

**DATE:** April 5, 2007  
**TO:** Salt Lake City Planning Commission  
**FROM:** Nick Norris, Principal Planner at 535-6173 or  
nick.norris@slcgov.com  
**RE: STAFF REPORT FOR THE APRIL 11, 2007 PLANNING  
COMMISSION MEETING**

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**CASE #:** 410-07-05  
**APPLICANT:** Trolley Square LLC, represented by Mark Blancarte  
**REQUESTED ACTION:** 410-07-05 – A request by Trolley Square Associates, LLC, for a Planned Development located at 602 East 500 South. Phase I: allow exterior staircase to encroach approximately twenty six and one-half feet into the corner side yard setback (30 feet is required)  
**STATUS OF APPLICANT:** Representing property owner  
**PROJECT LOCATION:** Approximately 602 East 500 South



**Approximate Location of proposed stairs**

**PROJECT/PROPERTY SIZE:** 10.33 acres

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

**PROPOSED USE(S):** Retail Shopping Center

**SURROUNDING ZONING DISTRICTS:**

**North** CS Community Shopping  
**South** RMF-45 Moderate/High Density Multi Family Residential District  
RMF-30 Low Density Multi-Family Residential District  
**East** CS Community Shopping  
CB Community Business  
RB Residential Business  
RMF-45 Moderate/High Density Multi Family Residential District  
**West** CN Neighborhood Commercial  
RO Residential Office

**SURROUNDING LAND USES:**

**North** Trolley Square Shopping Mall  
**South** Single family detached housing, multi family housing, Trolley Square surface parking lot  
**West** Commercial  
**East** Commercial, multi family housing

**APPLICABLE LAND USE REGULATIONS:**

Section 21A.54.080 Standards for Conditional Uses  
Section 21A.54.140 Conditional Use Approvals and Planned Development  
Section 21A.34.020 H Historic Preservation Overlay District

**MASTER PLAN SPECIFICATIONS:**

The Central Community Master Plan designates this parcel as Community Commercial.

**ACCESS:**

Access to the property is from 500 South, 600 South, 600 East, and 700 East.

**PROJECT DESCRIPTION:**

The owners of Trolley Square have submitted an application for a Planned Development to facilitate new development on the block. The complete Planned Development includes the new construction of several buildings, the relocation of several existing structures, and various site enhancements. In the future, the Planning Commission will review the complete Planned Development for the site. The first phase of the Planned Development is the subject of the April 11 review and is addressing a

single issue, the proposed location of an exterior staircase on the south side of the main building on Trolley Square.

The purpose of the staircase will be to facilitate a new employee/service entrance to the second level of the main buildings. Interior remodeling will change the existing floor plan and the means of entering and exiting the building for employees. It will also result in the need for an additional exit as per the adopted Building Code. The interior remodeling is under way. To facilitate the interior remodel, the applicants are requesting a phased approval of the Planned Development to accommodate the exterior staircase.

The proposed staircase and doorway will be located near the southeast corner of the main building. The staircase will be masonry that matches the existing brick on the buildings at Trolley Square. The door will be a black metal. The staircase landing will be approximately twelve (12) feet above grade. The railing will extend 3-4 feet above the landing for a total height of fifteen (15) to sixteen (16) feet above grade. The grade slopes from the east to the west. The structure will extend approximately four (4) feet from the building. The property line is approximately seven and one-half (7 ½ ) feet from the building. The existing staircases are approximately three and one-half (3 ½ ) feet from the property line. The required corner side yard setback of thirty (30) feet. The existing building encroaches twenty two and one-half (22 ½) feet into the required setback. The proposed staircase will encroach approximately twenty six and one-half (26 ½) feet into the required setback.

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

### **COMMENTS**

**City Department Comments:** The plans have been routed to the various city departments for review. The review is for the entire planned development. The Planning Division does not expect comments from most of the reviewing departments or divisions that are specific to the proposed staircase. Building services is reviewing construction plans for the interior remodel of the main building and the proposed site plan for the Planned Development and has commented that the staircase does violate the setbacks and requires approval through the Planned Development process. Without an approved Planned Development that allows the stairs to encroach on the required side yard setback, Building Services would not approve the staircase. Approval from building services is required.

### **Community Council Comments**

An open house was held on April 3, 2007 in the City and County Building. Notices for the open house were mailed to all property owners within 450 feet and the East Central Community Council Chair and the Central Community Council Chair. The open house was held for the entire planned development proposal. Seven people attended the open house. No written comments were received. Staff did receive one verbal comment regarding the design and the materials used for the staircase.

## **Review of Standards for Conditional Use**

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

**Discussion:** Trolley Square is an established retail shopping center. Retail uses are permitted in the CS Commercial Shopping Zoning District. Planned Developments are listed as a conditional use.

