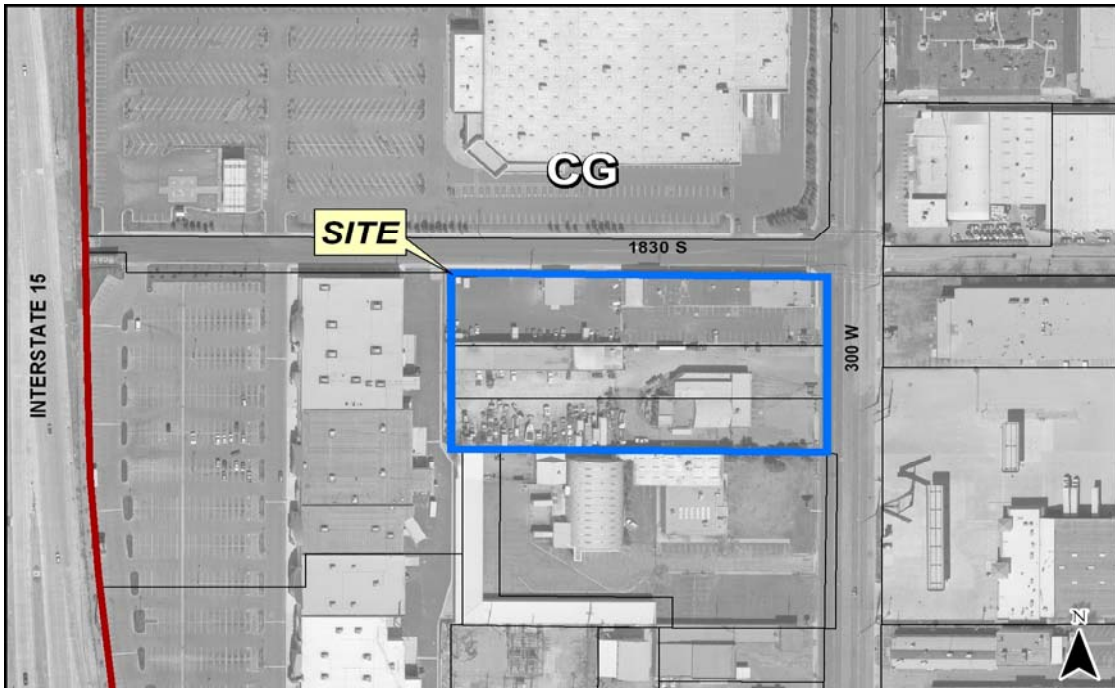


**DATE:** January 19, 2005  
**TO:** Salt Lake City Planning Commission  
**FROM:** Marilyn Lewis, Principal Planner  
**RE:** January 25, 2006 Planning Commission Meeting

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**CASE#:** 410 -772  
**COUNCIL DISTRICT:** District 5 – Jill Remington Love  
**APPLICANT:** H.M. Investments  
**STATUS OF APPLICANT:** Owner/Developer  
**PROJECT LOCATION:** Approx. 1846 South 300 West Street



**PROJECT/PROPERTY SIZE:** 15-13-326-061-0000 1.06 acres, 15-13-326-060-0000 1.08 acres, 15-13-326-058-0000 1.4 acres and 15-13-326-063-0000 0.03 acres. The lots are not within a platted subdivision. The owner has chosen to consolidate all of the parcels by deed.

**SURROUNDING ZONING DISTRICTS:**

**North** - CG (General Commercial)  
**South** - CG (General Commercial)  
**East** - CG (General Commercial)  
**West** - CG (General Commercial)

**SURROUNDING LAND USES:**

**North** – Discount store  
**South** – Supplier warehouse  
**East** – Warehouse and discount store  
**West** – Commercial shopping center

**REQUESTED ACTION:**

Petition 410 -772 is a request by H.M. Investments for a Conditional Use Planned Development to construct multiple buildings on a single lot. The construction of multiple buildings on a single lot is permissible as a planned development.

