



# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY & NEIGHBORHOODS

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**To:** Salt Lake City Administrative Hearing Officer  
**From:** Daniel Echeverria, [daniel.echeverria@slcgov.com](mailto:daniel.echeverria@slcgov.com), 801-535-7165  
**Date:** January 4, 2018  
**Re:** PLNPCM2018-00886 Poplar Street Pub Outdoor Dining Expansion

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## Conditional Use

**PROPERTY ADDRESS:** 242 S 200 West  
**PARCEL ID:** 15-01-257-015-0000  
**MASTER PLAN:** Downtown Master Plan  
**ZONING DISTRICT:** D-3 Downtown Warehouse/Residential District

**REQUEST:** Chris Carter, owner of the subject property, is requesting Conditional Use approval for an expansion of the Poplar Street Pub, an existing bar establishment at 242 S 200 West. The expansion primarily consists of approximately 1,166 square feet of additional outdoor dining space on the second level at the front of the building. The expansion also includes additional bathrooms and a beer cooler. The property is in the D-3, Downtown Warehouse/Residential zoning district. Expansions of bar establishments in the D-3 zone require Conditional Use approval.

**RECOMMENDATION:** Based on the information in this staff report, Planning Staff finds that the proposal adequately meets the standards, subject to specified conditions, and recommends that the Administrative Hearing Officer approve the requested conditional use, with the following conditions:

1. Applicant shall comply with the graffiti removal requirements of 21A.36.300.

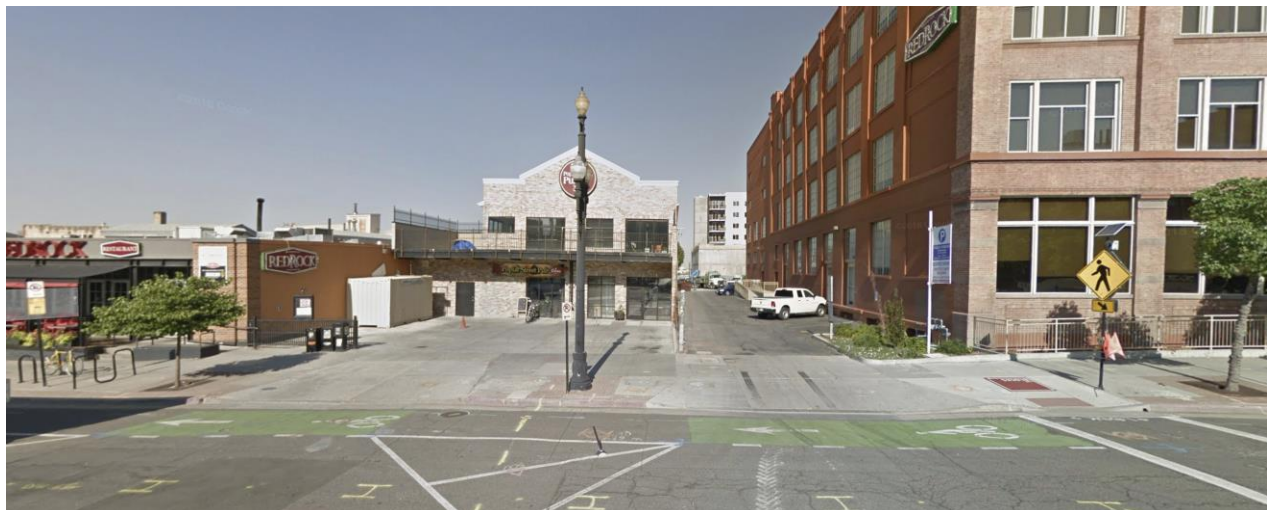
### ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Site Plan](#)
- C. [Submitted Drawings](#)
- D. [Existing Conditions – Zoning Standards And Master Plan Policies](#)
- E. [Analysis Of Standards - Conditional Use](#)
- F. [Public Process And Comments](#)
- G. [Department Review Comments](#)
- H. [Applicant Submittal](#)

## PROJECT DESCRIPTION:

The applicant is requesting conditional use approval to expand an existing bar by expanding an existing outdoor balcony/patio on the second level of the building by approximately 1,166 square feet. The additional balcony space will be located on the east face of the building, facing 200 West. The current balcony extends from the front (east) face of the building by approximately 7'11" and the expansion will extend that balcony eastward by approximately 20 additional feet. The expansion will also include additional bathrooms, a beer cooler, and associated storage space toward the rear (west) of the building. The bathrooms are intended to accommodate future expansion at the rear of the site. The full expansion is also described in the applicant's letter in [Attachment H](#). The full building plans are located in [Attachment C](#) and the site plan is located in [Attachment B](#).

In the past 10 years, the property has received three conditional use approvals involving expansions of the bar. This new Conditional Use is required as the current proposed expansion is greater than 1,000 square feet and that square footage triggers new Conditional Use approval.



*A street view of the existing building. The upper level patio shown on the front face of the building will be extended toward the street by 20 feet.*

## KEY CONSIDERATIONS:

No significant outstanding concerns or issues have been identified through the analysis of the project and department review comments. No neighbor or community input has been received. One inquiry was provided by a representative of the adjacent property to the west (Red Rock) regarding statements in the applicant's application materials.

## DISCUSSION:

As per the Conditional Use standards, a proposed conditional uses shall be approved if reasonable conditions can be imposed to mitigate any detrimental effects of the proposed use. This proposal complies with the associated standards for approval of Conditional Uses (see [Attachment E](#)) and is also consistent with general adopted planning policies, including those in the Downtown Master Plan and Plan Salt Lake.

The proposal increased the available outdoor dining space for the bar, but the expansion does not result in any new or additional negative impacts to adjacent properties as analyzed in [Attachment E](#) under the Conditional Use standards of review. The bar is located next to a private street to the west, an office building on the north, and a restaurant/brewpub on the south. Also adjacent to the south of the property is a parking lot and garage structures. None of the associated uses are expected to be negatively impacted by the additional outdoor dining area and the other small additions to the rest of the facility.

