



Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Andy Hulka, Principal Planner, andy.hulka@slcgov.com, 801-535-6608
Date: January 25, 2023
Re: PLNPCM2022-01035, Conditional Use for a Bar Establishment

Conditional Use

PROPERTY ADDRESS: 33 S. 300 E.
PARCEL ID: 16-06-128-012-0000
MASTER PLAN: Central Community
ZONING DISTRICT: R-MU (Residential/Mixed Use District)

REQUEST:

Salt Lake City has received a request from David Morris for a Conditional Use to operate a bar establishment at 33 S. 300 E. The proposed 1,120 square foot bar, called Citizens, will be located in the ground level of the Lotus Republic apartment complex, which is currently under construction. The property is located in the R-MU (Residential/Mixed Use) zoning district, which requires a Conditional Use approval for a bar establishment. The Conditional Use process evaluates the compatibility, location, configuration, and potential impacts of the request. The Planning Commission has the final decision-making authority for this type of Conditional Use request.

RECOMMENDATION:

Based on the information and findings listed in the staff report, it is the Planning Staff's opinion that the request generally meets the applicable standards of approval and therefore recommends the Planning Commission approve the request with the following conditions:

1. *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.*

ATTACHMENTS:

- A. [ATTACHMENT A: Vicinity Map](#)
- B. [ATTACHMENT B: Plan Set](#)
- C. [ATTACHMENT C: Property Photos](#)
- D. [ATTACHMENT D: R-MU Zoning Standards](#)
- E. [ATTACHMENT E: Conditional Use Standards](#)
- F. [ATTACHMENT F: Alcohol Related Establishment Standards](#)
- G. [ATTACHMENT G: Public Process & Comments](#)
- H. [ATTACHMENT H: Department Review Comments](#)

PROJECT DESCRIPTION



(Building rendering – currently under construction)

Quick Facts

Zoning District: R-MU
(Residential/Mixed Use) District

Proposed Use: Bar Establishment

Parking: 2 stalls located in the parking garage of the building

Review Process & Standards:

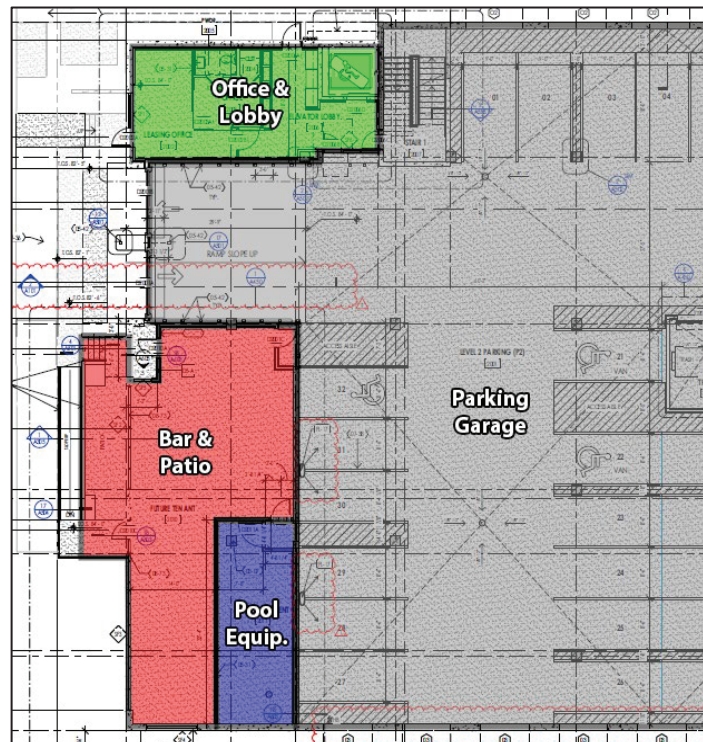
- R-MU Zoning Standards
- Conditional Use Standards
- Alcohol Related Establishment Standards
- General Zoning Standards

The applicant, David Morris, is proposing to operate a bar establishment in the main floor of the recently approved Lotus Republic apartment building at approximately 33 S. 300 E. The bar area is 1,120 square feet in size, with an additional 300-square-foot outdoor patio area. The proposed hours of operation are Monday – Sunday from 11:00 a.m. - 1:00 a.m. The floor plan includes space for 30 indoor seats and 10 outdoor seats. Parking will be provided in the building's structured parking.