**PROPOSED USE(S):**

The applicant is proposing to combine four previously un-platted parcels of land and construction of a maximum 6 new buildings on the single lot. The subject property will contain retail shops, food services and restaurants.

**APPLICABLE LAND USE REGULATIONS:**

**Section: 21A.26.040 CG -General Commercial Zoning District**

The purpose of the CG General Commercial Zoning District is to provide an environment for a variety of commercial uses, some of which involve the outdoor display/storage of merchandise or materials. Retail goods establishments and restaurants are permitted in this zoning district.

**Section: 21A.54.150 Conditional Use Planned Development**

The purpose of a planned development is a distinct category of conditional use. As such, it encourages the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. A petition must be analyzed by the Standards for Conditional Use (A- L), as well as the Planned Development Standards (1- 5) must also be met.

**MASTER PLAN SPECIFICATIONS:**

The area of the subject property is CG (General Commercial) Zoning District. The proposed Central Community Master Plan Future Land Use Map designates this area for Regional Commercial/Industrial uses. Regional Commercial/Industrial uses attract large volumes of traffic, customers and/or employees and are located near freeways and major arterials, such as “big box” retailers and the project proposed in this petition.

**SUBJECT PROPERTY HISTORY:**

The subject site has been used for an assortment of businesses over the last 30 years; a contractor's yard, equipment supply and sales, and auto service and repair. (see Exhibit 4 for photos). The area surrounding the site has become more discount retail oriented. This development is proposed in an area where other big box businesses have already established themselves. Stores like PetsMart, COMPUSA, HOME Depot, Wal-Mart, are all visible and located within a half mile of the 300 West Street corridor. Lowe's and Sam's Club have not been constructed, but are planned. COMPUSA is immediately to the west and Praxair to the south.

**ACCESS:**

The vehicular ingress/egress for the site is proposed from 1830 South Street and 300 West Street. Pedestrian access is proposed by sidewalk along 1830 South Street and 300 West Street.

**PROJECT DESCRIPTION:**

The applicant is proposing to develop a maximum of six buildings on a single site. The subject site will contain retail shops, food services and restaurants. Two of the structures will have a drive-thru component. All of the proposed uses are permitted in the CG (General Commercial) Zoning District.

The North building will have access from 1830 South Street and *Buildings F* will have access from 300 West Street. This building will be used for restaurant with a drive-thru lane. Outside area lighting will be six pole lights and wall sconce lights on walls and all piers of the buildings with an adjustable up and down component. A minimum of 50% of the north and east building facades will be composed of glass. The developer also expects to erect a small marquee with the names of the tenants along 300 West Street.

With all of the retail and commercial growth in the area immediate food services for shoppers has not been considered. Shoppers in this area, especially during holidays, maneuver from one large retailer to the next spending a great deal of time. The applicant's goal is to devote 30% of the new center for restaurant and food services.

The developer already has clients for *Buildings A, B and F*. It was determined early on that *Buildings B and F* required drive-thru facilities for consumer convenience. A portion of *Building D* (approximately 3,000 sq. ft. on a second level) will be used as office space by the developer. Even though the site layout will not change from the concept submitted the uses in *Buildings C, D and E* have not been finalized. Therefore, the square footage of these three structures, as well as the uses are expected to adjust somewhat. The developer will need to meet the required parking for all of the uses on site and the minimum Front and Corner Side Yard setbacks. Therefore, staff is recommending the Planning Director have approval of the final adjustments to any building configurations to ensure that there are no substantial changes from the information submitted with the petition. Any substantial changes will need to go back to the Planning Commission.

## **COMMENTS, ANALYSIS AND FINDINGS:**

### **COMMENTS**

The Planning Commission Planned Development Subcommittee reviewed the project on November 18, 2005. Planning staff accompanied the applicant/project to a review meeting held by the Planning Commission Planned Development Subcommittee on November 18, 2005. The Subcommittee was satisfied with the amount of glass (50%) that would be on the northern and eastern facades. The only other issue raised by the Commissioners was that the landscaping be placed on the west side of the property to cover the exposure from COMPUSA and PetsMart.

