

# **Staff Report**

#### PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To:	Salt Lake City Planning Commission
From:	Rylee Hall, Principal Planner
	rylee.hall@slcgov.com or 801-535-6308
Date:	November 29th, 2023, Published November 16th, 2023
Re:	PLNPCM2023-00396– Conditional Use: Bar Establishment at 1533 S 1100 E

# **Conditional Use Permit**

# PROPERTY ADDRESS: 1533 S 1100 E

PARCEL ID: 16-17-256-001-0000 MASTER PLAN: <u>Central Community Master Plan</u> ZONING DISTRICT: <u>RB (Residential/Business) District</u> RECOGNIZED ORGANIZATION: East Liberty Park Community Organization

**COUNCIL DISTRICT:** District 5, Darin Mano

# **REQUEST:**

Ian Kaplan (applicant) and Cody Chamberlain (owner) are requesting approval from the City to establish a bar at 1533 S 1100 E in the RB (Residential/Business) District.

# **RECOMMENDATION:**

Approval with conditions:

1. Final details related to lighting and landscaping near the dumpster area are delegated to Staff to verify compliance with the conditional use standards and the standards for fences, walls, and hedges in <u>21A.40.120</u>.

# **ATTACHMENTS:**

- A. <u>ATTACHMENT A: Vicinity Map</u>
- B. <u>ATTACHMENT B: Site Photos</u>
- C. ATTACHMENT C: Application Materials from Applicant
- D. <u>ATTACHMENT D: Zoning Standards for the RB Zone</u>
- E. <u>ATTACHMENT E: Conditional Use Standards</u>

- F. ATTACHMENT F: Public Process & Comments
- G. ATTACHMENT G: Department Review Comments

# **PROJECT DESCRIPTION**

#### Request

The request is to convert the existing building on the site into a bar establishment. The building was built in 1910. Most recently, the building housed a sewing machine repair and retail store called Shingleton's. The building is built to the property lines on the north, west (front), and south. A bar establishment (limited to 2,500 SF) is listed as a conditional use in the <u>RB (Residential Business) District</u>.



The applicant intends for the bar to occupy the entire building (approx. 2,000 SF) which will be remodeled to include a tap room, seating area, wine bar, and arcade, with 90 total seats. The proposed hours of operation are noon to midnight 7

#### **Quick Facts**

Zoning District: RB (Residential/ Business) District

Proposed Use: Bar Establishment

#### **Review Process & Standards:**

- $\rightarrow$  RB Zoning Standards
- $\rightarrow$  Conditional Use Standards
- → Alcohol Related Establishment Standards
- $\rightarrow$  General Zoning Standards

days a week. Peak hours for this establishment are anticipated to be 7-10pm on Friday and Saturday evenings, according to the narrative provided by the applicant. No significant outdoor activity is anticipated in association with the proposed use. Any entertainment or other noise generating activities are required to take place within the building.

#### Site Details

The property is bordered by public roads, 1100 East and Kensington Avenue, on the west and north, and by a public alley on the east.

Building Exterior (Google Maps, May 2019)

The alley to the east of the property runs north/south and provides access to businesses and residences bordering the alley. Along the northern side of the building is a park strip. This area will be landscaped upon approval of the proposal.

To the south, there is another commercial structure that houses office and retail uses. A mix of commercial and residential uses continue along 1100 East. Across the alley to the east, there is a single-family home - this home is about 36 ft. from the building and 40 ft. from the nearest patron entrance. Other residences are nearby but separated from the building by a public road. All residences to the east of the property are in the R-1/5000 Zone.

The structure is located in the <u>RB (Residential</u>

<u>Business</u>) <u>District</u> and is subject to the future land use goals found in the <u>Central Community</u> <u>Master Plan</u>.



## Background

The project location is within the Emerson neighborhood which extends from 900 S to 1700 S, and from 900 E to 1300 E. This neighborhood is primarily composed of single-family homes in a grid pattern with commercial uses concentrated at neighborhood commercial nodes or along major roads. The popular 900 South 900 East (9<sup>th</sup> & 9<sup>th</sup>) neighborhood commercial node is located at the north-western edge of this neighborhood.

1100 East, classified as a collector street, is a major traffic generating street in this neighborhood. Small-scale commercial development has developed along this corridor, where the proposal site is also located.

This street is in the process of being reconstructed with the 1100 East Reconstruction project which extends from 900 South to Logan Avenue (1600 S). This project, which is expected to finish this month, will reconstruct the



**Emerson Neighborhood** 

existing pavement, sidewalk, and gutters. It will also provide safety improvements, traffic calming features, and buffered bicycle lanes. The existing bus stops along 1100 East will be updated to add shelters, benches, trash cans, bike racks, and lighting. Additional improvements will be constructed along the McClelland trail and the east/west avenue streets from Harrison Avenue to Bryan Avenue. These improvements include traffic calming features, like curb extensions or bulbouts, and more landscaping along streets.

More details on this project can be found at the City Transportation website and at the following link: <u>1100 East Reconstruction</u>.

# APPROVAL PROCESS AND COMMISSION AUTHORITY

Any proposed bar establishment in the <u>RB (Residential/Business) District</u> requires a conditional use approval. The Planning Commission has the authority to approve, approve with conditions, or deny the Condition Use request. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate any reasonably anticipated detrimental effects of the proposed use in accordance with the applicable conditional use standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the imposition of reasonably conditions, then the conditional use may be denied.

Staff has reviewed this application alongside the detrimental impacts determination section of the ordinance (21A.54.080B, see <u>Attachment E</u>) and does not anticipate any adverse effects of the establishment of this use. For complete analysis and findings in relation to zoning standards for the proposed use and the Conditional Use standards, please refer to <u>Attachment D</u> and <u>Attachment E</u>.

# **KEY CONSIDERATIONS**

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

- 1. Implementation of the Plan Salt Lake and the Central Community Master Plan
- 2. Neighborhood Compatibility and Impact

# Key Consideration 1: Implementation of the Plan Salt Lake and the Central Community Master Plan

# <u>Plan Salt Lake</u>

Plan Salt Lake is a Citywide vision for the City for the next 25 years and includes guiding principles for the City related to sustainability and livability. The goal of the plan is to create a city with neighborhoods that are safe, while supporting a balanced economy that provides jobs and fosters local businesses. Applicable initiatives from the plan are below:

Neighborhoods:

• Encourage and support local businesses and neighborhood business districts.

• Provide opportunities for and promotion of social interaction.

Growth:

- Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.
- Encourage a mix of land uses.

Beautiful City:

• *Reinforce and preserve neighborhood and district character and a strong sense of place.* Preservation:

• Preserve and enhance neighborhood and district character.

Economy:

• Support the growth of small businesses, entrepreneurship and neighborhood business nodes.

The proposed use will provide a new business along a corridor with an existing mix of commercial and residential uses. This area also expects more commercial uses and development in the future. The site has access to existing infrastructure - including utilities, roads, and public transportation. There are also newly reconstructed bike lanes along 1100 East and a bus stop close to the site. The proposed bar will be occupied by a local business and will provide opportunities for social interaction for nearby residents.

The Emerson neighborhood area was one of the first streetcar suburbs in Salt Lake City. Most of the area was platted as subdivision by 1890 and by 1925 most of the area was filled in with single-family dwellings reflecting a variety of architectural styles from the past 40 years of development in the area. From its on-set, this area has primarily been low-density residential, with intermingled businesses and offices. The Central City Historic District was subsequently established with the goal of preserving the city's heritage and maintaining a livable residential neighborhood. Several National Register neighborhoods and sites exist within the Central Community.

Preservation is an important component of community character and sense of place. The proposed use will occupy an existing building that was built in 1910. While this building is not designated as a historic structure and is not within a local historic district, retaining the existing building for a new use supports

an overall trend of retaining and respecting older buildings, preserving neighborhood character, and reinforces a sense of place within the Emerson neighborhood, and the Central Community as a whole.

# Central Community Master Plan (2005)

The goal of the Central Community Master Plan is to create and support livable communities and neighborhoods, sustainable commerce, and unique and active places. The Future Land Use designation for this address is Low Residential/Mixed Use – shown in light pink on the map to the right. The policies that relate to this area specify that new commercial uses should focus on supporting and maintaining the existing residential presence in this area.

The plan calls for new places where people can gather, meet, socialize, and recreate, and specifically identifies the corners of major streets as ideal places for mixed-use or commercial development.

Compatibility is an important ideal of this plan as well. Compatibility refers to how a development integrates into the existing scale and character of a neighborhood. New development should be consistent with the existing development pattern of small-scale, low density residential and small-scale commercial uses.



Future Land Use Map

# Proposed

The project site is on the corner of 1100 East and Kensington Avenue, matching the places identified as ideal for new commercial development. 1100 East, classified as a collector street, is a major traffic generating street in this neighborhood and small-scale commercial development is existing along this corridor.

The use supports residential uses in this area by providing a place for gathering, socializing, and recreating. Its proximity to an established residential neighborhood will access an existing customer base in this area. This building is 1-story and approximately ~2,000 SF. Because of its size, the scale of the proposed use is compatible with the existing residential neighborhood, which is primarily single-family homes of a similar size. The proposal is also compatible with other small-scale commercial uses along 1100 East.

In general, the proposed use supports the Central Community Master Plan by establishing a business that aligns with the Future Land Use Map, in an existing building that is compatible in terms of mass and scale with the existing neighborhood.

# Key Consideration 2: Neighborhood Compatibility and Impact

Staff has received public comment in person from neighbors who have concerns with the development (see <u>Attachment F: Public Process & Comments</u> to see all public comment that has been received by Staff). Staff has taken these comments and concerns into consideration while reviewing and analyzing the proposal. The concerns relating to the standards of approval are addressed below:

### Compatibility with Adjacent Uses

Alcohol Related Establishments, regulated by City Code, are required to submit a Security and Operations Plan that must be reviewed and approved by the Police Department and Building Official, and then recorded by the City Recorder. This plan addresses noise, garbage, complaint management, and various other issues that may be generated by this use. This plan is used to mitigate potential negative effects of the use upon neighboring properties and increase its compatibility within the surrounding area. An analysis of these requirements and the Security & Operations Plan provided by the applicant can be found in Attachment C: Application Materials from Applicant and Attachment D: Zoning Standards for the RB Zone.

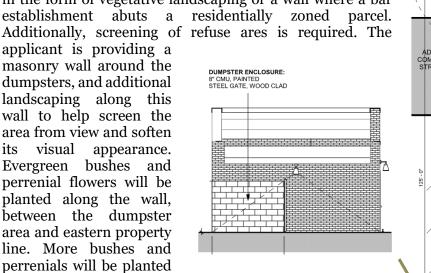


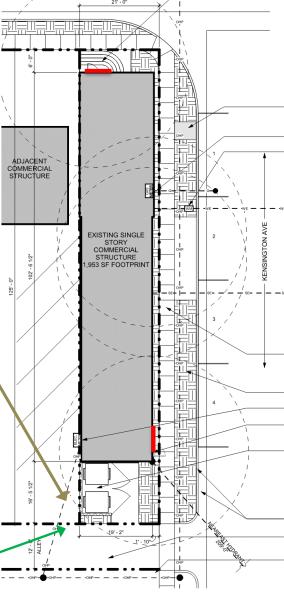
Pedestrian access to the proposed bar is provided by the main entrance on the west-facing facade (facing 1100 East) and a secondary/ADA entrance on the north-facing facade (facing Kensington Avenue). The red lines on the site plan (right) show the approximate location of both building entrances.

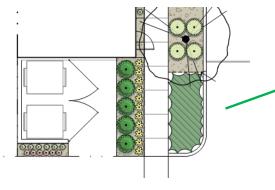
There is a small, paved area to the rear (east) of the building that will be used to house dumpsters. Buffering is required in the form of vegetative landscaping or a wall where a bar establishment abuts a residentially

applicant is providing a masonry wall around the dumpsters, and additional landscaping along this wall to help screen the area from view and soften its visual appearance. bushes Evergreen and perrenial flowers will be planted along the wall, between the dumpster area and eastern property line. More bushes and perrenials will be planted

along the sidewalk along Kensington Avenue up to the eastern propert line closest to the nearest residence. Some of the existing pavement in this area will be removed to accommodate the proposed landscaping.









The image below shows the eastern façade of the building, existing alley, and the closest residence (far left). There are no windows, doors, or openings along the eastern façade of the building facing this residence.

There is limited existing lighting at the site. The applicant has indicated they intend to provide additional exterior lighting for safety at building entrances and the dumpster area. Staff has proposed a condition of approval that final details regarding lighting are delegated to Staff. Review of this lighting plan will verify the proposed lighting meets all City standards and does not have an adverse effect on the residence to the east. All new lighting will be required to be cast downward and limit intrusion on residential property.

# Parking & Traffic

There is no vehicular access or parking areas on-site. Due to the configuration of the existing building on the site, it is not possible to add off-street parking. For changes in use for buildings built prior to 1944, the zoning regulations do not require any additional parking beyond what is existing. The building was built in 1910 and therefore no off-street parking is required for the proposed use.

Publicly available parking is available along 1100 East and Kensington Avenue. No parking associated with this use will be allowed on private property unless appropriate permission has been acquired. All other on-street parking associated with this use will be required to obey all traffic laws.

