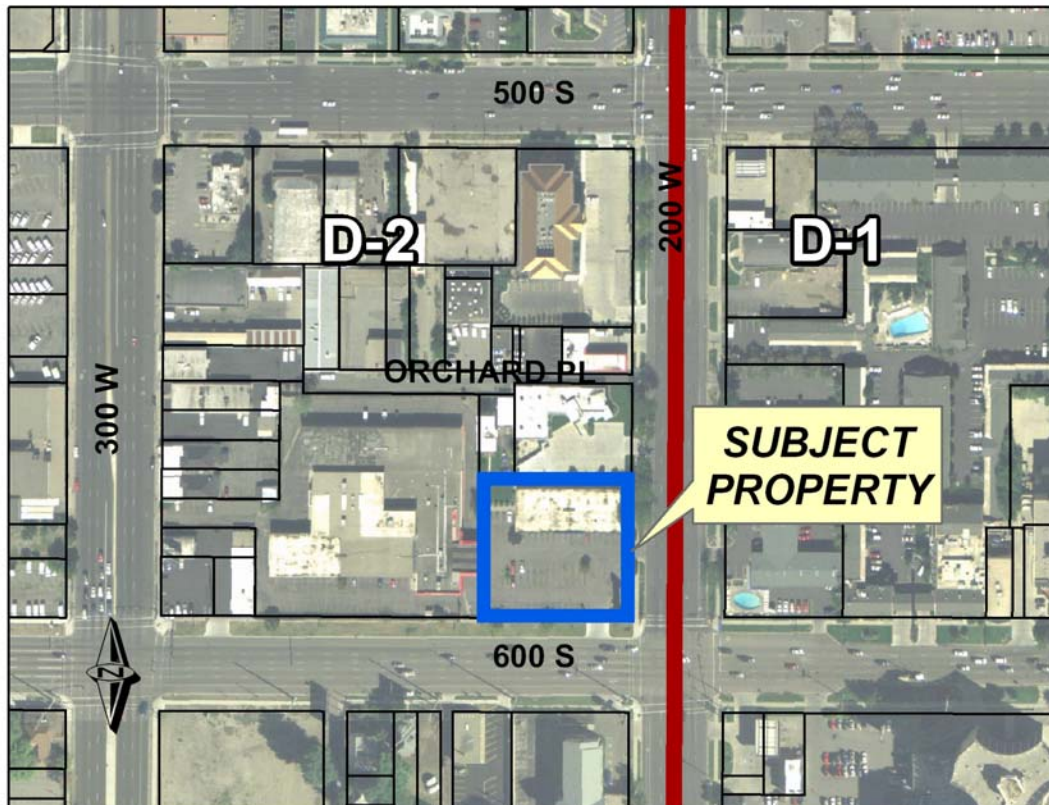


**DATE:** June 13, 2007  
**TO:** Salt Lake City Planning Commission  
**FROM:** Lex Traughber - Principal Planner  
Telephone: (801) 535-6184  
Email: lex.traughber@slcgov.com  
**RE: STAFF REPORT FOR THE JUNE 13, 2007 MEETING**

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**CASE NUMBER:** 410-07-08  
**REQUESTED ACTION:** A Planned Development/Conditional Use for two buildings on one lot. The subject property is zoned D-2 (Downtown Support District).  
**APPLICANT:** Scott Dee of S-Devcorp  
**STATUS OF APPLICANT:** Agent for the developer  
**PROJECT LOCATION:** Approximately 250 West 600 South



**PROJECT/PROPERTY SIZE:** The property is approximately 1 acre in size.

**COUNCIL DISTRICT:** District 4, Councilmember Nancy Saxton

**SURROUNDING ZONING:**

<b>North</b>	–	D-2 (Downtown Support District)
<b>South</b>	–	D-2 (Downtown Support District)
<b>East</b>	–	D-1 (Central Business District)
<b>West</b>	–	D-2 (Downtown Support District)

**SURROUNDING LAND USE:**

<b>North</b>	–	Commercial
<b>South</b>	–	Commercial
<b>East</b>	–	Commercial
<b>West</b>	–	Commercial

**FUTURE LAND USE:**

<b>North</b>	–	Central Business District
<b>South</b>	–	Central Business District
<b>East</b>	–	Central Business District
<b>West</b>	–	Central Business District

**PROPOSED USE(S):** Commercial

**APPLICABLE LAND USE REGULATIONS:**

**Conditional Use** –  
Salt Lake City Code Section 21A.54.080  
**Planned Development** –  
Salt Lake City Code Section 21A.54.150

**MASTER PLAN SPECIFICATIONS:** The property is located in the area subject to the Central Community Master Plan (2005).

**SUBJECT PROPERTY HISTORY:** The subject property is vacant.

**ACCESS:** The subject property currently has access off of 200 West and 600 South.

**PROJECT DESCRIPTION:**

This proposal consists of two principal buildings on one lot. The building on the west portion of the property is to be a Starbucks Coffee store (1,800 square feet) with drive-through facilities. The other proposed building (7,000 square feet) on the east portion of

the property is to be used commercially as well, however tenant(s) have not been identified as of the writing of this staff report (see Exhibit 2 – Site Plan).