Planning staff contacted the People's Freeway Community Council in November, in order to schedule the item on their December agenda. No response was received. Therefore, staff determined that an Open House forum would provide a venue for community input, as well as keep the petition moving through the City's required conditional use process in a timely manner. An Open House was held on December 28, 2005.

#### **a. Open House**

On December 28, 2005, staff held an Open House to provide a forum for citizen input on this petition. The comments focused on the general flow of traffic on 300 West Street., Mr. Williams, a business owner, at 1855 South Street is concerned because trucks, traveling south to enter his site need to make a left turn prior to the actual lighted intersection. He is worried that the new development will impact his operation. Mr. Williams also emailed comments to staff prior to the open house. They are included in the staff report.

*Staff responded that while the subject planned development request will not create new impacts to traffic on 300 West Street, his concerns would be forwarded to the Transportation Division so that they can take the issues into consideration with new projects on the east side of 300 West Street.*

Mr. Williams was satisfied that staff had addressed his concerns and that Transportation will monitor development along 300 West Street.

#### **b. Permits Office**

The Permits Office reviewed the project during a Development Review Team meeting held on October 24, 2005 and provided the following comments:

1. The process must also address the one foot protection strip on 1830 South Street and resolve it to the satisfaction of all parties involved. The protection strip was put in place during previous street improvements and apparently was done to prevent future developments from taking advantage of the street improvements without compensation to the existing businesses that paid for them;

2. The applicant must provide new Sidwell number and certified address from Engineering for the new combined lot;
3. Approval from Fire Department, Public Utilities approval is required. Street lighting approval required. Transportation and Engineering approval is required for all parking and traffic issues and public way improvements;
4. A demolition permit is required for the removal of any existing structures.

Furthermore, Permits has found that the landscape buffers and planting plan appear to be accurate and meet the requirements of the zoning ordinance.

**c. Public Utilities**

Salt Lake City Public Utilities reviewed the project and has no objection to the proposed change and combination of the properties in the petition. They have reviewed preliminary plans for the six small retail buildings and one restaurant. They had a number of “redline” comments on the drawings that the engineer is preparing a response to. There didn’t seem to be any fundamental utility flaws or issues that would preclude the project. Public Utilities will continue to work with the developer and engineer to see that the project complies with all applicable regulations and standards.

**d. Police Department**

The Police Department reviewed the proposed project and determined there were no concerns with this request.

**e. Engineering**

The Engineering Department has reviewed plans for the proposed planned development. The plans indicate two (2) drive approaches on 1830 South Street and one (1) approach on 300 West Street. The plans are approved with the understanding that the developers install continuous sidewalk (the plans do not reflect this). In addition, a pre-inventory of all existing public way (curb, gutter and sidewalk) conditions. A public way permit will be needed to work on city property.

**f. Fire**

The Fire Department has reviewed the project and has no objections to the overall site plan. However, there are access and fire hydrant location issues that need to be resolved prior to the issuance of a building permit. Existing fire hydrants located on 1830 South Street are not shown. Access appears to exceed code requirement; possible solution is to provide fire sprinklers for select buildings. The applicant will need to work with the Fire Department prior to submitting plans for a permit.

**g. Zoning Enforcement**

Zoning Enforcement reviewed the proposed project and did not have any issues with the Planned Development.

**h. Transportation Division**

The Division of Transportation reviewed the project. 300 West Street is an arterial class roadway with three lanes south bound and no on street parking fronting this site. Public

way improvements are required for sidewalk, street lighting and upgrades to existing curb and gutter. Verification of right of way locations may require additional dedications. The site plan indicates a revision to the curb return at 1830 South Street that will require detailed reviews.

