



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: Kelsey Lindquist – Associate Planner
(801) 535-7930
kelsey.lindquist@slcgov.com

Date: February 24, 2016

Re: PLNSUB2015-01019, PLNPCM2016-00011
1059 E. 900 S. Planned Development

Planned Development and Special Exception

PROPERTY ADDRESS: 1059 E. 900 S.
PARCEL ID: 16-08-252-011-0000
MASTER PLAN: Central Community Master Plan
ZONING DISTRICT: RB (Residential Business)

REQUEST: The petitioner, Richard Martin, representing the property owner, RW Holdings LLC, is requesting planned development approval for a second story addition, exterior renovation and improvements to the existing building approximately located at 1059 E. 900 S., on the corner of 900 south and McClelland.

- a. Planned Development – In order to build the project noted above, a Planned Development is required in order to allow
 - 1) A reduced front yard setback from approximately (14'7 to zero) and corner side yard setback (8' to zero) strictly in order to accommodate for an outdoor dining area for a restaurant
 - 2) A reduced side yard setback from the existing one foot (1') to the property line in order to accommodate for materials and redesign of the façade wall
 - 3) Increase building height from thirty feet (30') to thirty-five feet (35') strictly to accommodate for an elevator shaft bulkhead and two elevations of the building,
 - 4) Increase allowable glazing to approximately (50%) to 95% on the South and West building facades,
 - 5) Relocate the reduced front and corner side yard landscaping to the northeast, southeast and northwest corners of the parking lot to create parking lot perimeter landscaping, which isn't required.
- b. Special Exception – In order to allow outdoor dining within a required front yard area between the building and sidewalk and in the RB (Residential Business) Zone, approval of a Special Exception is required. Case number PLNPCM2016-00011.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission approve the Planned Development, PLNSUB2015-01019 and PLNPCM2016-00011, at 1059 E. 900 S., proposal as proposed and subject to complying with all applicable regulations.

The motion to approve is below:

Based on the findings listed in this staff report, it is Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends Planning Commission approve PLNSUB2015-01019 and PLNPCM2016-00011, with the following conditions:

1. Compliance with the Department/Division comments as attached to this staff report (Attachment H).
2. Through the Planned Development process, the Planning Commission specifically approves modifications proposed to the front, side and corner side yard setbacks to allow a reduction to the requirements in the RB Zoning District, which are shown on the site plan attached to this report (Attachment B).
3. Through the Planned Development process, the Planning Commission approves an additional 5 feet in height (35 feet) to specifically accommodate for the elevator shaft bulkhead, and additional building height as shown in elevations attached to this report (Attachment C).
4. Through the Planned Development process, the Planning Commission approves to relocate the front and corner side yard landscaping to the northeast, southeast and northwest corners of the parking lot, as shown on the site plan attached to this report (Attachment B).
5. All requirements for Outdoor Dining found in Chapter 21A.40.065 of the Zoning Ordinance shall be complied with as part of the operation of the restaurant on the site.
6. Final approval authority shall be granted to the Planning Director based on the applicant's compliance with the above noted standards and conditions.

ATTACHMENTS:

- A. Vicinity Map
- B. Site Survey
- C. Site Plan
- D. Building Elevations
- E. Parking Calculations
- F. Additional applicant Information
- G. Applicant Photos
- H. Existing Conditions
- I. Analysis of Planned Development Standards
- J. Analysis of Planned Development Standards for Specific Districts
- K. Analysis of Special Exception Standards
- L. Public Process and Comments
- M. Dept. Comments
- N. Motions

PROJECT DESCRIPTION:

The applicant is proposing a second story addition and the renovation of an existing building approximately located at 1059 E. 900 S. The building will contain multiple uses, including a restaurant, retail and office, permitted uses in the zoning district. The total area on the two upper levels and the basement will be approximately 10,642 square feet.

The subject property is currently zoned RB (Residential Business Zoning District). The property borders R-2 (Single and Two-Family Residential District) to the north. Directly to the west and east of the subject property is RB (Residential Business Zoning District). To the south the property is zoned SR-1 (Special Development Pattern Residential District). The eastern portion of 900 South is primarily zoned for commercial uses. The surrounding area, 900 South and 900 East, is composed of both residential structures that have been converted to commercial uses and commercial structures. The area consists of a variety of building types and a mixture of uses.

The existing building is currently utilized as an office. The landscaping and area surrounding the building is poorly maintained. City records indicate that there hasn't been any activity on the subject property within the last year.

The residential and commercial structures along the neighboring block faces are an eclectic mixture of styles. The proposed building will be contemporary in form with proposed materials such as pre-finished fabricated metal panels, clear anodized aluminum windows and a standing seam metal roof. The combination of materials and the utilization of a unique glazing pattern will continue the pedestrian interaction from the street level to the interior. The large areas of glazing and large roof overhangs will reinforce the commercial functions that occupy the interior. The proposed project will be in keeping with the City's goal of creating a walkable and diverse community.

This project is intended to fulfill two of the Planned Development objectives:

1. *Combination and coordination of architectural styles, building forms, building materials, and building relationships.*
The existing building is one of the few buildings that does not coordinate with the architectural styles, building materials, or building relationships within the 9th and 9th corridor. The brutalist style with its concrete and brick façade focused inward does little to contribute to the architectural landscape of the street. The proposed building on the other hand will coordinate with the architectural styles, building forms and building materials of the newer commercial buildings prevalent in the area. This will be achieved by incorporating glass as the primary building material, a flat “looking” roof (the roof is actually hipped), large roof overhangs, and shading devices. These features are prevalent in the commercial buildings that surround this project.
2. *Use of design, landscape, or architectural features to create a pleasing environment.*
The proposed design includes a large outdoor patio area for restaurant seating in the south west corner of the building. This patio will contribute to the visual vibrancy of the streetscape and create another destination node along the 9th South corridor. Additionally, the folding panel glass doors adjacent to the patio literally extend the front yard into the building further connecting it to the streetscape. This project also includes creating a line of columnar trees around the north and east edges of the parking lot in the rear of the building. This green “screen” will add a much needed landscape buffer between the existing alley and parking lot. Parkway trees will also be added along the frontage of 900 South and McClelland Streets.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

- 1. Reduction of Building Setbacks**
- 2. Reduced Landscaping in Front and Corner Side Yards**
- 3. Additional Height in the RB Zoning District**
- 4. Additional Glazing for the South and West Elevations**
- 5. Parking**
- 6. Compatibility**
- 7. Special Exception for Outdoor Dining in a Required Yard Area**
- 8. Central Community Master Plan**
- 9. 9th and 9th Small Area Master Plan**

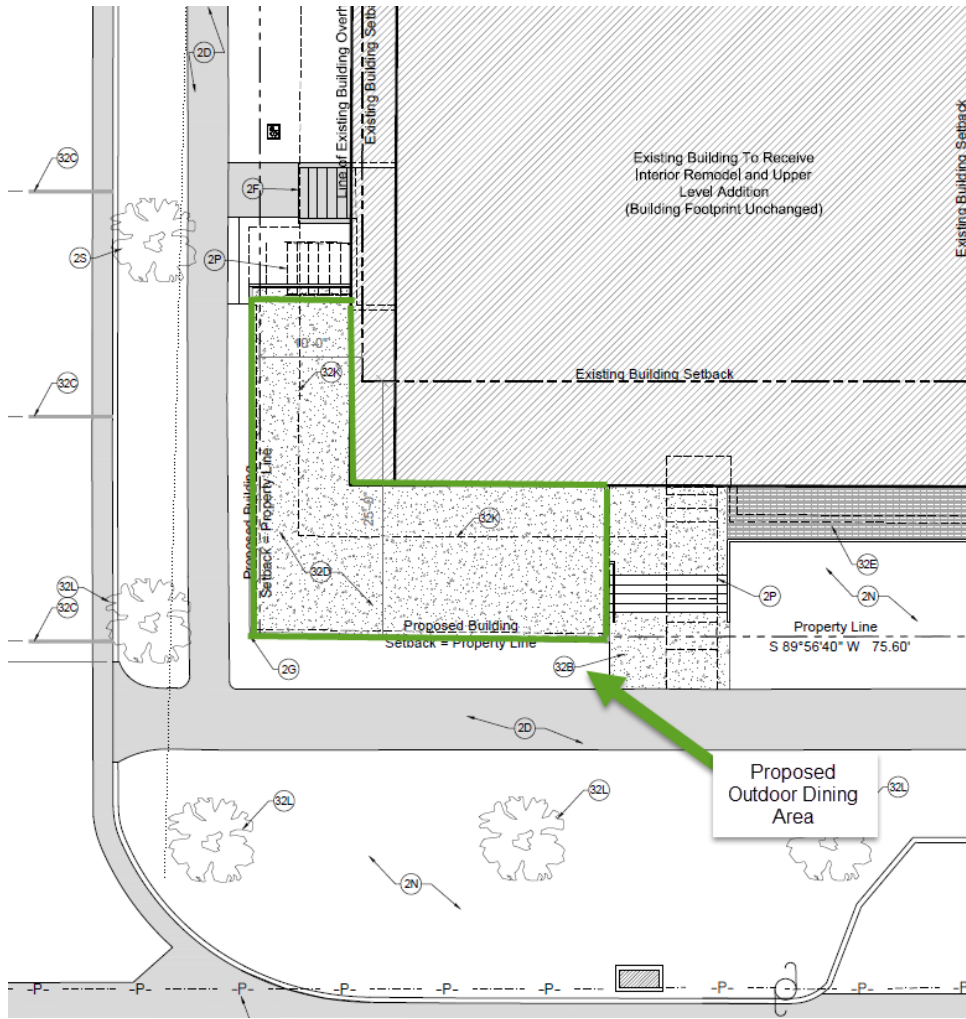
Issue 1 – Proposed Reduction in Building Setbacks for Outdoor Dining and East Wall

As part of the Planned Development process, the applicant can request a reduction of the required yard setbacks for the building. Since the current setbacks are considered legal complying, the structure is allowed a second story addition. The subject property is located in the RB (Residential Business) zoning district, which allows all setbacks for existing buildings to be considered legal complying. Due to this particular provision, the current structure is considered legal complying with all required yards.