Current Conditions

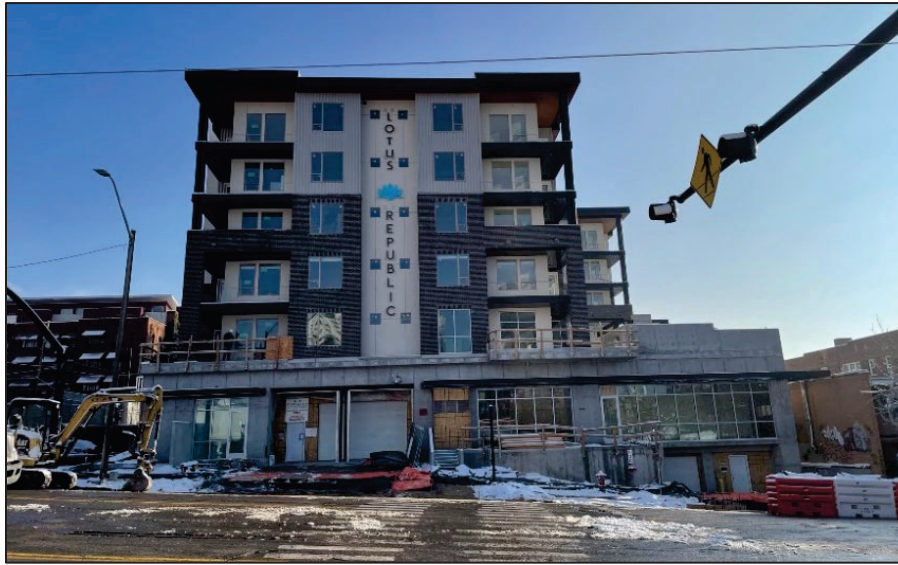
Adjacent properties include residential and commercial uses. The Bungalow Condominium building is located to the north, the Barbara Worth apartments to the east, a vacant commercial building to the south, and a parking lot to the west (across 300 East). All adjacent properties are in the R-MU (Residential/Mixed Use) zoning district.

Within the structure, the bar area is adjacent to the parking garage and a swimming pool equipment room. A swimming pool and amenity space are being built directly above the bar establishment. Building permit BLD2020-06214 was issued for the Lotus Republic apartment building,



(Floor plan with internal uses highlighted)

which included the subject commercial space, in February 2021 and the building is currently under construction.



(Looking east from 300 E. – Dec. 8, 2022)

APPROVAL PROCESS AND PLANNING COMMISSION AUTHORITY

This type of conditional use application requires approval by the Planning Commission. Per chapter 21A.54 of the zoning ordinance, Conditional uses are allowed unless appropriate conditions cannot be applied, which, in the judgment of the Planning Commission, would mitigate adverse impacts that may arise by introducing a conditional use on the particular site. The Planning Commission has the authority to approve, approve with conditions, or deny the Conditional Use request. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable conditional use standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use shall be denied.

KEY CONSIDERATIONS

The key considerations listed below were identified through the analysis of the project:

1. Compatibility with Master Plan Policies and Initiatives
2. Neighborhood Compatibility and Impact

Consideration 1: Compatibility with Master Plan Policies and Initiatives

A guiding principle of the citywide master plan, Plan Salt Lake, is “vibrant, diverse, and accessible artistic and cultural resources that showcase the community’s long-standing commitment to a strong creative culture.” The plan discusses the role bars and restaurants play as small local venues for events and gatherings. An initiative of the Arts & Culture principle is to “support opportunities for vibrant expression of cultural diversity.” The proposed bar establishment will adhere to the Plan Salt Lake principles and initiatives by providing a small community gathering space.

The applicable community master plan for the subject property is the Central Community Master Plan. The plan states that the property is in the East Downtown neighborhood. Some applicable goals and policies for the East Downtown neighborhood and the mixed use/commercial land uses include:

- Encourage residents' ability to minimize the use of private automobiles by providing services for residents within walking distance of their homes.
- Support cultural, shopping, employment, entertainment, and related uses that encourage the desire to live in or near the Central Business District.
- Promote pedestrian-oriented business.
- Encourage and support quality small business development in existing commercial areas and nodes of the Central Community.

The proposed bar establishment will contribute towards the implementation of the above-mentioned goals and policies by providing a pedestrian-oriented small business. The applicant's narrative states that "We anticipate a large portion of our business to come from walk-in's as the bar is located in an area of high density housing," that "Citizen is a gathering place in the heart of a high-density multifamily community," and that "The site is located within walking proximity to over 600 apartment units and is designed to be accessed easily from city sidewalks and bike lanes."

Consideration 2: Neighborhood Compatibility and Impact

The proposed use complies with the zoning standards in the R-MU district (Attachment D), zoning standards specific to alcohol related uses (Attachment F), and the standards for review for a Conditional Use (Attachment E). The applicant submitted a Security and Operations plan, which is a plan of action for any complaints received. The plan addresses the occurrence of live music and mitigation of any potential detrimental effects.

The proposed use is compatible with the surrounding neighborhood and business district, as the area already contains many locally owned restaurants and shops. The mix of 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 hours, but it will be consistent with similar uses and bar establishments in the area.

Because the proposed bar establishment complies with zoning standards for the R-MU district, alcohol related establishments, and conditional uses, staff believes that the proposed use is compatible with the neighborhood. Given the locational context, the proposed use is found to be compatible with the neighborhood mix and should not create negative impacts to existing uses in this urban commercial setting.