The intersection of 300 West Street and 1830 South Street is signalized with an east leg private access. 1830 South Street is a commercial local roadway with curb gutter and sidewalk improvements. Street lighting upgrades will be required. There are currently parking restriction along part of the 1830 South Street, frontage of this site that may be extended thru on going city traffic management programs. On street staging for deliveries to this site are not to be expected, all services are to be provided on site. The site plan as shown is restricted to single unit box truck deliveries with front of store access. Final plan approvals are subject to compliance to City standard permit review comments.

**i. Planning Division**

The applicant has also revised the site plan to show landscaping on the west side of the site to reduce exposure from the COMPUSA and PetsMart sites. Fire hydrants have also been shown on the plan as required by the Fire Department. The responses and comments from the City departments, Planning Commission Subcommittee and the Open House are attached in Exhibits 1 and 2 respectively.

**ANALYSIS AND FINDINGS**

Some of the buildings proposed may be adjusted slightly to accommodate a restaurant or retail use. Therefore, the Planning Commission must make a determination on whether or not the overall concept of the Planned Development project meets the criteria listed in the zoning ordinance as stated below.

**21.54.080 Standards for Conditional Uses.**

**A. The proposed development is one of the conditional uses specifically listed in this Title.**

**Discussion:** In the CG (General Commercial) Zoning District the construction of multiple new principal buildings on a single lot is permissible only through the conditional use process as a planned development.

The applicant is proposing to combine four previously un-platted parcels of land and construction of six new buildings. The construction of multiple buildings on a single lot must be approved as a conditional use planned development.

**Finding:** The proposed development is a specifically listed conditional use.

**B. The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.**

**Discussion:** The Central Community Master Plan Future Land Use Map designates this area for Regional Commercial/Industrial uses. Regional Commercial/Industrial uses attract large volumes of traffic, customers and/or employees and are located near freeways and major arterials, such as “big box” retailers.

The project proposed in this petition is compatible with the type of development that occurs in a Regional Commercial/Industrial area. Uses such as big box retailers are already attracting large volumes of traffic.

**Finding:** The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including the Central Community Master Plan.

**C. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.**

**Discussion:** The vehicular ingress/egress for the site is proposed from 1830 South Street and 300 West Street. Pedestrian access is proposed by sidewalk along 1830 South Street and 300 West Street. The Transportation Division has reviewed the project and stated that 300 West Street is an arterial class roadway with three lanes south bound and no on street parking fronting this site. Public way improvements are required for sidewalk, street lighting and upgrades to existing curb and gutter.

There are currently parking restrictions along part of the 1830 South Street, frontage of this site that may be extended thru on going city traffic management programs. On street staging for deliveries to this site are not allowed; all services are to be provided on site. The site plan as shown is restricted to single unit box truck deliveries with front of store access

**Finding:** The streets and driveways for the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.

**D. The internal circulation system of the proposed development is properly designed.**

**Discussion:** The office, retail goods and services establishments require 3 parking stalls per every 1,000 square feet of gross floor area and restaurants require 6 parking stalls per every 1,000 square feet of gross floor area. Two of the new buildings will each have a 12 foot wide drive-thru aisle. The number of off-street parking stalls required is directly related to the final square footage of specific uses (office, retail shops and food service establishments).

The required 50 foot stacking distance from the back of the curb at either entrance, for both access driveways is shown on the plan, as well as the direction of movement. Five vehicles are able to stack in the 12' wide drive aisles for both of the drive-up windows, which meet the zoning ordinance requirement for stacking.

There are currently parking restriction along part of the 1830 South Street. On street staging for deliveries is not allowed and all services are to be provided on site. The site is also restricted to single unit box truck deliveries with front of store access. Final plan approvals are subject to compliance to City standard permit review comments.

**Finding:** The internal circulation system of the proposed development is properly designed.

**E. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.**

**Discussion:** Salt Lake City Public Utilities has no objection to the proposed change and combination of the properties in the petition. There didn't seem to be any fundamental utility flaws or issues that would preclude the project.

