To: Salt Lake City Planning Commission

From: Liz Hart, Principal Planner - 801-535-6681 – elizabeth.hart@slcgov.com

Date: January 11, 2023

Re: PLNPCM2022-00131 Conditional Use – Bar Establishment, PLNPCM2022-01164 Design Review

CONDITIONAL USE and DESIGN REVIEW

PROPERTY ADDRESS: 425 North 400 West
MASTER PLAN: Capitol Hill Master Plan (2001)
ZONING DISTRICT: TSA-UC-T - Transit Station Area Urban Center Transition zoning district

REQUEST: Jeff Carleton, the business owner of Mountain West Cider, is requesting Conditional Use approval for a bar establishment to be located at 425 North 400 West in the TSA-UC-T – Transit Station Area Urban Center Transition zoning district. A bar establishment is a conditional use in the TSA-UC-T. The applicant is also seeking Design Review approval to modify the front setback of the new proposed building.

RECOMMENDATION: Based on the information in this staff report, planning staff recommends that the Planning Commission approve the Conditional Use application with the following Conditions of Approval:

1. The applicant shall provide onsite security as required by the Police Department.
2. The applicant shall record a copy of the approved Security and Operations Plan with the Salt Lake City Recorder’s office as required for alcohol related uses.

Planning staff also recommends that the Planning Commission approve the Design Review Application

ATTACHMENTS:

A. Vicinity Map & Aerial
B. Site Photos
C. Applicant Documents
D. Analysis of Standards
E. Public Process and Comments
F. Department Comments

Background:
The subject property, located at 425 North 400 West, is approximately a half-acre in size and zoned TSA-UC-T. The site has an existing building on it, which has been used as the Mountain West Cider winery facility since 2015. The existing building is approximately 8000 square feet in size, of which approximately 250 square feet is dedicated as a bar establishment. This bar establishment was issued under the business license for the winery because the TSA district allows bar establishments as permitted uses if they are under 2500 square feet in size.
Since 2016 the subject site began hosting alcoholic outdoor events, utilizing a tent. In 2018, the site was issued a seasonal bar license for these outdoor events to take place during the summer season.

This proposal is in response to making a permanent and larger space for the bar establishment and live entertainment. The applicant is proposing to add a new building to the site, that will exceed 2500 square feet in size. The new building will be occupied with a bar establishment and restaurant. The increase in size to the bar establishment, over 2500 square feet, requires conditional use approval.

**Surrounding Area**
The subject property is within the Capitol Hill area and is part of the Guadalupe Neighborhood. The surrounding properties are zoned TSA-UC-T and SR-1A. Both sides of 400 West have existing buildings and a mix of uses. However, the east side of 400 West is zoned SR-1A and has existing single and multi-family uses. The west side of 400 West includes uses such as office, warehousing, and a brewery.

**Project Description**
The applicant is proposing to build a new ~2500 square foot building on the subject property. The new building will be located 21 feet to the south of the existing building. The new building is proposed to be approximately 33 feet in height and setback approximately 29 feet from the property line. The existing building was built in 1995, according to city records, is approximately 8000 square feet and was built 12 feet setback from the property line. The applicant is not proposing any modifications to the existing building.

The new building will be used for the expansion of the bar establishment and a new restaurant. The total size of the bar establishment use for the site is approximately 2700 square feet.
Between the buildings there will be a courtyard that will include an outdoor dining and live entertainment area. The courtyard area is proposed to be approximately 5000 square feet. The live entertainment area is located behind the new building, it includes a 216 square foot stage.

The project site is accessed by an existing a private driveway located on the north side of the existing building. The site has a total of 10 existing parking stalls on site, 6 stalls are located behind the existing building and 4 are located on the north side of the existing building. 400 West allows for on street parking, about 6 parking spaces are accessible in front of the subject property.

The TSA district requires that 50% of a building be within 5-feet of the property line. The new building is proposed with a setback of 29 feet from the property line. The new building has a building façade length of approximately 40 feet in width, and only 40% of the facade will be within 30 feet of the property lines, the rest of the building is setback approximately 56 feet from the property line and has a building façade length of 70 feet. The TSA district allows the setbacks to be modified through the Design Review process.

**KEY CONSIDERATIONS:**
The key considerations listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

**Consideration 1: Neighborhood Compatibility and Impact**
The subject property is located within a corridor along 400 West that contains a variety of commercial and light industrial uses. This corridor also acts as a transition area between the residential areas to the east and the more industrial areas to the north and west, including Interstate 15 and the railroad tracks.

The mix of land uses found in the area creates an active neighborhood where there is movement of people at different hours of the day. The proposed bar establishment may increase some movement during evening and night hours, but it will be consistent with similar uses and restaurants in the area.

The applicant is proposing to have live entertainment on site, between the hours of 7pm and 10 pm. The Security Plan addresses the occurrence of live music and states that it will largely be acoustic in nature when it does occur. It also states that amplified music will comply with Salt Lake County Health noise regulations.
The proposed bar will not be located within the proximity limits to a community location as imposed by state regulations for alcoholic beverage licenses. Community locations include churches, public or private schools, public parks, public playgrounds or libraries. It does not include trade or technical schools, infant daycare centers and nursery schools. The property complies with that regulation.

The use of the property and anticipated impact from that use would not be out of character or incompatible with the surrounding area or uses.

**Consideration 2: Modification to Street-Facing Façade Setback Requirements**

The TSA zone (Chapter 21A.26.078.E.3.b) specifies that at least 50% of the street-facing building façade be located within 5-feet of the front or corner side property line. The applicant is proposing to set the new building back 29 feet from the property line. The east facing elevation has approximately 40% of the façade within 30 feet of the property. The rest of the façade is setback approximately 56 feet from the property line. The proposed location of the building is to accommodate the existing outdoor bar that is attached to the existing building.

Even though the new building is setback approximately 29 feet from the sidewalk, the building still offers visual interaction with pedestrians through its design. The buildings primary entrance faces 400 West and has an inviting character with the collection of windows, entry awnings, and a mix of exterior materials. The site also creates visual interaction with pedestrians with the space being activated with outdoor dining.

Planning Staff asserts that the intent of this standard has been met and is recommending that the Planning Commission approve this minor design modification.

**Consideration 3: Compatibility with Master Plan**

**Capitol Hill Master Plan**

The subject property is located within the Capitol Hill Master Plan (CHMP). The CHMP does not have any specific goals or policies for the 400 West corridor, however, it does state that “maintaining existing neighborhood oriented commercial land uses and encourage new neighborhood commercial uses in areas where appropriate such as 300 West.” The subject property is located in a transition zone between an industrial area to existing residential and some mix uses. With that said, the 400 West corridor has a variety of land uses, as discussed above under the Surrounding Area section. The request is in compliance with the CHMP by expanding an existing business to accommodate the need for more neighborhood commercial uses like a bar and restaurant.

**Plan Salt Lake**

Staff also finds the proposal to meet the goals and policies of the Plan Salt Lake:

1) Neighborhoods:
   a. Encourage and support local businesses and neighborhood business district,

2) Growth:
   a. promote infill and redevelopment of underutilized land,
   b. encourage a mix of land uses,
   c. locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors

3) Economy:
   a. support the growth of small businesses, entrepreneurships, and neighborhood business nodes
Discussion:
The applicant is proposing an expansion of a bar establishment, which requires a conditional use approval in the TSA-UC-C zoning district. Additionally, the expansion incorporates a new building. To achieve the proposal and functional programming of the space the new building requires Design Review approval. Staff recommends that the conditional use and design modifications be approved as presented.

Next Steps:
If the conditional use and design review are approved, the applicant will be required to comply with all other department/division requirements and obtain all necessary building permits for the project.