In response to the concerns received via public comment regarding parking, the applicant is exploring the option of a shared parking agreement with neighboring properties. The peak operating hours of the proposal are generally in the evening/night, whereas other local businesses' hours of operation are primarily during regular business hours. The shared parking agreement is not a requirement as the proposal meets the zoning ordinance requirements for off-street parking.

Its location within an existing neighborhood and mixed-use area will access a customer base that are more likely to travel to the bar via foot or bike due to their proximity to the establishment. There are also multiple newly improved bus stops along 1100 East, including a stop about 50 ft. to the south of the main entrance. The 220-bus route – the route that travels along 1100 East – runs as late as 10:30pm. These factors will reduce traffic by car to or from the site. Out of the 21 public comments received via email in support of the proposal, 16 mentioned they were pleased about the possibility of walking, biking, or taking transit (see <u>Attachment F: Public Process & Comments</u> to see all public comment that has been received by Staff).

The Transportation Department has reviewed the proposal and does not have any concern with the adequacy of nearby streets to handle any additional traffic generated by the use. The 1100 East Reconstruction project included improvements along McClelland trail and the east/west avenue streets from Harrison Avenue to Bryan Avenue. These improvements include traffic calming features, like curb extensions or bulb-outs, and more landscaping along streets. These traffic calming features will reduce speeding and erratic driving along residential streets.

# Drunk Driving & Crime

Any patron of the bar will be required to obey all laws. The Police Department has reviewed the proposal and has indicated no position on issues related to drunk driving or crime. The subject property is located within a built environment where public facilities and services already exist, including access to emergency services. As stated above, access to public transit and its location with an existing neighborhood will encourage other modes of transportation and reduce travel to the establishment via car.

# Noise & Littering

The Security & Operations states that noise will be properly and proactively managed: Noise will be limited to 50 Dba or less between 9pm and 7am, less than 55 dBA between 7am and 9pm on weekdays and Saturdays, and less than 50 dBA between 9pm and 9am and 55 dBA between 9am and 9pm on Sundays and holidays. The Salt Lake County Health Department sets the limits for noise regulations and works with local law enforcement agencies to enforce these regulations.

Live entertainment will take place fully enclosed within the building, and electronically amplified sound will be prohibited in any exterior portion of the premises. Additionally, any trash strewn on the premises will be collected and deposited in the trash receptacles by 6am the following day. Trash will be collected from the site at least once weekly. The applicant will manually roll the dumpsters out of the enclosure to the street (1100 East) for pick-up to avoid blocking the alley. Once the garbage has been collected, the dumpsters will be manually rolled back into the enclosure.

# Air Quality

A designated smoking area must meet all State Code requirements, which includes a requirement that this area is at least 25 ft. away from any entrance. The site is small (about 2,600 SF) and the existing building takes up most of this area. Because of this, there is no on-site location that would be suitable to designate as a smoking area. In response, the applicant has proposed this bar to be a 'no smoking' establishment. The applicant has provided details on this in the submitted Security & Operations Plan; signage will be placed near the entries and exist stating the bar is a 'no smoking' establishment.

# Proximity to Community Uses

The State/DABS (Department of Alcoholic Beverage Services) regulates the proximity requirements to community locations (schools, parks, churches, etc.) and will review the applicant's application for a liquor license to make sure the location is not in violation of these requirements. The applicant has indicated that the proposed establishment meets all proximity restrictions.

#### Food Trucks

The applicant has proposed food trucks to be available during peak hours of operation. Any food truck associated with this use would need to comply with all regulations for food trucks found in

City Code section <u>5.69</u>, which limits where these businesses are allowed to operate in the public right of way.

# **SUMMARY:**

The proposal will contribute to a mix of uses in this area, a desired characteristic and the Central Community Master Plan and Plan Salt Lake. The proposal will establish a business that aligns with the Future Land Use Map designation for the site, in an existing building that is compatible in terms of mass and scale with the existing neighborhood. The use supports residential uses in this area by providing a place for gathering, socializing, and recreating. The site has access to existing infrastructure - including utilities, roads, and public transportation. Its location within an existing mixed-use neighborhood and existing access to transit options, supports walkability. The subject property is located within a built environment where public facilities and services already exist, including access to emergency services.

The applicant has submitted a Security and Operations Plan that addresses noise, garbage, complaint management, and various other issues that may be generated by this use. This plan will be used to mitigate potential negative effects of the use upon neighboring properties.

Although the project site is close to a single-family residence to the east, the use will be separated by a public alley (~12 ft. in width), a masonry wall, and landscaping which will reduce any impacts that may be generated by the proposal. No windows, doors, or openings are located along the eastern façade of the building, which faces this residence. Any future lighting will be required to be cast downwards and limit intrusion on residential property.

# **STAFF RECOMMENDATION**

Planning Staff finds the project generally meets the applicable standards of approval and recommends the Planning Commission approve the Conditional Use for the bar establishment.

# NEXT STEPS

# Approval of Conditional Use

If the request is approved, the applicant will need to comply with the conditions of approval, if any, including those required by other City departments and any added by the Planning Commission. All other standards and processes listed by the City's ordinances are still required.

Additionally:

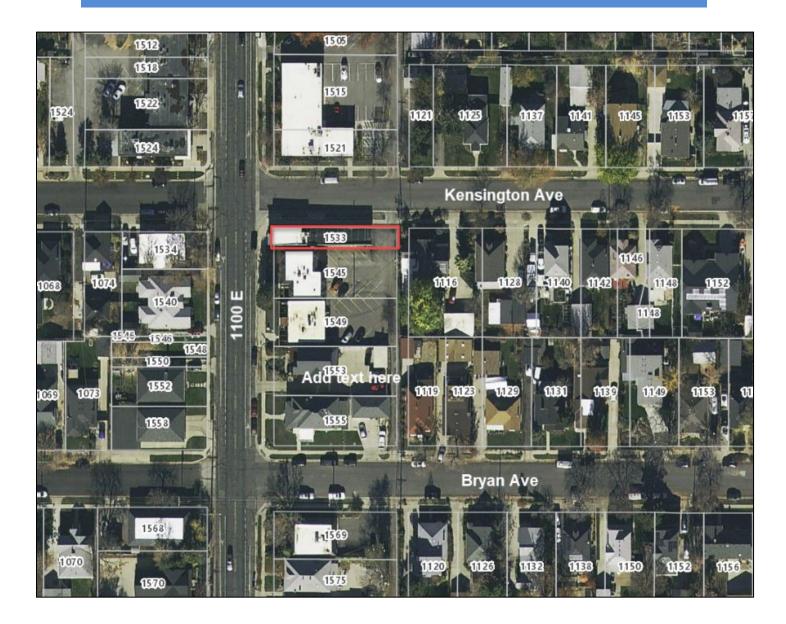
- The applicant will be able to submit plans for building permit (s), however a Certificate(s) of Occupancy for the new bar establishment will only be issued once all conditions of approval, if any are adopted, are met.
- The applicant will be able to submit an application for their business license.
- The Security & Operations Plan will need to be reviewed and approved by the Police Department and Building Official, and then recorded with the City Recorder's Office.

# **Denial of Conditional Use**

State and City code 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 petition is denied, the applicant would not be able to establish the proposed bar establishment at the subject property, but the site could be developed with another permitted use, or proceed with any other process needed to establish another use.

# **ATTACHMENT A: Vicinity Map**



# **ATTACHMENT B: Site Photos**



View of east facade of building and alley

East facade of building

Front facade



View of north & front façade, looking down 1100 E

Northern façade of building

# **ATTACHMENT C: Application Materials from Applicant**

#### **RE:** Application for Conditional Use - Supplemental Information



#### Narrative:

The property located at 1533 S 1100 E has been identified as a desirable location for a small bar/tavern. The owner anticipates to be in operation from noon until midnight 7 days a week including weekends. The peak hours for this type of establishment would be between 7:00 PM and 10:00 PM on Friday and Saturday evenings. Due to the nature of the parcel, there will be no significant outdoor activity associated with the use. Food trucks will be made available during peak hours of operation and a smoking area will need to be designated in a location that does not adversely affect neighbors. The parcel is a corner lot with ample street parking available on 1100 E and a publically accessible alleyway behind the building for deliveries and waste/refuge management. The business should pose no adverse effects to neighbors in regards to their deliveries and/or business vehicles. The parcel is one of the smallest parcels in Salt Lake City and as such, does not have on-site parking available. There are 4, potentially 5, stalls located on Kensington Avenue that are available for use by the business. In addition - this location was favored due its location in front of a city bus stop, as well as the bike lane on 1100 E, in hopes that its customers will utilize public transportation.

The property has a strip of land between the back of the building and the public alleyway that will be utilized as a location for screened in waste/refuge containers. Weekly or, if required, more frequent pick-ups will be scheduled so as to not allow waste to build up beyond the capacity of the containers. The use as a Bar/Tavern will be a low-intensity demand on water usage when compared with other commercial facilities. The greatest contribution to water usage will be the flushing of toilets and washing of hands. The owner has the option to install low-flow toilets and sink faucets to help conserve water. The

characteristics of being a very small parcel means that there is no landscaping present on site and certainly no trees greater than 6 inches in diameter. With that said, the owner is proposing to remove as much hard-surface as possible on the site to replace it with new native, water wise vegetation. No grading will be required for the proposed use of this property and no polluted soils are present. The locations of utilities are noted on the Site Plan and any work done outside of the shell of the structure will be required to contact BlueStakes prior to digging so as to avoid any hazardous situations.

The use as a bar/tavern presents the potential of adverse affects to residential neighborhoods to the East. The owner will follow all applicable requirements for landscape buffers between residential and commercial properties in section 21A.36.300 of the SLCMC. Noise will be primarily contained within the structure of the building that is naturally oriented towards the North and West in the direction of other commercial properties and structures. There are no door or window openings located on the East side of the property where the adjacency of residential structures occurs and a landscape buffer will be provided to provide a visual barrier from the residential parcels in accordance with the code. All exterior lighting will be of a full cut-off nature and will be directed in a way that maintains illumination within the property boundaries. There are no access conflicts present on site nor will there be during the operation of the proposed business.

#### 21A.54.080 STANDARDS FOR CONDITIONAL USES

The proposed use of Bar/Tavern located at said property meets the standards for conditional uses as outlined in 21A.54.080 by:

- Complies with applicable provisions of title 21A.54.080,
- Is compatible with surrounding uses. 1100 E is a pre-existing commercial corridor with restaurants, local shops and eating/drinking establishments.
- The use is consistent with city planning policies, documents and masterplans by helping contribute to a more walkable, livable city. The project is promoting adaptive re-use of an existing structure to utilize for a locally owned, neighborhood centric business.
- The anticipated detrimental effects can be mitigated by reasonable conditions in the form of landscape buffers, visual barriers, and reasonable hours of operation.

#### Security and Operations Plan

1533 s 1100 e - "Tap Room"

#### A. Opening Procedures

#### Property check

Before entering the establishment, do a property check to ensure everything is okay on the outside and if there's any damage from the night before. Clear any trash away from doors, windows, and the parking area.

#### Internal check

Check inside for anything that's out of place, such as broken chairs, missing items, or any duties not performed by your closing staff.

#### Cleaning

Clean throughout the bar, getting it ready for another evening of business. This includes dusting and cleaning chairs and tables, vacuuming and washing floors, wiping bar counters, and checking to see if the kitchen is clean and ready for a new shift.

#### Inspect the taps

Bar taps need to be kept in great working order – inspect taps for broken spouts, faulty lines, and bad kegs.

#### Bar prep

Bar staff should run through a list of bar prep duties, including setting out clean bar towels, cutting garnishes, and squeezing juice.

#### Check wine bottle dates

Your bar staff should be dating open wine bottles – check to see if any are past their usability date and need to be removed

#### B. Closing Procedures

#### Empty and lock

At closing time, make sure all your customers have left the premises and that the doors are locked before your staff begins cleaning and you start cashing out for the day. Turn off lights not in use to save on energy costs.

#### Bar closing

- Dating and storing perishable garnishes, cocktail ingredients, and other foods so they remain fresh.
- · Dating open bottles that have been newly opened.
- · Cleaning counters, bar equipment and tools, and rinsing drains.
- Wiping downspouts and taps.
- · Loading and running the dishwasher with the last glasses of the night.
- Setting clean glass out to air dry.
- Cleaning bar mats.

#### Refill disposable items

Having your night staff refill for the next day saves time for your opening staff. Refill all disposables such as napkins, straws, and stir sticks.

#### C. End of Day Cashing Out

#### Balance registers

Confirm the amount of cash on hand matches all your tabs for the night.

#### Distribute tips

Distribute tips among all employees.

#### Secure money and receipts

All banking shall be done during daylight hours. Tips, cash, cards left behind etc. shall all be stored in a safe located in the basement.

#### D. Keep Licenses and Permits Up To Date

Confirm dates for all licenses / permits / expiration dates and add them to operations calendar.