The proposed facilities will be required to meet all City standards. The applicant will continue to work with the Public Utilities to meet all applicable regulations

**Finding:** The existing and proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.

**F. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.**

**Discussion:** The CG Zoning District requires a 10' landscaped yard on all front or corner side yards. The site must also comply with the perimeter and interior parking lot landscape requirements for off-street parking facilities.

The Permits Office reviewed the proposed site plan and found that it meets the front and corner side landscape yard on 1830 South Street and 300 West Street. It was also determined that the preliminary site plan satisfies the requirements for perimeter and interior parking lot landscaping. The applicant is not requesting any modifications from the requirements.



**Finding:** Appropriate buffering is provided on the plan to protect adjacent land uses from light, noise and visual impacts.

**G. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.**

**Discussion:** The surrounding area has larger scale retail shopping centers and big box retail stores. The site currently has multiple buildings varying in shape and size. There is more uniformity on each of the adjacent properties. The existing streetscape for the subject site has more of an industrial look.

The proposed project is of a smaller scale than many of its big-box neighbors. There are a variety of building materials and structures already in the general vicinity. The proposed project will provide uniformity to the buildings on site. The streetscape will be similar to the adjacent COSTCO site. There are conceptual renderings of the proposed structure in Exhibit 3.

**Finding:** Architecture and building materials are consistent with the surrounding development and compatible with the adjacent neighborhood.

**H. Landscaping is appropriate for the scale of the development.**

**Discussion:** The site has no existing landscaping and contains paving and buildings. Interior parking lot landscaping of 5% is required, as well as perimeter parking lot landscaping. The preliminary plan shows perimeter and interior landscaping; trees, shrubs and turf. The Permits Office has reviewed the plans and found the concept to satisfy the landscape requirements. (Exhibit 3)

**Finding:** Therefore, the landscaping is appropriate for the scale of the development.

**I. The proposed development preserves historical architectural and environmental features of the property.**

**Discussion:** There are no existing structures in the vicinity listed as historical resources, nor are they located within an historic district. There are no environmental features regulated on this site.

The existing adjacent structures are not located in a designated historic district or designated as an individual landmark site. The site does not contain any specific historic or environmental features that will require preservation or mitigation.

**Finding:** The proposed development has no affect on historical architectural or environmental features of the property.

**J. Operating and delivery hours are compatible with adjacent land uses.**

**Discussion:** The main hours of operation will be compatible with the adjacent land uses. Deliveries to the site will occur during the main hours of operation. The operating and delivery hours are similar to the other businesses in the area, from 9:00 am to 9:00 pm, daily. Restaurants may open later and close around midnight. Deliveries to the site will occur during the normal hours of operation.

**Finding:** Operating and delivery hours are compatible with adjacent land uses.

- K. The proposed conditional use or, in the case of a planned development, the permitted and conditional uses contained therein, are compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.**

**Discussion:** The proposed request is for retail planned development of six buildings on a single lot in the CG (General Commercial) Zoning District. The proposed planned development request includes two businesses with a drive-thru component, one of which is a restaurant.

Restaurants (with and without drive-through facilities), retail goods establishments (with and without drive-through facilities), retail services establishments (with and without drive-through facilities) and offices are all permitted in the CG (General Commercial) Zoning District. The uses proposed for the development of this site are compatible with the Regional/Commercial Industrial areas designated in the Central Community Master Plan. Therefore, this project does not create any cumulative adverse impacts for this commercial area or the City.

**Finding:** The proposed planned development, the permitted uses contained therein, are compatible with the surrounding neighborhood and the proposed development will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.

- L. The proposed development complies with all other applicable codes and ordinances.**

**Discussion:** This project is in an existing commercially zoned district, on an existing commercial site. Comments have been received from other divisions that will need to be addressed prior to the issuance of any new permits or licenses. All pertinent City codes must be met prior to the issuance of a building permit.