The applicant is requesting the front yard setback be reduced from approximately fourteen feet seven inches (14' 7") to zero feet (0'). The applicant has requested this reduction in order to accommodate an outdoor dining area towards the western portion of the front yard requirement. Currently, a retaining wall exists within the front yard setback at the location of the proposed outdoor dining area. The eastern portion of the front yard requirement will be maintained as a landscaped yard. The modification to a zero setback is strictly to accommodate the conversion of the existing retaining wall for outdoor dining. The building façade will continue to sit approximately nine feet (9') from the property line, respectively.

Additionally, the applicant is requesting a reduction in the interior side and corner side yard setbacks. The RB (Residential Business) Zone requires that the side and corner side yard setbacks for buildings constructed prior to 1995, can be no greater than the established setback. The existing corner side yard setback is 8 feet (8') and the existing side yard setback is one foot (1'). The applicant is proposing to modify the corner side yard setback and the interior side yard setback to zero feet (0'). The corner side yard setback modification will accommodate the conversion of the existing retaining wall for the proposed outdoor dining area. The current building sits approximately one foot (1') from the east property line; the modification will eliminate the existing setback of one foot (1') for the interior side yard. However, the reduction of the side yard setback will accommodate the construction of the building to the property line. The proposed encroachments would create a more desirable and compatible development with the surrounding residential and commercial areas.

Planning staff believes that this location does create the least amount of impact on the residential areas to the north and the proposed building should be approved in this location.



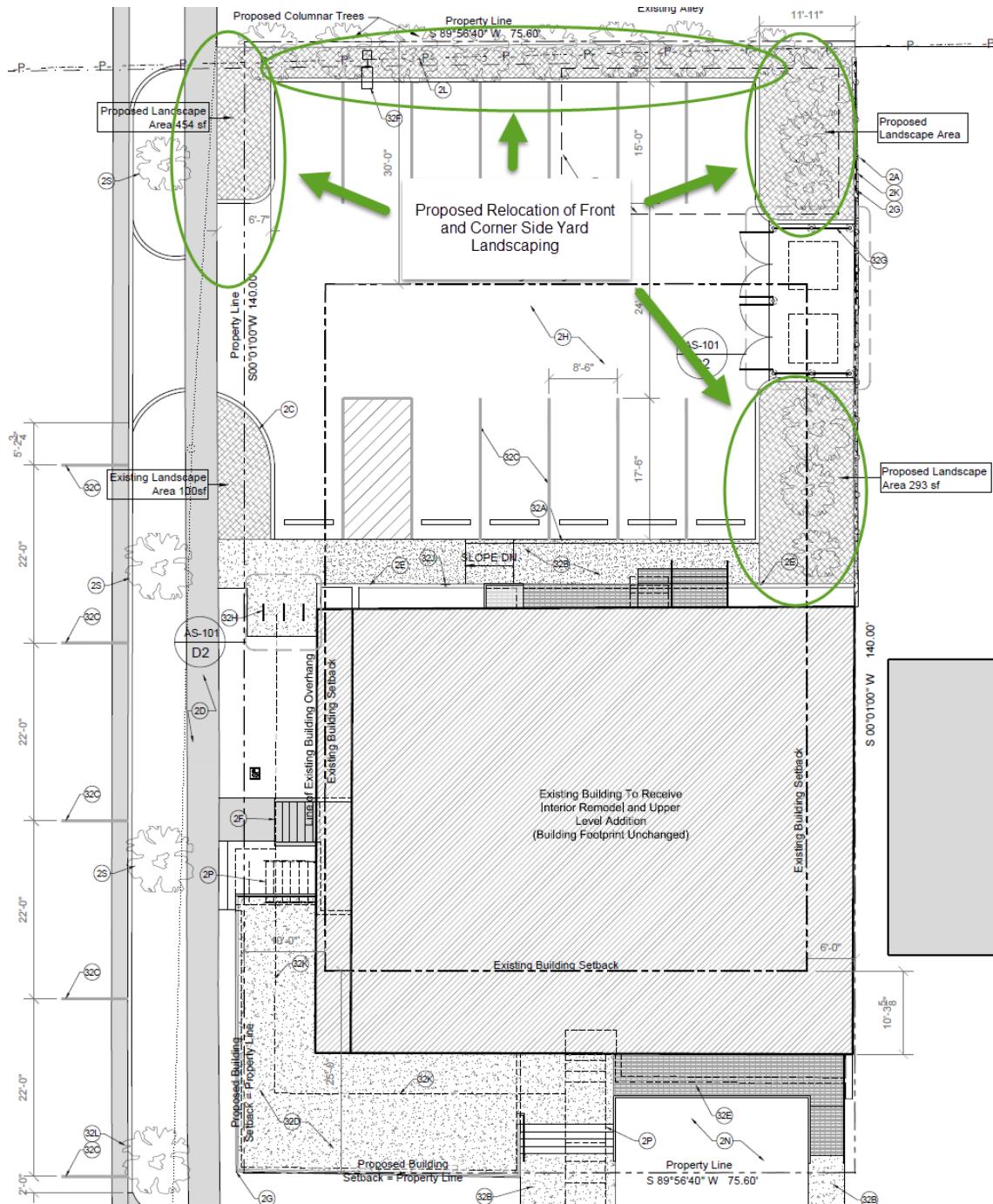
Issue 2 – Proposed Reduction in Front and Corner Side Yard Landscaping for Outdoor Dining Area

The applicant is requesting to modify the required front and corner side yard setbacks, which require landscaping. The applicant is proposing to relocate the landscaping to accommodate and intensify the perimeter parking lot landscaping on the north and north eastern portion of the parking lot, in lieu of the encroached portion of the front and corner side yard. The applicant is also proposing a landscape buffer of (5’ feet) between the residential properties to the north and the parking lot. An additional (6’7 feet) will be located on the western perimeter of the parking lot and (11’11 feet) will be located on the eastern perimeter.

Due to the proposed parking lot containing 13 stalls, there isn’t a perimeter parking lot landscaping requirement. Additionally, the RB (Residential Business) Zone doesn’t require a landscape buffer between abutting residentially zoned properties. The proposal to relocate the front and corner side yard landscaping will assist in creating a visual barrier between the parking lot and the residential properties to the north. The landscape proposal consists of columnar trees on the perimeter to lessen the impact of the development.

It is Planning Staff’s opinion that the requested reduction in front and corner side yard landscaping is minor, due to the existing retaining wall and should therefore be approved and relocated to create a perimeter buffer for the parking lot.

Planning staff supports this modification of the landscaping requirement.



Issue 3 – Proposed Additional Building Height

The maximum building height allowed in the RB (Residential Business) zone is thirty feet (30’).

The applicant is applying for additional building height. The only elevations over the permitted thirty feet in height are the west and north elevations. The additional height will not be visible from the 900 South portion of the development. The building elevations consist of the following proposed heights: the south elevation measure approximately twenty-eight feet six and one-half inches (28’-6 1/2”), the west elevation measures approximately thirty feet eight and five-eighths inches (30’-8 5/8”), the east elevation measures approximately twenty-eight feet seven and one-

half inches (28'-7 1/2"), the north elevation measures approximately thirty-two feet three and one-eighths inches (32'-3 1/8").

The applicant is applying for an additional five feet (5') to accommodate an elevator shaft, which is a provision allowed under the Planned Development process subject to approval by the Planning commission (Section 21A.55.030-Authority to Modify Regulations).

The proposed building height of thirty-five feet (35') is consistent with the maximum height allowed through the Planned Development process. The RB Zone doesn't allow the permitted additional height for an elevator, stair shaft or bulkhead, such as the commercial, manufacturing, down town districts, FB-UN2, RO, R-MU, RMF-45, RMF-75, RP, BP, I, UI, A, PL and PL-2, which all allow up to sixteen feet (16') in additional height.

The additional height for the elevator shaft will also not adversely affect the properties to the north, due to the amount of distance between the development and the first residential structure. According to GIS data, 859 South McClelland, the first residential structure to the north, measures approximately seventy-eight feet (78') away.

The properties abutting and along the block face are zoned RB (Residential Business), the properties to the north are zoned R-2 (Single and Two Family Residential) and SR-1 (Special Development Pattern Residential) to the south. The maximum height in the R-2 (Single and Two Family Residential) zone is twenty-eight feet (28') for a pitched roof and twenty feet (20') for a flat roof. Similarly, the SR-1 (Special Development Pattern Residential) has the maximum building height for a pitched roof of twenty-eight feet (28') and twenty feet (20') for a flat roof.

It is Planning Staff's opinion that the requested additional height to accommodate an elevator shaft should be approved and be strictly limited to the elevator shaft and therefore not be applied to any additional areas of the building.

Issue 4 – Additional Glazing for the South and West Elevations

The applicant is requesting to increase the allowable glazing on the south and west elevations. The RB Zoning District Design Standard 3: requires that buildings remodeled or constructed after 1995, can only contain up to 50% glazing. This standard's intent is to accommodate the conversion of a residential structure into a commercial use, while maintaining the integrity of the residential structure. However, the current structure was never utilized for residential purposes; it was strictly constructed as an office building.