If the request is denied, the applicant would not be allowed to expand the existing bar establishment on this site.
ATTACHMENT A: Vicinity and Zoning Map

425 N 400 W - Vicinity and Zoning Map
ATTACHMENT B: Site Photos

View from across 400 W. looking Southwest  View from across 400 W. looking West  View from across 400 W. looking Northwest

View from site on 400 W. looking Northeast  View from site on 400 W. looking East  View from site on 400 w. looking Southeast

View from intersection 400 W. looking North  View from intersection on 400 W. looking East  View from intersection on 400 w. looking Southeast

View from sidewalk on 400 W. looking South  View from sidewalk on 400 W. looking West  View from sidewalk on 400 w. looking North
ATTACHMENT C: Applicant Documents

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Conditional Use Application Response Nov. 17, 2022

“Garten Restaurant and Bar”

425 N 400 S, Salt Lake City, UT 84103

Contact: Jeff Carleton, President, Mountain West Cider Company, Inc. 860.878.4425 mobile, jeff@mountainwestcider.com

Hours of operation: Sunday-Thursday, 11:00am-11:00pm, Friday-Saturday, 11:00am-12:00pm

Peak hours: It is anticipated that weekend evenings will be the peak hours of operations.

Anticipated outdoor activities: Generally the Garten will host outdoor diners. Festivals and concerts will happen on occasion as well. The Architectural Site Plan (Sheet A-100) outlines required parking and identifies where each stall is located along with additional on-street parking.

Is there enough space on site: The Garten utilizes some of the existing parking areas around the existing building for access to/from the site.

Waste Management on site: See Salt Lake City Corporation Construction and Demolition Waste Management Plan for information regarding waste management prior to opening. After the Garten is open, waste & recycling will be collected at a “Waste and Recycling Station” along with a “4-Yard Dumpster on the west side of the site with access via the existing driveway behind the existing warehouse building. (See Architectural Site Plan A-100)

Anticipated water consumption: See Sheet PE603 Domestic Water Meter Calculation. Estimated total demand is 61.2 GPM.

Anticipated level of emissions generated: See Sheet PE601 Natural Gas Demand. 1,711 CFH of natural gas or approximately 200 lbs of CO2 per hour at maximum output (all gas on 100%).

Trees with trunk circumference greater than 6”: There are no existing trees on site that size. There is an existing tree of that size in the park-strip in front of the Warehouse Building, and that will remain undisturbed.

Anticipated grading required: Basically zero site grading is required, as the existing site is flat and the new building has no basement or lower level, but is built as slab on grade. There are no pollutants or contaminants on site or contained in the soil on site. Civil Engineering has provided a site grading plan showing the minimal grade required to simply manage water on site. (See Civil Drawing GP-01)

Will the proposed use produce and dust, odor, smoke, noise, vibrations, chemicals, toxins, or radiation: No, the new Garten is a restaurant and bar. It will not produce any of the issues in question.

Location of utility needs identified on site plan: Civil Engineering has provided a Site Plan identifying all utilities. (See Civil Drawing SP-01)

Land uses of adjacent properties: The site falls into the Salt Lake Zoning District: TSA-UC-T, so property to the north and to the south are both commercial use. The property across the street (400 West) fall
into the Salt Lake Zoning District: SR-1A, which is single-family residential. So properties across the street are residential.

**Are exterior lights located and shielded to direct light away from uses and downwards:** Yes, see Electrical Site Plan ES101.

**How will the proposed use be separated from adjacent land uses:** The Architectural Site Plan (Sheet A-100) shows the proposed Garten Building and the Warehouse Building to the north. So, the Warehouse Building is essentially the buffer between the new building and the property to the north. A six foot tall wooden fence is indicated on the East / West and South side of the Garten site, providing a buffer to reduce impact on neighbors.
Security and Operations Plan
“Garten Restaurant and Bar”
425 N 400 S, Salt Lake City, UT 84103

Contact: Jeff Carleton, President, Mountain West Cider Company, Inc. 860.878.4425 mobile, jeff@mountainwestcider.com

Hours of Operation: Sunday-Thursday, 11:00am-11:00pm, Friday-Saturday, 11:00am-12:00pm

Complaint and Response: Upon request, an owner or a member of corporate management will meet with the affected neighbors and community council members to resolve any neighborhood issues related to noise or activity complaints regarding operations on the premises.

Sound Levels: Every effort has been made to remediate the level of noise from outside venue operations. The stage is placed at the back of the lot, away from residential locations. Stage operating hours are generally 7:00-10:00pm. Volume levels will be managed within the approved guidelines set forth in chapter 9.28 of Salt Lake zoning code for the district. Any exceptions to this operating guideline will be managed within the SLC permitting process. Live performances inside the venue will not exceed any noise guidelines. We will work with the community to extend noise abatement structures as needed to ensure we are a good neighbor.

Smoking: The Garten will provide a smoking area at the back of the lot near our trash receptacle. It is more than 25 feet from our entrance and exit.

Graffiti Removal: All exterior walls, railings and other structures will be free of graffiti within 72 hours of the incident, (weather permitting).

Bouncer: Due to the design of the venue and expected crowd in attendance for performances and dining at the restaurant, we don’t envision needing a bouncer at this point. We will have a hostess/host at the entrance and several staff and a MOD on hand to address any issues that may arise. If a bouncer is determined to be necessary, we’ll add one immediately. This venue will be safe, pleasant and welcoming. Our intent is to provide a great spot for above average dining and a location to feature local entertainment.

Trash Management: In order to maintain cleanliness, trash inside (portable trash receptacles) is emptied 2 times daily and as needed. The exterior trash bin, (automated trash receptacle) will be emptied 3 times per week or more if necessary. The exterior trash bin will be emptied no earlier than 7:00am in order to reduce noise complaints. The trash bin is located at the back of the lot surrounded by warehouses so noise impact to residents will be minimal. The exterior trash enclosure is approved and required by SLC Corp and will be built to required specifications. The grounds surrounding the Garten will be maintained daily by staff. This includes cleaning the entryways, park strips and all areas surrounding the Garten, of cigarette butts and debris.

Parking Management Plan: Required parking in the TSA zone is 2 parking spots. That said, the building currently has 6 parking spots on the west side of the building, one of which is ADA, and we’ll line another 4 spots on the north side of the building, 2 of which will be electrified charging stations. There
are another 6 spots of street parking on the east side of the building. The neighborhood is a mix of warehouse and new multi-story residential. There is a lot of on street parking in the neighborhood.

**Distribution Plan:** A copy of this plan is to be distributed to the Fire Department, the Police Department, city recorders office, city building official and the community council.
The owners, Jennifer and Jeff Carleton plan to expand their current MTN WST property to include a restaurant and bar to be located to the south of their existing building in Salt Lake City. The new building will be a timber frame, pre-manufactured building provided by Legacy Post & Beam. In addition to the pre-manufactured building will be the construction of bathrooms, commercial kitchen, outdoor band shell, and site development for outdoor dining and other activities.

Design documents including all consultant drawings, calculations and specifications have already been uploaded to the Citizen Portal. To date the design team has been working with Liz Hart from the City Planning Division. This narrative is intended to explain the project and work through any lingering zoning and planning issues as they relate to placement of the building on site, relationship to the property line along 400 West and also highlight the various elements of the design that are fully in compliance with city requirements.

A team of consultants include Civil, Structural, Mechanical, Electrical Engineers as well as a landscape designer and kitchen equipment provider. Coordination has been done with each of these design consultants and their documents are included in the submittal. Paulsen Construction is the selected general contractor and plans to execute the work immediately upon receipt of a building permit.

The building site at 425 North 400 West is within the city zoning (TSA-UC-T) and is designed to be in compliance with the Salt Lake City TSA Zoning requirements, with the prevailing IBC (International Building Code) provisions and will be inspected and certified by Salt Lake City Building Department, as well as the Food & Health Administration.

The Main Level of the new building is designed to include a dining room, small stage, bar, kitchen, restrooms and utility space. The Mezzanine Level is accessed only by way of an interior stair with access to additional dining area and a porch overlooking the stage below to the west. A mechanical mezzanine, accessed only by way of a pull-down ladder is located above the kitchen. Outdoor dining areas are oriented to the front of the building facing 400 West and is designed to be inviting and open to the public during business hours.