**Finding:** The proposed development requires conditional use approval by the Planning Commission subject to the provisions of Zoning Ordinance section 21A.54.080 Standards for Conditional Uses and 21A.54.140 Conditional Use Approvals and 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:** The purpose of the CS Community Shopping District is to “provide an environment for efficient and attractive shopping center development at a community level scale.” Allowing the staircase to encroach into the required setback provides for an exterior service entrance for employees to the second level. There is an interior staircase and elevator that leads to an interior located service area that will be removed as part of the interior remodel of the building. The interior remodel will increase the viability of the shopping center and help ensure the continued preservation of a landmark site.

**The Central Community Master Plan:** This site is located in the area covered by the Central Community Master Plan. The Future Land Use Map in the plan designates the property as Community Commercial. The plan states that the purpose of the Community commercial designation is to “provides for the close integration of moderately sized commercial areas with adjacent residential neighborhoods”. The plan lists several policies for Community Commercial land uses:

**Policy CLU-1.0 Provide a range of commercial land uses in the Central Community.**

**CLU-1.1 Neighborhood Commercial:** Encourage neighborhood-friendly commercial land use areas in the Central Community that are compatible with the residential neighborhood character, scale, and service needs and support the neighborhood in which they are located.

**CLU-1.2 Community Commercial:** Locate community level retail sales and services on appropriate arterials and do not encroach upon residential neighborhoods or generate community-wide parking and traffic issues.

**Policy HP-1.0 Central Community gives high priority to the preservation of historic structures and development patterns.**

**HP-1.4** Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks.

**Policy HP-3.0 Continue implementation of the Design Guidelines for Residential Historic Districts in Salt Lake City to ensure the compatibility of new construction with existing historic buildings.**

**HP-3.1** Enforce regulations pertaining to historic districts and landmark sites.

**HP-3.2** Ensure building construction is compatible with existing historic structures.

**Design Guidelines for Residential Historic Districts:** This publication discusses developments within the historic districts in the City, including the Central City Historic District. The primary goal for the Central City Historic District is preserving the overall scale and simple character of buildings in defining the streetscape. In terms of commercial areas, the design guidelines list several standards, including minimize the visual impacts of automobiles by screening parking areas, screening service areas, minimize the impact of signs, and shielding lights that may create a nuisance for the residential uses that are next to commercial uses. Trolley Square is bounded on all four sides by public streets. 700 East, 500 South and 600 South are identified by the Transportation Division as major Arterials. The streets provide a large buffer between the retail center and the residential neighborhood.

**Finding:** The Central Community Master Plan supports retail development when it is compatible with the surrounding land uses and when they are located along major arterials and do not encroach into adjacent neighborhoods. Trolley Square is located along 3 major arterials and is an existing retail center that occupies an entire city block. The proposed alterations to the site are consistent with the Historic Preservation Policies of the City.

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

**Discussion:** The proposed staircase will not impact the adjacent streets. The Transportation Division is reviewing a traffic study submitted by the applicant that addresses the entire proposed development.

**Finding:** The proposed staircase is not anticipated to add to the traffic on the adjacent public roads or degrade the level of service on the adjacent streets.

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

**Discussion:** The location of the staircase will not impact the internal circulation within Trolley Square. The purpose of the staircase is to provide a service/employee entrance to the second level of the main building. The staircase will not encroach on the public sidewalk and will not impede pedestrian circulation.

**Finding:** The proposed staircase will not impact the internal circulation system of the proposed development.

- 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:** The proposed staircase will not impact the utility services in the area.

**Finding:** The proposed staircase will not have an adverse impact on adjacent land uses or resources.

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

**Discussion:** Setbacks are created to provide adequate buffers between streets and structures. The main trolley barn is approximately seven and one-half (7½) feet from the sidewalk. There are two existing stair cases on the south side of the building that will be removed as part of the proposal. The existing staircases are approximately 4 feet from the property line. This proposed staircase will not encroach into the setback further than the existing staircases do. Some landscaping in the area of the proposed staircase will be removed. The park strip is fully landscaped with mature trees. The width of 600 South Street provides a large buffer between the main trolley barn and the residential structures on the south side of 600 South. No external illumination is indicated on the elevations. Some lighting may be required by the building code. If any lighting is required it should be similar to other exterior lighting found on the building and be appropriately screened so that it is not obtrusive.

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

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

**Discussion:** The proposed staircase will be masonry that matches the masonry on the existing buildings at Trolley Square. All external modifications of the building require a certificate of appropriateness. The Historic Landmark Commission will review the staircase to ensure that it is compatible with the Central City Historical District.

**Finding:** The proposed architecture and building materials will be reviewed by the Historic Landmark Commission. The Planning Commission should delegate the final design of the staircase to the Planning Director to be consistent with the Historic Landmark Commission decision.

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

**Discussion:** The staircase will result in the removal of some landscaping. The owners intend to remove two existing staircases along 600 South and could install landscaping where the stairs once were. This would result in a net increase in landscaping along 600 South. The existing landscaping on the south side of the building is minimal. The

design of the building does not create a long, blank wall feel. If the staircase is designed and constructed to be non obtrusive than additional landscaping should not be required.