STAFF RECOMMENDATION

Staff finds that the proposed bar establishment is compatible with applicable master plan policies and initiatives, and the use is compatible with the surrounding neighborhood. Planning Staff also finds that the proposed bar establishment complies with zoning standards for the R-MU district, alcohol related establishments, and conditional uses.

Based on the information and findings listed in the staff report, it is the planning staff's finding that the request generally meets the applicable standards of approval and therefore recommends the Planning Commission approve the request with the following conditions:

1. *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.*

NEXT STEPS

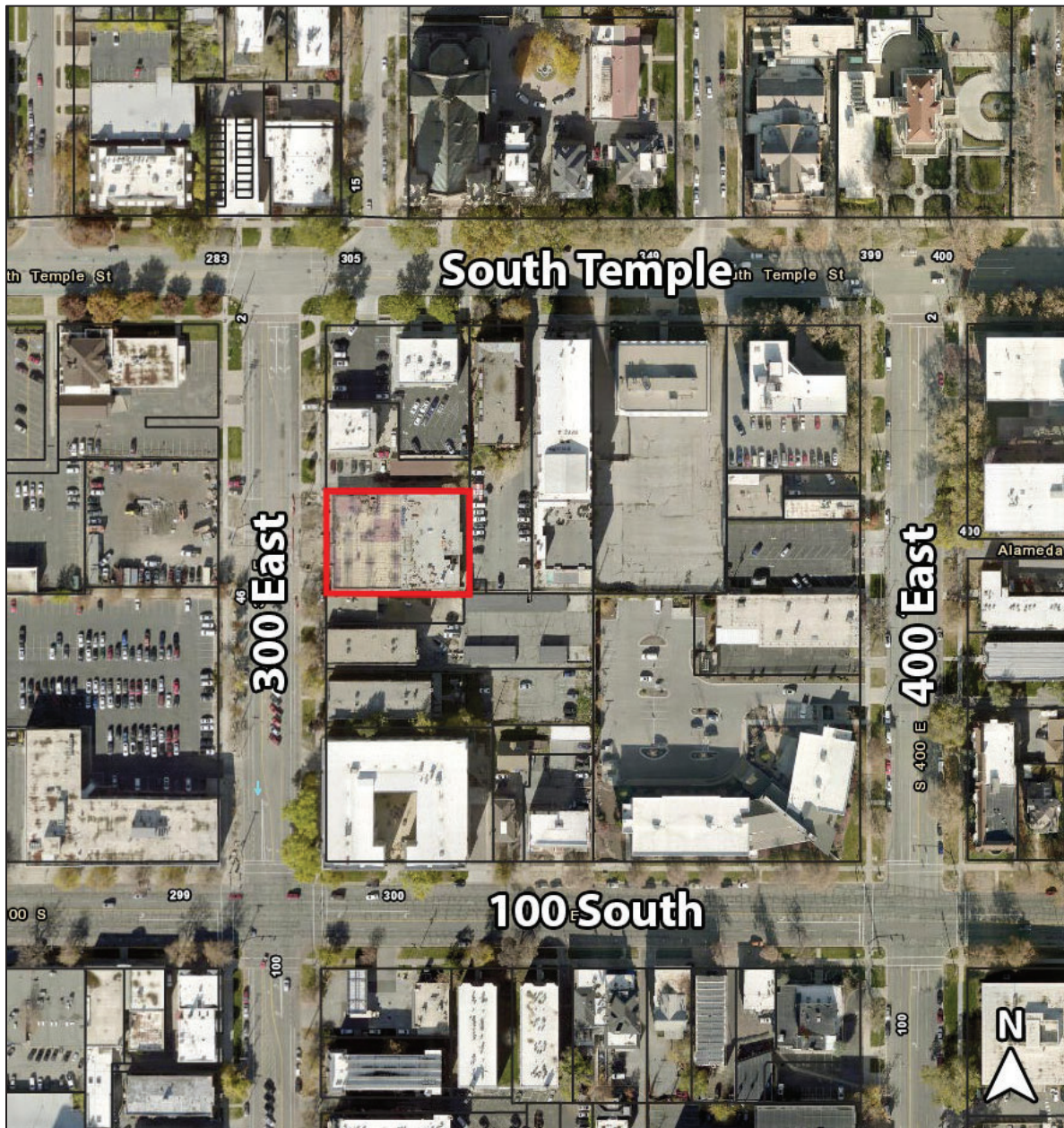
Approval of the Request

If the conditional use is approved, the applicant must then meet all other relevant City and State requirements to receive a business license. The building permit will also need to pass all required city inspections before receiving a certificate of occupancy.

Denial of the Request

State and city codes require that a conditional use be approved if reasonable conditions can be imposed on the use to mitigate any reasonably anticipated detrimental effects of the use. A conditional use can only be denied if the Planning Commission finds that reasonably anticipated detrimental effects cannot be mitigated with the imposition of reasonable conditions. If the conditional use request is denied, the applicant would not be able to use the building for a bar establishment.