#### E. Security / Preventing Theft / Safety

- A robust security camera system / alarm system shall be installed covering all angles of the interior of the building as well as the exterior. Signs will also be placed throughout the interior and exterior of the property stating that "24-Hour Surveillance Recording and Monitoring" is in place.
- Front Door Security A designated employee will sit at the front door check in station to confirm patrons ID's are valid, meet the legal age requirement, up to date and correct.
- Front Door Security shall also use a person counter system to regulate the max capacity
  of the space. Once max capacity is reached, Patrons shall be turned away. Max capacity
  signs shall be placed at the front door location visible to all.

 Regulating intoxicated Patrons: The employee doing license / door checkpoint duties shall evaluate each patron as they enter the premises. If they determine a patron is already intoxicated, they shall refuse the right to entry. In the event this patron begins to become angry / vocal - the SLC Police department shall be called after manager steps in to help remove the patron peacefully.

#### F. Signage

- Adequate signage shall be placed on the interior and exterior of the building. Signage shall be as follows:
  - Hours of operation
  - Max Occupancy
  - "Non Smoking" Establishment
  - Right to refuse service
  - Security monitoring notification
  - Illuminated Exit / Emergency Exit signs
  - Restroom Signs
  - Legal Age requirement signs
  - Fire extinguisher signage
  - Other

#### G. Crimes & Injury

- Building owners and operators shall both have insurance policies in place to cover theft, crime, violence, death, injury etc. Policies shall be in place and checked regularly. In the event of an injury, a dedicated insurance representative shall be in place with contact information in the manager's office.
- In the event of a crime on the property The operator / manager shall be responsible for contacting the Salt Lake City Police department. The manager on site at this time shall be responsible for all communication, documentation, security footage, statements etc. If the crime is serious, the building operations shall close for a time period determined by the local Police Department.

Install security cameras to monitor em

- ployees behind the bar. With Glimpse, you can match the video footage with your
   POS system to instantly spot gaps between recorded sales and drinks passed over
   the counter. Learn more about Glimpse's video auditing technology.
- Hire employees based more on attitude and trust rather on their skills and experience.
- Have a pour policy in place for quality control and to ensure that your bartenders maintain accurate drink measurements according to recipe standards.
- Use your POS system to spot check employee tabs.
- · Be clear about the consequences if losses and theft occur.

**H. "No Smoking" Establishment** - This establishment shall be smoke/tobacco free. Signage shall be placed near the entry point and exit point stating this.

#### **Complaint-Response Community Relations Program**

1533 s 1100 e - "Tap Room"

All complaints can be sent to the following email: Info@D3CADEHomes.com

#### 1. Purpose

Having impacts on the local community from "Tap Room" operations can result in short and long-term problems in areas such as: regulatory compliance and community relations. Noise issues are an inherent part of the operations of bars / tap rooms and must be properly and proactively managed.

The purpose of this Community Complaint Response Plan is to establish standard procedures to be followed in actively handling and managing Noise issues and complaints. The plan establishes resources and procedures for collecting data pertinent to complaints and defines methods for responding to complaints. The plan is divided into four main sections. Section 2 deals with the complaint processing and procedure of receiving the complaint and handling the complainant. Section 3 outlines procedures for implementation of any corrective actions. Section 4 includes notifications, record keeping and reporting procedures for documentation regarding Noise management and complaints.

#### 2. Compliant Processing

When a complaint is received, it should be routed to the email for the General Manager or designee. These people are the only site personnel authorized to receive the complaint except in the event both are gone and unable to be reached.

The General Manager or designee should then discuss the complaint issue with the complainant. The site-specific list of discussion points referenced should be used as a guide during this conversation.

#### a. Noise Complaints

• At the time the complaint is received, the Facility General Manager or designee should complete the Noise Complaint Call form, paying special attention to recording the specific time and location of the detected noise issue. When answering a complaint call:

- o Get caller's name address and telephone number.
- o Don't Argue With The Complainant.
- o Be sympathetic to the Person's Situation tell them you are sorry for their inconvenience.
- o Let Them Air Their Frustrations.
- o Ask questions pertaining to the noise complaint.

When did you hear the noise? How loud was the noise? When did you first begin hearing the noise?

o Ask if the neighbor wishes a follow-up check/communication with the General Manager or designee.

- Tell the complainant what your course of action is to help with the problem.
- Tell the complainant that you will follow-up to make sure the problem has been resolved.
- The Site Manager or designee should: o Visit the location of the complaint

Record the relevant data on Noise Complaint Call Log Form.

 Make follow-up call(s) to the complainant as required. The follow-up call should include, at a

minimum:

o The Manager's Findings Concerning The Complaint.

o The Source Of The Noise ,if determined.

o The duration of the noise

o Any Corrective Measures If Noise Complaints are from the property.

• File the Noise Complaint Call Log Form in an accessible electronic file folder.

#### b. Other Complaints

Other complaints will be received and handled similar to an Noise complaint but more specific to the style of complaint received.

# 4. Corrective Actions

To prevent further complaints, the facility should:

- Compare present Noise complaints received to past Noise complaints. Determine any correlation between the complaints. For example, do the complaints come at a specific time of day or when a specific operation is taking place on the site?
- · Review list of common on-site sources for the cause of the Noise complaint.
- Identify corrective measures for all potential Noise sources.

When the Manager or designee returns to the site:

• Speak to the supervisors if necessary (if source may be from their area).

- · Document all findings as well as a record of your communication with the neighbor.
- · Complete the Noise Complaint Log Form and internal incident report
- Report back to the neighbors if so requested.
   Complaints are recorded upon receipt using the Noise Complaint Call Log Form.

### 4. Record Keeping

The complaint is investigated by the Manager, or designated company representative, as soon as possible after receipt.

The Manager is responsible for notifying the building owner of the issue.

The Manager is responsible for completing a Notification Report email to management.

The purpose of the investigation by the Manager is to substantiate the complaint in order for "BarCade" to identify the specific source/cause and take the appropriate steps to rectify the situation.

The complaint, including details of location, time of day, nature of the complaint and any on-site operating circumstances are documented on the Complaint Report form.

Subject to the investigation of the complaint and any potential on-site operating conditions associated with the complaint, corrective actions are taken by the Manager, as appropriate. Results of the investigation, corrective actions taken, or reasons for no action are documented by completing the Noise Complaint Log Form and an internal incident report kept on file by "Bar Cade".

A direct response from "Bar Cade" regarding the complaint investigation, findings and corrective actions is provided to the complainant within 24 hours, if requested.

#### Provision 1

In addition to above, the manager is available to meet with neighbors upon request Monday -Friday to resolve any neighborhood complaints regarding operations on the business.

#### Provision 2

The exterior wall assembly will limit noise levels to less than 50 dBA between the hours of 9 PM and 7 AM and less than 55 dBA between 7 AM and 9 PM on weekdays and saturdays; less than 50 dBA between 9 PM and 9 AM and 55 dBA between 9 AM and 9 PM on Sundays and Holidays.

# Provision 3

Live entertainment shall only be located within an enclosed building subject to the forgoing sounds limit.

# Provision 4

Amplified sound in any exterior portion of the premises to be prohibited.

## **Provision 5**

The location for smoking tobacco outdoors will be chosen with respect to residential neighbors and located towards the front of the structure on the commercial strip of 1100 East.

## **Provision 6**

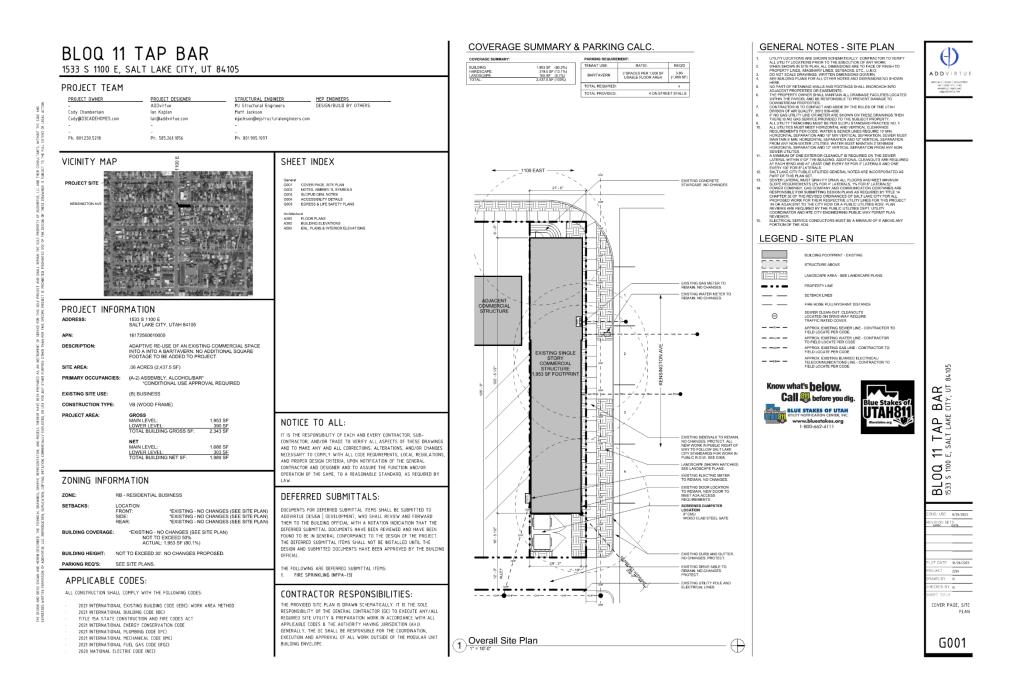
Any trash strewn on the premises will be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and parking lot areas;

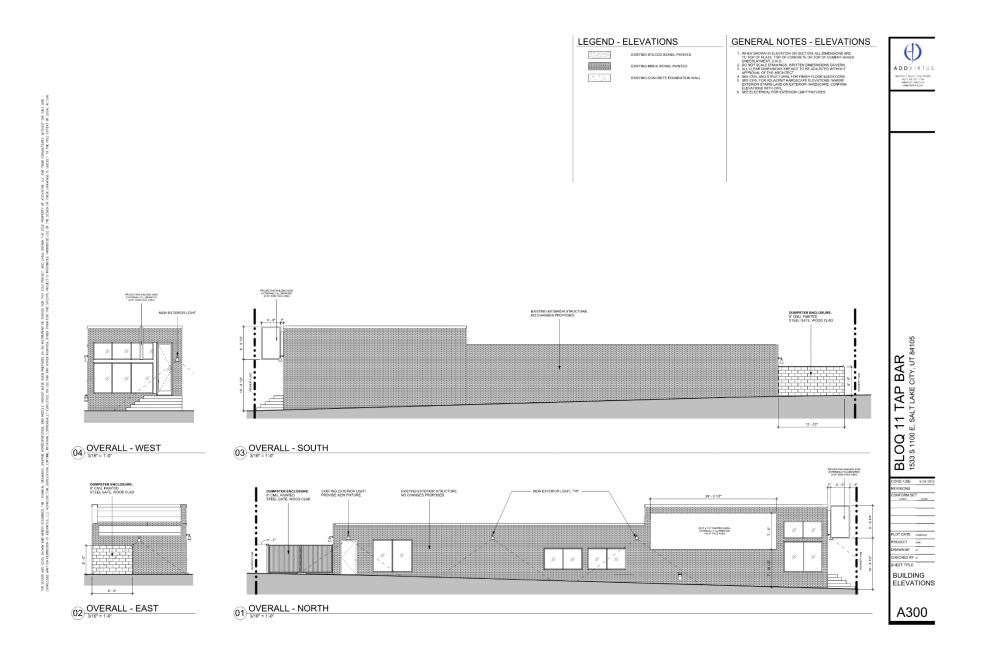
## **Provision 7**

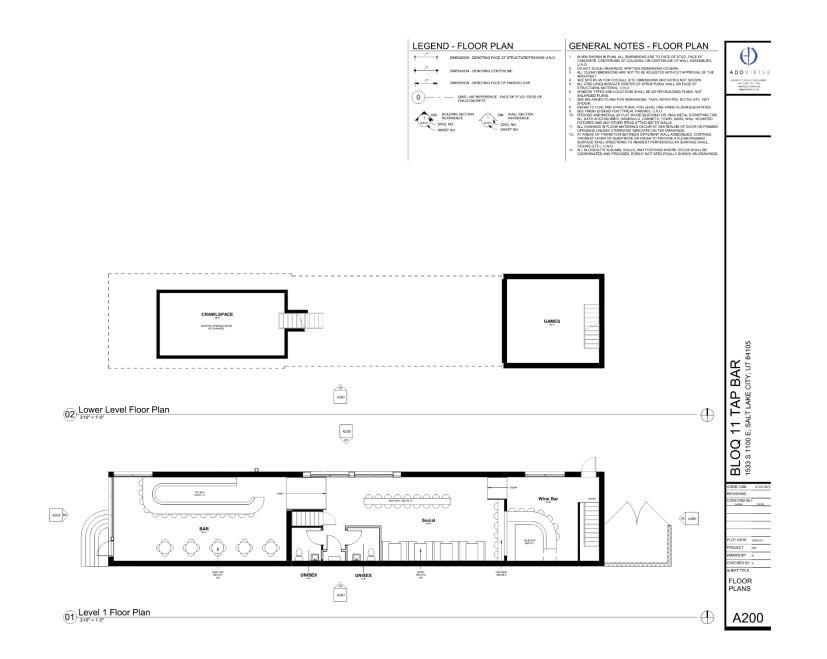
Portable trash receptacles on the premises will be emptied daily and automated receptacles be emptied at least weekly. Automated receptacles shall be located only within the City approved trash storage areas.