**Finding:** If the area where the existing stairs are located is reclaimed as landscaping, then the south side of the main building will have a net increase in landscaping along 600 South.

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

**Discussion:** The property is a Landmark Site in the Central City Historic District and is therefore subject to the Historic District Overlay Zoning regulations. The Historic Landmark Commission will review the proposed staircase and their approval is required prior to any permits being issued by the City. There are no known environmental features on the property that would be impacted by the stairs.

**Finding:** The Historic Landmark Commission will review the proposed project to insure the construction of the staircase will not negatively affect or impact any historical or architectural features on the site. There are no known environmental features on the property that would be impacted by the stairs.

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

**Discussion:** The applicants have indicated that the operating hours of Trolley Square will not change. Trolley Square's business hours vary due to the variety of uses. The retail businesses are generally open from 10:00 a.m. to 9:00 p.m. The restaurants are typically open to 11:00 p.m. The private clubs are typically open as late as 1:00 a.m. with employees and patrons leaving as late as 2:00 a.m.

On the south, Trolley Square is separated from all other uses by 600 South so there are no adjacent land uses. City Code regulates noise generated by loading, unloading, mechanical equipment, etc.

**Finding:** The operating and delivery hour are compatible with adjacent land uses if applicable city code requirements are adhered to.

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

**Discussion:** Trolley Square is an established retail center and is compatible with the surrounding land uses. The proposed staircase does not impact the adjacent land uses. The Planning Commission will review the entire Planned Development in the future.

**Finding:** The proposed staircase will not have an adverse impact on the neighborhood or the City as a whole.

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

**Discussion:** The proposed staircase violates the required setback in the CS Community Shopping District. The ordinance requires a setback of thirty (30) feet. The Planning Commission has the authority to reduce the yard requirements during the Planned Development process. The main trolley barn is 10 feet from the property line. The site plan shows that the proposed staircase will be approximately 4 feet from the property line and sidewalk. The staircase does require a building permit. The encroachment is appropriate because it ensures the viability of a historic site and does not negatively impact the adjacent land uses or the City as a whole.

**Finding:** The proposed development must meet all applicable City, County, State and Federal codes and ordinances prior to issuance of a building permit. Staff recommends that the Planning Commission modify the corner side yard setback to allow the staircase to encroach twenty six and one-half (26 ½) feet into the required setback of 300 feet.

## Review of Standards for Planned Developments

**Discussion:** The standards for a Planned Development in the CS Community Shopping District are outlined in Zoning Ordinance section 21A.54.150. The Planning Commission has the authority to modify regulations of the CS Community Shopping District if the modification will generally fulfill the purpose of Zoning Ordinance section 21A.54.150 and the proposed Planned Development will not violate the general purposes, goals and objectives of Zoning Ordinance and of any plans adopted by the Planning Commission or the City Council. Zoning Ordinance section 21A.54.150.E lists the standards for planned developments. The standards address minimum lot size, density limitations, perimeter setback, and other standards that are not applicable to this proposal.

1. The minimum lot size for a Planned Development in the CS Community Shopping Zoning District is 60,000 square feet. The subject property exceeds the minimum lot size.
2. The density standard is not applicable because there are no residential land uses proposed as part of the development.
3. The applicant is not requesting a reduced width public street.
4. The guidelines found in Zoning Ordinance Section 21A.54.150.E.4 are not applicable because the property is zoned CS and less than 60% of the adjacent land is zoned residential. According to the City's GIS system, approximately 51.5% of the area within 300 feet of Trolley Square is residential.

**Finding:** The proposal is consistent with the Planned Development standards that are applicable to the CS Community Shopping Zoning District and to this project.

## RECOMMENDATION:

Based on the comments, analysis and findings noted above, staff recommends that the Planning Commission approve petition 410-07-04, a conditional use for a Planned



Development to allow the construction of an external staircase on the south trolley barn located at Trolley Square with the following conditions:

1. That the required corner side yard setback be reduced from thirty (30) feet to three and one-half (3 ½) feet. The staircase will encroach twenty six and one-half (26 ½) feet into the required setback.
2. That the proposed staircase meets all applicable city ordinances and regulations;
3. That the approval of the design of the stairs be delegated to the Planning Director and be consistent with the approval of the Historic Landmarks Commission and applies to the regulations of the Historic Landmarks Commission;
4. That the area where the existing staircases that are to be removed be reclaimed as landscaping.

**Nick Norris, AICP**  
**Principal Planner**

- Exhibit 1: Site Plan
- Exhibit 2: Stair details and elevations
- Exhibit 3: Notice of Open House

# **EXHIBIT 1**

## **Site Plan**

## **EXHIBIT 2**

### **Stair Details and Elevations**

## **Exhibit 3**

### **Notice of Open House**