Past approvals required that the building owner provide a “Security and Operations Plan” as required by City code for any bar facilities. The bar owner provided this plan and it is on file with the City Recorder’s Office. The proposed expansion does not require any revisions to the existing plan as the layout of the building is virtually the same with these additions. Also in prior approvals Planning staff required that a tall railing be provided on the south side of the balcony, as it is directly adjacent to the roof of an adjacent building that could otherwise be easily accessed by patrons of the bar from the balcony, which could have negative impacts on that adjacent building. That tall railing is shown on the current balcony extension plans and maintains compliance with the prior approvals.

Given that the anticipated detrimental effects can be mitigated with reasonable conditions and those have been accounted for in prior approvals and the proposed new plans, Staff recommends that the proposed conditional use be approved.

#### **NEXT STEPS:**

If approved, the applicant will be required to obtain all necessary permits for the project. City departments will review the proposal in detail for compliance with their associated standards, such as building code and utility requirements. Some modifications to the plans may be necessary to meet City standards.

If denied, the applicant would not have city approval for the proposed additions, but could continue to operate their existing bar establishment and/or propose a smaller addition that does not trigger Conditional Use review.

## **ATTACHMENT A: VICINITY MAP**



Vicinity Aerial Map



## **ATTACHMENT B: SITE PLAN**

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PROPERTY AREA: .33 ACRES

- (01) NEW STRUCTURAL STEEL FRAMING, PAINT.
- (02) NEW STRUCTURAL STEEL CROSS BRACE, PAINT.
- (03) CONCRETE FOOTING/PIER.
- (04) EDGE OF PATIO ABOVE.
- (05) NEW UNDER-STAIR STORAGE ROOM.
- (06) NEW ELEVATED BEER COOLER.

17	EXISTING DETECTABLE WARNING SURFACE ON LEVEL LANDING.
18	EXISTING DOWNSPOUT.
19	EXISTING ROLLING WROUGHT IRON GATE.
20	PROVIDE NEW EMERGENCY EXIT DOOR HARDWARE.
21	EXISTING PERMANENT MAXIMUM OCCUPANCY SIGNAGE ADJACENT TO THIS DOOR. (REVISE TO NEW BLDG AND PATIO TOTAL - 577)
22	EXISTING 3 PLACE BIKE RACK.
23	EXISTING UTILITY EASEMENT FOR UNDERGROUND POWER & CABLE LINES.
24	EXISTING ELECTRICAL SWITCH GEAR AND METER.
25	EXISTING EMERGENCY GENERATOR.
26	EXISTING FIRE DEPARTMENT CONNECTION.
27	EXISTING FIRE RISER LOCATION.
28	EXISTING WALL.
29	EXISTING STAIR.
30	EXISTING GREASE INTERCEPTOR.
31	EXISTING ELECTRICAL TRANSFORMER.

- 1 EXISTING RETAINING WALL.
- 2 EXISTING FENCE.
- 3 EXISTING BUILDING.
- 4 EXISTING UTILITY LINES.
- 5 EXISTING PLANTER.
- 6 EXISTING BRICK PAVING.
- 7 EXISTING TREE (AND PLANTING GRATE WHERE OCCURS).
- 8 EXISTING SIDEWALK.
- 9 EXISTING LIGHT POLE.
- 10 EXISTING POWER POLE.
- 11 PROPERTY LINE.
- 12 EXISTING WROUGHT IRON FENCE & GATE.
- 13 EXISTING HIGH CMU SCREEN WALL.
- 14 EXISTING DRIVEWAY CURB CUT.
- 15 EXISTING ADA RAMP AND HANDRAIL.
- 16 EXISTING CONCRETE PAVING.

\*NOTE: FRACTIONS BELOW 1/2 MAY BE DISREGARDED

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salt lake city, utah 84105  
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ajc@ajcarchitects.com

## C

## SITE PLAN

MARK	DATE	DESCRIPTION
1	DEC 2017	MOD #9
2	JUNE 2018	EAST BALCONY EXP.

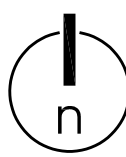
ISSUE DATE: OCTOBER 2018  
ISSUE TYPE: MOD #9  
DRAWN BY: AJL  
CHECKED BY: KR  
CAD FILE NAME:

# AS101



**SITE PLAN**  
SCALE: 1" = 10'-0"

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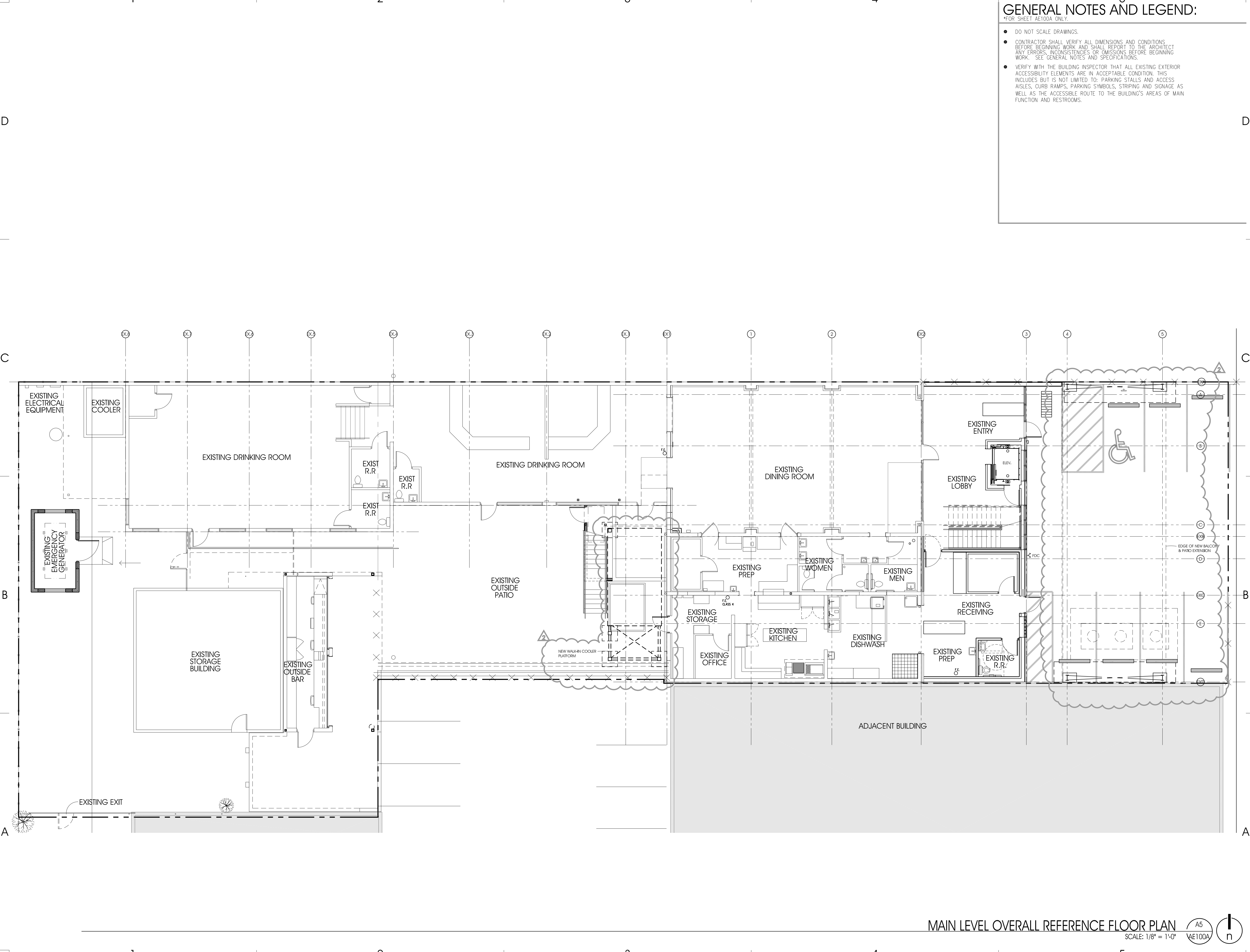


# AS101

## **ATTACHMENT C: Building Plans**



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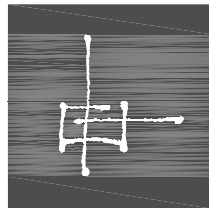


## GENERAL NOTES AND LEGEND:

\*FOR SHEET AE100A ONLY.

- DO NOT SCALE DRAWINGS.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.
- VERIFY WITH THE BUILDING INSPECTOR THAT ALL EXISTING EXTERIOR ACCESSIBILITY ELEMENTS ARE IN ACCEPTABLE CONDITION. THIS INCLUDES BUT IS NOT LIMITED TO: PARKING STALLS AND ACCESS AISLES, CURB RAMPS, PARKING SYMBOLS, STRIPING AND SIGNAGE AS WELL AS THE ACCESSIBLE ROUTE TO THE BUILDING'S AREAS OF MAIN FUNCTION AND RESTROOMS.

ARCHITECT #1307.10



ajc architects

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OWNER INFORMATION

AL & CHRIS  
CARTER

PROJECT DESCRIPTION

POPLAR STREET  
PUB  
MOD #9  
EAST BALCONY  
EXTENSION

242 SOUTH 200  
WEST  
SLC UTAH

SHEET NAME:

MAIN LEVEL  
OVERALL REFERENCE  
FLOOR PLAN

REVISIONS

MARK	DATE	DESCRIPTION
1	DEC 2017	MOD #9
2	JUNE 2018	EAST BALCONY EXP.

ISSUE DATA

ISSUE DATE: OCTOBER 2018  
ISSUE TYPE: MOD #9  
DRAWN BY: AJL  
CHECKED BY: KR  
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SHEET NUMBER:

MAIN LEVEL OVERALL REFERENCE FLOOR PLAN

SCALE: 1/8" = 1'-0"

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PROPERTY AREA: .33 ACRES

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MAIN LEVEL  
FLOOR PLAN

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	SHEET NUMBER:
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SCALE: 1/4" = 1'-0"

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### KEYED NOTE LEGEND.

\*FOR SHEET AE102A ONLY.

- 01 42" HIGH GUARDRAIL.
- 02 2" EXPANSION JOINT.
- 03 NEW ROOF BARRIER FENCING + 10'-0"
- 04 NEW CONCRETE SLAB OVER METAL DECK, SEE STRUCTURAL DRAWINGS.
- 05 EXISTING BEER COOLER BELOW.
- 06 NEW WALK IN BEER COOLER.

### EXISTING KEYED NOTE LEGEND.

\*FOR SHEET AE102A ONLY.

- 1 PROPERTY LINE.
- 2 EXISTING DOOR.
- 3 EXISTING PATIO.
- 4 EXISTING STOREFRONT SYSTEM.

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\*FOR SHEET AE102A ONLY.

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ARCHITECT #1307.10



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OWNER INFORMATION

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CARTER

PROJECT DESCRIPTION

POPLAR STREET  
PUB  
MOD #9  
EAST BALCONY  
EXTENSION

242 SOUTH 200  
WEST  
SLC UTAH

SHEET NAME:

ROOF TOP/UPPER LEVEL  
PATIO FLOOR PLAN

REVISIONS

MARK	DATE	DESCRIPTION
1	DEC 2017	MOD #9
2	6/13/2017	REVIEW
3	7/27/2017	COMMENTS
4	JUNE 2018	REVIEW
		COMMENTS
		EAST
		BALCONY EXT.

ISSUE DATA

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ISSUE TYPE: MOD #9  
DRAWN BY: AJL  
CHECKED BY: KR  
CAD FILE NAME:

SHEET NUMBER:

AE102A

ROOF TOP/UPPER LEVEL PATIO FLOOR PLAN

SCALE: 1/4" = 1'-0"

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### KEYED NOTES:

\*FOR SHEET AE201 ONLY.