Section 21A.36.010(B) of the Salt Lake City Code states that more than one principal building on a single lot may be permitted in a D-2 Zone when authorized as a planned development.

**DEPARTMENT/DIVISION AND COMMUNITY COUNCIL COMMENTS:**

Comments were solicited from various Departments/Divisions that review requests of this nature. The comments in their entirety are attached to this report (Exhibit 1). The following is a summary of the comments/requirements received:

- A. Engineering**  
Had no issues with the proposal.
- B. Public Utilities**  
Had a list of conditions/requirements to be met, however none would prevent the proposed development.
- C. Building Permits and Zoning**  
Had a list of conditions/requirements to be met, however none would prevent the proposed development.
- D. Transportation**  
Had a list of conditions/requirements to be met, however none would prevent the proposed development.
- E. Fire**  
Did not respond the Planning Staff's solicitation for comments (see email attached).
- F. Police**  
Did not respond the Planning Staff's solicitation for comments (see email attached).
- G. Property Management**  
Did not respond the Planning Staff's solicitation for comments (see email attached).

**PUBLIC COMMENTS:**

Planning Staff contacted the People's Freeway Community Council by email and U.S. Post regarding the proposal on April 23, 2007, and asked the chairperson to schedule the applicant for the next available Community Council meeting. Planning Staff received no response to this correspondence. Planning Staff telephoned the chairperson on May 15,

2007, to ascertain the status of this request. No correspondence was received in reply to this telephone call. In addition, Planning Staff did not receive any written correspondence from the Community Council, nor from the general public.

## **ANALYSIS AND FINDINGS:**

To assist the Planning Commission in its decision making process, Planning Staff has analyzed the proposal, providing discussion and findings with respect to pertinent master plans, ordinances, and other issues related to the Conditional Use/Planned Development.

### **Conditional Use Review**

#### **Chapter 21.54.080 - Standards for Conditional Uses**

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

**Discussion:** Restaurants, restaurants with drive through facilities, retail goods and service establishments are uses that are permitted by right in the D-2 Zone. The reason this request is subject to the Planned Development/Conditional Use process is because more than one principal building is proposed on the subject property.

**Finding:** The Planning Commission has the decision making authority regarding Planned Development proposals. The Planning Commission evaluates these proposals using discretion in the application of specific project design criteria, keeping in mind the objectives established for Planned Developments.

**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:** There are several sources to consider when reviewing this project request in terms of goals, objectives, and policies for this area:

- The Central Community Zoning Map (2005)
- Central Community Master Plan (2005)

**Findings:** The proposed uses noted previously are all permitted by right in the D-2 Zone. The Central Community Master Plan identifies the subject property as “Central Business District”. The proposal is consistent with both the Zoning and 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.**

**Findings:** In their review, neither the City’s Transportation Division nor the Engineering Division identified any issues that would indicate that the adjacent streets or access for the proposed development are inadequate to carry the anticipated traffic associated with the proposal. The project will not materially degrade the service level on the adjacent streets. The streets are adequate to carry the demand created by the development proposal. Public way standards will need to be addressed at the time of site plan review.

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

**Discussion:** Cross access easements between the subject parcel and the parcel adjacent to the west (Hilton Gardens Inn property) were established by the Ameritel Inns Salt Lake City Subdivision Plat recorded on March 30, 2007 at the Salt Lake County Records Office, reception number 10050910.

The applicant is showing fifty (50) parking spaces on-site and five (5) on-street spaces. The applicant is allowed by Code to count on-street parking in a D-2 Zone. Five parking spaces on 200 West have been approved by the Transportation Division.

Assuming that both buildings are to be used as “restaurants”, which is a worst case scenario in terms of the number of parking spaces required, based on six (6) spaces per 1,000 square feet of gross floor area, the number of parking spaces necessary for this development is fifty-three (53). If any portion of the building on the corner is used for retail goods sales or retail services, the parking requirement would be less. In any case, the applicant has satisfied the parking requirement for the commercial use.

The applicant is also showing an adequate amount of bicycle parking, based on 5% of the required automobile parking spaces.