The exterior of the new building is designed in accordance with the zoning and city standards. The primary building cladding material is a painted board and batten siding, along with painted cedar shake shingles located higher on the façade. The design team has been given verbal preliminary approval for these materials, and are deemed "durable." Black finished aluminum storefront windows are adorned the building and provide an open and light-filled atmosphere for the interior dining room and bar areas. The 400 West street facing façade is designed to meet the TSA Zoning requirement for 60% window area between 3’ and 8’ above grade glazing. The calculation for this is located on the East Elevation drawing on sheet A-201. The roofing is a gray-toned standing seam metal roof with break-metal fascia and soffit. Small exposed timber brackets support the entrance awning and the walk-up window off of the kitchen. Decorative exterior wall-mounted sconces further the comfortable ambiance, while providing ambient lighting for the site surrounding the building. All building elevations and sections provided in the document set further illustrate the design intent.

The information contained on the Architectural Site Plan (A-100) along with the Civil and Landscape drawings demonstrate compliance with Section 21A.58 of the Salt Lake City Code as published by Sterling Codifiers. The site is designed to promote safe and efficient use of land and contribute to an orderly and harmonious appearance within the city as dictated by the code. The project is compatible with its environment and with other land uses in the surrounding area, in particular the adjacent existing warehouse building. The project complies with city open space requirements. Although only a minimum number of parking stalls are required (see Parking Requirement Table on sheet A-100), the stalls as designed provide for a convenient and safe internal and external movement of vehicles and pedestrians. Utilities and proper site drainage are accommodated for and are identified on sheet A-100 along with the Civil documents.
As required, a collection of site photos is provided indicating adjacent development, trees on the site, and general streetscape character. It should be clear that the new building will enhance the streetscape of the neighborhood and bring value to neighborhood. See photos below.
In accordance with Salt Lake City Code Section 21A.59.050, the new building is designed to be in compliance with the city’s adopted “urban design element” and master plan policies and design guidelines governing this specific area of the proposed development.

The primary East Elevation, facing 400 South has the building’s primary entrance, faces the existing sidewalk and has an inviting character that will encourage pedestrians to utilize the new restaurant. A fence located just inside the public sidewalk is open and inviting, while manages access to the site, responding to the development patterns of the neighborhood. As noted previously, the required parking is located on site, behind or to the side of the building as well as along 400 West.

The building façade and windows include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction. The main restaurant and bar are located on the ground level near the public sidewalk, with the addition of an inviting outdoor dining area that creates a vibrant street. As indicated previously, the design maximizes transparency of the ground floor facades with over 60% glazing between 3’ and 8’ above grade, along with a variety of larger windows. See elevation drawings on sheets A-201 and A-202.

The building is not very large, in fact it is only about 3000 SF overall, and the street facing façade is only 50’ wide, so breaking the building into smaller parts is not necessary. Various design elements have been incorporated such that the building has a comfortable human scale and works in conjunction with the existing warehouse building to the north. Secondary building elements such as the entry and kitchen awnings, the porch on the back of the building, the collection of windows, along with the mix of exterior materials relate to the character of the neighborhood.

The roofline of the building incorporates two distinctive gables. One for the primary building and the other for the kitchen. This combination of varying building elements is cohesive with the building’s overall form and creating variety and intrigue, while not overpowering the human scale of the composition. Within the larger gable is an area designated for building signage, and will be constructed of durable materials.

Waste and recycling containers, mechanical equipment, storage areas and loading docks are fully screened from public view. The 4-yard dumpster is located on the west side of the building, accessed via a loading zone, and is enclosed by a 6’ tall masonry block enclosure. Two mechanical condensers are required for the project, each of which are contained within wood fencing, so as to be not visible by the public. At the same time, a convenient and visible recycling station with individual bins for paper, plastic and glass are easily accessible for patrons.

The outdoor dining patio or courtyard has a direct visual connection to the street. Outdoor lighting is designed for low-level illumination to minimize glare and light trespass onto adjacent properties and there is no up-lighting directly to the sky. The lighting is coordinated with the architecture, and building signage to accentuate significant building features, improve legibility, and support pedestrian comfort and safety.

Various streetscape improvements are provided, including street trees that are in compliance with the city’s urban forestry guidelines and with the approval of the city’s Urban Forester. They are placed, one for every 30’ of property frontage along 400 West. Hardscape pavers are introduced also within the parkstrip, following applicable design standards. Where practical, on the west side of the building the design incorporates grass areas that allow rainwater to infiltrate into the ground and recharge the water table. Consideration of material color selection has been made to limit contribution to the urban heat island effect by limiting use of dark materials and incorporate materials with high solar reflective index. Ground surface materials within the courtyard are used in variety such that they create zones for dining and movement through the site. Asphalt is limited to only drive aisles.

Should any issues arise through this process, please contact myself, Brian Junge (Architect) and / or Jeff Carleton (Building Owner).

Thank you kindly, 
-Brian
TSA ZONING REQUIREMENT

Calculation: 129 SF (Window Area) / 200 SF (Total Area) = .64
Thus: Window Area is greater than 60% of facade facing primary street

Calculations:

- Window Area: 129 SF
- Total Area: 200 SF

Thus, the window area is greater than 60% of the facade facing the primary street.
ELEV. = VARIES
FINISHED FLOOR
ELEV. = 100'-0"
MAIN LEVEL F.F.

WINDOW SCHEDULE
1/2" = 1'-0"

NO CLEAR OPENING HEIGHT MAY BE LESS THAN 24".
NO CLEAR OPENING WIDTH MAY BE LESS THAN 20".
DISTANCE FROM FLOOR TO SILL TO BE NO MORE THAN 44".
WINDOW MUST HAVE CLEAR OPENABLE AREA OF:
MINIMUM 820 SQ. INCH OR 5.7 SQ. FEET.
TYP. SIZE:
20" WIDE X 42" TALL
24" WIDE X 36" TALL
30" WIDE X 28" TALL
34" WIDE X 24" TALL

NATURAL LIGHT REQUIREMENTS: 8% OF ROOM SQ. FOOTAGE
NATURAL VENTILATION REQUIREMENTS: 4% OF ROOM SQ. FOOTAGE

EGRESS WINDOW REQUIREMENTS PER IRC
WINDOW WELLS REQUIRED WHERE WINDOW OPENING SILL HEIGHT IS BELOW GROUND ELEVATION.
HORIZONTAL DIMENSIONS = 9 SQ. FT. (WIDTH X PROJECTION)
HORIZONTAL PROJECTION: 36"

* WINDOWS & OTHER GLASS SURFACES WILL HAVE AN OUTDOOR VISIBLE LIGHT REFLECTIVE VALUE NO MORE THAN EIGHTEEN PERCENT (18%) AS DEFINED & MEASURED BY ASTM E308-90 OR ITS SUCCESSOR.
* ALL WINDOW OPENINGS REQUIRE FIELD MEASUREMENT & VERIFICATION FOR ROUGH OPENINGS, DRAWINGS ONLY REFLECT APPROXIMATE SIZES.
* BASIS OF DESIGN:
  ANDERSON E SERIES
  LOW E
  U RATING OF .29 OR BETTER
* ALL EXTERIOR WINDOW FRAMES:
  BRONZE ANODIZED ALUMINUM
* ALL INTERIOR WINDOW FRAMES:
  PAINT GRADE WOOD
* GT-1: LOW E, INSULATED STANDARD GLASS
* GT-2: LOW E, INSULATED TEMPERED GLASS
* FR: FROSTED GLASS (OR SIMILAR) AT SHOWER

GENERAL GLAZING NOTES
1. REQUIRED IN SWINGING DOORS EXCEPT JALOUSIES.
2. REQUIRED IN FIXED & SLIDING PANELS OF SLIDING DOOR ASSEMBLIES & PANELS IN SLIDING & BI-FOLD CLOSET DOORS.
3. REQUIRED IN STORM DOORS.
4. REQUIRED IN ALL UNFRAMED SWINGING DOORS.
5. REQUIRED IN DOORS & ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATHTUBS AND SHOWERS.
6. REQUIRED IN AN INDIVIDUAL FIXED OR OPERABLE PANEL WITHIN 24" OF A DOOR.
7. REQUIRED IN ALL RAILINGS REGARDLESS OF AREA OR HEIGHT, INCLUDING BALUSTER PANELS AND IN-FILL PANELS.
8. REQUIRED IN WALLS AND FENCES ENCLOSING INDOOR & OUTDOOR POOLS, HOT TUBS, SPAS.
9. REQUIRED IN GLAZING ADJACENT TO STAIRWAYS, LANDINGS, AND RAMPS WITHIN 36" OF WALKING SURFACE.
10. REQUIRED IN ALL SKYLIGHTS.