- 11 1 HOUR FIRE RATED ROOF/ CEILING ASSEMBLY (ENTIRE ROOF/CEILING ASSEMBLY AT ADDITION) TYPE 'X' GYP.BD. BOTH SIDES OF TRUSSES.
- 12 CONTINUOUS RIDGE VENT.
- 13 CONCRETE PIER, SEE STRUCTURAL DRAWINGS.
- 14 STEEL COLUMN, SEE STRUCTURAL DRAWINGS. PAINT.
- 15 STEEL BEAM, SEE STRUCTURAL DRAWINGS. PAINT.

### KEYED NOTES:

\*FOR SHEET AE201 ONLY.

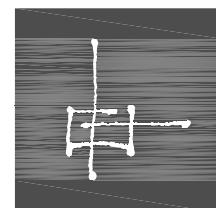
- 01 PROPERTY LINE.
- 02 42" HIGH GALVANIZED METAL GUARDRAIL.
- 03 OUTLINE OF EXISTING BUILDING.
- 04 STUCCO WALL FINISH OVER WOOD STUD FRAMED WALL. SEE ICC - ES EVALUATION REPORT # ESR-1547.
- 05 GALV STEEL ROOF BARRIER FENCING TOP RAIL TO BE 10'-0" A.F.F..
- 06 LINE OF FINISH FLOOR.
- 07 FINISH GRADE.
- 08 ASPHALT SHINGLE ROOF OVER H.T. ICE & WATER SHIELD W/ CONT. RIDGE VENT.
- 09 PREFINISHED METAL DRIP EDGE FLASHING.
- 10 PREFINISHED METAL FASCIA.

### GENERAL NOTES AND LEGEND:

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EAST BALCONY  
EXTENSION

242 SOUTH 200  
WEST  
SLC UTAH

SHEET NAME:

EXTERIOR ELEVATION

REVISIONS

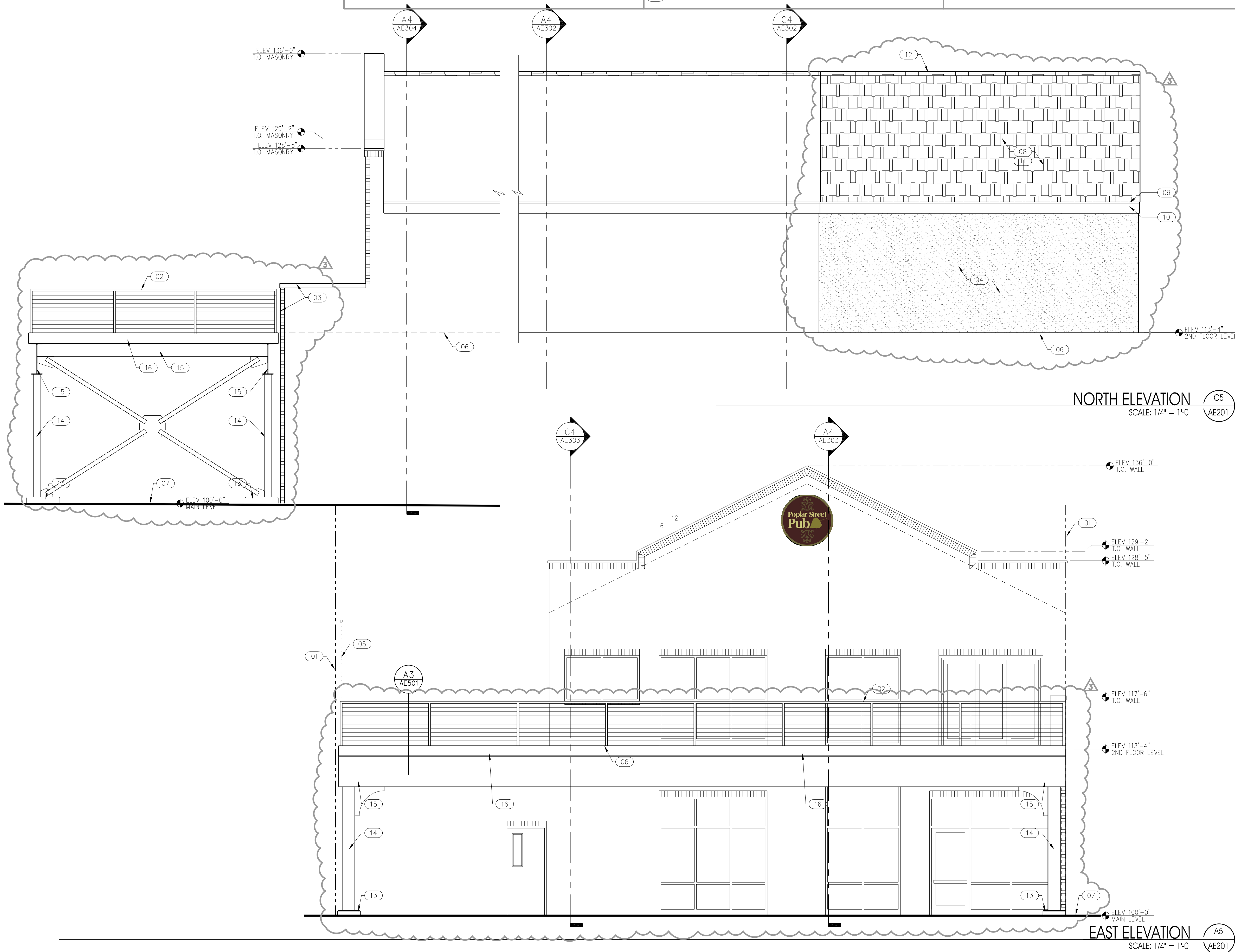
MARK	DATE	DESCRIPTION
1	DEC 2017	MOD #9
2	7/27/2017	REVIEW
3	JUNE 2018	COMMENTS
		EAST BALCONY EXP.