The requested modification would increase the permitted glazing from 50% to approximately 95% on the south and west elevations of the structure. The additional elevations will meet the underlying zoning requirement of 50% or less. The proposed increased glazing on the two street facing facades is consistent with the neighborhood development. Due to the eclectic nature of this area, the request to increase the glazing will allow the structure to be a unique commercial contribution to the block face. The applicant suggests that due to the reduction in the front and corner side yard setbacks, the increased glazing will help diminish the line between the building and the site. Additionally, the subject property is surrounded with a variety of glazing percentages that accommodate commercial uses.

It is Planning Staff's opinion that the requested additional glazing be approved.

Issue 5 – Compatibility with the Neighborhood

The proposed development is scaled appropriately for the neighborhood. The properties that directly surround the proposal are neither as tall nor as large, due in part to the age of the structures and the lot sizes. However, the underlying zone, RB (Residential Business) allows up to thirty feet (30') in height for hipped roofs. The elevations will reach beyond the thirty foot maximum in order to accommodate an elevator. The north and east elevation will be directly

affected by the elevator proposal. Although a total of five feet (5') in additional height is being requested, the northern elevation (the tallest) will reach a total of thirty-two feet three and one-eighth inches (32' 3 1/8"), in turn the proposal will not utilize the full amount of additional feet being requested.

Due to the eclectic nature of the neighborhood, there are several buildings that are two stories, as well as several that are one story. The development is directly surrounded by one and two story structures. Additionally, heading south towards the intersection of 900 south and 900 east, the area consists of an array of building heights and massing. For example, 1016 East 900 South a three story multi-family apartment building, is located across the street from a two story fire station. The neighborhood has several multi-level contemporary structures, including: Contender Bicycles at 989 East 900 South, retail and salon at 955 East 900 South, the three story yoga studio at 926 East 900 South and the recently constructed contemporary building at 905 East 900 South. Even one block further south, the neighborhood is characterized by contemporary and historic residential structures which vary in height. As demonstrated with the examples above, the neighborhood varies with small commercial and residential structures intermixed with taller commercial structures, creating a truly eclectic neighborhood both in architectural style and massing.

The proposed materials for the development are contemporary in style and consist of the following combinations: pre-finished fiber cement panel exterior cladding, pre-finished fabricated metal panel system, standing seam metal roof, large fabricated clear anodized aluminum window system, with large projecting overhangs constructed of the same cement panel cladding with a metal parapet.

While the proposed structure will be different from small commercial structures that directly surround the property, it will fit into the larger 9th and 9th neighborhood which is composed of a variety of architecture and styles. Additionally, the proposed materials, placement and active uses, will aid in creating a successful addition to the neighborhood.

Issue 6 – Parking

The parking requirements for the proposed mixed-use development will be met through onsite parking, as well as on street parking along McClelland.

Additionally, the applicant is applying Parking Exemptions for Pedestrian Friendly Development (21A.44.040.B), which allows the applicant to subtract 3500 square feet from the retail/restaurant parking calculation. The proposal, with the Pedestrian Friendly Development amenities, is required to have 17 parking stalls, which combine the requirements for the proposed office, restaurant, and retail uses. The parking lot to the north of the development contains 13 parking stalls, which includes the one required ADA stall. The four (4) on street parking stalls, approved by transportation, are located on the east side of McClelland directly adjacent to the proposed development.

Currently, the site contains a large surface parking area to the north. The proposal will keep the majority of the surface parking, while making modifications to the perimeter through landscaping, as well as enclosing the dumpster and recycle container. Due to the landscaping and the enclosure requirements, the development will be required to utilize the adjacent street for four (4) on street parking spaces, please see the site plan on Attachment B. The proposed development can utilize on street parking per the Salt Lake City Zoning Ordinance 21A.44.040 B(6):

On Street Parking: In all zoning districts other than single- or two- family residential districts, credit for on street parking shall be allowed to satisfy some or all off street parking required in section 21A.44.030 of this chapter. For single- and two-family uses, regardless of the underlying zoning district, on street parking cannot be used to satisfy required off street

parking. On street parking cannot be used to satisfy ADA required parking. Such credit shall require site plan review approval and shall meet the following requirements:

- A. Parking must be permitted without time restrictions along the streets to be used;
- B. All on street parking facilities shall be designed in conformance with the standards established by the city transportation director;
- C. Prior to approving any request for on street parking, the zoning administrator, in consultation with the city transportation director, shall determine that the proposed on street parking will not materially adversely impact traffic movements and related public street functions; and
- D. Credit for on street parking shall be limited to the number of spaces provided along the street frontage adjacent to the use.

Issue 7 – Special Exception for Outdoor Dining

A proposed tenant for the building is a restaurant tenant that intends to occupy the south western portion of the building. This restaurant desires an outdoor patio within a required yard (front and corner side yard setback; approval of a special exception is required). The total square footage of the outdoor dining space will be approximately 710 square feet.

Staff believes that the request for the outdoor dining in the setback does meet all of the applicable standards for a special exception and should be approved as part of the Planned Development request. A full analysis of this item can be found in Attachment H.

Issue 8 – 9th and 9th Small Area Master Plan

The 9th and 9th Small Area Master Plan established this parcel in the Support District, which specified that this area is a “mixture of retail, restaurant, office, and institutional uses which are all viable.” The proposal is converting a current office structure into a mixture of permitted uses, including office, retail and restaurant.

This particular development is supported by the 9th and 9th Small Area Master Plan.

Issue 9 – Central Community Master Plan

The Central Community Master Plan established this parcel as low residential/mixed use, which specifies that this particular use would allow both residential dwellings and small commercial uses in residential structures. This type of land use also allows for “the integration of residential and small business uses at ground floor levels throughout designated areas in the Central Community.”

The area surrounding the proposed development encompasses both residential and commercial uses to the north, east, west and south of the subject property. The proposed development does not include a residential component, it is strictly mixed-use commercial. While it is lacking the residential use, the commercial uses are supported by the Central Community Master Plan. The development, as proposed, will not create any traffic generated issues and will meet City parking requirements to avoid any potential issues. This development is supported by the Central Community Master Plan.

DISCUSSION:

The proposed project at 1059 East 900 South is located in a neighborhood that is zoned both commercial and residential. The commercially zoned properties extend from Windsor and 900 South, East to 1100 East and consist of RB (Residential Business) and CB (Commercial Business) zoning. The current building is zoned RB (Residential Business) and was constructed as an office structure and never used nor intended to be used for residential purposes. The proposed development is starkly different from what is currently occupying the

subject property; however, it generally meets the standards of the RB (Residential Business) zone. The development is meeting these standards through the provisions listed in 21A.24.160.F (1-5). The current building is considered legal complying with setbacks, which would allow a second story addition to the maximum height of thirty feet (30'). The proposed building will encroach further into the required yards to allow an outdoor dining space and to eliminate one foot (1') of side yard to accommodate construction to property line. The outdoor dining space on the south west corner of 900 South and McClelland will activate the corner and create additional pedestrian interest in the neighborhood. While the proposal is maximizing the southern portion of the parcel, the northern portion which abuts R-2 zoning, creates a buffer through utilization of columnar trees, landscaping and the use of an existing parking lot.

Besides the proposed modifications to the setbacks, glazing, and additional height for an elevator shaft, the development meets all other standards found in the Zoning Ordinance for the RB zoning district. The development is compatible with the surrounding area and staff recommends approval with recommended conditions.

NEXT STEPS:

Planned Development & Special Exception Approval

If approved as proposed subject to the conditions outlined in Planning Staff's recommendation (or modified per Planning Commission direction), the applicant will be required to obtain all necessary building permits for the project. If denied, the applicant would not have City approval to carry on with the proposal.

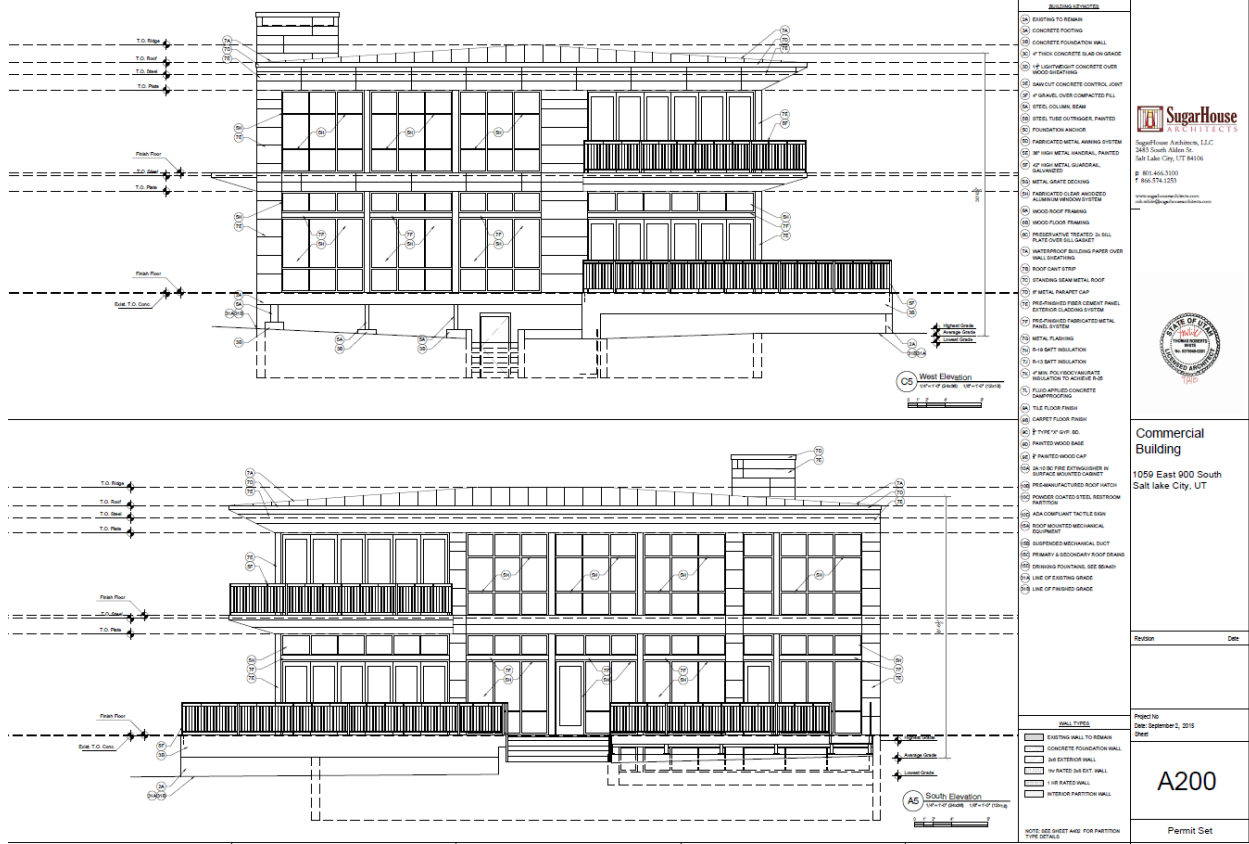
Planned Development & Special Exception Denial