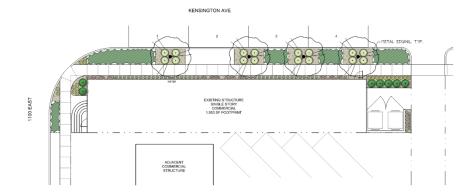
#### Parking Management Plan.

Ample street parking on 1100 East will provide sufficient parking for the venue and it will be discouraged to use the adjacent residential street for overflow commercial parking. A sign will be posted on the building encouraging all patrons to utilize street parking on 1100 E. If the parking related to the venue causes major traffic/congestion issues the owner will explore additional options for alternate off-site parking options.









PLANT S	CHED	ULE				
TREES	CODE	BOTANICAL NAME	COMMON NAME	CAL		QTY
$\bigotimes$	AME GRA	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE' HYDROZONE: TD3	AUTUMN BRILLIANCE SERVICEBERRY	2" CAL		4
SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	SIZE		QTY
$\odot$	RHA FLN	RHAMNUS FRANGULA 'FINE LINE' HYDROZONE: SD3	FINE LINE BUCHTHORN	5 GAL		7
0	TAX FDN	TAXUS X MEDIA 'SMNTHDPF' HYDROZONE: 5E3	STONEHENGE SKINNYN YEM	5 GAL		46
GRASSES	CODE	BOTANICAL NAME	COMMON NAME	SIZE		OTY
$\odot$	MIS SIN	MISCANTHUS SINENSIS 'NCMS2B' BANDWIDTH PPAF HYDROZONE: TW2	ZEBRA GRASS	I GAL		16
PERENNIAL	CODE	BOTANICAL NAME	COMMON NAME	SIZE		QTY
4 <del>3</del>	ECH POW	ECHINACEA 'PON WOW WHITE' HYDROZONE: P2	PON WON CONEFLOWER	I GAL		21
۲	HEU RI2	HEUCHERA X 'RIO' HYDROZONE: P3	RIO CORAL BELLS	I GAL		41
GROUND COVERS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	SPACING.	QTY
	CER PLU	CERATOSTIGHA PLUMBAGINOIDES HYDROZONE: GV2	DWARF PLUMBAGO	4" POT	12ª o.c.	284 SF
STONE MULCH	CODE	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QTY
о 0 0 0	PER BRK	3" DEPTH PERMA BARK AVAILABLE VIA. STAKER PARSONS-CONTACT SHANNON MICKLES 385-239-0804	PERMA BARK	I <sup>e</sup> DIA.		548 SF

SITE SUMMARY CALCULATIC	ONS:
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DESCRIPTION	AREA	DERCENT	
TOTAL SITE AREA	2,437.5 SF	100.0%	
LANDSCAPE (LS)	832 SF	34.1% (OF TOTAL SITE)	
DESCRIPTION PARK STRIP TREES (ONE PER 30 FT. BASED ROAD FRONTAGE	REQUIRED 4	PROVIDED 4	

ASEE PLANT SCHEDULE FOR PLANT HYDROZONES, MIRRIGATION ZONES SEPERATED PER HYDROZONES, SEE IRRIGATION PLAN.

#### PLANTING NOTES

- I. THE BASE INFORMATION FOR THIS DRAWING INAS OBTAINED FRONT OTHERS. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE DRAWING WITH ACTUAL FIELD CONTINUES FROM TO BEGINNING ANY KORK AND INFEDIMENT INTERVISE IN THE UNDERGEF AROUTED OF INT DISCREMENDES. IN THE UDTH THAT THE CONTRACTOR BEGINS HORE FORMET OVERITYING THE LANDSCAPE AROUTED THAT THE WITH ACTUAL FIELD CONTINUES, THAT THE CONTRACTOR BEGINS HORE FORMET OVERITYING AND COMPANIES THE DEAD REPORTATION WITH ACTUAL FIELD CONTINUES, THAT HIS CONTRACTOR AS IN A DISCREMENT OF THE HORE MOVED AND COMPANIES THE DEAD REPORTATION BECREMENTS AND LEE PERFORMED FOR THE CONTRACTOR AS IN A DISCREMENT AND LEPTER TO THE OWNER.
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- 3. REFER TO LEGENDS, NOTES, DETAILS, AND SPECIFICATIONS FOR FURTHER INFORMATION.
- 4. ANY ALTERATIONS TO THESE ACTUAL PLANTING PLANS DURING CONSTRUCTION SHALL BE REPORTED TO THE LANDSCAPE ARCHITECT AND RECORDED ON "AS BUILT" DRAHINGS PER THE SPECIFICATIONS.
- 5. ALL PLANT MATERIAL SHALL CONFORM TO THE MINIMUM GUIDELINES ESTABLISHED BY THE AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY THE AMERICAN NURSERY ASSOCIATION, N.C.,
- 6. ALL PLANTS TO BE BALLED AND BURLAPPED OR CONTAINER GROWN, UNLESS OTHERWISE NOTED ON THE PLANT LIST.
- 7. OUNTITIES INDICATED IN THE PLANT SCHEDULE ARE FOR CONVENENCE ONLY. THE CONTRACTOR IS RESPONSIBLE TO VERFY ALL QUANTITIES AND SHALL SUPPLY ALL PLANT TATERAL IN QUANTITIES SUPPORTED TO COMPLETE THE PLANTING DESIGN SHOWN ON THE PLANS REGARDLESS OF QUANTITIES INDICATED IN THE PLANT SCHEDULE.
- ANY REPORTS SUBSTITUTIONS OF PLATE SPECIES SHALL BE TABLE HIT PLATES OF DOWALDED OVERALL FORT, HEIGHT, DERACHING HART, FLARER, LEAF, COLG, REINT AD OLITIES GUT AS AFFROVED BY THE LANGSCAFE SAFETER FOR TO RESTALTATION 9. STARE LOCATIONS OF ALL PROPOSED PLANTING FOR AFFROVAL BY THE LANGSCAFE ARCHITECT FROM TO THE CONTRIBUTED TO PLANTING.
- PLANTING. 10. ALL PLANT BEDS SHALL RECEIVE 12" OF PLANTING SOIL MIX. BACKFILL ALL PLANTING PITS WITH PLANTING SOIL MIX.
- II. GROUND COVER AREAS SHALL RECEIVE I-V2<sup>4</sup> INCHES OF FINE TEXTURED SOL AID/SOIL PEP. ALL OTHER PLANT BEDS AND TREE WELLS TO RECEIVE THREE INCHES (3<sup>4</sup>) OF GREY STONE MULCIVPERMA BARK - SEE SCHEDULE.



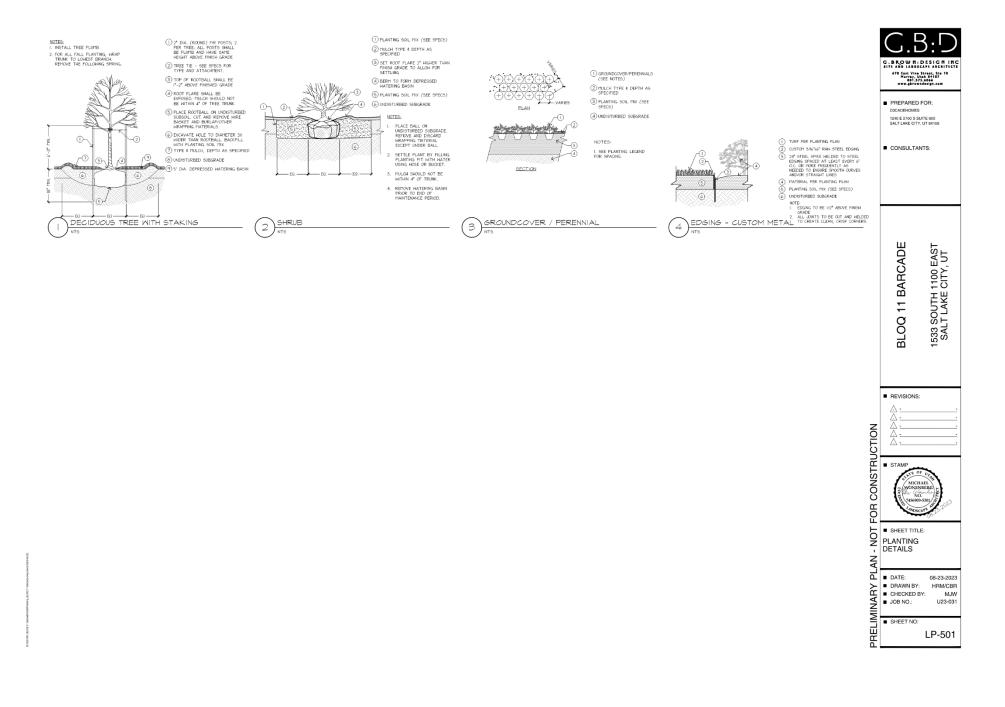
G. BROWN: DESIG

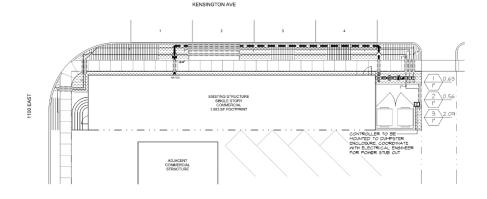
PREPARED FOR: D3CADEHOMES

> 1240 E 2100 S SUITE 600 SALT LAKE CITY, UT 84106

678 East Vine Street, Ste 10 Murray, Utah 84107 801.575.6066 www.gbrowndesign.com

SCALE: 1"= 10





#### IRRIGATION GENERAL NOTES

I. THE BASE INFORMATION FOR THIS DRAWING WAS OBTAINED FROM OTHERS. THE CONTRACTOR IS RESPONSIBLE FOR VERIFTING THE DRAWING WITH ACTUAL FIELD CONDITIONS FIROR TO BECINNING AND FIRITE AND FIRITE TOTEFTING THE LANDSCAPE AROUTECT OF ANT DISCEPARCIES. IN THE EVENT THAT THE CONTRACTOR BEONS MORE FROM TO YETWING AND COMPARISING THE BASE INFORMATION WITH ACTUAL FIELD CONDITIONS. THEN ANY CANAGES OR ALTERATIONS TO THE WARK INVALUED WITH THESE DRAWINGS DUE TO SUCH DEGREPARCIES MULI DE PERSONNED BY THE CONTRACTOR AT NO ADDITIONAL DEFEDER TO THE OWER.

2. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND MARKING THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF MORK FROM TO BEGINNING CONSTRUCTION. CONTACT THE CHARGE, BLUE STAKES OF UTAH AT BIL OR 1-800-462-4111, AND ALL OTHER DITTIES AN DECESSARY. IN THE VERIT THE CONTRACTOR EGOING CONSTRUCTION HORK REPORT VERIFING AND STANDA STANDAR UTILITIES, AND DAMAGE TO UTILITIES OCCURS, THE DAMAGED UTILITIES WILL BE REPARED AND/OR REPLACED AT NO ADDITIONAL COST TO THE OWNER.

3. REFER TO LEGENDS, NOTES, DETAILS, AND SPECIFICATIONS FOR FURTHER INFORMATION,

5. THE CONTEX-COR SHULL BE REPORTED TO THE INSTALLTON LATOY OF THE REMAINLY SYSTEM IN ACCORDANCE WITH THE DEVICES PROVIDENT OF THE TO THE TO THE TO THE TO THE THE REMAINLY SYSTEM IN ACCORDANCE AND THE DEVICES PROVIDENT TO THE TO THE TO THE TO THE TO THE THE REMAINLY SYSTEM IN THE THE ALL OCCURE TO THE THE MANATEREES STANDARD HEADS INTO ACTU. AND YOUR APPROVED TO THE THE REMAINLY AND THE TO THE PROVIDENT TO ACTUAL PLACEMENT OF THE HEADS IN THE PELD AND SHALL BE RECORDED ON "AS BOILT" DRAWINGS PER THE PERCENTION.

6. ALL INSTALLATIONS OR HODIFICATION TO THE IRRIGATION SYSTEM WILL NOT EXCEED THE DESIGN SUPPLY CAPACITY

MAXIMUM NATER VELOCITY THROUGH IRRIGATION PIPE HAS BEEN DESIGNED NOT TO EXCEED 5.0 FEET PER SECOND AND SHALL IN NO CASE BE GREATER THAN 7.5 FEET PER SECOND.

8. THE REMARKS STOTET SHARE OF THE DEMANDOR REFERENCE AN AUTOMITIC CONTROLLED REMARKS STOTET AUPTURED FROM THE PRINCEAL WHETE SYSTEM IS DESCRIDED FOR A HIVEN INFORMATION FERSIONE OF ON PARA THE REPRACTION POINT OF CONSECTION THE REFERENCE SHALL VEHICLE WHET HATER PRESSURE FROM TO CONSTRUCTION AND REPORT ANY DIFFERENCE TO ILL OWER REMOVES THER REFERENCE ATM/L.

