rezoning which are currently unoccupied as an unfinished project. We request a shadow diagram be included in the architectural plans for review prior to rezoning.

**Reasons for Rezoning**

The parcel just north of 128 N N St was recently rezoned by the city to build 6 townhomes (not 7 as stated in the proposal). While these units were expected to be completed by Summer 2024, they remain unfinished and unsold. We are concerned about the potential duration of any project associated with the rezoning along with whether new units will be occupied.

Additionally, it should be noted UTA has reduced the number of bus routes and frequency in this area over the last few years. There is only one adjacent bus route (223) which comes hourly; however, this could change in the future. We would recommend that the owners of 128 N N St offer free UTA passes for anyone with the shared driveway to help reduce the number of vehicles needed. This would also provide a tangible community benefit.

**Community Benefit**

Maintaining a historical structure that already could not be replaced does not provide any additional community benefit. Additionally, we feel that offering one unit of the existing 4 plex at an affordable rate does not provide sufficient community benefit.

**Disruptions During Construction**

We have significant concerns about disruptions that may arise from construction activities, including concrete trucks potentially blocking our driveway, the risk of construction materials flying onto our property, and persistent dust that could coat our units. Noise levels are also a concern given the proximity of our front entrances to the site and our experience when construction workers at the corner of N St and 3<sup>rd</sup> avenue played loud music from the moment they arrived at work until they left, weekdays and weekends. Our back carport is directly adjacent to the free-standing garage with where the ground slopes toward our carport. This proximity makes the carport vulnerable to structural and ground support damage. To minimize these risks disturbances, we request that strict daily time limits be set for construction activities, with work starting no earlier than an agreed-upon hour and concluding by a reasonable time each day with weekends free from activity. Furthermore, we would want written assurance that we will have daily communication with the project manager to promptly address any concerns or report damages. And a written commitment that any damage to our property will be repaired without delay.

Docusign Envelope ID: CB1DC00F-BEB5-47B2-8A1E-817C85D459CD

**Summary**

As an association, we are concerned with the proposed rezoning and seek your support in resolving our concerns before the rezoning may be approved. To reiterate our associations biggest concern, we would like to require a renegotiation of our entrance easement. Specifically:

1. Parcel "A" Replace, at its expense the "Common Entrance Driveway" as described in Exhibit "C" upon the completion of construction.
2. Redefine maintenance and use of common entrance driveway and associated expenses.
3. Establish rules and regulations.

Sincerely,



James Carrington  
Notting Court Condominium Association  
HOA Board, President  
Owner, Unit 10



Jess Stiles  
Notting Court Condominium Association  
HOA Board, Vice President, Secretary  
Owner, Unit 2

DocuSigned by:  
  
D0C70R8DQF6AE4ND...

John Altred  
Notting Court Condominium Association  
HOA Board, Treasurer  
Owner, Unit 9

Daniel William #3  
Miranda LeRuth Liberman #1  
Jia Brumell #7  
Cooke Alfred #9  
William ~~Camp~~ #5 (Will Connor)  
Victoria Tando Carrington #8