ISSUE DATA

ISSUE DATE: OCTOBER 2018  
ISSUE TYPE: MOD #9  
DRAWN BY: AJL  
CHECKED BY: KR  
CAD FILE NAME:

SHEET NUMBER:

AE201





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19) EXISTING STORAGE ROOM.

(15) STEEL COLUMN, SEE STRUCTURAL DRAWINGS.

- VERIFY WITH THE BUILDING INSPECTOR THAT ALL EXISTING EXTERIOR ACCESSIBILITY ELEMENTS ARE IN ACCEPTABLE CONDITION. THIS INCLUDES BUT IS NOT LIMITED TO: PARKING STALLS AND ACCESS AISLES, CURB RAMPS, PARKING SYMBOLS, STRIPING AND SIGNAGE AS WELL AS THE ACCESSIBLE ROUTE TO THE BUILDING'S AREAS OF MAIN FUNCTION AND RESTROOMS.

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POPLAR STREET  
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EAST BALCONY  
EXTENSION

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WEST  
SLC UTAH

## EXTERIOR ELEVATION

(NO CHANGE FOR  
MAY 2017 PERMIT)

MARK	DATE	DESCRIPTION
1	DEC 2017	MOD #9
2	7/27/2017	REVIEW COMMENTS
3	JUNE 2018	EAST BALCONY EX

ISSUE DATE: OCTOBER 2018  
ISSUE TYPE: MOD #9  
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CAD FILE NAME:

# AE202

SCALE: 1/4" = 1'-0"

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## ATTACHMENT D: Existing Conditions – Zoning Standards and Master Plan Policies

### Zoning Standards

This proposal involves the expansion of an existing building that is utilized for a bar. The property is legal non-complying as to certain zoning requirements as it was built prior to the current zoning requirements. Expansions/additions are allowed as long as they do not create any new noncompliance. The proposed expansion does not create any new noncompliance.

**Current Zoning District:** D-3 Downtown Warehouse/Residential District

The following chart notes the zoning requirements in the D-3 zone, current conditions on the subject parcel, and whether or not that is in compliance with the standard.

Zoning Standard	Required	Existing/Proposed	Compliance
<b>Minimum Lot Area</b>	None	0.3283 acres (approx. 14,300 sq ft)	Complies
<b>Minimum Lot Width</b>	None	58'6"	Complies
<b>Front Yard Setback</b>	None required, parking lots required to be set back at least 15'	Building is setback ~13 feet from front property line. Parking area at front of the building is currently non-complying as to setback restrictions	Building setback complies. Parking area is legal non-complying and may remain.
<b>Interior Side Yard</b>	None required	0'	Complies
<b>Rear Yard</b>	None required	Approx. 21 feet	Complies
<b>Parking Spaces</b>	No parking spaces required for uses for the first 10,000 square feet of usable floor area. 1 space per 1,000 usable square feet over 10,000 square feet is required thereafter. Fractions below 1/2 stall may be disregarded.	<p>The most recent approved building plans were for a use with 10,363 of floor area. The addition adds approximately 1,957 square feet of floor area, for a total of approximately 12,320 square feet.</p> <p>The site currently provides 7 stalls, however, none of the stalls are currently required for the current use, as the first 10,000 square feet of floor area is exempt from parking requirements. Additionally, the 7 stalls do not appear to fully comply with the current aisle width requirements for the particular vehicle stall widths in per 21A.44.020E, but they were approved in prior permits and are considered legal noncomplying. Five of the current stalls are being effectively shortened by ~1 foot to accommodate support structure for the balcony expansion.</p> <p>Two stalls are required due to the additional 2,320 total floor area beyond 10,000 square feet. Two of the existing noncomplying stalls on the site are not being reduced in size and can account for the additional required parking.</p>	<p>Complies. Two of the current legal noncomplying parking stalls can be used to account for the newly required parking for this addition.</p> <p>Future additions to the structure may trigger that the use provide additional required parking stalls. The stalls being reduced by ~1' cannot count toward required parking. However, it may be possible to reconfigure the parking area to accommodate future parking with the required dimensions. Off site parking may also be considered.</p>

<b>Building Height/Use Limitation</b>	Buildings with only commercial/office uses and no residential uses are limited to 2 stories.	The building includes only commercial uses and is only 2 stories in height	Complies
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### **Applicable Master Plan Policies**

The subject properties are located within the boundaries of the Downtown Master Plan. That plan listed the following related items as goals:

- We value a downtown that is vibrant & active.
- Create unique places for different age groups, interests, and needs within each downtown district that are active 7 days a week.
- Make downtown a unique destination for visitors.
- Establish an active public realm that supports a vibrant downtown experience.

Plan Salt Lake sets a consolidated, citywide vision for Salt Lake City. It lists as initiatives:

- Support the growth of small businesses, entrepreneurship and neighborhood business nodes.
- Preserve and enhance neighborhood and district character.
- Encourage a mix of land uses.
- Support the economic growth of Downtown.

The proposed Conditional Use is in concert with the applicable sections of both the Downtown Master Plan and Plan Salt Lake as specified above. It furthers both plans by utilizing an existing building for a use that serves to encourage a 24-hour urban environment.

## ATTACHMENT E: Analysis of Standards

### 21A.54.080 Standards for Conditional Use

**Approval Standards:** A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

#### 1. The use complies with applicable provisions of this title;

**Analysis:** Section 21A.33.030 Table of Permitted and Conditional Uses for Commercial Districts lists a bar as conditional uses in the D-3 zoning district with a qualifying provision, note 6, which states, “Subject to conformance with provisions in the section 21A.36.300, Alcohol Related Establishments, of this title.”

**Finding:** If the application is approved, the proposed use will need to comply with the additional provisions in 21A.36.300 “Alcohol Related Establishments.” An analysis of those provisions is located at the end of this Attachment. Related to those standards, the Salt Lake City Police Department and Building Services were provided the application materials and no concerns were provided. The prior expansion of the bar also was approved by these departments and the new expansion does not represent a significant change from prior layouts, including related to patron accessibility.