9. VIDE AND INSTALL ALL THE MANUFACTURER'S RECOMMENDED SURGE AND LIGHTNING PROTECTION EQUIPMENT ON ALL CONTROLLERS. AG2401 SURGE SUPPRESSER ON HIGH VOLTAGE; 3 GROUND RCD GRID, 6 FOOT TRIANGLE FOR LON VOLTAGE.

10. THE REGATION DESIGN IS DAGARITENTIC. IT IS THE CONTRACTOR'S RESPONSEBUTT TO FAMILARIZE HITSELF INTH THE SITE AND TO LOCATE ALL RERGATION EXUPPIDIT OTHER THAN SPRAY MEANS, ROTORS, BYITTERS AND N-LINE ENTITEES IN THE CLOSEST LARGOVER AREA TO MERE THE SITEOL FOR THAT EXUPPIDIT MAS BEEN SHOWN ON THE FLANS IN THE SAME SECOND CA SHOWN ON THE FLANS.

II. THE CONTRACTOR SHALL PROVIDE ALL LABOR, PARTS AND MATERIALS REQUIRED TO COMPLETE THE IRRIGATION SYSTEM IN ACCORDANCE WITH THE PLANS, DETAILS, AND SPECIFICATIONS.

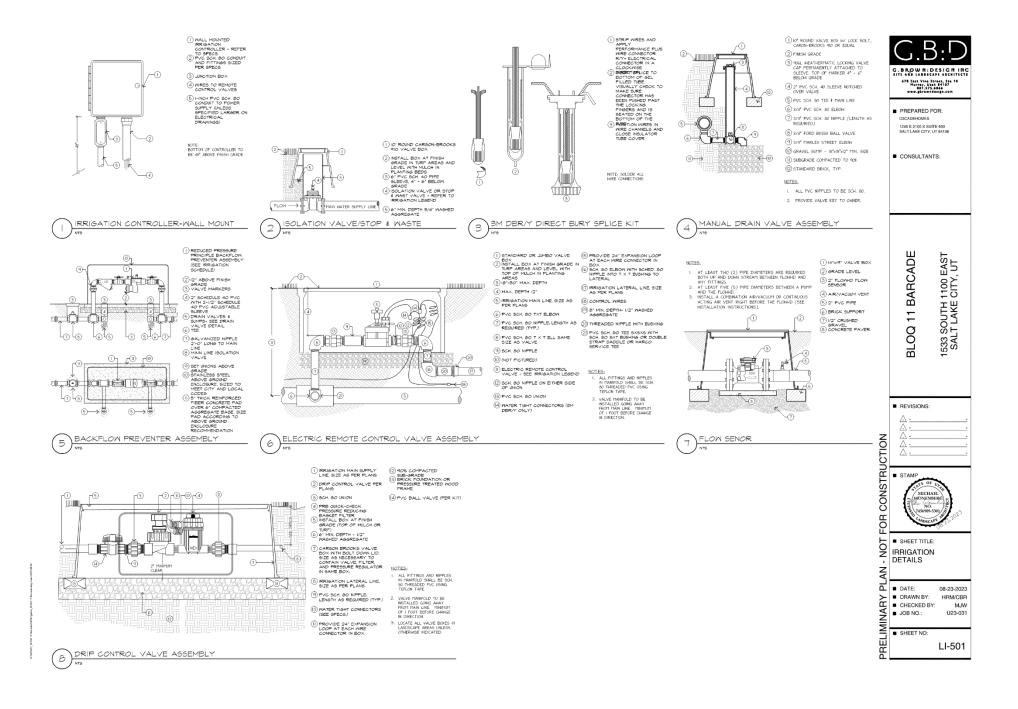
12. ALL LINES SHALL SLOPE TO MANUAL DRAIN (SEE DETAILS). IF FIELD CONDITIONS NECESSITATE ADDITIONAL DRAINS, THESE DRAINS SHALL BE INSTALLED FOR COMPLETE DRAINAGE OF THE DATINE SYSTEM. REFER TO DETAILS AND SPECIFICATIONS FOR DRAIN INSTALLATION, SUMP RECOMMENTS AND DEPTH OF POTIN DRAIN AND SUMP.

13. THE IRRIGATION CONTRACTOR SHALL FLUSH AND ADJUST ALL THROTTLE CONTROLS ON ALL SPRINKLER HEADS AND ADJUST VALVES FOR OPTIMUM COVERAGE WITH MINIMAL OVER SPRAY ONTO WALKS, STREETS, WALLS, ETC.

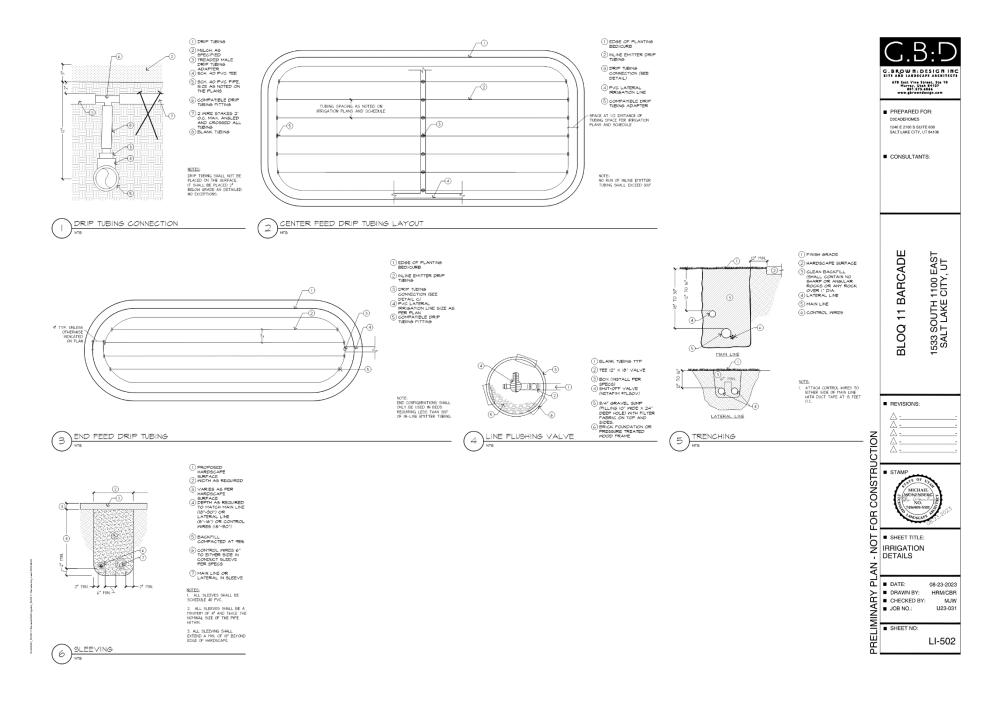
IN TERMINITION OF REMAINION INTERNIE IS LIEU Y TO COLOR DUE TO DETRIC CONSTRUCTION ACTIVITES AND HORE ON THE REMAINION SYSTEM ALL DUSTING FLANT INTERNAL TO REMAIN SHALL DE FROFERIF FROTECTED AND CARED FOR THROUGHOUT CONSTRUCTION CONFECTION SHALL HAND WATER FLANT THAT SA REQUIRED. AND THANGE TO LIAITO COLLES DUE TO THIS CONSTRUCTION OF LOCK OF MATER DURING CONSTRUCTION SHALL DE REPARED TO THE FRE-CONSTRUCTION CONDITION AT THE DEPRECE OF THE CONTRACTOR.

15. SEE SPECIFICATION SECTION 328400-IRRIGATION FOR ADDITIONAL INFORMATION.

	ON SCHEDULE							2.D
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	251						ノ. ン
Ħ	HUNTER ICZ-IOI-25-LF DRIF CONTROL ZONE KIT. IIN. ICV GLOBE VALVE NITH IIN. HYDO FILTER SYSTEM, PRESSURE REGULATION: 25 PSI: FLOW RANGE: 5 GFM - IS GFM. ISO MESH STAINLESS STEEL SCREEN.						G. BROWN: SITE AND LANDSC 678 East Vine S Hurrey, Ut 801.575 www.gbrown	
¢	FLUSH VALVE AND DRIP INDIGATOR (NOT SHOWN) INSTALL NETAFIM TLSOV MANUAL FLUSH VALVE, AND DRIP INDIGATOR AT THE END OF EACH DRIP ZONE AND OTHER AREAS AS NECESSARY TO WINTERVIE SYSTEM.						PREPARED F	
	ANTENAL DISTU AREA TO RECIVE DRIPLINE NETAPINI TLACUAR-OBSI/2 LANDCARE DRIPLINE RITH COMPENSATING LANDCARE DRIPLINE RITH COCK VALVE AND ANTI-GIPHON REATREL OSS GMP EMITTERS AT 12° OC. DRIPLINE LATERALS SPACED AT 13° APRIL MITH ENTITERS OFFSET FOR TRIANGULAR PATTERN. IMM6.	30					D3CADEHOMES 1240 E 2100 S SU SALT LAKE CITY,	
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	HINTER HO-44RC OUICK COUPLER VALVE, YELLOW RUBBER COVER, RED BRASS AND STAINLESS STEEL, WITH I'NPT INLET, 2-PIECE BODY.							
X	STOP & WASTE VALVE SIZE PER MAINLINE							
×	SIZE PER HAINLINE SIZE PER MAINLINE							
۲	DIZE FER MAINLINE HUNTER IGV-6 I'' IIIN, I-I/ZIN, ZIN, AND BIN, PLASTIC ELECTRIC MASTER VALVE, GLOBE CONFIGURATION, MITH NPT THREADED INLET/OUTLET, FOR COMMERCIAL/MINICIPAL USE.						ADE	EAST
0	DRAIN VALVE SIZE TO LINE						Ŭ	ö, Z
BF	MILKING 975XLV5 3/4" REDUCED PRESSURE BACKFLOW DEVICE IN SOLID ENCLOSURE (SIZED TO FIT) WITH INSULATED BLANKET.						LOQ 11 BARCADE	533 SOUTH 1100 EAS <sup>-</sup> SALT LAKE CITY, UT
С	HUNTER HFG-400 4 STATION OUTDOOR WI-FI ENABLED, FULLE-FUNCTIONING CONTROLLER WITH TOUCHSCREEN, FLASTIC CABINET						11	
ß	HINTER HC-075-FLOW SHAIN FLOW METTER FOR USE WITH HYDRAWISE ENABLED CONTROLLER TO MONITOR FLOW AND PROVIDE SYSTEM ALERTS, ALSO FUNCTIONS AS STAND ALONE FLOW TOTALIZER/SUB METER ON ANY REFERENTIAL OR COMMERCIAL INSIGATION						BLOC	1533 S SAL <sup>-</sup>
POC	SYSTEM. POINT OF CONNECTION 8/4"							
	IRRIGATION LATERAL LINE: PVC SCHEDULE 40							
	IRRIGATION MAINLINE: PVC SCHEDULE 40							
	PIPE SLEEVE: PVC SCHEDULE 40 SLEEVE SHALL BE A MINIMAM OF TWICE THE NOMINAL SUE OF PIPE WITHIN, EXTEND SLEEVES 18 INCHES BEYOND EDGES OF PAVINS OR CONSTRUCTION							
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#### PLNPCM2023-00396



# **ATTACHMENT D: Zoning Standards for the RB Zone**

# 21A.24.160 – RB Residential/Business District:

**Purpose Statement**: The purpose of the RB Residential/Business District is to create vibrant small-scale retail, service, and office uses oriented to the local area within residential neighborhoods along higher volume streets. Development is intended to be oriented to the street and pedestrian, while acknowledging the need for automobile access and parking. This district is appropriate in areas where supported by applicable Master Plans. The standards for the district are intended to promote appropriate scaled building and site design that focuses on compatibility with existing uses.