TEMPERED GLASS REQUIREMENTS PER IRC
(4) REQUIRED
3'-0"
8'-0"

(1) REQUIRED
1'-9"
3'-6"
6"
1.5" RIGID ROOF INSULATION
R-VALUE: 40.17
BREAK METAL FASCIA
COLOR TO MATCH ROOF
T.O. MEZZ. GUARDRAIL
CENTER OF MECH. DUCTING AT MEZZ.
1.5" Schedule Windows
Batt or Blown In Insulation (Min. R-Value: 20)
Painted Vertical Wood Exterior Siding
4" Concrete Slab on Grade W/ Min. 4" Gravel (See Struct.)
Concrete Footing & Foundation (See Struct.)
Blackened Steel Counter & Support Brackets
Standing Seam Metal Roofing
Break Metal Fascia (Color to Match Roof)
Standing Seam Metal Roofing
Break Metal Fascia (Color to Match Roof)
Mechanical Equipment (See Mech. Documents)
Mechanical Vent (See Mech. Documents)
Kitchen Equipment (See Kitchen Documents)

ELEV. = 100'-0''
Main Level F.F.
ELEV. = 123'-6''
To Kitchen Roof
ELEV. = 110'-10''
Mezzanine F.F.
ELEV. = 103'-6''
Window Sill
Window Head

Buildings Section
A-302

Brian D. Junge AIA 801 828-0557

Concept Drawings 09 / 04 / 2021
SD Drawings 09 / 12 / 2021
DD Drawings 01 / 04 / 2022
Review Drawings 02 / 03 / 2022
Coordination Drwgs. 07 / 29 / 2022
Pricing Documents 09 / 06 / 2022
CD's / Permitting Doc's. 09 / 30 / 2022

Mountain West Garten
425 North 400 West
Salt Lake City, Utah
21A.26 TSA Zoning Standards

TSA Transit Station Area District – 21A.26.078

Purpose Statement: The purpose of the TSA Transit Station Area District is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed use development around transit stations. Redevelopment, infill development and increased development on underutilized parcels should include uses that allow them to function as part of a walkable, Mixed Use District. Existing uses that are complementary to the district, and economically and physically viable, should be integrated into the form and function of a compact, mixed use pedestrian oriented neighborhood. Each transit station is categorized into a station type. These typologies are used to establish appropriate zoning regulations for similar station areas. Each station area will typically have two (2) subsections: the core area and the transition area. Due to the nature of the area around specific stations, the restrictions of Overlay Zoning Districts, and the neighborhood vision, not all station areas are required to have a core area and a transition area.

2. Transition Area: The purpose of the transition area is to provide areas for a moderate level of land development intensity that incorporates the principles of sustainable transit oriented development. The transition area is intended to provide an important support base to the core area and transit ridership as well as buffer surrounding neighborhoods from the intensity of the core area. These areas reinforce the viability of the core area and provide opportunities for a range of housing types at different densities. Transition areas typically serve the surrounding neighborhood and include a broad range of building forms that house a mix of compatible land uses. Commercial uses may include office, retail, restaurant, and other commercial land uses that are necessary to create mixed use neighborhoods.

B. Station Area Types: A station area typology is the use of characteristics, such as building types, mix of land use, transit service and street network to create generalizations about an area that can be used to define a common vision for development of a transit station area. Each typology recognizes the important difference among places and destinations and takes into account the local context of a station and its surroundings. Refer to the official Salt Lake City zoning map to determine the zoning of the land within each station area.

1. Urban Center Station (TSA-UC): An urban center station contains the highest relative intensity level and mix of uses. The type of station area is meant to support Downtown Salt Lake and not compete with it in terms of building scale and use.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
<th>Proposed</th>
<th>Finding</th>
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<tbody>
<tr>
<td>Min. Height</td>
<td>25 feet</td>
<td>~ 33 feet</td>
<td>Complies</td>
</tr>
<tr>
<td>Max. Height</td>
<td>60 feet</td>
<td>~33 feet</td>
<td>Complies</td>
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<tr>
<td>Setbacks</td>
<td>All portions of the front yard not occupied by building, driveways, walkways</td>
<td>The applicant is proposing outdoor dining, and a</td>
<td>Complies</td>
</tr>
<tr>
<td>Category</td>
<td>Requirement</td>
<td>Complies</td>
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<td>Open Space</td>
<td>1 square foot for every 10 square feet of land area included in the development, up to 5000 SF for core area and 2500 SF for transition areas. Open space areas include landscaped yards, patios, public plazas, pocket parks, courtyards, rooftop and terrace garden and other similar types of open space area amenities.</td>
<td>Complies</td>
<td></td>
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<tr>
<td>Min. Lot Area</td>
<td>2500 SF</td>
<td>Complies</td>
<td></td>
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<tr>
<td>Min. Lot Width</td>
<td>40 feet</td>
<td>Complies</td>
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<tr>
<td>Parking</td>
<td>2 spaces per 1000 SF of usable floor space. May be reduced by 50%.</td>
<td>Complies</td>
<td></td>
</tr>
<tr>
<td>Min. Interior and Rear Setback</td>
<td>None. At least 50% of the street facing building shall be within 5 feet of the front or corner side property line.</td>
<td>Complies</td>
<td></td>
</tr>
<tr>
<td>Min. Front Setback</td>
<td>None. At least 50% of the street facing building shall be within 5 feet of the front or corner side property line. New building is proposed to be within approximately 29 feet of the front property line.</td>
<td>Complies</td>
<td></td>
</tr>
<tr>
<td>Min. Lot Width</td>
<td>0.5 acres</td>
<td>Complies</td>
<td></td>
</tr>
<tr>
<td>Parking</td>
<td>2 spaces per 1000 SF of usable floor space. May be reduced by 50%.</td>
<td>Complies</td>
<td></td>
</tr>
<tr>
<td>Parking</td>
<td>New Building Requires: 2 spaces Existing Building Requires: 12 spaces</td>
<td>Complies</td>
<td></td>
</tr>
</tbody>
</table>
From staff’s calculation of the building being 8000 SF and using the warehouse parking requirement and reduction of 50% for the TSA-T zone.

Existing: 10 total stalls exist on-site

On-Street Parking: 6 stalls.

21A.44.040B.6 allows on-street parking to be counted towards some or all off-street parking that is required.

Total Parking Stalls for site: 16

**Design Standards**

- EIFS and Stucco Limitation. Not allowed as a building material on the ground floor of street facing building facades. Allowed for up to 10% of the upper level street facing designs.

- No EIFS or Stucco is proposed for any part of the new building

**Front Yard Design Requirements.**

A. In yards greater than 10 feet in depth, 1 shade tree for every 30 feet of street frontage is required.

B. At least 50% of the front yard

- A) The site plan shows 5 trees within the front yard area.
- B) 46% of the front yard is covered in live plant material. A courtyard is also proposed within the front yard.
- C) Besides landscaping, the front yard contains a

Complies
shall be covered in live plant material. Can be reduced to 30% if the yard includes outdoor dining, patios, outdoor public space...

C. At least 30% shall be occupied by outdoor dining areas, patios, outdoor public space, or private yards for ground floor residential uses.

courtyard that is proposed to have outdoor dining and patio areas.