If the Planned Development proposal is denied, the applicant would not be able to develop the property without Planned Development approval. However, the applicant would be required to construct an addition within the 30 foot maximum height and would be required to put the outdoor dining within the buildable area.

ATTACHMENT A: VICINITY MAP



ATTACHMENT D: BUILDING ELEVATION



ATTACHMENT E: PARKING CALCULATIONS

PROPOSED PARKING CALCULATION

Area Description	Minimum Parking Required per Table 21A.44.060F	Area	Stalls Required	Area*	*Stalls Required
Basement Level Office	General Office Basement 1 1/4 per 1,000 sf useable floor area	3,382 sf	4.2	3,382 sf	4.2
First Level Retail First Level Restaurant	Retail & Restaurant: 2 per 1,000 sf useable floor area	3,630 sf	7.3	130 sf	.3
Outdoor Dining Patio	2 per 1,000 sf useable floor area	710 sf	1.4	710 sf	1.4
Second Level Office	General Office Second Floor: 3 per 1,000 sf useable floor area	3,630 sf	10.9	3,630 sf	10.9
		Total	23.8		16.8

*Applied Parking Exemptions for Pedestrian Friendly Development per 21A.44.040.B.8:
 b. Pedestrian Friendly Amenities: 2,500 sf
 c. Time Limited: 1,000 sf

Summary: 24 Stalls Required. Applying Pedestrian Friendly Amenities Exemption per 21A.44.040.B.8 reduces required parking to 17 stalls. 13 stalls provided on site including 1 Handicap stall and 4 stalls provided on the street.

Total Parking Provided: 17 stalls

Bicycle Parking Required: 5% of 17 = 1 Bicycle Parking Provided = 6.

Note: This proposal makes some assumptions with regards to the tenant finishes. Each tenant build-out will require an updated parking calculation to verify adequate off street parking is being provided.

Maximum stalls allowed = $23.7 * 1.25 = 30$

EXISTING PARKING CALCULATION

Area Description	Minimum Parking Required per Table 21A.44.060F	Area	Stalls Required
Basement Level Office	General Office Basement 1 1/4 per 1,000 sf useable floor area	3,382 sf	4.2
Main Level Office	General Office Main Floor: 3 per 1,000 sf useable floor area	3,460 sf	10.4
		Total	14.6

Summary: 15 existing parking stalls provided (asphalt not marked to delineate stalls)

ATTACHMENT F: ADDITIONAL APPLICANT INFORMATION



SALT LAKE CITY PLANNING

Planned Development

OFFICE USE ONLY			
Project #:	Received By:	Date Received:	Zoning:
PLNSUB2015-01019	A Anglin	12/21/15	RB
Project Name:			
1059 E. 900 S.			
PLEASE PROVIDE THE FOLLOWING INFORMATION			
Request:			
SEE PROJECT DESCRIPTION.			
Address of Subject Property:			
1059 E 900 S			
Name of Applicant:		Phone:	
RICHARD MARTIN		[REDACTED]	
Address of Applicant:			
1486 S 1100 E			
E-mail of Applicant:		Cell/Fax:	
[REDACTED]		[REDACTED]	
Applicant's Interest in Subject Property:			
<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Contractor <input type="checkbox"/> Architect <input type="checkbox"/> Other:			
Name of Property Owner (if different from applicant):			
RW HOLDINGS INC.			
E-mail of Property Owner:		Phone:	
[REDACTED]		[REDACTED]	
➔ 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:		In Person:	
Planning Counter PO Box 145471 Salt Lake City, UT 84114		Planning Counter 451 South State Street, Room 215 Telephone: (801) 535-7700	
REQUIRED FEE			
➔ Filing fee of \$728 plus \$121 per acre in excess of (1) acre. ➔ Plus additional fee for required public notices.			
SIGNATURE			
➔ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.			
Signature of Owner or Agent:		Date:	
[REDACTED]		12-21-15	

Updated 7/8/15

SUBMITTAL REQUIREMENTS

Staff Review

- 1. Project Description**
Description of your proposed use and existing use (please attach additional sheet/s)
- 2. Planned Development Information.**
Description of how your project meets one or more of the following objectives (please attach additional sheet/s)
 - a. Combination and coordination of architectural styles, building forms, building materials, and building relationships;
 - b. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
 - c. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;
 - d. Use of design, landscape, or architectural features to create a pleasing environment;
 - e. Inclusion of special development amenities that are in the interest of the general public;
 - f. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;
 - g. Inclusion of affordable housing with market rate housing; or
 - h. Utilization of "green" building techniques in development.
- 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
 - Number, size, and type of dwelling units in each building, and the overall dwelling unit density

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.

Updated 7/8/15

Project Description & Planned Development Information

To: Salt Lake City Corporation
Project: Commercial Building
Project Address: 1059 East 900 South
Zoning District: RB
Date: December 10, 2015

This project consists of an interior remodel and addition to the existing building located at 1059 East 900 South. The existing building is a single story brick and concrete structure with a flat roof and significant amount of glazing on the front. The building does have a full basement and both levels currently contain office space. The proposed new design includes a remodel of the main level and basement along with the addition of a second story. The proposed occupancy on the main level includes a restaurant and retail space while the basement and upper levels will contain office space. The design also includes an elevator and stair core that will connect all three levels. The existing property has an asphalt parking lot on the north side of the property that is accessed from McClelland Street. There is no perimeter or interior parking lot landscaping on the property. The existing sidewalks, curb and gutter, and drive approach are not intended to be impacted by the project.

Aesthetically, the proposed building design is intended to relate to the majority of the newer commercial buildings in the 9th and 9th area. Glass is used as the primary exterior cladding material and is intended to connect the inside of the building to the streetscape and animate the façade. Deep roof overhangs on the south and west facades help to shade the glass from the summer sun. The proposed restaurant space includes an outdoor seating area along the south and west sides of the building to further connect it to the public way and engage pedestrian and vehicular traffic.

The building has been designed, engineered, and is currently in the permit approval process with Salt Lake City (Log Number BLD2015-07189).

As a part of the building development process, the owner is seeking relief from the following zoning regulations in 21A.24.160 of the Salt Lake City Zoning Ordinance:

1. Allow the building height to be increased 5' to 35'.
2. Allow the south and west building facades to contain up to 90% glazing.
3. Exchange the landscaping required in the front and corner side yards taken up by the proposed patio for landscaping added in the parking lot along the north and east sides.
4. Allow a modification to the following building setbacks:



Project Description & Planned Development Information

- a. Modify interior side yard setback from 6' to 0' (the existing building is currently located about 12" away from the property line and therefore is more than 5' inside the current setback).
- b. Modify the corner side yard setback from 10' to 0' (the existing building is currently more than 2' inside the 10' setback).
- c. Modify the front yard setback to be 0' (the existing building is currently more than 10' inside the setback).

Why relief is being requested.

1. The current RB zone does not have an accommodation for a building height increase for an elevator or stair travel. The rear of the proposed building has a 7' x 9' area that is shown at 35' above grade. This area can be seen in the 2d exterior elevations, however when viewed at the street level perspective it is not visible from 9th South. Refer to the proposed exterior perspective drawings.
2. The current RB zone allows for a maximum of 50% glazing. The proposed building design incorporates nearly 95% glazing on the south and west facades and 0% glazing on the east, and 8% on the north. Other buildings in the immediate area demonstrate both an adherence to and departure from the 50% maximum allowable glazing (refer to the photos attached). Additionally, the existing building technically has more than 50% glazing on the south façade however the shading devices on the south make the building appear more opaque. The impetus in increasing the amount of glazing is to make the building more inviting to the public by opening it up to the street and pedestrian traffic. This technique also blurs the edge between building and site visually expanding the front yard into the building.
3. The existing building currently utilizes the parking lot in the rear of the building. This parking lot contains almost no parking lot landscaping. The new proposal includes eliminating some of the parking area to allow for interior parking lot landscaping in the northeast, southeast, and northwest corners of the parking lot. This proposal also includes adding a 5' landscape buffer between the north property line and adjacent alley with columnar trees planted close together to increase the impact of the landscaping, albeit in a vertical fashion. See the attached Site Plan drawing, existing site photos, and drawings illustrating the impact of adding the trees.
4. The proposed outdoor dining patio extends to the south and west property lines and because the retaining walls are more than 2' above grade the entire patio is required to be within the building setbacks. As noted above, the existing building currently encroaches in the front, interior, and corner side yard setbacks.