#### 2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;

**Analysis:** The use is similar in nature to the other uses in the immediate surroundings. There is an existing mix of restaurants, bars, and other commercial uses in the area. The proposed use would be compatible with those use that are already established.

**Finding:** The proposed use complies with this standard.

#### 3. The use is consistent with applicable adopted city planning policies, documents, and master plans;

**Analysis:** The use is consistent with planning policies and the Downtown Master Plan and Plan Salt Lake. As discussed earlier in this report the plan supports the development of local business interests and adding life and vitality to the street.

**Finding:** The proposal complies with this standard.

#### 4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions. (Refer to Detrimental Impacts Chart below for details)

**Analysis:** Zoning ordinance section 21A.54.080.B identifies specific items that may determine what constitutes a detrimental effect. They are listed below in the following Detrimental Impacts Chart.

**Finding:** As reviewed in the below standards, no anticipated negative impacts are expected that are not already addressed through the site/building design. The proposal complies with this standard.

**21a.54.080B: Detrimental Effects Determination:**

In analyzing the anticipated detrimental effects of a proposed use, the planning commission, or in the case of administrative conditional uses, the planning director or designee, shall determine compliance with each of the following:

Criteria	Finding	Rationale
<b>1. This title specifically authorizes the use where it is located</b>	<b>Complies</b>	A bar is a conditional use in the D-3 zone. The use is being reviewed as a conditional use.
<b>2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps</b>	<b>Complies</b>	The proposed use is consistent with applicable Downtown Master Plan and Plan Salt Lake policies: <ul style="list-style-type: none"><li>• We value a downtown that is vibrant &amp; active.</li><li>• Create unique places for different age groups, interests, and needs within each downtown district that are active 7 days a week.</li><li>• Make downtown a unique destination for visitors.</li><li>• Establish an active public realm that supports a vibrant downtown experience.</li><li>• Support the growth of small businesses, entrepreneurship and neighborhood business nodes.</li><li>• Preserve and enhance neighborhood and district character.</li><li>• Encourage a mix of land uses.</li><li>• Support the economic growth of Downtown.</li></ul>
<b>3. The use is well-suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area</b>	<b>Complies</b>	The proposed use is compatible in intensity, size, and scale to existing commercial uses in the area. Both the proposed use and the existing buildings fit in with the overall character of the neighborhood.
<b>4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered</b>	<b>Complies</b>	The existing structure on the site relates well to surrounding structures. The existing exterior of the building is predominantly brick, matching the materials of adjacent buildings. The additions predominantly expands an existing balcony toward the street and does not otherwise significantly modify the overall structure. The expansion will bring human activity (the outdoor dining area on the balcony) closer to the street, which is more in line with other buildings in the area which have a closer sidewalk presence.
<b>5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows</b>	<b>Complies</b>	The vehicular access to the site already exists and is not being modified. Traffic is directed onto 200 West. There are no other City streets impacted by this proposal or available for alternative access. The single driveway serves

		as both the entrance and exit onto the property and the capacity of the parking lot limits the potential to impede traffic on the street at the closing time of the social club.
<b>6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic</b>	<b>Complies</b>	The existing parking lot will generally stay in the same configuration as it currently exists. The parking lot currently does not comply with minimum drive-aisle dimensions as shown on the associated site plan. Five of the stalls will be reduced in length by approximately 1 foot, but this is not expected to create any adverse impacts on adjacent properties. The parking area is limited in size and number of cars, which should minimize any negative impacts to pedestrians or cyclists. The building has a clear area in front of the customer entrance that can accommodate customers waiting in a line at the bar entrance. The level of pedestrian and vehicle activity onto the site from the public right of way is not expected to have an adverse impact on adjacent property.
<b>7. The site is designed to enable access and circulation for pedestrian and bicycles</b>	<b>Complies</b>	The site is located on a collector street (200 West) with the entrance on the east side facing the street, providing direct access for both pedestrians and bicyclists. The small size and thus infrequent turnover frequency of vehicles in the parking lot means that there is likely to be a limited potential for pedestrian and vehicle interactions and collision points.
<b>8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street</b>	<b>Complies</b>	The City's Transportation Division has reviewed the request and did not indicate that there would be any unreasonable impacts to the service level of any adjacent streets. There will be no increase in the number of stalls provided.
<b>9. The location and design of off-street parking complies with applicable standards of this code</b>	<b>Complies</b>	Two parking stalls are required for the use and there is an existing parking lot with 7 existing parking spaces at the front of the building. None of the spaces fully meet current dimensional standards for required parking stalls, specifically related to drive aisle dimensions; however, in their current configuration they are considered legal noncomplying. Two of the stalls are being maintained in their current configuration and can be counted toward the two required parking spaces.
<b>10. Utility capacity is sufficient to support the use at normal service levels</b>	<b>Complies</b>	The site can be served by all necessary utilities. Public Utilities can require upgrades if deficiencies are identified during the building permit review process.
<b>11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts</b>	<b>Complies</b>	The uses do not require significant screening or buffering because it does not directly abut dissimilar uses. A tall wall is being shown on the south side of the proposed balcony to



		prevent patrons from climbing over the railing onto the adjacent building roof. This complies with prior approvals that required a tall wall on that side of the balcony.
<b>12. The use meets City sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke</b>	<b>Complies</b>	The proposed uses present no foreseen impacts to air quality and it is not anticipated that there will be any hazard or environmental damage to adjacent properties. It is not anticipated that tobacco smoking will create any issues as long as Utah State standards are followed. The use is not directly adjacent to any residential uses that would be impacted by cigarette smoke.
<b>13. The hours of operation and delivery of the use are compatible with surrounding uses</b>	<b>Complies</b>	The anticipated hours of operation will be between 11:00 AM – 1:30 AM, seven days per week. Deliveries are anticipated from 10 AM to 11 AM. These hours are compatible with surrounding commercial uses.
<b>14. Signs and lighting are compatible with, and do not negatively impact surrounding uses</b>	<b>Complies</b>	There are no signs proposed at this time, but any new sign must comply with the regulations in Chapter 21A.46 of the Zoning Ordinance. There are no adjacent residential developments that would be expected to be impacted by any additional lighting provided for the balcony expansion.
<b>15. The proposed use does not undermine preservation of historic resources and structures</b>	<b>Complies</b>	There are no historic landmark sites or features on the property.