<table>
<thead>
<tr>
<th>Entry Feature</th>
<th>5’ canopy is proposed over the main entrance of the new building</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. An awning or canopy over the entrance that extends a minimum of 5 feet from the street facing building façade.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
21A.36.300 Alcohol Related Establishments Requirements

The purpose of this section is to permit the establishment of taverns, social clubs, dining clubs, and brewpubs as defined in Chapter 21A.62 of this title, subject to licensing procedures, and where appropriate, conditional use standards. There are several items within this code section that are discussed below:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Finding</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section 21A.36.300.B</strong> – License Required: No tavern, social club, dining club, or brewpub shall be established, operated, or maintained within the city without a valid license issued by the Utah state division of licensing, and without a valid business license issued by the city.</td>
<td>The applicant needs to go through the process with the Utah Department of Alcoholic Beverage Control for the appropriate license. Should the conditional use be approved, the applicant will need to meet this portion of the standard.</td>
<td>Complies</td>
</tr>
</tbody>
</table>

**Section 21A.36.300.D(1) – A. Require that a security and operations plan be prepared by the applicant and approved by the Salt Lake City Police Department and the building official, and filed with the city recorder's office, which shall include:**

- b. A complaint-response community relations program; and
- c. A provision for a representative of the tavern, social club, dining club, or brewpub to meet with neighbors upon request in order to attempt to resolve any neighborhood complaints regarding the operations on the business premises;
- d. Design and construction requirements to ensure that any sound level originating within the premises, measured within fifteen feet (15') from an exterior wall or door thereof, does not exceed the maximum permissible sound level set forth for the applicable zoning district in Chapter 9.28 of this code;
- e. A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;
- f. Prohibiting electronically amplified sound in any exterior portion of the premises;
- g. Designation of a location for smoking tobacco outdoors in conformance with state law;
- h. A provision stating that any trash strewn on the premises be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and parking lot areas; and

The applicant submitted a security and operations plan with this application, can be found in Attachment C.

The Police Department reviewed the plan and provided comments, found in Attachment F. The Police Department is requiring that the site have security when there is live entertainment.

Comments from the building services division will be provided during the building permit process.

Approval of the document, along with the requirement that it be recorded with the City Recorder's office is required after approval of the conditional use has been given.

Complies with Conditions of Approval
<p>| | | |</p>
<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>i.</strong> A provision stating that portable trash receptacles on the premises be emptied daily and automated is approved trash storage area; and <strong>j.</strong> A parking management plan which shall include consideration of the impact of parking on surrounding neighborhoods;</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Require a review and approval of the site and floor plan proposed for the premises by the Salt Lake City police department. Such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness;</strong></td>
<td><strong>The site and floor plan were reviewed by the police department and comments were provided. See Attachment F for specific comments.</strong></td>
<td><strong>Complies</strong></td>
</tr>
<tr>
<td><strong>Section 21A.36.300.D.1.C</strong> Require buffering where a tavern, social club, dining club, or brewpub abuts a residentially zoned parcel. Said buffering shall include vegetative landscaping or walls along any property line or within any required yard area on the lot where the premises are located;</td>
<td><strong>The properties across 400 West are zoned SR-1A. However, the subject property does not abut these lots therefore this requirement is not applicable to this project.</strong></td>
<td><strong>Not Applicable</strong></td>
</tr>
<tr>
<td>Require that the exterior of the premises be maintained free of graffiti, including the main building, any accessory buildings or structures, and all signs. Graffiti shall be removed from the exterior of the premises within forty eight (48) hours, weather permitting.</td>
<td><strong>Not applicable to this site</strong></td>
<td><strong>Not Applicable</strong></td>
</tr>
<tr>
<td><strong>Section 21A.36.300.D(2) If necessary to meet the standards for approval of a conditional use set forth in Section 21A.54.080 of this title, the following conditions may be imposed:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.</strong> Limit the size and kind of signage located on the outside of any building in conformance with Chapter 21A.46 of this title;</td>
<td><strong>The applicant did not provide detailed sign plans. The elevations provided do show the location of a future sign.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Require parking area lighting to produce a minimum foot-candle that provides safe lighting for pedestrians, but does not intrude on residents’ enjoyment of their homes;</strong></td>
<td><strong>The site does have off street parking in the rear and to the side of the existing building. Lighting in these areas are existing on the building and provide adequate lighting for the parking area.</strong></td>
<td><strong>Complies</strong></td>
</tr>
<tr>
<td><strong>Consider the proposed location of an outdoor smoking area in the security and operations plan and the potential effect on neighboring</strong></td>
<td><strong>A designated smoking area is located 25 feet away from both buildings in the rear of the</strong></td>
<td><strong>Complies</strong></td>
</tr>
</tbody>
</table>
residences, businesses, and buildings and designating a new area if the potential effects of the area in the security and operations plan appear to adversely affect neighboring residences, businesses, and buildings.

property. The smoking area is beyond 25 feet from an entrance or exit and complies with state regulations.

Conditional Use Standards

An application for a conditional use is required by city code 21A.54 and Utah Code 10-9a-507 to be approved if the proposal complies with the adopted standards of review and if any reasonably anticipated detrimental impact can be mitigated. Under Utah Code 10-9a-507, the standards must be objective and mitigating any reasonably anticipated detrimental impact is required to be interpreted to mean reduce, not eliminate, the impact.

Standards of Review

| Standard 1: The use complies with applicable provisions of this title; |
| Finding: Complies |

**Discussion:**
The property is located in the TSA-UC-T (Transit Station Area Urban Center Transition) zoning district. Per Section 21A.33.035 – Table of Permitted and Conditional Uses for Transit Station Area Districts of the Zoning Ordinance, a bar establishment requires conditional use approval if over 2500 square feet in size. The proposed use does not comply with certain provisions of the Zoning Ordinance that address the design of the building but modification to those standards has been requested through the Design Review process which the Planning Commission has the authority to approve.

The proposal complies with the applicable provisions of the Salt Lake City Zoning Ordinance with the exception of some design elements of the building. Where the standards have not been met, modification has been requested. If the design changes are approved by the Planning Commission, the use will comply with all provisions of the Zoning Ordinance.

**Condition(s): None**

**Standard 2:** The use is compatible, or with conditions of approval can be made compatible, with surrounding uses

**Finding: Complies**

**Discussion:** The proposed use is located within a corridor along 400 West that contains a variety of commercial and light industrial uses. The existing Red Rock brewery operation is located to the north and the existing winery has existed since 2015. The proposed use is similar to other existing uses in the area in terms of scale and impacts, in summary the proposal is not out of character or incompatible with the surrounding area or uses.

Staff finds that the use and the scale and intensity of development will be compatible with surrounding uses.

**Condition(s): None**
<table>
<thead>
<tr>
<th><strong>Standard 3:</strong> The use is consistent with applicable adopted city planning policies, documents, and master plans; and</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Finding:</strong> Complies</td>
</tr>
<tr>
<td><strong>Discussion:</strong> The maps in the Capitol Hill Master Plan (2001) show that the subject property is located within an area where the future land uses are anticipated to be Medium Density Mixed Use. The property is located within the Guadalupe Neighborhood and Railroad Redevelopment Area. This area was once agricultural and later industrial in nature. It is envisioned that this area will develop over time as a mixed-use area with medium density with development that encourages good design, pedestrian orientation and open space. The proposed use is in concert with the Master Plan and the anticipated character of the area.</td>
</tr>
<tr>
<td><strong>Condition(s):</strong> None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Standard 4:</strong> The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Finding:</strong> Complies</td>
</tr>
<tr>
<td><strong>Discussion:</strong> Refer to Detrimental Impacts chart below</td>
</tr>
<tr>
<td><strong>Condition(s):</strong> None</td>
</tr>
</tbody>
</table>

### Detrimental Impacts

1. **This title specifically authorizes the use where it is located;**

   - **Finding:** No Detrimental Impact
   - **Discussion:** A bar establishment is a conditional use in the TSA-UC-T zoning district.
   - **Condition(s):** None

2. **The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;**

   - **Finding:** No Detrimental Impact
   - **Discussion:** The Capitol Hill Master Plan anticipated that this area will develop over time as a mixed use area with development that encourages good design, pedestrian orientation and open space. The proposed use is in concert with the Master Plan and the anticipated character of the area over time.
   - **Condition(s):** None