This project will meet the following objectives of a Planned Development:

1. *Combination and coordination of architectural styles, building forms, building materials, and building relationships.* The existing building is one of the few buildings that does not coordinate with the architectural styles, building materials, or building relationships within the 9th and 9th corridor. The brutalist style with its concrete and brick façade



Project Description & Planned Development Information

focused inward does little to contribute to the architectural landscape of the street. The proposed building on the other hand will coordinate with the architectural styles, building forms, and building materials of the newer commercial buildings prevalent in the area. This will be achieved by incorporating glass as the primary building material, a flat “looking” roof (the roof is actually hipped), large roof overhangs, and shading devices. These features are prevalent in the commercial buildings that surround this project.

2. *Use of design, landscape, or architectural features to create a pleasing environment.* The proposed design includes a large outdoor patio area for restaurant seating in the south west corner of the building. This patio will contribute to the visual and acoustic vibrancy of the streetscape and create another destination node along the 9th South corridor. Additionally, the folding panel glass doors adjacent to the patio literally extend the front yard into the building further connecting it to the streetscape. This project also includes creating a line of columnar trees around the north and east edges of the parking lot in the rear of the building. This green “screen” will add a much needed landscape buffer between the existing alley and parking lot. Parkway trees will also be added along the frontage of 900 South and McClelland Streets.



Project Description & Planned Development Information



The existing brutalist brick and concrete building as seen from 9th South, the existing concrete wall in the foreground will become the outdoor dining patio. The building style and materials are not exemplified by other buildings in the area.



Existing building (far right), alley (far left), and parking lot from the northwest corner of the property. Notice the significant lack of parking lot landscaping.



Project Description & Planned Development Information



Perspective of proposed building addition from 9th South. The inclusion of glass as a primary building material visually extend the front yard beyond the building edge. Adding parkway trees along the frontage of 900 South and McClelland Streets enhances the overall aesthetic of the streetscape.



Perspective of proposed building addition from the corner of 9th South and McClelland Street. The proposed outdoor dining patio will enliven the corner of the block and create another destination along 900 South.



Project Description & Planned Development Information



Example of a house converted to commercial use, these buildings generally contain less than 50% glazing, have pitched roof elements, and a residential character.



Example of a more prevalent commercial building style in 9th and 9th area, these buildings general contain much more than 50% glazing on the front façade.



Project Description & Planned Development Information



Multi-story flat roof building with less than 50% glazing.



Multi-story flat roof building with more than 50% glazing. Although the building forms are nearly identical, there is a striking contrast in visual interest between this building and the building above.



Project Description & Planned Development Information



An existing house with a more recent addition built onto the front. Note the decisive contemporary style and expansive use of glazing and roof overhangs. The floor to ceiling glass allows the front yard to visually flow into the building.



While contemporary in style, the lack of glazing on this building creates a visual barrier between the front yard and the building.



Project Description & Planned Development Information



Proposed building project to include parking lot landscaping without the proposed columnar trees between the parking lot and alley.



Proposed building project with parking lot landscaping and closely spaced columnar trees surrounding the north and east edges of the parking lot.



Project Description & Planned Development Information



Example of closely spaced columnar trees in the parking area of Contender Bicycles.



ATTACHMENT G: EXISTING CONDITIONS

Central Community Master Plan Discussion

The subject property is located within the Central Community Master Plan (November 1, 2005). The subject property is designated on the future land use map as “Low Residential/Mixed Use.” Regarding the “Low Residential/Mixed Use”, the Central Community Master Plan states,

“The purpose of the Low-Density Residential Mixed Use is to create viable neighborhoods with lower density and low traffic-generating commercial land uses by providing the ability to mix small neighborhood retail and service land uses with residential dwellings. The intent is to maintain populations at compatible low-density levels and help support neighborhood business uses.”

The Central Community Master Plan (2005) contains specific policies to development within the Residential Land Use designation, listed as follows:

- RLU-1.5** Use residential mixed use zones to provide residential land uses with supportive retail, service, commercial, and small-scale offices and monitor the mix of uses to preserve the residential component.
- RLU-4.0** Encourage mixed use development that provides residents with a commercial and institutional component while maintaining the residential character of the neighborhood.
- RLU-4.2** Support small mixed use development on the corners of major streets that does not have significant adverse impacts on residential neighborhoods.

9th and 9th Small Area Master Plan Discussion

The subject property is located within the 9th and 9th Small Area Master Plan (January 6, 1993). The subject property is located within the “Support District.” Regarding the “Support District”, the 9th and 9th Small Area Master Plan states,

“This district is less active as a commercial area and is a mixture of retail, restaurant, office, and institutional uses all of which are viable. What residential use there is in the area will probably convert to commercial at some time.”

Additionally, the “Support District” provides the terminus of the commercial area,

“The abandoned service station at the southwest corner of 1100 East and 900 South Streets should convert to residential uses, not commercial. The abandoned service station at the northeast corner is currently in the process of renovation for a use which is not residential; however, a residential use is preferred. This new use will become non-conforming, with the intent that at some future time it will convert to residential use. Residential uses on these two parcels establish a stronger terminus to the commercial district at 1100 East and allows 1100 East Street to act as a separation and buffer to residential uses.”

This property is located half a block from the proposed terminus of the commercial district and is therefore supported by the 9th and 9th Small Area Master Plan.

Residential Business (RB) Zoning Standards

RB Zoning Standard	Finding	Rationale
Minimum Lot Area: 5,000 Square Feet.	Complies	The subject property is 10,454 square feet.
Minimum Lot Width: 50 Feet.	Complies	The subject property is approximately

		75 feet wide.
Maximum lot size: no maximum.	Complies	There is no maximum lot size in the RB Zoning District.
Minimum front yard: Twenty percent (20%) of the lot depth, but need not exceed twenty five feet (25'). For buildings legally existing on April 12, 1995, the front yard shall be no greater than the existing yard.	The applicant is seeking relief from the front yard requirements through the Planned Development process by requesting that the PC approve a reduction in these required yards.	According to the submitted plans, the existing building is approximately setback between fourteen and fifteen feet (14'-15'). The applicant is requesting this setback be modified to zero feet (0') to allow the conversion of the existing retaining wall into an outdoor dining space. Planning Staff asserts that the reduction in front yard setback is appropriate on the subject corner and therefore should be approved as proposed.
Minimum interior side yard: Six feet (6'); provided, that on interior lots one yard must be at least ten feet (10'). For buildings legally existing on April 12, 1995, the required yard shall be no greater than the existing yard.	The applicant is seeking relief from the interior side yard requirements through the Planned Development process by requesting that the PC approve a reduction in these required yards.	According to the submitted plans, the existing interior side yard is one foot (1'). The applicant is requesting this setback be modified to zero feet (0'). Planning Staff asserts that the reduction in the interior side yard setback is appropriate on the subject corner and therefore should be approved as proposed.
Minimum corner side yard: Ten feet (10'). For buildings legally existing on April 12, 1995, the corner side yard shall be no greater than the existing yard.	The applicant is seeking relief from the corner side yard requirements through the Planned Development process by requesting that the PC approve a reduction in this required yard.	According to the submitted plans, the existing building corner side yard is eight feet (8'). The applicant is requesting this setback be modified to zero feet (0') to allow the conversion of the existing retaining wall into an outdoor dining space. Planning Staff asserts that the reduction in the interior side yard setback is appropriate on the subject corner and therefore should be approved as proposed.
Minimum rear yard: Twenty five percent (25%) of the lot depth, but the yard need not exceed thirty feet (30').	Complies	According to the submitted plans, the existing building does not encroach into the required rear yard of thirty feet (30').
Maximum building height is 30'-0"	Complies	The structure is a one story office building.
Minimum building coverage: The surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%) of lot area.	Complies	According to the geographic information system (GIS) data published by Salt Lake City, the current property is under the 50% lot coverage.
Required landscape yards: All front and corner side yards shall be maintained as landscaped yards.	Complies	The area not occupied by the outdoor dining area will be maintained as landscaped yards. The area that will be occupied by the outdoor dining use will be relocated to create perimeter parking lot landscaping and a parking lot buffer.
Design Standards: 1. All roofs shall be of a hip or gable design, except additions or expansions to existing building may be of the same roof design as the original building;	Complies with Planned Development approval. The applicant is seeking modification to standard 3 and requesting that the Planning Commission approve an	The subject property was constructed as an office building in 1965. The structure was never used for residential purposes. Standard 1 - the proposed roof shape is hipped in design. Standard 2 - does not apply. Standard 3 - The applicant is