**Finding:** The proposed development complies with all other applicable codes and ordinances.

## **21A.54.150 Planned Development Review Standards**

- 1. Minimum area: A planned development proposed for any parcel or tract of land under single ownership or control shall have a minimum net lot area for each zoning district.**

**Finding:** The Zoning Ordinance Planned Development Table, 21A.54.150E2, includes a minimum lot size of 1 acre or 43,560 square feet for the CG (General Commercial) Zoning District. The development of multiple buildings on one site requires review as a Conditional Use Planned Development.

This proposed planned development, located in the CG Zoning District, contains 3.61 acres (157,251.6 sq. ft.). All of the parcels that comprise the site will be combined by deed, as they are not located within a previously subdivided area. Therefore, the 10,000 square foot minimum lot size requirement has been met. The planned development proposed for this parcel of land under single ownership or control shall have a minimum net lot area for the CG Zoning District.

- 2. Density Limitations: Residential planned developments shall not exceed the density limitation of the zoning district where the planned development is proposed.**

**Finding:** This proposal is for a non-residential land use. Therefore, this standard is not applicable.

- 3. Consideration of a Reduced Width Public Street Dedication: A residential planned development application may include a request to dedicate the street to Salt Lake City for perpetual use by the public.**

**Finding:** This proposal does not include the request for a reduced width public street. Therefore, this standard is not applicable.

- 4. Perimeter Setback: The perimeter side and rear yard building setback shall be the greater of the required setbacks of the lot or adjoining lot unless modified by the Planning Commission.**

**Finding:** The CG (General Commercial) Zoning District requires a 10 foot rear yard setback. The existing rear yard setback along the western property line is 10 feet. Therefore, the site meets the required rear yard setbacks. There is no interior side yards requirement for this zone. Therefore the 5 foot distance between building and property line along the southern property line is acceptable and the applicant is not requesting modification of the requirements from the Planning Commission. A copy of the site plan is attached in Exhibit 3.

**5. Topographic Change: The Planning Commission may increase or decrease the side or rear yard setback where there is a topographic change between lots.**

**Finding:** The subject site is located in an urban area and is currently developed. The proposal does not include a significant topographic change. The site will be graded to drain appropriately. Therefore, this requirement is not applicable.

**RECOMMENDATION:**

Based on the Findings of fact, Staff recommends that the Planning Commission approve this Planned Development request with the following conditions:

**Conditions of Approval**

1. The applicant must install continuous sidewalks on 1830 South Street and 300 West Street. The applicant must coordinate with City Engineering and Transportation to set up a pre-inventory meeting of all existing public way (curb, gutter and sidewalk) conditions. Street lighting upgrades will be required. Verification of right of way locations may require additional dedications. A public way permit will be needed to work within the City right of way.
2. There will be no on street staging for deliveries, all services are to be provided on site. The site plan as shown is restricted to single unit box truck deliveries with front of store access.
3. Applicant must combine all of the lots by deed, as proposed, prior to the permit process. Right of way dedication is anticipated at the northeast corner for traffic control device, which may also be performed by deed. This dedication must be done to the satisfaction of the Engineering and Transportation Divisions' prior to the issuance of Certificate of Occupancy for any of the buildings on the site.
4. The Planning Director has final approval of the modifications to the site plan.
5. The applicant must meet all of the required parking for the uses on the final site plan.

Marilynn Lewis, Principal Planner  
Planning Division

**Attachments:**

- Exhibit 1 – Comments from City Departments, the Development Review Team (DRT) and Planning Commission Planned Development Subcommittee
- Exhibit 2 – Comments from the December 28, 2005 Open House
- Exhibit 3 – Proposed Site and Façade Plans
- Exhibit 4 – Photos of Site

**Exhibit 1**  
**Comments from City Departments,**  
**Development Review Team and**  
**Planning Commission Planned**  
**Development Subcommittee**

**Exhibit 2**  
**Comments from the**  
**December 28, 2005 Open House**

# **Exhibit 3**

## **Proposed Site and Façade Plans**

## **Exhibit 4**

# **Photos of the Site**