3. **The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area;**

   - **Finding:** No Detrimental Impact
   - **Discussion:** The proposed use is located within a corridor that contains a variety of commercial and light industrial uses. The proposed use is similar to other existing uses in the area, and would not be out of character with surrounding uses and development.
<table>
<thead>
<tr>
<th>Condition(s): None</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> The proposed building is approximately 34-feet tall, which is well below the maximum height allowed in the zoning district. The proposed design does not maximize the allowable height. As such, it will fit in with the existing development in the area in terms of mass and scale.</td>
</tr>
<tr>
<td>Condition(s): None</td>
</tr>
<tr>
<td>5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> There is one driveway and drive entrance existing on the north side of the building that leads to the service area which includes both the dumpster and loading area for the site. The access point and driveway will not impede traffic flows on 400 North.</td>
</tr>
<tr>
<td>Condition(s): None</td>
</tr>
<tr>
<td>6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> The site has an existing access driveway off 400 West. It is located to the north of the building and is not located in an area that impacts adjacent properties or pedestrian traffic.</td>
</tr>
<tr>
<td>Condition(s):</td>
</tr>
<tr>
<td>7. The site is designed to enable access and circulation for pedestrian and bicycles;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> There is an existing sidewalk on 400 North. Bicycle parking will be provided on-site. The site will be accessible for both pedestrians and bicycles.</td>
</tr>
<tr>
<td>Condition(s): None</td>
</tr>
<tr>
<td>8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> The proposed use is anticipated to experience an increase in traffic to the site but it is not anticipated to impact the service level of 400 West.</td>
</tr>
<tr>
<td>Condition(s): None</td>
</tr>
<tr>
<td>-------------------</td>
</tr>
<tr>
<td>9. The location and design of off street parking complies with applicable standards of this code;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> The site has 10 existing parking stalls, 6 located to the rear of the existing building and 4 located to the north of the existing building. There is on-street parking available along 400 West. Based on the new building floor area and uses, a total of 3 spaces are required but the TSA zoning district allows for a 50% reduction in parking so the total requirement is 2 spaces. The site exceeds the required parking and complies with the standard.</td>
</tr>
<tr>
<td>Condition(s): None</td>
</tr>
<tr>
<td>10. Utility capacity is sufficient to support the use at normal service levels;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> The site is within a developed area with all utility infrastructure in place. Salt Lake City Public Utilities has indicated that building and utility development permits will be required.</td>
</tr>
<tr>
<td>Condition(s): None</td>
</tr>
<tr>
<td>11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> The proposed landscaping buffers meet the requirements of the TSA zoning district and the street tree requirements are being met.</td>
</tr>
<tr>
<td>Condition(s): None</td>
</tr>
<tr>
<td>12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> There is no indication that the proposed project will introduce any environmental damage to the surrounding area.</td>
</tr>
<tr>
<td>Condition(s): None</td>
</tr>
<tr>
<td>13. The hours of operation and delivery of the use are compatible with surrounding uses;</td>
</tr>
<tr>
<td><strong>Finding:</strong> No Detrimental Impact</td>
</tr>
<tr>
<td><strong>Discussion:</strong> The hours of operation are anticipated to be to be 11 am to 11pm Sunday through Thursday and 11 am to 12 am Friday and Saturday.</td>
</tr>
</tbody>
</table>
The existing winery and bar use is of similar hours. M-TH 11am to 9pm and Fri-Sat 11am 10pm and Sunday 11-7pm.

The increase in the hours to the site may have an impact to the existing residential uses to the east but staff does not anticipate an impact to the abutting properties.

The security and operations plan does propose that any complaint received from affected neighbors will be addressed with the owner or management team. Sound levels for the outdoor stage are proposed to end at 10pm but will also comply with Salt Lake County Health Department noise regulations.

### Condition(s): None

| 14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; |
| Finding: No Detrimental Impact |
| Discussion: Any signs and lighting will be confined to that necessary to provide safety on the site including for adequate security while being minimized in order to not impact adjacent properties. |

| 15. The proposed use does not undermine preservation of historic resources and structures. |
| Finding: No Detrimental Impact |
| Discussion: There are no historic resources or structures on this site. |

### Condition(s): None

According to Zoning Code Section 2A.54.080.C, the Planning Commission may impose conditions related to the standards and detrimental impacts listed above if a condition is necessary for compliance with the standards of approval or any applicable zoning regulation and to reduce any reasonably anticipated detrimental impact. Conditions may be related to:

1. Conditions on the scope of the use; its character, location, hours and methods of operation, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks; and

2. Conditions needed to mitigate any natural hazards; assure public safety; address environmental impacts; and mitigate dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, and radiation.
# 21A.37 Design Standards

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
<th>Proposed</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ground Floor Use(%)</strong></td>
<td>80%. Requires on the ground floor of a new principal building, a permitted or conditional use other than paring shall occupy 80% of the length of any street facing building facade.</td>
<td>100% of the ground floor of the new building will be a bar establishment and restaurant.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>Ground Floor use and Visual Interest</strong></td>
<td>60/25</td>
<td>Not proposing to meet as they meet the standard above</td>
<td>Not Applicable</td>
</tr>
<tr>
<td><strong>Building Materials: Ground Floor</strong></td>
<td>90% required to be durable materials like stone, brick, masonry, textured or patterned concrete, and fiber cement board or as approved by the Planning Director if found to be durable and appropriate.</td>
<td>The applicant is proposing 100% wood material for the entire building. The Planning Director approved the proposed material as durable and appropriate.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>Building Materials: Upper Floor</strong></td>
<td>60%</td>
<td>See above</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>Glass: Ground Floor</strong></td>
<td>60% of the ground floor between 3 and 8 feet must be glass.</td>
<td>The applicant is proposing 60% of the ground floor building elevation to have 60% glass.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>Building Entrances</strong></td>
<td>40 feet, one entrance for every 40 feet of street facing façade.</td>
<td>The building is ~41 feet in length which requires only one entrance. The applicant is 2 entrances that face the public street.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>Blank Wall: Max Length</strong></td>
<td>15 feet. Maximum length of any uninterrupted by windows, doors, art or architectural detailing at the ground floor level along any street facing façade.</td>
<td>The proposed building meets this.</td>
<td>Complies</td>
</tr>
<tr>
<td>Change Description</td>
<td>Description</td>
<td>Complies</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>Changes in plane, texture, materials, scale of materials, patterns, art or other architectural detailing are acceptable methods.</td>
<td>The new building is ~41 in length. Existing building is ~71 feet in width. There is 21 feet between buildings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Street facing façade max length</strong></td>
<td>200 feet, the maximum length of any street facing building wall.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Lighting: exterior</strong></td>
<td>All exterior lighting shall be shielded and directed down to prevent light trespass onto adjacent properties.</td>
<td>Proposed exterior lighting is shielded down.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>Lighting: Parking Lot</strong></td>
<td></td>
<td>Not applicable, no parking lot proposed</td>
<td>Not Applicable</td>
</tr>
<tr>
<td><strong>Screening of Mechanical equipment</strong></td>
<td>All mechanical equipment for a building shall be screened from public view and sited to minimize their visibility and impact.</td>
<td>Mechanical equipment is proposed to be screened.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>Screening of Surface Areas.</strong></td>
<td>Services areas, loading docks refuse containers and similar areas shall be fully screened from public view.</td>
<td>Refuse containers are proposed to be screen by fencing.</td>
<td>Complies</td>
</tr>
<tr>
<td><strong>Ground Floor residential entrances</strong></td>
<td></td>
<td>Not applicable, not a residential use</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
## Design Review Standards

### 21A.59.050: Standards for Design Review

In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for design review:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Rationale</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as the City's adopted &quot;urban design element&quot; and adopted master plan policies and design guidelines governing the specific area of the proposed development.</td>
<td>The proposed modifications meet the intent and purpose of the TSA-UC-T zoning district, as well as the Plan Salt Lake and Capitol Hill Master Plans. The proposed use is expanding an existing commercial use to an area that is redeveloping to more intense uses than what is existing, such as multi-family residential, office, and warehousing. The proposed project also meets the intent of the urban design element of the City.</td>
<td>Complies</td>
</tr>
</tbody>
</table>
| B. Development shall be primarily oriented to the sidewalk, not an interior courtyard or parking lot.  
1. Primary entrances shall face the public sidewalk (secondary entrances can face a parking lot).  
2. Building(s) shall be sited close to the public sidewalk, following and responding to the desired development patterns of the neighborhood.  
3. Parking shall be located within, behind, or to the side of buildings. | The new building is an expansion of the bar establishment that is located within the existing building. The new building is setback substantially from the sidewalk but is designed to include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.  
The location of the new building allows for the addition of an inviting courtyard that has outdoor dining area that provides a direct visual connection to the street.  
1) The primary entrance of the new building is facing 400 West  
2) The applicant is requesting a modification to the building setback. However, the design of the site provides space for a courtyard which abuts the sidewalk.  
3) On-site parking is located to the rear and side of the building. | Complies |
| C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.  
1. Locate active ground floor uses at or near the public sidewalk.  
2. Maximize transparency of ground floor facades.  
3. Use or reinterpret traditional | 1) Two buildings are proposed to occupy the site. The existing building has the winery and a small bar establishment within it and is setback 12 feet from the sidewalk. The new building, which is an expansion of the bar establishment, is proposed to be setback 32 feet from the sidewalk. The design of the site provides a courtyard that abuts the sidewalk and activates the site to facilitate pedestrian interest and interaction. | Complies |
storefront elements like sign bands, clerestory glazing, articulation, and architectural detail at window transitions.