**Findings:** The internal circulation system for the proposed development is adequate and parking requirements have been met.

**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:** According to the comments received from the Salt Lake City Public Utilities the plans for this development have been reviewed. Public Utilities provided a list of requirements for the development that must be met for the project to be approved.

**Finding:** The site is located in an existing developed area. The proposed utility services are adequate for the proposed development and development must conform to Public Utilities' requirements, construction standards, and policies.

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

**Discussion:** The adjacent land uses are commercial. The proposed development of the site is compatible with the surrounding commercial properties.

**Finding:** Light and noise are unlikely to create a negative impact to the adjacent properties as the surrounding land uses are also commercial. Visually, the new development will be an attractive addition to the area.

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

**Discussion:** The elevation drawings (Exhibit 3) give an indication of the type of architecture proposed for the new structures. Other than maximum building height limitations, there are no other specific architectural design requirements or guidelines in the D-2 Zone. The proposed structures do not appear to be designed in such a manner as to be out of character with surrounding development. The materials proposed are not labeled on the elevation drawings, but appear to be brick or brick facade, cultured stone, stucco, glass, etc.

**Findings:** The architecture and building materials are compatible with the surrounding and adjacent neighborhood.

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

**Discussion:** In general the landscape plan that was submitted with the application is appropriate for the scale of the development (Exhibit 4). Those landscape areas noted on the plan titled "Existing Landscape to Remain & Protect" may need additional vegetative elements to meet current City Code. Planning Staff notes that 5% of the interior portion of the parking lot area shall be devoted for landscaping.

**Findings:** At the time of building permit review, the applicant will be required to meet appropriate landscaping requirements as noted in Chapter 21A.48 – Landscaping and Buffers, of the Salt Lake City Code.

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

**Finding:** There are no historical, architectural, or environmental features on the property to preserve. The property is currently vacant.

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

**Discussion:** The proposed development will be compatible and similar with existing commercial development in the vicinity.

**Finding:** The adjacent land uses are commercial, therefore the operating and delivery hours will be compatible with adjacent land uses.

**K. The proposed conditional use is 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.**

**Finding:** The proposed commercial uses are compatible with the surrounding area. The proposed conditional use is 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.

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

**Finding:** Planning Staff is unaware of any other codes or ordinances that would affect this proposal.

**Planned Development Review**

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

**The proposal meets the applicable objectives of the Planned Development Purpose Statement which include:**

- 1. Creation of a more desirable environment than would be possible through strict application of other City land use regulations.**
- 2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities.**
- 3. Combination and coordination of architectural styles, building forms and building relationships.**
- 4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion.**
- 5. Preservation of buildings, which are architecturally or historically significant or contribute to the character of the City.**

6. **Use of design, landscape or architectural features to create a pleasing environment.**
7. **Inclusion of special development amenities.**
8. **Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.**

**Discussion:** Criteria numbers 1 and 2 are addressed through this request. Should the project receive approval, the end result will be an area that is more “dense” in terms of commercial development and therefore more desirable in the downtown support district location. The resulting development will also serve surrounding commercial land uses such as the adjacent Hilton Garden Inn. The applicant has also proposed landscaping that will be aesthetically pleasing.

**Finding:** The project meets the purpose and objectives of a planned development by creating a more desirable environment than would be possible through strict application of City land use regulations. The project includes elements that will enhance desirable site characteristics, specifically vegetation, and the use of design, landscape, and architectural features to create a pleasing environment.

#### **Other Planned Development 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 minimum planned development size in the D-2 zone is two acres. The two phases of this overall development, the first phase being the Hilton Garden Inn, exceed the minimum lot area requirement for planned developments of two acres in the D-2 Zone.

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

**Finding:** This is not a “residential” planned development 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 is not a “residential” planned development 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:** There are no required setbacks in the D-2 Zone therefore this standard is not applicable.

- 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:** There are no topographic changes being proposed and further there are no required setbacks in the D-2 Zone, therefore this standard is not applicable.

#### **RECOMMENDATION:**

Planning Staff recommends that the Planning Commission approve the Conditional Use/Planned Development based on the comments, analysis, and findings of fact as noted in this staff report subject to the following:

1. The applicant shall satisfy and adhere to all the requirements as noted by the various City Departments/Divisions in this staff report.
2. The applicant shall satisfy the appropriate landscape requirement for the proposed development in conformance with Chapter 21A.48 of the Salt Lake City Zoning Ordinance.

#### **Attachments**

- Exhibit 1 – Department/Division Comments
- Exhibit 2 – Site Plan
- Exhibit 3 – Elevations
- Exhibit 4 – Landscape Plan