ATTACHMENT A: Vicinity Map

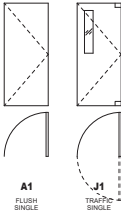


ATTACHMENT B: Plan Set

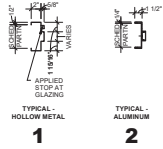
DOOR LEGEND

DOOR TYPES

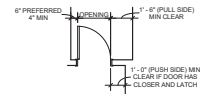
NOTE: REF. DOOR SCHEDULE FOR DOOR DIMENSIONS



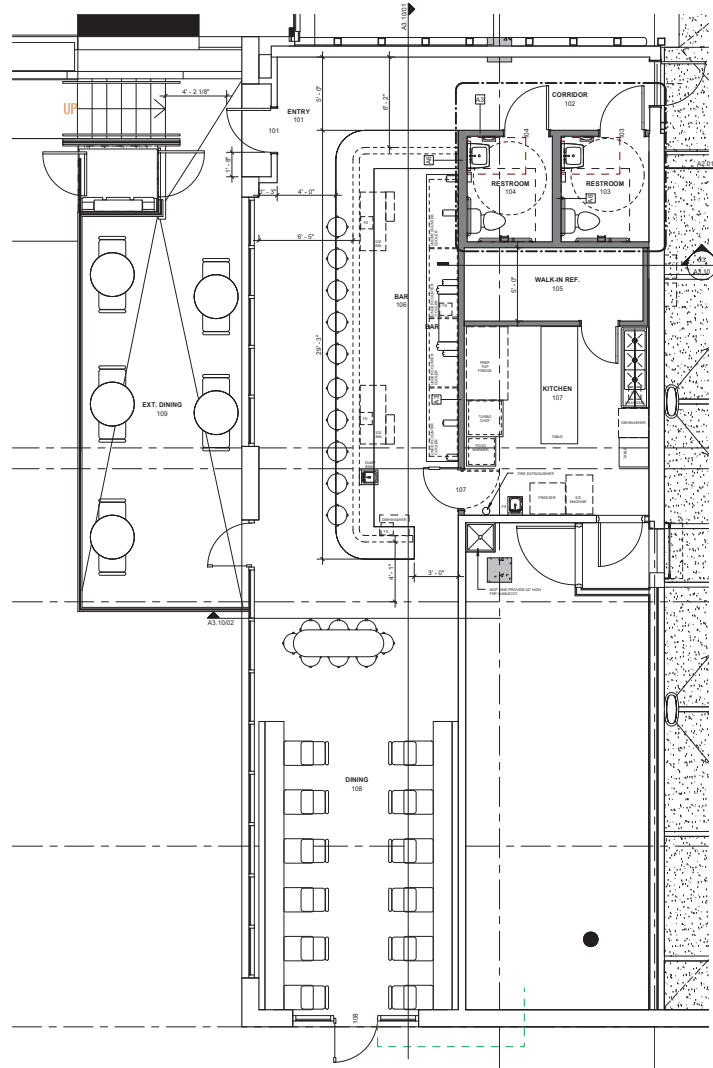
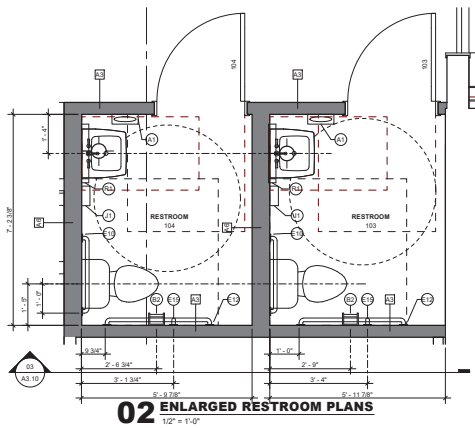
DOOR FRAME TYPES



DOOR CLEARANCES



REVISION	DOOR NUMBER	WIDTH	HEIGHT	FRAME TYPE	DOOR MATERIAL				MATERIALS AND FINISHES				DETAILS				COMMENTS	DOOR NUMBER
					DOOR FINISH	FRAME MATERIAL	FRAME FINISH	DOOR FINISH	DOOR FINISH	FRAME MATERIAL	FRAME FINISH	DOOR FINISH	HEAD	JAMB	GLAZING TYPE	HARDWARE		
1	101	3'-0"	7'-0"	A1	-	WOOD	STAIN	WOOD	STAIN	-	-	-	ST-03.01	ST-03.01	-	-	-	101
2	102	3'-0"	7'-0"	A1	1	HM	PART	HM	PART	-	-	-	ST-03.01	ST-03.01	-	-	-	102
3	103	3'-0"	7'-0"	A1	1	HM	PART	HM	PART	-	-	-	ST-03.01	ST-03.01	-	-	-	103
4	104	3'-0"	7'-0"	A1	1	HM	PART	HM	PART	-	-	-	ST-03.01	ST-03.01	-	-	-	104
5	105	3'-0"	7'-0"	A1	1	ALUM	-	ALUM	-	-	-	-	-	-	-	-	-	105