4. Locate outdoor dining patios, courtyards, plazas, habitable landscaped yards, and open spaces so that they have a direct visual connection to the street and outdoor spaces.

<table>
<thead>
<tr>
<th><strong>D. Large building masses shall be divided into heights and sizes that relate to human scale.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Relate building scale and massing to the size and scale of existing and anticipated buildings, such as alignments with established cornice heights, building massing, step-backs and vertical emphasis.</td>
</tr>
<tr>
<td>2. Modulate the design of a larger building using a series of vertical or horizontal emphases to equate with the scale (heights and widths) of the buildings in the context and reduce the visual width or height.</td>
</tr>
<tr>
<td>3. Include secondary elements such as balconies, porches, vertical bays, belt courses, fenestration and window reveals.</td>
</tr>
<tr>
<td>4. Reflect the scale and solid-to-void ratio of windows and doors of the established character of the neighborhood or that which is desired in the master plan.</td>
</tr>
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</table>

The proposed building is small in scale. The building is proposed to be approximately 34 feet in height and 40 feet in width. Various design elements have been incorporated such that the building has a comfortable human scale and works in conjunction with the existing building. Building elements such as the entry and kitchen awnings, the porch on the back of the building, the collection of windows, along with mix of exterior materials provide a comfortable human interaction with the building. |

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<tr>
<th><strong>E. Building facades that exceed a combined contiguous building length of two hundred feet (200’) shall include:</strong></th>
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<tbody>
<tr>
<td>1. Changes in vertical plane (breaks in façade);</td>
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<tr>
<td>2. Material changes; and</td>
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<td>3. Massing changes.</td>
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The proposed building is approximately 40 feet in length. |

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<tr>
<th><strong>F. If provided, privately owned public spaces shall include at least three (3) of the six (6) following elements:</strong></th>
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<tbody>
<tr>
<td>1. Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches</td>
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The proposed project is not proposing any privately owned public spaces. |
(16”) in height and thirty inches (30”) in width. Ledge benches shall have a minimum depth of thirty inches (30”); 2. A mixture of areas that provide seasonal shade; 3. Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2”) caliper when planted; 4. Water features or public art; 5. Outdoor dining areas; and 6. Other amenities not listed above that provide a public benefit.

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<thead>
<tr>
<th>G. Building height shall be modified to relate to human scale and minimize negative impacts. In downtown and in the CSHBD Sugar House Business District, building height shall contribute to a distinctive city skyline.</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Human scale:</td>
<td>The proposed building meets the minimum and maximum requirements for building height in the TSA district. The proposed building is to be only ~34 feet in height, which is consistent with existing buildings in the area. The proposed height of the building is not anticipated to have negative impacts to the pedestrian realm of this area.</td>
</tr>
<tr>
<td>a. Utilize stepbacks to design a building that relate to the height and scale of adjacent and nearby buildings, or where identified, goals for future scale defined in adopted master plans.</td>
<td>The new building is proposed to be ~34 feet in height, which is in compliance with the minimum and maximum building height requirements for the TSA-UC-T zoning district. The building roofline has two distinctive gables. One for the restaurant and bar area and the other for the kitchen area. This combination of varying building elements is cohesive with the building’s overall form and creating variety and intrigue, while not overpowering the human scale.</td>
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<tr>
<td>b. For buildings more than three stories or buildings with vertical mixed use, compose the design of a building with distinct base, middle and top sections to reduce the sense of apparent height.</td>
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<tr>
<td>2. Negative impacts:</td>
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<tr>
<td>a. Modulate taller buildings vertically and horizontally so that it steps up or down to its neighbors.</td>
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<tr>
<td>b. Minimize shadow impacts of building height on the public realm and semi-public spaces by varying building massing. Demonstrate impact from shadows due to building height for the portions of the building that are subject to the request for additional height.</td>
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<tr>
<td>c. Modify tall buildings to minimize wind impacts on public and private spaces, such as the inclusion of a wind break above the first level of the building.</td>
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<tr>
<td>3. Cornices and rooflines:</td>
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</table>
| **a.** Shape and define rooflines to be cohesive with the building’s overall form and composition.  
**b.** Include roof forms that complement the rooflines of surrounding buildings.  
**c.** Green roof and roof deck:  Include a green roof and/or accessible roof deck to support a more visually compelling roof landscape and reduce solar gain, air pollution, and the amount of water entering the stormwater system.  |   |
| **H.** Parking and on-site circulation shall be provided with an emphasis on making safe pedestrian connections to the sidewalk, transit facilities, or midblock walkway.  | The site has an existing driveway and parking. The driveway is located on the north side of the property and is away from any anticipated pedestrian activity. The parking is also on the north side of the existing building and in the rear, again is provided away from pedestrian activity.  |
| **I.** Waste and recycling containers, mechanical equipment, storage areas, and loading docks shall be fully screened from public view and shall incorporate building materials and detailing compatible with the building being served. Service uses shall be set back from the front line of building or located within the structure.  | Proposed waste and recycling containers, and equipment is proposed to be screened from public view.  |
| **J.** Signage shall emphasize the pedestrian/mass transit orientation.  
1. Define specific spaces for signage that are integral to building design, such as commercial sign bands framed by a material change, columns for blade signs, or other clearly articulated band on the face of the building.  
2. Coordinate signage locations with appropriate lighting, awnings, and other projections.  
3. Coordinate sign location with landscaping to avoid conflicts.  | A sign permit will be submitted at a later date. Any sign proposal will meet these standards.  |
| **K.** Lighting shall support pedestrian comfort and safety, neighborhood image, and dark sky goals.  | Outdoor lighting is proposed to be low-level illumination to minimize glare and light tress onto adjacent properties and there is no up-lighting. Lighting is coordinated with the architecture to  |
1. Provide street lights as indicated in the Salt Lake City Lighting Master Plan.
2. Outdoor lighting should be designed for low-level illumination and to minimize glare and light trespass onto adjacent properties and uplighting directly to the sky.
3. Coordinate lighting with architecture, signage, and pedestrian circulation to accentuate significant building features, improve sign legibility, and support pedestrian comfort and safety.

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<tr>
<th>L. Streetscape improvements shall be provided as follows:</th>
<th>Complies</th>
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<tr>
<td>1. One street tree chosen from the street tree list consistent with the city’s urban forestry guidelines and with the approval of the city’s urban forester shall be placed for each thirty feet (30’) of property frontage on a street. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city’s urban forester.</td>
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<tr>
<td>2. Hardscape (paving material) shall be utilized to differentiate privately owned public spaces from public spaces. Hardscape for public sidewalks shall follow applicable design standards. Permitted materials for privately-owned public spaces shall meet the following standards:</td>
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<tr>
<td>a. Use materials that are durable (withstand wear, pressure, damage), require a minimum of maintenance, and are easily repairable or replaceable should damage or defacement occur.</td>
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<td>b. Where practical, as in lower-traffic areas, use materials that allow rainwater to infiltrate into the ground and recharge the water table.</td>
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<tr>
<td>c. Limit contribution to urban heat island effect by limiting use of dark materials and incorporating materials with a high Solar-Reflective Index (SRI).</td>
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<tr>
<td>d. Utilize materials and designs that have an identifiable relationship to the character of the site, the neighborhood, or Salt Lake City.</td>
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<tr>
<td>e. Use materials (like textured ground surfaces) and features (like ramps and seating at key resting points) to support pedestrian comfort and safety.</td>
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Presently the subject site is an outdoor area for what is known as the Garten; there are few trees on the site. The proposal includes a sufficient number of trees to meet the landscaping standards in the TSA zoning district with 1 tree provided for every 30’ of property frontage on a street.