<ol style="list-style-type: none"> 2. The remodeling of residential buildings for retail or office use shall be allowed only if the residential character of the exterior is maintained; 3. The front building elevation shall contain not more than fifty percent (50%) glass; 4. Special sign regulations of chapter 21A.46, "Signs", of this title; 5. Building orientation shall be to the front or corner side yard; and 6. Building additions shall consist of materials, color and exterior building design consistent with the existing structure, unless the entire structure is resurfaced. 	<p>increase of 45% glazing on the South and West building elevations.</p>	<p>requesting this particular standard be adjusted to accommodate an additional 45% glazing on the south and west facades. Standard 4 – This standard will apply. Standard 5 – Applicant is adhering to this standard. The proposed structure will activate the south west corner and will have entrances on the south and west facades. Standard 6 – The applicant is proposing to resurface the entire structure.</p>
<p>New nonresidential construction: Construction of a new principal building, parking lot or addition to an existing building for a nonresidential use that includes the demolition of a residential structure shall only be approved as a conditional use pursuant to chapter 21A.54, "Conditional Uses", of this title and subject to the design standards of subsection I of this section; provided, that in such cases the planning commission finds that the applicant has adequately demonstrated the following:</p> <ol style="list-style-type: none"> 1. The location of the residential structure is impacted by surrounding nonresidential structures to the extent that it does not function as a contributing residential element to the residential-business neighborhood (RB district); and 2. the property is isolated from other residential structures and does not relate to other residential structures within the residential-business neighborhood (RB district); and 3. The design and condition of the residential structure is such that it does not make a material contribution to the residential character of the neighborhood. 	<p>Complies</p>	<p>This proposal does not encompass the demolition of a residential structure.</p>
<p>Parking lot/structure lighting: If a parking lot/structure is adjacent to a residential zoning district or land use, the poles for parking lot structure security lighting are limited to sixteen feet (16') in height and the globe must be shielded to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.</p>	<p>Complies</p>	<p>The applicant will keep within the provisions of this standard. The proposed light in the parking lot will be limited to sixteen feet (16') in height.</p>

ATTACHMENT H: ANALYSIS OF STANDARDS

21a.55.050: Standards for Planned Developments: The planning commission may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

Standardd	Finding	Rationale
<p>A. Planned Development Objectives: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section:</p> <p>A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;</p> <p>B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;</p> <p>C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;</p> <p>D. Use of design, landscape, or architectural features to create a pleasing environment;</p> <p>E. Inclusion of special development amenities that are in the interest of the general public;</p> <p>F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;</p> <p>G. Inclusion of affordable housing with market rate housing; or</p> <p>H. Utilization of "green" building techniques in development.</p>	Complies	<p>The applicants intend to achieve objective A and D. To accomplish this, the applicants are proposing a development that will create a pleasing environment, one that is more beneficial than the existing building. The proposal will activate the corner with outdoor dining and a mixture of uses that will aid in creating a walkable and diverse community.</p>
<p>B. Master Plan And Zoning Ordinance Compliance: The proposed planned development shall be:</p> <p>1. Consistent with any adopted policy set forth in the citywide, community, and/or small area master plan and future land use map applicable to the site where the planned development will be located, and</p> <p>2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.</p>	Complies	<p>Discussions of the Central Community Master Plan, as well as the 9th and 9th Small Area Master Plan are both included in Attachment G – Existing Conditions. The proposal is consistent with several adopted city policies. Additionally, the proposed mixed-uses of restaurant, retail and office use are all permitted in the RB zoning district.</p>
C. Compatibility: The proposed planned	Complies	Planning Staff asserts that the proposed Planned

<p>development shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the planning commission shall consider:</p> <ol style="list-style-type: none"> 1. Whether the street or other adjacent street/access; means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any 2. Whether the planned development and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected, based on: <ol style="list-style-type: none"> a. Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets; b. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned development which will adversely impact the reasonable use of adjacent property; c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property. 3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic; 4. Whether existing or proposed utility and public services will be adequate to support the proposed planned development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources; 5. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed planned development; and 6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties. 		<p>Development is compatible based on the adopted standards.</p> <ol style="list-style-type: none"> 1. Both 900 South and McClelland Street provide adequate access, parking and circulation for the development. The project will be effectively served by the access on McClelland without creating an unusual burden on the street, pedestrians or neighborhood. The project includes adequate parking for the proposed uses. Please refer to Attachment E, for the parking calculations. 2. The location of the proposed development has been situated to have the least amount of impact to the abutting residential areas. The development has been placed further south on the parcel to create a large buffer between the building and the residentially zoned properties to the north. The development is utilizing on street parking to meet the parking requirement. The existing parking lot contains 13 of the required stalls, the additional 4 will be provided on street. The development will likely impact and cause side street parking in the area. The peak hours of traffic to the planned development will likely surround the restaurant use, which will experience the highest impact from 6PM-12PM. The north façade of the proposed development is approximately eighty feet (80') to the south of the nearest residential structure. The noise, visual and parking impact will be lessened due to proximity. 3. The development contains 13 parking stalls in an existing parking lot that contains a functional internal circulation system. 4. There were no comments received from other City Departments/ Divisions concerning utilities and public services that would prevent the proposed development 5. The entire development is designed to mitigate the impacts on the adjacent properties. Additionally, the proposed planned development contains a landscape buffer to the north and the east of the parking lot. The landscape buffer will contain columnar trees to help mitigate the noise and visual impact of the development. The building location will also be oriented to the corner of 900 South and McClelland, which will create the most distance between the development and the existing residential properties to the north. The odor from the proposed development will be mitigated with an enclosed dumpster and recycle container. 6. The proposed size of the project is
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<p>If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in chapter 21A.59 of this title.</p>		<p>compatible with the commercial properties in the neighborhood. The heights ungate throughout the area. The intensity will be focused towards the two street facing facades.</p>
<p>D. Landscaping: Existing mature vegetation on a given parcel for development shall be maintained. Additional or new landscaping shall be appropriate for the scale of the development, and shall primarily consist of drought tolerant species;</p>	<p>Will be condition of any project approval</p>	
<p>E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;</p>	<p>Not applicable</p>	
<p>F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.</p>	<p>Will be condition of any project approval</p>	

ATTACHMENT I: ANALYSIS OF PLANNED DEVELOPMENT STANDARDS FOR SPECIFIC DISTRICTS

21A.55.090: Specific Standards for Planned Development in Certain Zoning Districts:

Planned developments within the TC-75, RB, R-MU, MU, CN, CB, CSHBD districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

Standard	Finding	Rationale
A. The development shall be primarily oriented to the street, not an interior courtyard or parking lot;	Complies	The proposed development is primarily oriented on the 900 South and McClelland street facing facades.
B. The primary access shall be oriented to the pedestrian and mass transit;	Complies	The proposed development has two primary accesses, one on 900 south and an additional access provided on McClelland, which are both street facing facades.
C. The facade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction;	Complies with planned development	The proposed development contains 95% glazing on the two street facing facades. The glazing, in addition to the outdoor dining area, will engage pedestrian interest and interaction.
D. Architectural detailing shall emphasize the pedestrian level of the building;	Complies with planned development	The pedestrian level of the building will be emphasized through the utilization of 95% glazing and the active outdoor dining space.
E. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood;	Complies with planned development	The existing parking lot will be buffered with columnar trees and landscaping, to help facilitate both a visual and sound buffer for the residents to the north.
F. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods;	Complies	The applicant will keep within the provisions of this standard. The proposed light in the parking lot will be limited to sixteen feet (16') in height.
G. Dumpsters and loading docks shall be appropriately screened or located within the structure; and	Complies	The dumpster and recycle container will be appropriately screened.
H. Signage shall emphasize the pedestrian/mass transit orientation.	n/a	

ATTACHMENT J: SPECIAL EXCEPTION STANDARDS

Special Exception for Outdoor Dining

21a.52.060: General Standards and Considerations for Special Exceptions: No application for a special exception shall be approved unless the planning commission or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

Standard	Finding	Rationale
A. Compliance With Zoning Ordinance And District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.	Complies	The use of outdoor dining is a permitted use in the RB zoning district with Special Exception approval.
B. No Substantial Impairment Of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.	Complies	The proposed outdoor patio is approximately 710 square feet. The subject property is zoned RB (Residential Business), small scale restaurants are a permitted use and considered typical for this zoning district. The use will not diminish or impair the surrounding properties.
C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.	Complies	The outdoor patio is considered an accessory use for the development and will not be the primary use of the site. The patio is not expected to impact the health, safety or general welfare of the area.
D. Compatible With Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.	Complies	The proposed building will be situated on the primary corner of 900 South and McClelland. The building will be situated as far south as possible to create a buffer between the R-2 zoning district to the north. The outdoor patio is the portion of the development that will be located as far south as possible. The proposed patio is part of a mixed-use commercial development and complies with all other standards of the zoning district.
E. No Destruction Of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.	Complies	The patio is not expected to cause any damage to the surrounding environment.
F. No Material Pollution Of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.	Complies	The patio is not expected to cause any damage to the surrounding environment.
G. Compliance With Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.	Complies	The applicant is concurrently processing a Planned Development application and if approved, the project will comply with all requirements of the zoning ordinance.
The following Standards apply to this specific type of Special Exception		
A. All requirements of chapter 21A.48 and section 21A.36.020 of this title are met.	Complies	As part of the Planned Development process, the project has been determined to meet all standards of the Zoning Ordinance.
B. All require business; health and other regulatory licenses for the outdoor dining have been secured.	Complies	Should the special exception be granted, the proposed restaurant will need to obtain all necessary approvals.
C. A detailed site plan demonstrating the following: 1. All the proposed outdoor dining	Complies	A site plan has been provided with this request and additional site plans will be required for building permit issuance.