Standard	Requirement	Proposed	Finding	
Lot Size	5,000 SF	<b>2,626 SF</b> – The subject property is within an existing subdivision that was legally approved at the time it was established. The existing lot size is legal nonconforming.	Complies	
Lot Width	50 FT	<b>21 ft. &amp; approx. 125 ft.</b> – The existing lot is a corner lot that is rectangular in shape. The lot width along Kensington Avenue is approximately 125 ft. and meets the minimum lot width requirement of 50 ft.		
Maximum Building Height	30 ft.	~17 ft. – The building is existing and is shorter than the maximum allowed building height. The applicant is not proposing any additions to the building.	Complies	
Front Yard	Twenty percent (20%) of lot depth but need not exceed twenty five feet (25'). For buildings legally existing on April 12, 1995, the front yard shall be no greater than the existing yard.	ot constructed in 1910 and no eet additional front yard area is lly required beyond what is existing. no		
Corner Yard	Ten feet (10'). For buildings legally existing on April 12, 1995, the corner side yard shall be no greater than the existing yard.	~ <b>2 ft.</b> - The building was constructed in 1910 and no additional corner yard area is required beyond what is existing.	Complies	

<b>Rear Yard</b> Twenty five percent (25%) of the lot depth, but the yard need not exceed thirty feet (30').		~16 ft – The building was constructed with a legally acquired building permit and is within an existing subdivision that was legally approved at the time it was established. The rear yard is considered legal non-conforming and no additional rear yard area is required.	Complies
Maximum Building Coverage	The surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%) of the lot area.	constructed with a legally	Complies

# OTHER APPLICABLE STANDARDS

Standard	Requirement	Proposed	Finding
Off Street Parking & Loading (21A.44.030.H)	Change of Use: For changes in use in buildings built prior to 1944, no additional parking shall be required beyond what is existing.	There are no existing parking spaces on the site - no off street spaces proposed.	Complies
Landscaping & Buffering (21A.48)	All front and corner side yards shall be maintained as landscape yards. Landscape yards are yards devoted exclusively to landscaping except, however, that driveways and sidewalks needed to serve the use and buildings on the lot may be located within a required landscape yard.	The front yard area (~6 ft.) is directly adjacent to the existing sidewalk along 1100 East and most of this area is currently paved. This area is needed to serve the use by extending the walkway area to the primary entrance. The portion of this area that isn't paved will be landscaped. The corner side yard will also be landscaped.	Complies
Regulations of Fences, Walls, and Hedges (21A.40.120)	A fence, wall, or hedge located at or behind the primary facade of the principal structure shall not exceed 6 feet in height. Vision Clearance and Safety. Notwithstanding any other provision of this Code, a fence, wall, or hedge shall comply with the Sight Distance Triangle Requirements of this Section. Intersection of Driveway; Sight Distance Triangle: Solid fences, walls and hedges shall not exceed thirty (30) inches in height within the sight distance triangle as defined in section 21A.62.050, illustration I of this title.	The hedges proposed near the dumpster area are fine line buckthorn. These bushes grow 5-7 ft. tall and may exceed the maximum height allowed for bushes in this area. Additionally, some of these bushes are located within the sight distance triangle area and exceed the maximum height allowed in these areas. Because of these, Staff has proposed a condition of approval that final details regarding the proposed landscaping near the dumpster area are delegated to Staff to verify compliance with these standards.	Does not comply – condition proposed

# **Qualifying Provisions for Use**

In City Code Section <u>21A.33.020</u> Table of Permitted and Conditional Uses for Residential Districts, a bar establishment (less than 2,500 SF) is listed as a conditional use with the following Qualifying Provision that must be met in order for the conditional use permit to be approved:

9. Subject to conformance with the provisions in section <u>21A.36.300</u>, "Alcohol Related Establishments", of this title.

# **<u>21A.35.300</u>**: Alcohol Related Establishments:

**Purpose Statement**: The purpose of this section is to permit the establishment of taverns, bar establishments, and brewpubs as defined in chapter 21A.62 of this title, subject to licensing procedures, and where appropriate, conditional use standards.

B. License Required: No tavern, bar establishment, 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.

D. Taverns, Bar Establishments, And Brewpubs; Authorized As Conditional Uses: Taverns, bar establishments, and brewpubs may be allowed as conditional uses pursuant to the provisions of chapter 21A.54 of this title, and pursuant to subsection B of this section in zoning districts noted in the tables of permitted and conditional uses provided the following standards are achieved:

# STANDARDS FOR ALCOHOL RELATED ESTABLISHMENTS

1. In approving a conditional use permit for a tavern, bar establishment, or brewpub, the Planning Commission shall:

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:

- 1) A complaint-response community relations program; and
- 2) A provision for a representative of the tavern, bar establishment, or brewpub to meet with neighbors upon request in order to attempt to resolve any neighborhood complaints regarding the operations on the business premises;
- 3) 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 title 9, chapter 9.28 of this Code;
- 4) A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;
- 5) Prohibiting electronically amplified sound in any exterior portion of the premises;
- 6) Designation of a location for smoking tobacco outdoors in conformance with State law;

- 7) 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
- 8) A provision stating that portable trash receptacles on the premises be emptied daily and automated receptacles be emptied at least weekly. Automated receptacles shall be located only within a City approved trash storage area; and
- 9) A parking management plan which shall include consideration of the impact of parking on surrounding neighborhoods;

# Staff Analysis:

The applicant has submitted a Security and Operations plan that addresses all requirements listed above. The plan must be approved by Salt Lake City Police Department and Building Official, and then recorded with the City Recorder's Office before any business licenses or Certificates of Occupancy can be issued. The plan has been reviewed by the relevant departments and all concerns and questions have been addressed by the applicant. The Department Review Comments can be found in <u>Attachment G: Department Review Comments</u>.

# Condition(s): No conditions

b. 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;

# Staff Analysis:

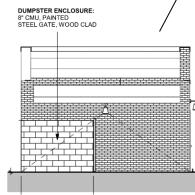
The applicant has provided a site and floor plan that has been sent to the Salt Lake City Police Department and Building Services Division for review. The plan must be approved by these departments and recorded with the City Recorder's Office before any business licenses or Certificates of Occupancy can be issued. See <u>Attachment C: Application Materials from Applicant</u> to view the Security and Operations Plan submitted by the applicant.

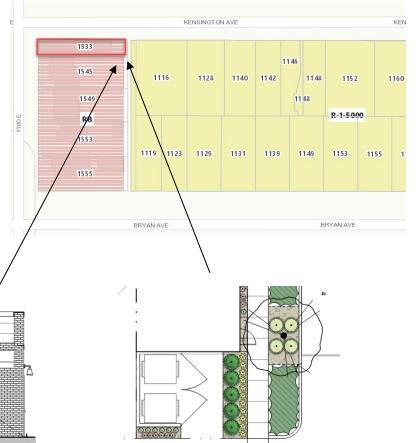
# Condition(s): No conditions

c. Require buffering where a tavern, bar establishment, 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;

### **Staff Analysis:**

The site is adjacent to a section of R-1/5,000 Single Family Residential. A public alley separates the site from this area, but there is a single-family home directly east of this alley. The applicant is proposing to provide a wall along a portion of the property that abuts the alley to serve 2 uses: providing a buffer from the residential use and to screen the dumpster area. This area will also have landscaping throughout to provide additional screening.





## Condition(s): No conditions

d. Require that landscaping be located, and be of a type, that cannot be used as a hiding place; and

### **Staff Analysis:**

New landscaping will be provided in the front, corner, and rear yard areas, and within the existing park strip along 1100 East and Kensington Avenue. All new landscaping will be of a type that cannot be used as a hiding place.

### Condition(s): No conditions

e. 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.

### **Staff Analysis:**

This requirement will be met for the conditional use approval status to be maintained.

### Condition(s): No conditions

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:

a. Limit the size and kind of signage located on the outside of any building in conformance with chapter 21A.46 of this title;

### **Staff Analysis:**

The applicant hasn't submitted a signage plan. Any proposed signage will be required to comply with all regulations for signs as regulated by <u>City Code 21A.46</u> and will require a separate sign permit.

### **Condition(s):**

No conditions.

b. 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; and

## Staff Analysis:

There is no parking area on-site so this requirement does not apply to this proposal.

### Condition(s): No conditions

c. Consider the proposed location of an outdoor smoking area in the security and operations plan and the potential effect on neighboring 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.

## Staff Analysis:

There is no location on-site that meets the State requirements for a smoking area that requires it to be at least 25 ft. from an entrance. Because of this, the applicant has proposed the use to be a 'no smoking' establishment, and therefore a designated smoking area would not be provided.

### Condition(s): No conditions

E. Minimum Area: In the CN and RB Zoning Districts, an alcohol related establishment shall only be allowed if such zoning district in which the alcohol related establishment is proposed is at least one-half (1/2) acre in contiguous area.

### Staff Analysis:

The subject property is within the RB Zoning District. This zoning district area is at least 1/2 acre in contiguous area. The location of the proposed use complies with this standard.

### Condition(s): No conditions

F. Concentration Prohibited: In the CN and RB Zoning Districts, not more than one alcohol related establishment as noted in the table of permitted and conditional uses shall be located within six hundred feet (600') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point on the property line of one establishment to the nearest point on the property line of the second establishment. In CB Zoning Districts, not more than one bar establishment, brewpub, or tavern shall be located within three hundred fifty feet (350') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point of the property line of one establishment to the nearest point of the property line of one establishment to the nearest point of the property line of one establishment to the nearest point of the property line of one establishment to the nearest point on the property line of one establishment to the nearest point of the property line of one establishment to the nearest point on the property line of one establishment to the nearest point on the property line of the second establishment. (Ord. 23-18, 2018)

#### **Staff Analysis:**

The subject property is located within the RB Zoning Districts. There are no other alcohol related establishments within 600 ft. of the site. The location of the proposed use complies with this standard.

Condition(s): No conditions

## **ATTACHMENT E: Conditional Use Standards**

#### **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. In analyzing the anticipated detrimental effects of the proposed use, Planning Staff finds that the request complies with the criteria listed below.

### **<u>21A.54.080.A:</u>** Approval Standards

**Standard 1:** The use complies with applicable provisions of this title;

### **Finding: Complies**

#### **Discussion:**

The proposal is within the RB Residential Business District which allows for a new bar establishment to be approved through the conditional use process. The proposed bar establishment complies with the applicable zoning regulations for the RB Residential Business District, other applicable standards for the proposal, and Alcohol Related Establishment as described in City Code <u>21A.36.300</u>, a qualifying provision for the conditional use.

### Condition(s): No conditions

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

### **Finding: Complies**

#### **Discussion:**

The proposal is compatible in terms of mass and scale with the existing neighborhood. It is located within an existing building that will be remodeled upon approval of the conditional use. To the south, there is a commercial structure that houses office and retail uses. A mix of commercial and residential uses continue along 1100 East. This building is 1-story and approximately ~2,000 SF. Because of its size, the scale of the proposed use is compatible with the existing residential neighborhood, which is primarily single-family homes of a similar size. The proposal is also compatible with other small-scale commercial uses along 1100 East.

Although the project site is close to a single-family residence to the east, the use will be separated by a public alley (~12 ft. in width) and will also provide a buffer in the form of a masonry wall and landscaping to further separate these uses and reduce any impact that may be generated. No windows, doors, or openings are located along the eastern façade of the building, which faces this residence.

The compatibility of the use with the surrounding area is further analyzed in <u>Key Consideration 2:</u> <u>Neighborhood Compatibility and Impact.</u>

### Condition(s): No conditions

**Standard 3:** The use is consistent with applicable adopted city planning policies, documents, and master plans; and

### **Finding: Complies**

#### **Discussion:**

The purpose of the RB Residential/Business District is to create vibrant small-scale retail, service, and office uses oriented to the local area within residential neighborhoods along higher volume streets. The project site is on the corner of 1100 East and Kensington Avenue. 1100 East, classified as a collector street, is a major traffic generating street in this neighborhood and small-scale commercial development is existing along this corridor. Its proximity to an established residential neighborhood will access an existing customer base in this area and provide a place for gathering, socializing, and recreating.

The proposal will contribute to a mix of uses in this area, a desired characteristic the Central Community Master Plan and Plan Salt Lake. The proposal will establish a business that aligns with the Future Land Use Map, in an existing building that is compatible in terms of mass and scale with the existing neighborhood. The site has access to existing infrastructure - including utilities, roads, and public transportation. Its location within an existing neighborhood and mixed-use area, and access to transit options, supports walkability.

See <u>Key Consideration 1: Implementation of the Plan Salt Lake and the Central Community Master</u> <u>Plan</u> where the proposal's compliance with these plans is analyzed.

#### **Condition(s):** No conditions

**Standard 4:** The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions

### **Finding: Complies**

#### **Discussion:**

The Detrimental Effects table below analyzes possible negative impacts the proposed use may create. Because the applicant hasn't submitted a signage or lighting plan, Staff has proposed a reasonable condition that final details related to signage and lighting are delegated to Staff to ensure compliance with City standards.

### **Condition(s):** No conditions

21A.54.080.B: Detrimental Effects Determination

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

#### **Finding: No Detrimental Impact**

#### Discussion:

A bar establishment (limited to 2,500 SF) is listed as a conditional use in the <u>RB (Residential Business) District</u>. The proposed bar establishment complies with the applicable zoning regulations for the RB Residential Business District, other applicable standards for the proposal, and Alcohol Related Establishment as described in City Code <u>21A.36.300</u>, a qualifying provision for the conditional use. See <u>Attachment D</u> for analysis on how the proposal meets the standards for Alcohol Related Establishments.

#### Condition(s): No conditions

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 proposal supports the goals of the Central Community Master Plan and Plan Salt Lake by establishing use that fits in with the variety and scale of uses found in the area and contributing to an active neighborhood. The proposal will establish a business that aligns with the Future Land Use Map designation for the site, in an existing building that is compatible in terms of mass and scale.

The site has access to existing infrastructure - including utilities, roads, and public transportation. Its proximity to an established residential neighborhood will access an existing customer base in this area and provide a place for gathering, socializing, and recreating. Its location within an existing neighborhood and mixed-use area, and access to transit options, supports walkability.

See <u>Key Consideration 1: Implementation of the Plan Salt Lake and the Central Community Master</u> <u>Plan</u> where the proposal's compliance with these plans is analyzed, and <u>Attachment D</u> for analysis on how the proposal complies with the applicable City Code standards.

#### Condition(s): No conditions

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 project site is developed with an existing building on 1100 East, classified as a collector street. Small-scale commercial development has developed along this corridor. To the south, there is a commercial structure that houses office and retail uses. A mix of commercial and residential uses continue along 1100 East. The property is bordered by public roads, 1100 East and Kensington Avenue, on the west and north, and by a public alley on the east. Across the alley to the east, there is a single-family home - this home is about 36 ft. from the building and 40 ft. from the nearest patron entrance.