### ***Additional Standards for Alcohol Related Establishments - 21A.36.300***

Taverns, social clubs, dining clubs, brewpubs, and microbreweries may be allowed as conditional uses pursuant to the provisions of chapter 21A.54 of this title, and pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses provided the following standards are achieved:

**Standard 1.** In approving a conditional use permit for a tavern, social club, dining club, brewpub, or microbrewery, the planning commission shall:

- a. Require that a security and operations plan be prepared by the applicant and approved by the Salt Lake City police department and the building official, and filed with the city recorder's office, which shall include:
  - (1) A complaint-response community relations program; and
  - (2) A provision for a representative of the tavern, social club, dining club, brewpub, or microbrewery to meet with neighbors upon request in order to attempt to resolve any neighborhood complaints regarding the operations on the business premises;
  - (3) Design and construction requirements to ensure that any sound level originating within the premises, measured within fifteen feet (15') from an exterior wall or door thereof, does not exceed the maximum permissible sound level set forth for the applicable zoning district in [chapter 9.28](#) of this code;
  - (4) A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;
  - (5) Prohibiting electronically amplified sound in any exterior portion of the premises;
  - (6) Designation of a location for smoking tobacco outdoors in conformance with state law;

- (7) A provision stating that any trash strewn on the premises be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and parking lot areas; and
- (8) A provision stating that portable trash receptacles on the premises be emptied daily and automated receptacles be emptied at least weekly. Automated receptacles shall be located only within a city approved trash storage area; and
- (9) A parking management plan which shall include consideration of the impact of parking on surrounding neighborhoods;
- b. Require a review and approval of the site and floor plan proposed for the premises by the Salt Lake City police department. Such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness;
- c. Require buffering where a tavern, social club, dining club, brewpub, or microbrewery abuts a residentially zoned parcel. Said buffering shall include vegetative landscaping or walls along any property line or within any required yard area on the lot where the premises are located;
- d. Require that landscaping be located, and be of a type, that cannot be used as a hiding place; and
- e. Require that the exterior of the premises be maintained free of graffiti, including the main building, any accessory buildings or structures, and all signs. Graffiti shall be removed from the exterior of the premises within forty eight (48) hours, weather permitting.

**Analysis:** The applicant provided a security and operations plan with their prior Conditional Use approval in 2014 that includes the necessary provisions to comply with the above requirements. The generally commercial location of the bar means that there are no nearby residential neighborhoods that would be impacted by overflow of parking into residential streets. As the proposal does not face this possibility, the parking management plan is not extensive. The Salt Lake City Police Department and Building Official approved the plan and the plan was recorded with the City Recorder's office.

The site and floor plan were reviewed by the Salt Lake City Police Department representative and Building Services and no concerns were received. The bar does not abut any residentially zoned properties and so does not require additional buffering. No additional landscaping is proposed to be added that could be used as a hiding place. The most visible portion of the building that is accessible from a public street is the front entrance of the building and so has limited potential to be vandalized by graffiti. Staff does not expect the premises to be a magnet for graffiti, nor the property owner to allow such graffiti to remain; however, compliance with this requirement is a condition of approval in accordance with this code section.

**Finding:** The applicant has submitted materials that meet the above standards, and one condition of approval is included in the staff recommendation to maintain compliance with the above section related to graffiti.

**Standard 2.** If necessary to meet the standards for approval of a conditional use set forth in section [21A.54.080](#) of this title, the following conditions may be imposed:

- a. Limit the size and kind of signage located on the outside of any building in conformance with chapter 21A.46 of this title;
- b. Require parking area lighting to produce a minimum foot-candle that provides safe lighting for pedestrians, but does not intrude on residents' enjoyment of their homes; and

- c. Consider the proposed location of an outdoor smoking area in the security and operations plan and the potential effect on neighboring residences, businesses, and buildings and designating a new area if the potential effects of the area in the security and operations plan appear to adversely affect neighboring residences, businesses, and buildings.

**Analysis:** As discussed in the detrimental effects determination discussion of standard 4, staff did not find any potential detrimental effects that were not adequately addressed by the applicant in the proposed plans. The parking area is limited and is not located next to any residences that would be negatively impacted by any lighting. Additionally, the smoking area for the bar is not expected to be changed from its current position on the rear patio and staff is not aware of any current issues presented by its location.

**Finding:** Staff finds that additional conditions are not necessary for the proposal to meet the standards of approval.

## ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

### Public Notice and Input

Staff sent a notice describing the proposal to all residents and property owners within 300 feet of the property in question after receiving the application and received no feedback. One representative of an adjacent property e-mailed staff and requested clarification on the applicant's narrative and standards.

Staff also contacted the Downtown Community council but did not receive a request to attend any upcoming meetings and they did not provide any formal comment on the proposal.

No other comments or inquiries have been received in any form (phone calls, emails, mailed letters, etc.).

**Public Notice Sign Posted:** December 18, 2018

**Public Notice Mailed Out:** December 20, 2018

## ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

### **Public Utilities** (Jason Draper at [jason.draper@slcgov.com](mailto:jason.draper@slcgov.com) or 801-483-6751)

No utility exception to the bar expansion with the condition that plans are submitted to building services and SLCPU for review and approval. There may need to be some utility changes.

### **Engineering** (Scott Weiler at [scott.weiler@slcgov.com](mailto:scott.weiler@slcgov.com) or 801-535-6159)

No objections.

### **Transportation** (Michael Barry at [michael.barry@slcgov.com](mailto:michael.barry@slcgov.com) or 801-535-7147)

No comments.