# Architectural Survey Data for SALT LAKE CITY

Utah State Historic Preservation Office

## "N" Street — Avenues Historic District (SLC Landmark District)

RLS 2007-2008, PAGE 3

| Address/<br>Property Name                    | Eval/<br>Ht | OutB<br>N/C | Yr.(s)<br>Built | Materials                              | Styles                         | Plan (Type)/<br>Orig. Use              | Survey Year<br>RLS/ILS/Gen | Comments/<br>NR Status          |
|--|-------------|-------------|-----------------|--|--------------------------------|--|----------------------------|---------------------------------|
| 128 N N STREET                               | B           | 1/0<br>2    | 1955            | STRIATED BRICK                         | POST-WWII: OTHER               | OTHER APT./HOTEL<br>MULTIPLE DWELLING  | 07                         | N04                             |
| 135 N N STREET                               | B           | 0/0<br>1.5  | 1900            | REGULAR BRICK<br>STUCCO/PLASTER        | VICTORIAN ECLECTIC             | CENTRAL BLK W/ PROJ<br>SINGLE DWELLING | 07                         | N04                             |
| 149 N N STREET                               | B           | 0/0<br>1.5  | 1896            | REGULAR BRICK<br>SHINGLE SIDING        | VICTORIAN ECLECTIC             | CENTRAL BLK W/ PROJ<br>SINGLE DWELLING | 07                         | N04                             |
| 164 N N STREET<br>WILLIAMS, HELEN B., HOUSE  | B           | 0/0<br>1    | 1918            | REGULAR BRICK<br>SHINGLE SIDING        | BUNGALOW                       | BUNGALOW<br>SINGLE DWELLING            | 07                         | N04                             |
| 166 N N STREET<br>WILLIAMS, WALTER W., HOUSE | B           | 0/1<br>2    | 1898<br>c. 1940 | ASBESTOS SIDING                        | VICTORIAN: OTHER               | SIDE PASSAGE/ENTRY<br>SINGLE DWELLING  | 07                         | N04                             |
| 167 N N STREET                               | B           | 0/0<br>1.5  | 1902            | DROP/NOVELTY SIDING<br>SHINGLE SIDING  | VICTORIAN ECLECTIC             | CENTRAL BLK W/ PROJ<br>SINGLE DWELLING | 07                         | UHF EASEMENT<br>N04             |
| 172 N N STREET<br>JOHNSTON, HANNAH, HOUSE    | B           | 1/0<br>2    | 1906            | REGULAR BRICK<br>ROCK-FACED BRICK      | VICTORIAN ECLECTIC             | FOURSQUARE (BOX)<br>SINGLE DWELLING    | 07                         | N04                             |
| 173 N N STREET                               | D           | 1/0<br>3    | 1968            | BRICK:OTHER/UNDEF.<br>SHINGLE SIDING   | MANSARD                        | OTHER APT./HOTEL<br>MULTIPLE DWELLING  | 07                         | VICTORIA APTS<br>173-175<br>N04 |
| 181 N N STREET                               | B           | 0/1<br>1    | 1891            | STUCCO/PLASTER<br>SHINGLE SIDING       | VICTORIAN ECLECTIC<br>BUNGALOW | CENTRAL BLK W/ PROJ<br>SINGLE DWELLING | 07                         | N04                             |
| 182 N N STREET                               | B           | 1/0<br>2    | 1898            | DROP/NOVELTY SIDING<br>TONGUE & GROOVE | VICTORIAN: OTHER               | CENTRAL BLK W/ PROJ<br>SINGLE DWELLING | 07                         | N04                             |
| 186 N N STREET                               | B           | 0/1<br>1    | 1914            | CONCRETE BLOCK<br>ROCK-FACED CONC. BLK | PERIOD REVIVAL: OTHER          | OTHER<br>MULTIPLE USES                 | 07                         | SALT LAKE MONUMENT<br>N04       |

?=approximate address

Evaluation Codes: A=eligible/architecturally significant B=eligible C=ineligible/alterd D=ineligible/out of period U=undetermined/lack of info X=demolished

AVENUES HISTORIC DISTRICT (SLC Landmark District)  
Salt Lake City, Salt Lake County, Utah

RECONNAISSANCE LEVEL SURVEY – 2007-2008  
“N” Street, Page 3



128 N “N” Street  
B



135-133 N “N” Street  
B



149 N “N” Street  
B



164 N “N” Street  
B



166 N “N” Street  
B



166 N “N” Street  
(garage)



167 N “N” Street  
B



172 N “N” Street  
B



173-175 N “N” Street  
D



181 N “N” Street  
B



182 N “N” Street  
B



186 N “N” Street  
B

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