FLOOR PLAN GENERAL NOTES

- REFER TO SHEET A3.01 FOR PARTITION TYPES, GRAPHIC AND SYMBOLIC DESIGNATIONS, NOTES AND DETAILS.
 - ALL DIMENSIONS ARE FROM FACE OF GYPSUM BOARD U.N.D.
 - REFER TO SHEET A3.01 FOR REQUIRED ACCESSORY/EQUIPMENT MOUNTING DETAILS.
 - REFER TO SHEET A3.01 FOR BLOCKMOUNTING DETAILS.
 - ALL FINISHES MATERIALS AND COLORS BY INTERIOR DESIGNER.
 - FIRE EXTINGUISHER TO BE FURNISHED AND INSTALLED BY CONTRACTOR. EXTINGUISHERS ARE TO BE TYPE 2A MOUNTED AT 48" AFF. PRIOR TO INSTALLATION COORDINATE EXACT LOCATION AND QUANTITY WITH FIRE MARSHAL.
 - CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND JOB CONDITIONS PRIOR TO COMMENCEMENT OF WORK. NOTIFY ARCHITECT OF ANY DISCREPANCIES.
 - PROVIDE ADA COMPLIANT SIGNAGE FOR ALL ROOMS. SEE SHEET A3.01 FOR SIGNAGE REQUIREMENTS.
 - LEVER TYPE DOOR HARDWARE IS TO BE PROVIDED FOR ALL ACCESSIBLE DOORS IN ACCORDANCE WITH ANS A117.1.03 SECTION 404.2.8.
 - SEE MECHANICAL PLANS FOR ALL HVAC AND PLUMBING REQUIREMENTS.
 - SEE ELECTRICAL PLANS FOR ALL ELECTRICAL REQUIREMENTS.
- WALLS SHOWN WITH THIN LINES ARE EXISTING AND TO REMAIN.
WALLS SHOWN SOLID ARE NEW CONSTRUCTION.



ARCHITECT
JSF LLC
480 WEST 800 SOUTH
LATION, UT 84041

**CITIZENS
TENANT IMPROVEMENT**
33 SOUTH 300 EAST
SALT LAKE CITY, UT

STAMP



REVISION NO. DESCRIPTION DATE

DATE
10/04/2022
ISSUE
PERMIT SET
SHEET TITLE
FLOOR PLAN
SHEET NO.

A2.01



Citizen Bar – Conditional Use Submittal Requirements

A narrative that describes the general operations of the proposed use, including answers to the following questions:

Citizen will be a cozy 1120 square foot, full-service bar and restaurant offering high-end yet affordable small plates, fantastic craft cocktails and an amazing beer and wine selection. It will be front and center of a 214-unit apartment complex offering a gathering place for its residence and neighbors.

- What are the anticipated hours of operation?
 - 11am-1am
- What are the anticipated peak hours for the proposed use? Peak hours refer to the hours of the day with the highest number of customers, employees, deliveries, or activities.
 - 5pm-9pm
- Is there any anticipated outdoor activity associated with the use?
 - 300 square foot street facing patio along 300 E, we anticipate 5 two-top tables
- Is there enough space on the site to provide adequate movement, queueing, and storing of vehicles? The space should be based on the anticipated trip generation of similar uses in a similar environment either in Salt Lake City or in similar cities.
 - There is a large underground parking garage associated with the building. The bar is located on a major street with street parking available.
 - We anticipate a large portion of our business to come from walk-in's as the bar is located in an area of high density housing.
- How will the waste generated by the use be stored and handled on site? How will it be removed from the site?
 - The business has access to garbage enclosure located within the property.
- What is the anticipated amount of water consumption of the proposed use?
 - Less than a normal business like this. The entire kitchen is less than 200 square feet and we are using a small undercounter dish machine.
- What is the anticipated level of emissions generated by the proposed use?
 - None. We are using ventless kitchen equipment which means no smoke or fryer exhaust. Our kitchen will be all electric.
- Are there trees with a trunk circumference greater than 6 inches on the property that will be removed?
 - No
- What is the anticipated amount of grading required for the proposed development? Does it include the moving or removing of any pollutant or contaminant in the soil from the site?



- This bar is in the bottom floor of an existing apartment complex.
- Will the proposed use produce any dust, odor, smoke, noise, vibrations, or use any chemicals, toxins, heat, or radiation? If so, how will the impact be addressed? Has the applicant been in contact with the regulatory agency that regulates the specific impact?
 - This business will have none of these impacts.
- Are the locations of all utility needs identified on the site plan and located to avoid creating a hazardous situation? Have utility providers been made aware of the proposed use and is there any information about utility needs?
 - Utility needs have been identified.
 - Utilities have been notified and they are aware. We will be using only electricity and there is ample supply at this location.