Although the project site is close to a single-family residence to the east, the use will be separated by a public alley (~12 ft. in width) and will also provide a buffer in the form of a masonry wall and landscaping to further separate these uses and reduce any impact that may be generated. No windows, doors, or openings are located along the eastern façade of the building, which faces this residence. Any future lighting will be required to be cast downwards and limit intrusion on residential property.

This building is 1-story and approximately ~2,000 SF. Because of its size, the scale of the proposed use is compatible with the existing residential neighborhood, which is primarily single-family homes of a similar size. The proposal is also compatible with other small-scale commercial uses along 1100 East. Given the context of its location, scale, and nature of business operations, the proposed use is in character with is surroundings and suitable to the area at large.

The compatibility of the use with the surrounding area is further analyzed in <u>Key Consideration 2:</u> <u>Neighborhood Compatibility and Impact.</u>

#### Condition(s): No conditions

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:**

The subject site is existing and no additions or modifications to the existing building are proposed.

Condition(s): No conditions

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:

The subject site is developed and there is no vehicular access or parking areas on-site. No changes to the site are proposed.

Condition(s): No conditions

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 to the proposed bar is provided by the main entrance on the west-facing façade and a secondary entrance/ADA on the north-facing façade. The location of these entrances will orient pedestrian activity towards 1100 East, away from residential uses. There is no on-site parking areas.

#### Condition(s): No conditions

#### 7. The site is designed to enable access and circulation for pedestrian and bicycles;

#### Finding: No Detrimental Impact

#### **Discussion:**

The existing site supports pedestrian and bicycle access. Its location within an existing neighborhood and mixed-use area will access a customer base that are more likely to travel to the bar via foot or bike due to their proximity to the establishment. There are also multiple newly improved bus stops along 1100 East, including a stop about 50 ft. to the south of the main entrance. The 1100 East reconstruction project includes bike lanes on either side of 1100 East, allowing easy access to the establishment for patrons traveling by bike.

#### Condition(s): No conditions

8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;

#### Finding: No Detrimental Impact

#### **Discussion:**

The proposal will not unreasonably impact the service level of any abutting or adjacent street. The Transportation Department has reviewed the proposal and provided no objections to the new use. No impacts to the service level of the adjacent streets are anticipated.

#### Condition(s): No conditions

## 9. The location and design of off street parking complies with applicable standards of this code;

#### **Finding: No Detrimental Impact**

#### Discussion:

The proposal does not include any parking areas on-site which meets the code requirements as this is an existing building built prior to 1944 that currently does not have any on site parking.

Condition(s): No conditions

#### 10. Utility capacity is sufficient to support the use at normal service levels;

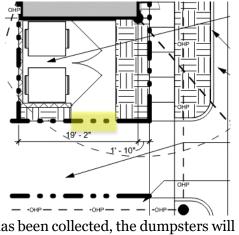
### Finding: No Detrimental Impact

#### **Discussion:**

The Public Utilities department has provided comments on the proposal. A utility plan will need to

be submitted for review and compliance will be ensured during the building permitting process. Existing utilities will need to be updated to support the new use. Department Review Comments can be found in <u>Attachment G:</u> <u>Department Review Comments</u>.

There is a small, paved area to the rear (east) of the building that is proposed to be used to house dumpsters. The entrance to the dumpster area is very narrow (highlighted in red on the site plan to the right). Because of this constraint, the applicant will manually roll the dumpsters out of the enclosure to the street (1100 East)



for pick-up to avoid blocking the alley. Once the garbage has been collected, the dumpsters will be manually rolled back into the enclosure.

#### Condition(s): No conditions

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

#### Finding: No Detrimental Impact

#### **Discussion:**

The property is bordered by public roads, 1100 East and Kensington Avenue, on the west and north, and by a public alley (approx. 12 ft. in width) on the east. Across the alley to the east, there is a single-family home. There is a small, paved area to the rear (east) of the building that is proposed to be used to house dumpsters. The applicant is proposing to screen the area immediately around the dumpsters with a masonry wall and gate. Additional landscaping will also be provided throughout this area. This screening and landscaping will provide a buffer between the use and the residence to the east, along with the existing alley.

#### Condition(s): No conditions

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 proposal supports sustainability plans by establishing a use to an existing building without any physical modifications, in a location that offers existing infrastructure. No impacts to air or water quality, encroachment to a river or stream, or environments hazards or damage, are expected to be generated by the proposed use.

#### **Condition(s):** No conditions

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 are compatible with nearby commercial uses along 1100 East, including the commercial building directly to the south. Many of these businesses are open during regular business hours. The proposed bar will be open in the afternoon and evening, creating an opportunity for employees of nearby businesses to patronize the establishment after work. The primary entrance is oriented towards 1100 East, away from residential uses, limiting impacts on residential areas to the east that may be caused by later hours of operation.

#### Condition(s): No conditions

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

#### Finding: No Detrimental Impact

#### **Discussion:**

The applicant hasn't submitted a signage plan. Any proposed signage will be required to comply with all regulations for signs as regulated by <u>City Code 21A.46</u> and will require a separate sign permit.

There is limited existing lighting at the site. The applicant has indicated they intend to provide additional exterior lighting for safety at building entrances and the dumpster area. Staff has proposed a condition of approval that final details regarding lighting are delegated to Staff. Review of this lighting plan will verify the proposed lighting meets all City standards and does not have an adverse effect on the residence to the east. All new lighting will be required to be cast downward and limit intrusion on residential property.

**Condition(s):** Final details related to lighting are delegated to Staff.

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

#### Finding: No Detrimental Impact

#### **Discussion:**

The proposed use will not adversely affect preservation of historic resources and structures. The proposed use will occupy an existing building that was built in 1910. While this building is not designated as a historic structure and is not within a local historic district, retaining the existing building for a new use supports an overall trend of retaining and respecting older buildings and preserving neighborhood character.

#### Condition(s): No conditions

## **ATTACHMENT F:** Public Process & Comments

#### Public Notice, Meetings, and 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:

- <u>September 21<sup>s,</sup> 2023</u> Notice to solicit comment was sent to the East Liberty Park Community Organization, starting the 45-day required early engagement period for recognized community organizations.
- <u>September 25th, 2023 -</u> Notice of the proposal was sent to all property owners and residents within 300 feet of the development.
- <u>September 30th, 2023</u> Early engagement noticing sign was placed at the property.
- <u>October 10th, 2023</u> The project was posted to the online open house webpage.
- <u>October 26<sup>th</sup>, 2023</u> The proposal was presented by the applicant and Staff at a East Liberty Park Community Organization meeting.
- <u>November 5<sup>th</sup></u> The 45-day early engagement period to receive comments from the Community Council expired, 2023. As of the publication of the staff report, the East Liberty Park Community Organization has not submitted any comments on the proposal.

Notice of the public hearing for the proposal included:

- <u>November 15<sup>th</sup>, 2023</u>
  - Public hearing notice sign posted on the property
- <u>November 17th, 2023</u>
  - Public hearing notice mailed
  - Public notice posted on City and State websites and Planning Division list serve

#### **Public Input:**

As of the date of publication of the staff report, Staff has received **32** total public comments via email and phone: **22** comments in favor and **10** opposed. Public comment indicating an opposing positioned generally detailed concerns regarding the following:

- $\rightarrow$  Proximity to residential uses
- $\rightarrow$  Compatibility with existing nearby uses
- $\rightarrow$  Parking
- $\rightarrow$  Traffic
- $\rightarrow$  Drunk driving
- $\rightarrow$  Littering
- $\rightarrow$  Crime
- $\rightarrow$  Noise
- $\rightarrow$  Air quality
- $\rightarrow$  Proximity to schools, day cares, and other uses frequently visited by children
- $\rightarrow$  Property values

Staff has taken these comments and concerns into consideration while reviewing and analyzing the proposal. Staff has provided a response to public comments that relate to the standards of

approval. These concerns are addressed in <u>Key Consideration 2: Neighborhood Compatibility and</u> <u>Impact</u>.

### PUBLIC COMMENT VIA PHONE (summarized by Staff)

- 10/3 via phone call, Bob Plumb: They feels like it isn't a good fit for this area and it's too close to residential uses. They would prefer retail, or another use that adds to the community.

- 11/10 via phone call, Wilson Kirkpatrick: They live nearby and think it's a fantastic idea.

#### Re PLNPCM2023-00396

#### Application for a conditional use permit for Bar at 1533 S 1100 E Salt Lake City

October 9th, 2023

#### Dear Rylee,

As a local business owner in the immediate vicinity of this location, I wish to submit a strong objection to this application. I will further add that as a responsible user of alcohol I have no personal, religious or cultural objection to the establishment and operation of a bar, but this is not an appropriate use for this building in this location.

It's not 15<sup>th</sup> and 15<sup>th</sup> or 9<sup>th</sup> and 9<sup>th</sup>, which are suitable areas and where similar establishments have been permitted, as they fit well in those mixed retail zones. Nor is it "downtown" Sugarhouse where similar establishments already exist in plentiful supply, as well as a high density residential population to support a business of this type. All three areas are close by, and so this area is not exactly in an area of limited bar choices.

Note that this is zoned Residential Business. The emphasis is on <u>residential</u>, which is mostly what is in the local area. The few businesses within a one block radius include:

- Health care and personal care services including: Physical therapy, pilates classes, massage therapy, skin care, hair salons (2), counselling services, bike fitting
- · Business services: architect and building design, surveying equipment supplier
- Childcare: after school childcare and child summer camp programs.

I can assure you that none of these business providers view a bar as a compatible enterprise, or one that adds value to the existing businesses and would provide increased trade. And really, what parent wants a bar situated 2 doors from their kids after school program?

The parking shortage is already noted in the application. There is zero offstreet parking, and onstreet parking outside the building is extremely limited (4 car spaces at most outside the business). With the 1100 East street re-design, parking is being reduced to one side of the street only, so there is not an abundance of parking in the vicinity. Note that this property is on Kensington Ave which Salt Lake City have designated a bicycle / pedestrian priority safe street, and an east-west bike corridor. Street scaping has already been done to enhance the use for this purpose. I don't see how adding a bar on this street is compatible with this intention. It's overly optimistic of the applicant to think that patrons will arrive primarily by foot, bicycle, or public transport. It's America. The car rules.

The public alley noted at the rear of the building may be public, but the primary purpose is to provide access to the client and staff parking areas for the two adjoining commercial properties. It would be expected that patrons of this bar – were it to be established – would seek to park on this private property, to the inconvenience of the staff and clients of those businesses (which includes my own).

To add additional insight, this property recently changed hands after one of the elderly owners passed away, after 40 years of running a business there. I was one of the parties negotiating to try and buy the property, to expand my own business in the same neighborhood. The family (vendors) were keen to see the property put to use by a sympathetic local business, and the ultimately successful purchaser communicated that they would be establishing an interior design consultancy business in the building. I cannot imagine that the vendors would have in any way completed the transaction with the present new owner if they knew about the current business use proposal.

To summarize, wrong space in the wrong place. Please refuse this conditional use permit.

And Higgins

John Higgins GoBike LLC 1549 S 1100 E

From:	Bob Plumb
To:	Hall, Rylee
Subject:	(EXTERNAL) Petition #PLUNPCM2023-00396
Date:	Sunday, October 1, 2023 9:20:15 PM

HI Rylee,

The reason I'm sending this email is concerning the application for the Conditional Use rezone for the property located at 1533 South 1100 East in Salt Lake City. I own the property at 1499 So 1100 East (1108 East Emerson Ave) it's on the corner of 1100 East and Emerson Ave two buildings to the north of 1533 South 1100 East. The owner & the potential tenant are requesting an adjustment to the existing zoning for a Bar. I am ABSOLUTELY OPPOSED to allow the change in the zoning. This is primarily a residential neighborhood. It is not at all the commercial feeling arealike the main part of Sugarhouse on 2100 South where there are several existing Bars in that location now. The frist property East of the property at 1533 East 1100 is a residential structure and all the homes east of that home on Kensington Ave are RESIDENTIAL PROPERTIES. There are only two parking spaces for this building. That puts all of the Bars Customers parking on 1100 East or Kensington Ave in front of peoples residences. I'm sure none of the houses close to the proposed Bar wants to live that close to a Bar. Nothing like having your kids in bed and having DRUNK people yelling at each or getting in a fight. This proposed Bar is Way Too close to Residential.

I spent an hour this morning on the section between McClelland and 1100 East on 2100 South picking up garbage from the Bars in that location. That includes so many cigarette butts, Beer cans, Beer bottles, broken glass, gum, vomit and general trash. I also spent over an hour this morning cleaning off graffiti on the utility boxes, the public garbage can and the street light poles. If I don't clean up it doesn't get cleaned so the general public gets to walk over it and look at it in our so-called walkable bikeable neighborhood of Sugarhouse. It's sad it is always a disgusting mess. THE MAIN GARBAGE IS FROM THE BARS!!!!! I DON"T WANT THIS KIND OF BUSINESS IN THE NEIGHBORHOOD where the proposed Bar is located. It would just be the same problem with garbage and trash that we have on 2100 South. Kids and parents walk on 1100 East to go to and from the Elementary School on Sherman Ave. That's not the kind of thing they need to walk on and look at. I'm a big fan of unique Sugarhouse businesses but this is not a business that adds anything to the community except problems. Just another problem for the overwhelmed over work police department to have to deal with. NO MODIFICATION TO THE ZONING!!!!!