<p>activities will be conducted on private property owned or otherwise controlled by the applicant and that none of the activities will occur on any publicly owned rights of way unless separate approval for the use of any such public rights of way has been obtained from the city;</p> <p>2. The location of any paving, landscaping, planters, fencing, canopies, umbrellas or other table covers or barriers surrounding the area;</p> <p>3. The proposed outdoor dining will not impede pedestrian or vehicular traffic; and</p> <p>4. The main entry has a control point as required by state liquor laws.</p>		
<p>D. The proposed outdoor dining complies with all conditions pertaining to any existing variances, conditional uses or other approvals granted for the property.</p>	Complies	If approved, the project will comply with the Planned Development and all applicable zoning standards.
<p>E. Live music will not be performed nor loudspeakers played in the outdoor dining area unless the decibel level is within conformance with the Salt Lake City noise control ordinance, title 9, chapter 9.28 of the Salt Lake City Ordinance.</p>	Complies	No live music is proposed at this time. If proposed in the future, it will need to comply with all applicable city codes.
<p>F. No additional parking is required unless the total outdoor dining area ever exceeds five hundred (500) square feet. Parking for outdoor dining areas in excess of five hundred (500) square feet is required at a ratio of two (2) spaces per one thousand (1,000) square feet of outdoor dining area. No additional parking is required in the D-1, D-2, D-3, D-4, TSA, or G-MU zone.</p>	Complies	The proposed outdoor dining area totals 710 square feet, which requires an additional parking stall. The proposal includes thirteen (13) parking stalls and one (1) handicap stall and an additional four (4) on street parking. The amount required with the Pedestrian Friendly Standards is approximately seventeen (17) stalls.
<p>G. Smoking shall be prohibited within the outdoor dining area and within twenty-five feet (25') of the outdoor dining area.</p>	Complies	The restaurant will have to comply with this regulation once operational.
<p>H. The proposed outdoor dining complies with the environmental performance standards as stated in section 21A.36.180 of this title.</p>	Complies	The restaurant will have to comply with all applicable regulations of various Salt Lake County Health departments and divisions.
<p>I. Outdoor dining shall be located in areas where such use is likely to have the least adverse impacts on adjacent properties.</p>	Complies	The outdoor dining is located on private property to the south and west of subject property. The location places the least adverse impacts on adjacent properties.

ATTACHMENT K: PUBLIC PROCESS AND COMMENTS

Open House: A community wide open house was held on January 21, 2016 regarding the proposed project. The applicant, architect and planning staff spoke with approximately 5-7 members of the public regarding the proposal. Concerns expressed included but were not limited to building height, compatibility, glazing and parking.

Written comments received as of the preparation and distribution of this staff report are included for review.

Community Council: The East Liberty Park Community Council meeting was held on January 28, 2016. A summary of the comments from that meeting will be forwarded to the Planning Commission.

OPEN HOUSE
PUBLIC COMMENT FORM

January 21, 2016



Planning and Zoning Division
Department of Community and
Economic Development

1059 E. 900 S. – Mixed Use Proposal (Planned Development)

Name:

Address:

Phone:

ail

Comments:

SLC Zip Code 84105
Against this project due
to parking (not enough) (City
requirements met).

Also noise should be minimized for
adjacent residential neighbors with
walls & hours limitation for
delivery & garbage.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at kelsey.lindquist@slc.gov or via mail at the following address: Kelsey Lindquist, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.

OPEN HOUSE
PUBLIC COMMENT FORM

January 21, 2016



Planning and Zoning Division
Department of Community and
Economic Development

1059 E. 900 S. – Mixed Use Proposal (Planned Development)

Name:

[Redacted]

Address:

[Redacted]

Zip Code

84105

Phone:

[Redacted]

E-mail

[Redacted]

17612

Comments:

Go back to the
Planning Board
Does not fit the footprint
of the neighborhood.
too much glass too tall
too contemporary!

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at kelsey.lindquist@slcgov.com or via mail at the following address: Kelsey Lindquist, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.

**OPEN HOUSE
PUBLIC COMMENT FORM**

January 21, 2016



Planning and Zoning Division
Department of Community and
Economic Development

1059 E. 900 S. – Mixed Use Proposal (Planned Development)

Name: [REDACTED]

Address: [REDACTED]

Zip Code

Phone: [REDACTED] E-mail: [REDACTED]

Comments: THIS IS TOTALLY INAPPROPRIATE
TO THE NEIGHBORHOOD - THE FOOTPRINT
IS ENTIRELY UNACCEPTABLE

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at kelsey.lindquist@slcgov.com or via mail at the following address: Kelsey Lindquist, Salt Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480.



RE: Development 1059 E. 900 S.

Dear Kelsey;

It was nice to meet you the other evening and to have the opportunity to comment on the 1059 E. 900 S. project and to play a continued role in the shaping of my neighborhood. Unlike the majority, if not all, who will be involved and affected by this development, I own a small business in the 9th & 9th area and also live in the neighborhood. My business shares the same sidewalk as the proposed development and my home is within eyesight of the project on McClelland.

My primary concern, which it has been for many years in this popular neighborhood is the limited parking. I moved my business from the corner of 9th and 9th to my current location over 20 years ago due to insufficient parking. Since opening in 1986 I've observed the impact that business and residential development has had on all who are in this unique community now for three decades. The recent lawsuit involving the city and the Mutual Beauty Supply project is evidence of the challenges the area is now faced with as a result of unrealistic developments within a limited and encumbered residential community.

The proposed scheme at 1059 E. creates a similar conflict in an area not far removed from 9th and 9th where parking is already fully utilized by the existing businesses and those in the immediate neighborhood. Since the proposed development will have a profound affect on the current parking situation I don't see how the variance for additional outdoor seating can be considered or accommodate realistically.

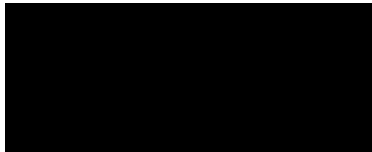
I also find the design to be in conflict with the neighborhood. Although we have a number of modern residential and commercial buildings now in the area, my wife and I find the initial rendering to be inconsistent and at conflict with what currently exist in the area. However, I do welcome a more sensitive design since I find the current structure to not be very attractive.

I love this old neighborhood. I raised my kids here, have established a successful business, and continue to call it home. I also am very cognizant of the impact my business has on this community, yet the neighborhoods rapid growth as a result of its popularity now threatens existing businesses and the quality of life the residents have and come to enjoy unless measures are taken to support continued expansion.

Pg-2

I realize at this juncture on this project that the city probably has its hands tied. If so, before other projects impact this area, I'd like to see the city implement a development plan that will help resolve some of the issues this unique neighborhood is currently being confronted with.

In moving forward I want to be part of the solutions that keeps this area vibrant and sustainable. Thank you for your time and considerations.



Dear Kelsey,

I was told that you are the Planner assigned to the petition for the new building at 1059 E. 900 S.

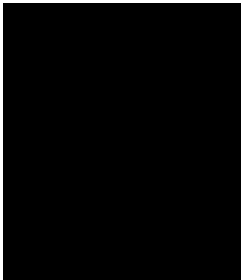
As a homeowner in the 9th and 9th neighborhood I would like to give my strong support to this project. The current building on the proposed sight needs to be brought up to the much higher standards the neighborhood has accomplished and has been trending.

I bought my home in the area about 3 years ago and have made quite extensive investments into the property. The deciding factor in purchasing a house in that neighborhood was that the 9th and 9th area was one of the few "walkable" neighborhoods in the downtown area. Walking to restaurants, cafe's, pubs, and other unique shops is very important to my wife and I.

The proposed project looks to be a great addition to 9th/9th and I believe will only make the neighborhood an even more desirable location to live.

Please do whatever you can to make sure this petition makes its way to approval!

Best Regards,



Hello Kelsey,

I was told by a neighbor you are the planner assigned to the petition for the new building at 1059 E. 900 S.

As homeowners in the 9th & 9th neighborhood my husband & I would like to give our support to this project. The proposed new building would be a great addition to the neighborhood that we believe would make the area an even more desirable location to live. My husband & I often walk to the restaurants and shops in the area and would love to see a few more options. We believe updating the current building to include restaurant and retail space would be appreciated by many area residents.

Please do what you can to ensure this petition makes it way to approval & let us know if there is more we can do to support the efforts.

Best Regards,



9th & 9th area homeowner

Hello Kelsey,

I was told that you are the Planner assigned to the petition for the new building at 1059 E. 900 S.

As a homeowner in the 9th and 9th neighborhood I would like to give my strong support to this project. The current building on the proposed sight is rather unsightly and the proposed new building would be a great addition to the neighborhood.

I bought my home in the area about a year ago and have been making extensive investments into rehabbing and improving the property. The deciding factor in purchasing a house in that neighborhood was that the 9th and 9th area was one of the few "walkable" neighborhoods in the downtown area. Meaning walking distance to great amenities such as bars, restaurants, coffee shops ect.

The proposed project looks to be a great addition to the existing ecosystem and I believe will only make the neighborhood an even more desirable location to live.

Please do whatever you can to make sure this petition makes its way to approval!

Best Regards,

[REDACTED]

9th and 9th area homeowner

Hi Michelle,

I am not sure if you are the right person to contact, if not, can you please give me the contact info for the Salt Lake Planning Commission representative for the 9th/9th area?

I understand that there is a project requesting a zoning variance for turning a currently one-story office building on 900 South around approximately 1000 East into a two-story restaurant/office development, and this is going to the commission hearing. As residents of the immediate area, my fiance and I would like to express very strong support in favor of this project, as it will help improve the area amenities, curb appeal of the neighborhood, and fits well within the overall fiber of the neighborhood. We would like to see this project take place as soon as possible and hope the commission can do all that in its' power to assist. Whom can I contact directly to make sure my views are communicated properly to the planning commission?

Thank you,

[REDACTED]

9th/9th area resident

Hello Kelsey:

Thank you for taking the time to listen to my concerns in regards to the building proposal on 1059 East 900 South.