An analysis of how the proposal might affect adjacent uses, including answers to the following questions:

- What is the land uses adjacent to the property (abutting and across-the-street properties)?
 - Citizen is in the bottom floor of a high-density apartment complex. Behind it is an underground parking garage. The buildings next door are also high-density apartment complexes. Across the street are two parking lots.
- Are exterior lights located and shielded to direct light away from adjacent uses and downwards (not directed to the sky)?
 - The building in which the bar is located is designed to minimize light pollution using shielded lights and backlit signage.
- Are there access conflicts caused by the location or proximity of walkways, sidewalks, driveways, public streets or public spaces? Are there access conflicts caused by the any proposed or existing structure on the property or adjacent to the property?
 - There are no access conflicts.
- How will the proposed use be separated from adjacent land uses? What screening or buffering features will be provided to reduce any impact identified in these questions?
 - This building has 3rd East to its West, a parking garage to its North and East, a swimming pool above it, the pools mechanical room to its South and it is constructed with 18" thick cement walls and commercial double pane glass.

B. Detrimental Effects Determination: In analyzing the anticipated detrimental effects of a proposed use, the planning commission, or in the case of administrative conditional uses, the planning director or designee, shall determine compliance with each of the following:

1. This title specifically authorizes the use where it is located;
 - a. Yes, the R-MU zone authorizes this use as a conditional use



2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;
 - a. Yes, the bar is located in a mixed-use zone
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;
 - a. Citizen is a gathering place in the heart of a high-density multifamily community.
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;
 - a. Citizen is built in the ground story of an existing apartment building located in the residential mixed-use zone.
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;
 - a. The bar is located in proximity to a covered parking garage as well as the existing street parking adjacent to the site
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
 - a. Citizen entrance is on a walkable city sidewalk and will also have its own entrance from the parking garage for residents of the building. Our capacity will be limited by the square footage of 1120 and patio seating will be limited.
7. The site is designed to enable access and circulation for pedestrian and bicycles;
 - a. The site is located within walking proximity to over 600 apartment units and is designed to be accessed easily from city sidewalks and bike lanes.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;
 - a. There are no service based businesses abutting or adjacent to the bar.
9. The location and design of off-street parking complies with applicable standards of this code;
 - a. Two parking spaces will be provided within the parking structure attached to the bar as well as 1 electrical vehicle stall.
10. Utility capacity is sufficient to support the use at normal service levels;
 - a. Utility capacity has been calculated by the corresponding engineers and designers
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;
 - a. This building has 3rd East to its West, a parking garage to its North and East, a swimming pool above it, the pools mechanical room to its South and it is constructed with 18" thick cement walls and commercial double pane glass.
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;
 - a. The bar does not create any hazardous impacts and is a tobacco free business.
13. The hours of operation and delivery of the use are compatible with surrounding uses;
 - a. The hours of operation are in accordance with city and state regulations. The use is compatible with local neighborhood business.



14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and the proposed use does not undermine preservation of historic resources and structures.
 - a. The building in which the bar is located is newly constructed specific to this use and designed to minimize light pollution using shielded lights and backlit signage.

Citizens Safety and Operations Plan

Contact: David Morris, Co-owner, cell phone - 801-554-1625, dave@lotushospitality.com

Hours of operation: Monday – Sunday: 11am-1am

Code of conduct: A sign is posted upon entering and exiting the bar that states: “Please be respectful of our neighbors and keep the noise to a minimum when exiting and entering”

Complaint and response: Upon request, an owner will meet with the neighbors and community council to resolve any neighborhood complaints regarding the operations on the premises.

Sound Levels: Due to the small size of Citizens live music will be relegated to a small area of the restaurant (if/when it does occur) and will be largely acoustic. In the instance where amplified music will be used, it will occur exclusively inside the restaurant and at a volume not to be disruptive of the residences that share a building with Citizens and within approved guidelines set forth in chapter 9.28 of Salt Lake City zoning code for this district. No amplified music will be allowed inside the Citizens unless we add additional sound proofing in order to prevent noise/music from traveling outside the building.

Smoking: Citizens will be a tobacco/smoke free establishment. Respective signage will be posted upon entering and exiting the bar.

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 limited size of the bar, no bouncer is expected at this point. We will have a staff member at the entrance and several other staff members as well as an MOD on hand to address any issues that may arise. If a bouncer is needed, we will immediately bring that position on.

Trash Management: In order to maintain cleanliness, trash inside (portable trash receptables) Citizens is emptied 2 times daily and the exterior trash bin (automated trash receptacle) is emptied 3 times per week. The exterior trash bin will be emptied along with the residential bins within the shared parking garage. In order to reduce noise complaints, trash will not be emptied between 10pm and 7am. Trash will be picked up by staff members each shift (10am & 10pm) and more specifically, trash will be removed each day prior to 8am of the following day/shift. The exterior trash enclosure is approved and required by Salt Lake City Corp and will be built to required specifications. The grounds surrounding Citizens will be maintained daily by staff. This includes cleaning entryways, park strips, the parking lot and all areas of other debris.