### **Fire** (Kenney Christensen at [kenney.christensen@slcgov.com](mailto:kenney.christensen@slcgov.com) or 801-535-6619)

Fire would have NO objections to the proposed conditional Use (PLNPCM2018-00886) for a bar expansion at 242 S 200 West (Poplar Street Pub). The bar expansion primarily consists of approximately 1,165 square feet of additional outdoor dining space on the second level at the front of the building. The expansion also includes a couple restrooms and a beer cooler; all of which are an overall increase in the fire area and occupant load therefore, automatic fire protection shall be provided, in accordance with IFC Chapter 9; and approved means of fire department access shall be provided, in accordance with IFC Chapter 5 and the appendices.

- Fire access roads; and means of fire department access for both apparatus; and fire personnel shall be by an “approved” means, in accordance with the State adopted code set, or by an approved Alternative Means and Methods (AM&M), accepted by the State adopted code set as an alternative; and/or by both the building and fire officials approved means. Compliance with the information in this review does not guarantee compliance with the International Fire and Building Codes; and it does not guarantee the issuance of any building permit, or the approval of any AM&M application.

### **Zoning** (Greg Mikolash at [gregory.mikloash@slcgov.com](mailto:gregory.mikloash@slcgov.com))

- D-3 zone - expansion of outdoor dining on roof.
  - This proposal will need to be discussed with the building and fire code personnel in Room #215.
- Proposal must meet the standards of 21A.54 for Conditional Uses.
- See 21A.44 for parking standards in the D-3 district. Be aware of the minimum off-street parking requirements in 21A.44.030.G(2). Parking may need to be increased due to the proposed expansion.
- Future zoning comments may be associated with the required building permit at the time of its review.

### **Building Code** (Steven Collett at [steven.collett@slcgov.com](mailto:steven.collett@slcgov.com))

The bar expansion primarily consists of approximately 1,165 square feet of additional outdoor dining space on the second level at the front of the building. The expansion also includes restrooms and a beer cooler.

The design must meet the requirements of Chapter 10 of the IBC for egress, Chapter 9 of the IBC for fire protection systems and Chapter 29 for plumbing system for the increased occupant load.

## **ATTACHMENT H: APPLICANT NARRATIVE**





# Conditional Use

SALT LAKE CITY PLANNING

OFFICE USE ONLY			
Project #:	Received By:	Date Received:	Zoning:
PLPCM2018-00886	CHRIS EARL	10/30/2018	D-3

Project Name:  
POPLAR STREET PUB OUTDOOR DINING

## PLEASE PROVIDE THE FOLLOWING INFORMATION

Request:  
Conditional use to add additional out door dining area.

Address of Subject Property:  
242 S. 200 W., S.L.C., UT

Name of Applicant:  
ALVIE & CHRIS CARTER

Address of Applicant:  
1810 W. Indiana Ave., S.L.C., UT 84104

E-mail of Applicant:  
chris@poplarstreetpub.com

Cell/Fax:

Applicant's Interest in Subject Property:

☒ Owner ☐ Contractor ☐ Architect ☐ Other:

Name of Property Owner (if different from applicant):

E-mail of Property Owner:

Phone:

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.

## AVAILABLE CONSULTATION

Planners are available for consultation prior to submitting this application. Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

## WHERE TO FILE THE COMPLETE APPLICATION

Mailing Address: Planning Counter  
PO Box 145471  
Salt Lake City, UT 84114

In Person: Planning Counter  
451 South State Street, Room 215  
Telephone: (801) 535-7700

## REQUIRED FEE

Filing fee of \$758  
Plus additional cost of postage for mailing notice.

## SIGNATURE

If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent:

Kent R. Rigby  
Alvie Carter

Date:

10/30/18

## SUBMITTAL REQUIREMENTS

Staff Review

☐

**1. Project Description (please attach additional sheet)**

☒

Written description of your proposal *See attachment.*

☐

**2. Conditional Use Information (please attach additional sheet)**

☐

If applicable, what is the anticipated operating/delivery hours associated with the proposed use

*operation: 11 a.m. - 1:30 a.m. Deliveries 10 a.m. - 11 a.m.*

☐

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

*Commercial Offices, Restaurant/Tavern, Parking Lot.*

☐

How many employees are expected to work on-site during the highest shift

☐

If applicable, how many seats will be provided as part of the conditional use

☐

Have you discussed the project with nearby property owners? *Yes*

If so, what responses have you received? *Positive.*

☐

**3. Minimum Plan Requirements**

☐
☒

One paper copy (24" x 36") of each plan and elevation drawing

☐
☒

A digital (PDF) copy of the each plan and elevation drawing

☐
☒

One 11 x 17 inch reduced copy of each plan and elevation drawing

**4. Site Plan**

☐
☒

Site plan (see Site Plan Requirements flyer for further details)

**5. Elevation Drawing (if applicable)**

☐
☒

Detailed elevation, sections and profile drawings with dimensions drawn to scale

☐
☒

Type of construction and list the primary exterior construction materials *Type V-B*

*stucco, brick, shingle roof.*

☐
☐

Number, size, and type of dwelling units in each building, and the overall dwelling unit density

*N.A.*

### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

\_\_\_\_\_ 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.





# Poplar St. Pub Conditional Use Project Description

October 30, 2018

The Poplar Street Pub is a restaurant and tavern in continuous operation since 2002. During that time, it has continued to grow and expand with numerous phased building remodels and additions.

The current building permit, BLD2017-04331, is adding a second floor bar, elevator, seating area, restrooms, storage room and outdoor dining patio.

The Owner has requested that we design additional second floor outdoor dining patio area on the east side of the building and new Men's and Women's rest rooms on the west side. The new restrooms have been sized to accommodate a future outdoor dining patio above the west end of the building roof. In addition, a new under-stair storage room is planned for the existing exterior stair at the south dining patio and a new elevated walk-in-cooler. Those drawing are attached to this Conditional Use application for your consideration.

Kent R. Rigby

Signature

Kent R. Rigby, AIA

Oct. 30, 2018

Date