My first reaction was O M G are you kidding me. Then my second thought was how could they possibly think that the eyesore that they want to build is not leaving a terrible footprint in the neighborhood. That concerns me, it's as if they have no regards or integrity for the neighborhood.

Here are a few things that come to my mind in regards to their proposal.

It is completely out of line with the neighborhood and residential homes. It does not even make an attempt to blend into the neighborhood, and the design destroys the charm and eclectic nature of the neighborhood. It doesn't add anything it takes away.

11,000 sq. Feet., elevator, additional 5 feet in height, glazed glass windows on the south and west elevations and a parking lot, that does not say residential it screams contemporary commercial space with office space to add revenue for the restaurant. When I think of a neighborhood restaurant I think of the Paris in the 15th and 15th neighborhood. It is all on one level made of brick has outdoor dining lots of trees and boxwood hedges and blends into the neighborhood as well as Fresco and Mazza. Not a contemporary distraction made of glass.

I feel the reason that people and businesses want to locate in the 9th and 9th area is because it's the only area in Salt Lake other than 15th and 15th that has the charm and neighborhood feeling of a gentler time. When tourists visit Salt Lake they want to come to the area and enjoy the brick and mortar business, local restaurants and the eclectic housing, people and dogs that make up the community. We need to protect this area and make sure that it doesn't turn into strip malls, glass tall buildings that dwarf the houses and parking lots. We are better than that. Let's not turn this into Sugar House.

I think that they can go back to the drawing board and come up with something that is pleasing to the neighborhood that blends and doesn't stick out like a sore thumb. Something that is made with materials that conform with the neighborhood and has integrity. I know that in the last few years some building projects have passed that probably should not have been given the ok because of the nature of the design and the materials however just because mistakes were made in the past and we took our eyes off the road doesn't mean that we have to continue to make the same mistakes. That is why I now am addressing my concerns. I want to protect 9th and 9th. I am worried that they have no regards or integrity for the neighborhood. Their plans are completely out of line with the neighborhood and the residential homes. How could they possibly think that the eye sore that they want to build would be acceptable.

I am sure that they can do better and come up with something that we can all support and that won't leave such a terrible footprint in the neighborhood. Something that adds and doesn't take away.

Thank you:

[REDACTED]

ATTACHMENT L: DEPARTMENT REVIEW COMMENTS



Work Flow History Report 1059 E 900 S PLNSUB2015-01019

Project: 1059 E 900 South

Project Description: Electronic copies attached in documents

PD for a commercial building located in the RB zoning district

12/29/2015	8	Staff Assignment	In Progress	Lindquist, Kelsey	Sent notice to East Central and East Liberty Park Community Councils for notice of the open house on the 21st of January. I copied the email to the applicant.
1/5/2016	15	Planning Dept Review	In Progress	Lindquist, Kelsey	Routed to City Departments for Comment. 1/5/2016
1/5/2016	15	Staff Assignment	Routed	Lindquist, Kelsey	
1/6/2016	16	Engineering Review	Complete	Weiler, Scott	No objections.
1/7/2016	17	Planning Dept Review	Additional Information	Lindquist, Kelsey	Emailed applicant for clarification on retaining wall height.
1/11/2016	21	Public Utility Review	Complete	Lindquist, Kelsey	Public Utilities requires 5' clearance around water meters and that the water main may need to be upsized depending on water demands for the development.
1/11/2016	21	Zoning Review	Complete	Michelsen, Alan	Zoning comments have been uploaded to the documents folder in ACCELA.
1/15/2016	25	Planning Dept Review	Additional Information	Lindquist, Kelsey	Emailed applicant and informed that the current parking calculations did not account for the general office main floor space and the outdoor dining space.
1/15/2016	25	Transportation Review	Complete	Barry, Michael	A building permit is currently under review (BLD2015-07189). Transportation comments have been noted as follows: Show parking calculations for existing and proposed uses along with the number of parking spaces provided demonstrating compliance with the following: a. Minimum parking requirements (21A.44.030.G) b. Minimum ADA parking spaces (21A.44.020.D) c. Minimum bicycle parking (21A.44.050.B.3) Document any modifications to parking requirements. End of comments
1/20/2016	30	Planning Dept Review	Additional Information	Lindquist, Kelsey	Sent an email to transportation to review on street parking.
1/28/2016	38	Planning Dept Review	In Progress	Lindquist, Kelsey	Sent Michael Barry an updated site plan with new parking calculations and proposal for on street parking.
2/4/2016	45	Building Review	Complete	Lindquist, Kelsey	Zoning review in attachments
2/4/2016	45	Police Review	Complete	Lindquist, Kelsey	No comments received.
2/4/2016	45	Sustainability Review	Complete	Lindquist, Kelsey	No comments received

From: Barry, Michael
To: Lindquist, Kelsey
Cc:
Subject: RE: PLNSUB2015-01019

Sent: Tue 2/2/2016 9:24 AM

Kelsey,
The on-street parking (4 stalls) is approved; the parking calculations are complete.
Thank you,
-Mike

MICHAEL BARRY, P.E.
Transportation Engineer

TRANSPORTATION DIVISION
COMMUNITY *and* ECONOMIC DEVELOPMENT
SALT LAKE CITY CORPORATION

TEL 801-535-7147

www.SLCGOV.com
www.SLCTRANS.com

ZONING REVIEW CORRECTION SHEET

File Number: **PLNSUB2015-01019**
Project Name: **Commercial Bld., Remodel Addition**
Project Address: **1059 East 900 South**
Planner: **Kelsey Lindquist**
Telephone: **801-535-7700**
E-Mail: kelsey.lindquist@slcgov.com

Date: **January 11, 2016**
Zoning District: **R-B**
Overlay District:
Zoning Reviewer: **Alan Michelsen**
Telephone: **801-535-7142**
E-mail: alan.michelsen@slcgov.com

COMMENTS

PUD proposal to increase building height from 30 to 35 feet, increase maximum glazing from 50% to 90%, reduce the required corner-side yard setback from the existing setback to 3'6 inches, reduce the front yard setback from the existing setback to 9 feet and provide perimeter parking lot landscaping in exchange for a reduced corner-side landscape setback at parking lot.

- 1) The site plan is not fully dimensioned but any reduction to the front and corner-side yard setbacks will need to address table 21A.36.020.B, for eave overhang, 2nd story balcony/deck and the 1st floor for outdoor dining deck. Since the 1st floor outdoor dining deck exceeds 2 feet above grade and encroaches over the front and corner-side property lines, the applicant will need the front and corner-side yard setback requirements reduced to zero (0) and will also need to discuss the public way encroachment with the SLC Real Estate Services Division.
- 2) Recommend that the proposed perimeter parking lot landscape setback adjacent the rear alley be widened by 2.5 feet over what is currently proposed to take advantage of the vehicle overhang allowance as per table 21A.44.020 and provide more growing room for the roots of proposed trees.
- 3) The site plan only shows one dumpster in the refuse enclosure. A container for recycling is also required as per 21A.36.250.I with screening as per 21A.36.250.J.
- 4) The proposed parking lot landscaping and refuse enclosure reduces the total number of on-site parking stalls below what is currently available, while the increase in total floor area increases the demand for parking. Parking calculations are required to address:
 - Minimum parking calculations for each principal use and total number of on-site parking stalls.
 - Required and provided number of accessible parking stalls as per 21A.44.020.D.
 - Required and provided number of bicycles stalls as per 21A.44.050.B.3.
 - Any proposed shared parking, off-site parking, or on-street parking as per 21A.44.
 - Any reduction in required parking for pedestrian friendly amenities as per 21A.44
- 5) In addition to proposed perimeter parking lot landscaping—the parkway landscaping and any remaining front and corner-side yard landscaping shall comply with section 21A.48.060 and 21A.48.090.

ATTACHMENT M: MOTIONS

Consistent with Staff: Based on the findings listed in the staff report and discussion by the Planning Commission, I move that the Planning Commission approve the Planned Development, PLNSUB2015-01019, and the Special Exception, PLNPCM2016-00011, at 1059 E. 900 S., subject to complying with all applicable regulations and subject to the conditions in the staff report.

Based on the information, testimony and plans presented, staff recommends the Planning Commission approve PLNSUB2015-01019 and PLNPCM2016-00011, with the following conditions:

1. Compliance with the Department/Division comments as attached to this staff report (Attachment H).
2. Through the Planned Development process, the Planning Commission specifically approves modifications proposed to the front, side and corner side yard setbacks to allow a reduction to the requirements in the RB Zoning District, which are shown on the site plan attached to this report (Attachment B).
3. Through the Planned Development process, the Planning Commission approves an additional 5 feet in height (35 feet) to specifically accommodate for the elevator shaft bulkhead, and additional building height as shown in elevations attached to this report (Attachment C).
4. Through the Planned Development process, the Planning Commission approves to relocate the front and corner side yard landscaping to the northeast, southeast and northwest corners of the parking lot, as shown on the site plan attached to this report (Attachment B).
5. All requirements for Outdoor Dining found in Chapter 21A.40.065 of the Zoning Ordinance shall be complied with as part of the operation of the restaurant on the site.
6. Final approval authority shall be granted to the Planning Director based on the applicant's compliance with the above noted standards and conditions.

Denial of the Proposal: Based on the findings listed in this staff report and discussion by the Planning Commission, I move that the Planning Commission deny the Planned Development, PLNSUB2015-01019, and the Special Exception, PLNPCM2016-00011, at 1059 E. 900 s., based on the following findings: *The Planning Commission would need to formulate findings for denial.*