Parking Management plan: Parking at Citizens includes 2 stalls including one ADA stall inside the shared parking garage entered directly north of the bars entrance. There are an additional 12 on-street parking spots within 150’ of the bars entrance along 300 E. We anticipate a large portion of our business to come from walk-ins as the bar is located in an area of high-density housing.

Distribution of plan: A copy of this plan is to be distributed to the Fire Dept., Police Dept., city recorder’s office, city building official, and the Community Council.

ATTACHMENT C: Property Photos



(Photos from December 2022 site visit)

ATTACHMENT D: R-MU Zoning Standards

21A.24.170: R-MU Residential/Mixed Use District

Standard	Finding	Analysis
Use	Complies	The residential districts land use table identifies bar establishments (2,500 square feet or less in floor area) as a conditional use in the R-MU district. The requested use will comply with the use standards of the ordinance subject to approval through a Planning Commission hearing.
Lot Standards	Complies	No new lots are proposed with this conditional use request.
Building & Site Standards (Height, Setbacks, Open Space, Landscaping, etc.)	Complies	No new buildings are proposed with this conditional use request. The mixed-use development was previously approved by BLD2020-06214 – Lotus Republic SLC, which showed compliance with these standards.
Off Street Parking & Loading (21A.44.030.H) 2 total spaces required 1 accessible space required	Complies	No changes to the previously approved parking are proposed with this conditional use request. Parking will be provided within an enclosed garage that is part of the principal building. Two parking stalls will be designated within the garage for business use.
Signage (21A.46.110)	Complies	No new signage is proposed with this conditional use request. A separate permit will be required for any future proposed signage.

ATTACHMENT E: 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.

The Finding for each standard is the recommendation of the Planning Division based on the facts associated with the proposal, the discussion that follows, and the input received during the engagement process. Input received after the staff report is published has not been considered in this report.

21A.54.080.A: Approval Standards
Standard 1: The use complies with applicable provisions of this title;
Finding: Complies
Discussion: The use complies with all applicable provisions of the zoning ordinance.
Standard 2: The use is compatible, or with conditions of approval can be made compatible, with surrounding uses
Finding: Complies
Discussion: Based on the analysis contained in the staff report, the proposed use has been found to be compatible with surrounding uses (see “Key Considerations” section of staff report for further analysis).
Standard 3: The use is consistent with applicable adopted city planning policies, documents, and master plans; and
Finding: Complies
Discussion: The use is consistent with adopted city planning policies, documents and master plans (see “Key Considerations” section of staff report for further analysis).
Standard 4: The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions
Finding: Complies
Discussion: Potential detrimental effects due to noise, smoking, trash, parking, and other complaints are addressed in the security and operations plan. Staff recommends the following condition to ensure that these potential effects continue to be mitigated in perpetuity: “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." A more detailed analysis of potential detrimental effects is provided below.

Condition(s): *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.*

21A.54.080.B: Detrimental Effects Determination

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

Finding: No Detrimental Impact

Discussion: The proposed use is a conditional use in the applicable land use table.

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: Based on the analysis contained in the staff report, the proposed use has been found to be compatible with applicable master plan policies (see "Key Considerations" section of staff report for further analysis).

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 part of a recently approved apartment development, which will provide a mix of residential and commercial uses. The development complies with the R-MU district standards related to the intensity, size, and scale of the building.

4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;

Finding: No Detrimental Impact

Discussion: Mixed use development is a permitted use in the R-MU district. The permitted use was previously approved through permit BLD2020-06214, and no alterations to the exterior of the building are proposed with this conditional use request.

5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;

Finding: No Detrimental Impact
Discussion: Vehicular access to the parking structure is provided from 300 East. No alterations to the site plan are proposed with this conditional use request.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
Finding: No Detrimental Impact
Discussion: Pedestrian access will be provided from the sidewalk, while vehicle access will be provided from the parking structure. No alterations to the site plan are proposed with this conditional use request.
7. The site is designed to enable access and circulation for pedestrian and bicycles;
Finding: No Detrimental Impact
Discussion: Pedestrian and bicycle access is provided by the bike lane and sidewalk on 300 East. No alterations to the site plan are proposed with this conditional use request.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;
Finding: No Detrimental Impact
Discussion: The proposed business will occupy a small footprint and should not unreasonably impact the service level of 300 East. No alterations to the site plan are proposed with this conditional use request.
9. The location and design of off street parking complies with applicable standards of this code;
Finding: No Detrimental Impact
Discussion: Off street parking is provided in an attached parking structure. No alterations to the previously approved off street parking plans are proposed with this conditional use request.
10. Utility capacity is sufficient to support the use at normal service levels;
Finding: No Detrimental Impact
Discussion: A utility capacity was reviewed and approved with BLD2020-06214. No alterations to the utility plan are proposed with this conditional use request.

11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;

Finding: No Detrimental Impact

Discussion: The use will be appropriately buffered from dissimilar uses within and adjacent to the building. Construction plans propose the use of 18" thick cement walls and double pane glass.