Differing paving patterns will be used to define different open spaces and to provide outdoor seating. The materials proposed as hardscape and as part of the building veneer are considered durable and should withstand Salt Lake City’s climate.

The building materials and design are compatible to the area and will further the character of the neighborhood.
access and comfort for people of all abilities.
f. Asphalt shall be limited to vehicle drive aisles.
ATTACHMENT E: Public Process and Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to this project:

Public Notices:

- Notice of the project and a formal letter requesting comments was sent to the Chair of the Capitol Hill Community Council on November 16, 2022
- Staff sent an early notification announcement of the project to all residents and property owners located within 300 feet of the project site on November 16, 2022 providing notice about the project and information on how to give public input on the project.
- The 45-day recognized organization comment period expired on January 2, 2023.

Public Hearing Notice:

- Public hearing notice mailed: December 20, 2022
- Public hearing notice signs posted on property: December 30, 2022
- Public notice posted on City & State websites & Planning Division list serve: December 20, 2022

Public Comments:
City Staff did not receive any public comments as this staff report was published. The Capitol Hill Community Council did not provide comments or a letter to staff either.
ATTACHMENT F: Department Comments

This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

**Fire: (Doug Bateman 801-535-6619 or douglas.bateman@slcgov.com)**

1. *Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into; and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. This building will need to have fire sprinklers installed.

2. *Buildings or portions of buildings constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Additional fire hydrants may be necessary dependent on total square footage and required fire flows in accordance with IFC appendix B and C.

3. *Fire department connections shall be located on the street address side of buildings, fully visible and recognizable from the street, and have a fire hydrant within 100-feet on the same side of the street.
   *Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

4. *Aerial fire apparatus access roads shall be provided where the highest roof surface exceeds 30 feet measured from grade plane. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. Some exceptions have been added by SLC; those can be obtained from this office.

5. *Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Aerial access routes shall be located not less than 15 feet and not greater than 30 feet from the building and shall be positioned parallel to one entire side of the building.

6. *Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.

**Public Utilities: (Krissteen Beitel at Krissteen.beitel@slcgov.com)**

*Please see BLD2022-08483 for outstanding permit review comments.*

Public Utilities has no issues with the conditional use.

Additional comments have been provided to assist in the future development of the property. The following comments are provided for information only and do not provide official project review or approval. Comments are provided to assist in design and development by providing guidance for project requirements.

- Public Utility permit, connection, survey, and inspection fees will apply.
- All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.
- All utilities must meet horizontal and vertical clearance requirements. Water and sewer lines require 10 ft minimum horizontal separation and 18” minimum vertical separation. Sewer must maintain 5 ft minimum horizontal separation and 12” vertical separation from any non-water utilities. Water must maintain 3 ft minimum horizontal separation and 12” vertical separation from any non-sewer utilities.
- Contact SLCPU Street Light Program Manager, Dave Pearson (801-483-6738), for information regarding street lights.
Utilities cannot cross property lines without appropriate easements and agreements between property owners.

Parcels must be consolidated prior to permitting.

Site utility and grading plans will be required for building permit review. Site utility plans should include all existing and proposed utilities, including water, irrigation, fire, sewer, stormwater, street lighting, power, gas, and communications. Grading plans should include arrows directing stormwater away from neighboring property. Please refer to APWA, SLCDPU Standard Practices, and the SLC Design Process Guide (http://www.slcdocs.com/utilities/PDF%20Files/SLC%20Design%20Process%20Manual.pdf) for utility design requirements. SLCDPU Standard Practice No. 5 specifically addresses required standard materials and appurtenances. Other plans such as erosion control plans and plumbing plans may also be required, depending on the scope of work. Submit supporting documents and calculations along with the plans.

Applicant must provide fire flow, culinary water, and sewer demand calculations to SLCDPU for review. The public sewer and water system will be modeled with these demands. If the water demand is not adequately delivered by the existing main, then a water main upsizing will be required at the property owner’s expense. The expected maximum daily flow (gpd) from the development will be modeled to determine the impacts on the public sewer system. If one or more sewer lines reaches of the sewer system reach capacity as a result of the development, sewer main upsizing will be required at the property owner’s expense. Required improvements on the public water and sewer system will be determined by the Development Review Engineer. A plan and profile of the new main(s) and engineer’s cost estimate must be submitted for review. Design drawings and cost estimate must be stamped and signed by a professional engineer. The property owner is required to bond for the amount of the approved cost estimate.

One culinary water meter is permitted per parcel and fire services, as required, will be permitted for this property. The existing water service to the main building must be utilized for the new building. If a larger water meter is required, then the existing must be abandoned and a new meter installed. Because the parcel is larger than 0.5 acres, a separate irrigation meter is also permitted. Each service must have a separate tap to the main.

All food and beverage processing, preparation, and service requires grease removal prior to discharge to the public sewer system. Treatment must be provided such that the discharge limit of 500 mg/L of FOG (fats, oils, and grease) is achieved. Please provide a treatment device and plan for treatment and sampling that meets this discharge limit and all applicable standards set forth in the Utah plumbing code and SLCDPU Standards. Treatment device shall be located as to be readily accessible for cleaning and inspection. The treatment device must be sized by a licensed design professional. For an exterior, below grade device, a 4 foot diameter sampling manhole, per APWA 411, must be located downstream of the interceptor and upstream of any other connections. For alternative treatment methods, a sampling point must be provided immediately downstream of the device and upstream of any other connections. Please include the treatment device, sampling location, and all associated piping on the plans. Please also verify that plumbing plans show two separate waste streams - one for grease and one for sewer.

Site stormwater must be collected on site and routed to the public storm drain system. Stormwater cannot discharge across property lines or public sidewalks.

Stormwater treatment is required prior to discharge to the public storm drain. Utilize stormwater Best Management Practices (BMP’s) to remove solids and oils. Green Infrastructure should be used whenever possible. Green Infrastructure and LID treatment of stormwater is a design requirement and required by the Salt Lake City UPDES permit for Municipal Separate Storm Sewer System (MS4). This permit was updated with this requirement in June 2021. If green infrastructure is not used, then applicant must provide documentation of what green infrastructure measures were considered and why these were not deemed feasible. Please verify that plans include appropriate treatment measures. Please visit the following websites for guidance with Low Impact Development: https://deq.utah.gov/water-quality/low-impact-development?form=MY01SV&OCID=MY01SV and https://documents.deq.utah.gov/water-quality/stormwater/updes/DWQ-2019-000161.pdf?form=MY01SV&OCID=MY01SV.
Transportation: (Kevin Young at kevin.young@slcgov.com)
The following need to be provided to ensure SLC standards are met:
- ADA parking stall and access aisle dimensions, signage, and pavement markings.
- Parking stall width and length dimensions and drive aisle width dimensions. Any parking stalls adjacent to a wall or a column must be 1' wider than the standard width. (21A.44.020)
- Signage and/or pavement markings for electric vehicle parking spaces indicating exclusive availability for electric vehicles (see 21A.44.050.B.2).
- Bike rack installation (See SLC Transportation Standard Detail, F1.f2, “Bicycle Parking” @ http://www.slcdocs.com/transportation/design/pdf/F1.f2.pdf.)
- Work that impacts the public way may require a traffic control/barricade permit. The Transportation Division should be contacted at 801-535-6630 to verify the need for a permit.

Building Code: (Todd Christopher at Todd.Christopher@slcgov.com)
1. No comments. A full building code review will be performed after a building permit application is submitted.

Police Department: (Scott Mourtgos at scott.mourtgos@slc.gov)
1. One issue with this request: They need to have security/bouncer on scene when they have live entertainment. The agency agrees with their assessment that security is not needed during dining only (at least as explained in their application). Still, for live entertainment at an establishment that serves alcohol, there needs to be security on-site during the live entertainment events.