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;

Finding: No Detrimental Impact

Discussion: The security and operations plan states that the business will be smoke free. The use will have no negative influence on sustainability goals and will not encroach on any stream or waterway.

13. The hours of operation and delivery of the use are compatible with surrounding uses;

Finding: No Detrimental Impact

Discussion: The proposed hours of operation (11:00 am – 1:00 am daily) are consistent with the Central Community's goals to support cultural, shopping, employment, entertainment, and related uses that encourage the desire to live in or near the Central Business District.

14. Signs and lighting are compatible with, and do not negatively impact surrounding uses;

Finding: No Detrimental Impact

Discussion: No alterations to the exterior of the building are proposed with this conditional use request. Future signage will require a separate permit.

15. The proposed use does not undermine preservation of historic resources and structures.

Finding: No Detrimental Impact

Discussion: The property is not located within any local historic districts. No alterations to the exterior of the building are proposed with this conditional use request.

According to Zoning Code Section 21A.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.

After a public hearing is held, planning staff can help the commission identify and determine if information provided warrants further discussion on any potential non-compliance or detrimental impact that may require a condition of approval.

ATTACHMENT F: Alcohol Related Establishment Standards

21A.36.300: ALCOHOL RELATED ESTABLISHMENTS:

Standard	Finding	Analysis
License Required	Complies	Prior to the issuance of a business license, the applicant will be required to obtain all necessary approvals from the state of Utah.
Security and operations plan	Complies	The applicant has submitted a security and operations plan that has been reviewed by the Salt Lake City Police Department. The plan addresses each of the items required by code.
Police Department approval	Complies	The Salt Lake City Police Department has reviewed and approved the plans.
Buffering	Complies	The subject property is already within a residential district (R-MU), so buffering has been provided between the commercial and adjacent residential uses within the building through the use of 18" thick cement walls and double pane glass.
Landscaping located so it cannot be used as a hiding place	Complies	The proposed landscaping for the site does not appear to include any plants or areas that could be used as a hiding place.
Graffiti	Complies	The applicant will be required to maintain the exterior of the premises to be free of graffiti. The security and operations plan includes contact information and a plan to respond to complaints.
Signage	Complies	No new signage has been proposed with this conditional use request.
Parking area lighting	Complies	No new exterior lighting has been proposed with this conditional use request.
Outdoor smoking area	Complies	The security and operations plan indicates that the business "Citizens will be a tobacco/smoke free establishment. Respective signage will be posted upon entering and exiting the bar."

ATTACHMENT G: Public Process & Comments

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project since the applications were submitted:

- November 18, 2022 – The Central City, Preserve our Avenues, Greater Avenues, and Downtown Alliance community organizations were sent the 45-day required notice for recognized community organizations. No organizations provided comments on the application.
- November 18, 2022 - Property owners and tenants within 300 feet of the development were provided early notification of the proposal.
- Nov. 18, 2022 – Jan. 2, 2023 – The project was posted to the Online Open House webpage.

Notice of the public hearing for the proposal included:

- Jan. 12, 2023
 - Public hearing notice sign posted on the property
- Jan. 13, 2023
 - Public hearing notice mailed
 - Public notice posted on City and State websites and Planning Division list serve

Public Input:

Staff received comments from an adjacent neighbor opposed to the use of the property for an alcohol establishment. The comments have been attached for Planning Commission review. Staff responded with information about distance requirements from community locations for alcohol establishments.

From: [Tiffany Thompson](#)
To: [Hulka, Andrew](#)
Subject: (EXTERNAL) Re: Bar establishment 33 South 300 East
Date: Tuesday, December 6, 2022 11:44:35 AM

The reference number is PLNPCM2022-01035

On Tue, Dec 6, 2022 at 11:43 AM Tiffany Thompson <[REDACTED]> wrote:

Good morning. I am the landlord to the sober living house that is located directly nextdoor to the north of the place you guys are planning to put a bar in. I was hoping it was not too late to object to this happening, as I just received the notice today. Thank you for any help you can provide with this.

--

Tiffany Thompson CPSS
Case Manager
7th Street Treatment Center
[REDACTED]

www.7treatment.org

ATTACHMENT H: Department Review Comments

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

Building:

No Building Code exceptions as it pertains to the Conditional Use Permit application.

Associated Building Permit: BLD2022-08454

Fire:

No fire code comments related to the conditional use. Additional comments may arise with building permit application and code compliance review of documents

Transportation:

No comments received.

Police:

I have reviewed all of the documents you provided and everything looks really good. I do recommend building something into their conditional use permit regarding requiring a bouncer at a specific point/threshold. Their op plan leaves it really open and vague I would hate to get to a point where police are responding 3-4 times a night before they decide to put their own security measures in place with a bouncer.

Public Utilities:

Public Utilities has no issues with the proposed conditional use, but will require under the building permit that plans include pretreatment measures for fats, oils, and greases per SLCDPU standards. Please see BLD2022-08454 for outstanding building permit comments specific to providing grease treatment.