Please send this email to anyone that is involved with deciding on this rezone application.

Thanks,

Bob

From:	Ms. Felicia
To:	Hall, Rylee
Subject:	(EXTERNAL) PLNPCM2023-00396:
Date:	Monday, October 9, 2023 9:27:14 AM

Hello Rylee,

As a neighbor, I really like this idea of a small neighborhood bar with limited parking (as it would deter driving, hopefully).

Sincerely, Felicia Alvarez Kensington Ave

#### Conditional Use Permit for a Bar/Tavern/Arcade

1533 South Kensington Avenue -- October 3, 2023

Feedback Concerns respectfully submitted by Farrinña Coulam – 1125 East Kensington Avenue:

Notification has been issued for a Conditional Use Permit (CUP) request (PLNPCM2023-00396) to establish a Bar/Tavern for the old Shingleton's building at 1153 south 1100 east. The proposal narrative admits in the first paragraph that the Bar/Tavern will present potential adverse effects to residences to the east. In fact, it will impact east/west/north/south residents and other business owners/establishment as well due to increased traffic, parking availability, noise pollution and clean air standards (cigarette smoke). Although the proposed Bar/Tavern is not against Utah State Code Alcohol Related Business (21A.36.300). It should be noted that there is a children's art day care business (Arte Primero, K-12) in the building adjacent to the south of the proposed Bar/Tavern, which is a concern for traffic when children come and go. Concerns are listed below in no particular order.

- ٠ **Parking**: The CUP states there will be 4 to 5 parking stalls on 11<sup>th</sup> east but does not mention parking issues for east/west Kensington Avenue or Bar/Tavern patrons parking in private business lots located behind the establishment and across the street for Pinnacle Performance. There are actually only about 3-4 potential 2-hour parking stalls on 11th east due to a fire hydrant and sharing street parking with business adjacent to and across the street to the south. Cars will park on east and west Kensington Avenue. Complicating the parking situation, 11th East Reconstruction Plan will restrict parking on the west side of 11<sup>th</sup> east between Kensington Avenue and Bryan Avenue, forcing residents and business patrons to park on the east side of 11th east. Business construction is increasing along the 11<sup>th</sup> east corridor from 17<sup>th</sup> south to 1300 south and the majority of these new establishments fit nicely into the neighborhood with presumed business hours ending by 7:00 pm. In fact, the development company seeking this CUP has purchased and is renovating 4-5 properties along the 11<sup>th</sup> east corridor. It should be noted that only one location, the old laundromat on Harrison Avenue has a parking lot. Two of these properties are on the west side of 11<sup>th</sup> east and directly south on the same block as the proposed Bar/Tavern, at the Bryan Avenue intersection. These establishments will also reduce the number of parking spaces for the proposed Bar/Tavern. To date it is not anticipated that any of these projects will cause concern; however, a Bar/Tavern is completely out of character in this location and should be located closer to more business dense developments in Sugarhouse proper.
- The Salt Lake Byways Project has designated Kensington Avenue as an official Byway Corridor. The goals for Byway's are to reduce traffic volume and reduce speeds to encourage safe walking/biking along these designated streets. East of 11<sup>th</sup> east Kensington Avenue, bulb outs have been installed to significantly restrict parking and reduce speeds. Signage has been installed lowering the speed limit to 20 mph and "one lane road" signs have gone up. Walkers and bikers have been using the middle of the street to move east and west along Kensington throughout the city since the pandemic. This has been a nice addition to our neighborhood, but reduced speeds and parking have not been trouble-free. People are still speeding and sometimes drive over the bulb outs when impatient to wait their turn in the narrowed sections. The congestion from patrons seeking parking for the proposed Bar/Tavern will only add to this chaos and could be potentially worse on Friday and Saturday nights, when food trucks are planned at the site.

- Hours of Operation: The petition states peak hours for this type of establishment will be between
  7:00 pm and 10:00 pm on Friday and Saturday evenings; however, Bars/Taverns are <u>open seven</u>
  <u>days a week</u> from 10:00 am to 1:00 am or 2:00 am depending on the time savings schedule. All
  other businesses from 1300 south to Harrison Avenue close by 7:00 pm, making for a bustling
  daytime atmosphere, but quiet and enjoyable evenings and weekends for residents. <u>Residents
  within one block in all directions will be impacted by this with no reprieve</u>.
- Potential Friday and Saturday night chaos: The CUP states in the first narrative paragraph that food trucks will be made available during peak hours of operation (Friday and Saturday presumably). This is both a concern and a positive for surrounding residents. Concern is heavy increase in traffic/number of visitors to the food trucks who may or may not be frequenting the establishment; a positive because it would be nice to walk over and obtain accessible fast food.
- Air Quality: Utah Code 21A.36.300: Alcohol Related Establishments, Section D-6, states a designated location for smoking tobacco outdoors must be in conformance with State law, and D 9-c requires buffering where Bar/Tavern establishments abut a residentially zoned parcel. Section ,D-2, subsection 3, # c, states the proposed location of an outdoor smoking area in the security and operations plan must address potential effects of the area appearing to adversely affect neighboring residents, business, and buildings. Smoking and remaining debris will affect residences/businesses surrounding the proposed Bar/Tavern adversely.
- An Anomaly in the Neighborhood: The CUP states the proposed Bar/Tavern is compatible with surrounding eating/drinking establishments. In fact, the only establishments serving alcohol are located on the 11<sup>th</sup> east 13<sup>th</sup> south intersection and they are all restaurants. The nearest Bar/Tavern is located in Sugar House across from the Post Office. So, there are no "similar establishments" in the area. Having a food truck one or two nights a week does NOT make it so.
- The petitioner states new environment-friendly landscaping along the side of building on Kensington Avenue will be installed and small bushes are shown in the plans against the building itself and around the trash fenced area located on the alley side of the building. All this would be very nice but does nothing to ameliorate traffic, noise levels or drifting cigarette smoke.
- Property Values: Property values decreasing is always a concern when development changes to
  residential neighborhoods are proposed. A Google search provided many real estate links such as
  Zillow stating property values do drop when a Bar is placed in largely residential neighborhoods. The
  11<sup>th</sup> east corridor from 1700 south to 1300 south does have a growing number of small businesses,
  but hours of operation are compatible with the largely residential neighborhood. The 7-11 on
  Milton Avenue is the only business open 24/7 with extended hours; however, patrons do quick
  in/out business so none of these concerns apply. It is, of course, not possible to predict the impact
  on property values in the long run, but these concerns should be taken seriously.

Hello Rylee,

Recently I received notification of a proposed bar near my home. PLNPMC2023-

00396. I looked at the proposal and did some research about it.

Bars are low-margin businesses that depend on volume sales and low rent in order to meet profitability. In order to meet volume of sales, this bar would need to attract a large quantity of customers. This is a problem due to several reasons:

1) Given this building's lack of parking spaces, new and more customers will tax the already maxed-out neighborhood parking. This will be very detrimental for myself and my neighbors; we already struggle to find parking spots at the end of the work-day. Many of the homes in our neighborhood do not have parking garages and depend on the availability of street parking.

2) Aside from parking concerns, an increase in traffic to this area -specifically for the purpose of drinking at a bar- will also increase the likelihood of car accidents and incidents of drunk driving (McCarthy 2003; Treno et al. 2007, Brown and Jewell 1995).

**3)** If the bar is successful, attracting a large quantity of people to this particular spot will certainly cause noise disturbances and other socially undesirable activities (Cooprider 1940; Livingston et al. 2007).

3) This could have a negative impact on the crime rates in my neighborhood. There is already an adjacent Seven-11 (on 1100) that sells alcohol. A number of studies have found that in and near neighborhoods where there is a high density of places that sell alcohol, there is a higher rate of violence. That is, when bars, liquor stores, and other businesses that sell alcohol are close together, more assaults and other violent crimes occur.

I am a mother of a small child and I do not want the rates of crime or violence to increase in my neighborhood.

4) I am concerned that such close proximity of my property to a tavern will lower my property value: Families and prospective home-buyers do not want to live less than a block away from a tavern - which is associated with drunk driving, violent crime and other public disturbances.

Because of these reasons, I am against opening this bar. While I welcome business entrepreneurship and new local businesses, I do not think a bar is a fitting business for the proposed location. A bar would not lead to the enhancement of my neighborhood: it will likely lead to an increase in car accidents, noise complaints and crime, and I do not think this particular space has the ability to support associated increased traffic/ parking demands. It is a bad idea, not in the best interest of the community or my property valuation.

#### Sincerely, Margaret Bryden

References:

- McCarthy P. Alcohol-related crashes and alcohol availability in grass-roots communities. *Applied Economics*. 2003;35(11):1331. [Google Scholar]
- Treno A, Gruenewald P, Johnson F. Alcohol Availability and Injury: The Role of Local Outlet Densities. *Alcoholism: Clinical and Experimental Research.* 2001;25(10):1467–1471. [PubMed] [Google Scholar]
- Brown R, Jewell T. Alcohol Availability and Alcohol-Related Motor Vehicle Accidents. Applied Economics. 1995;27(8):759–765. [Google Scholar]
- Cooprider V. Legal questions in the operation of the licensing systems. Law and Contemporary Problems. 1940;7:621–644. [Google Scholar]
- Livingston M, Chikritzhs T, Room R. Changing the density of alcohol outlets to reduce alcohol-related problems. *Drug & Alcohol Review*. 2007;26(5):557– 566. [PubMed] [Google Scholar]

From:	Brian Winters
To:	Hall, Rylee
Subject:	(EXTERNAL) Bar/Tavern at 1533 South 1100 East (PLNPCM2023-00396)
Date:	Sunday, October 15, 2023 1:58:11 PM

**Caution:** This is an external email. Please be cautious when clicking links or opening attachments.

Rylee,

These comments originate from Brian Winters, residence at 1076 E Emerson Ave.

Referencing: PLNPCM2023-00396

In summary, I am completely opposed to this project. It will decrease air quality around my residence. 2nd hand tobacco is linked to many health issues including early onset of Macular Degeneration.

Furthermore I have read the comments submitted by Farrinna Cooulam (1125 East Kensinton Avenue). I completely agree with all the comments she submitted to you.

Poor air quality is my main objection. There would be substantial tobacco use on that corner all day and night. As a person who utilizes a "swamp cooler" I would be subjected to tobacco smoke drift and forced to install an environmentally unfriendly Air Conditioner. Swamp coolers consume 1/3 the amount of electricity as do Air Conditioning units.

This project site is way too close to residential dwellings.

A much more appropriate use of the space would be a Yoga Studio, or other Health related business, such as Bicycle Retail.

Sincerely, -Brian Winters

Hi Rylee,

I'm reaching out to you to let you know I am supportive of the new business of a "Barcade" on 11th East and Kensington Ave. I live at 1056 E Kensington Ave which is 4 homes West of the proposed new business. I am excited about this new business. The previous business was a sewing machine business which never really resonated with me.

I'm also really excited about having food trucks as an option as I could walk there from my house. Would be great if that could be possible as well.

https://www.slc.gov/planning/2023/10/10/openhouse-00396/

--Thanks, Mo

Ms. Hall,

Thank you for the postcard giving access to the OPEN House containing new detailed plans and narrative for the Bar/Tavern. After reading them, my opposition to this proposal is only stronger! I am resubmitting my comments with updated concerns highlighted in yellow.

Conditional Use Permit for a Bar/Tavern/Arcade -- 1533 South Kensington Avenue -- October 23, 2023

Objection to Approval of Bar/Tavern respectfully submitted by Farriña Coulam – 1125 East Kensington Avenue:

Notification has been issued for a Conditional Use Permit (CUP) request (PLNPCM2023-00396) to establish a Bar/Tavern for the old Shingleton's building at 1153 south 1100 east. The proposal narrative admits in the first paragraph that the Bar/Tavern will present potential adverse effects to residences to the east. In fact, it will impact east/west/north/south residents and other business owners/establishment as well due to increased traffic, parking availability, noise pollution and clean air standards (cigarette smoke). Although the proposed Bar/Tavern is not against Utah State Code Alcohol Related Business (21A.36.300). It should be noted that there is a children's art day care business (Arte Primero, K-12) in the building adjacent to the south of the proposed Bar/Tavern, which is a concern for traffic when children come and go. Salt Lake City has gone to great lengths (and cost) to calm the area through declaring Kensington Avenue an official Byway, and calming traffic by installing bulb outs, placing "one lane" road signs and reducing speed limits to 20 mph. Everything about putting a Bar/Tavern in the heart of this is unconscionable. Concerns are listed below in no particular order.

• **Parking**: The CUP states there will be 4 to 5 parking stalls on 11<sup>th</sup> east but does not mention parking issues for east/west Kensington Avenue or Bar/Tavern patrons parking in private business lots located behind the establishment and across the street for Pinnacle Performance. There are actually only about 3-4 potential 2-hour parking stalls on 11<sup>th</sup> east due to a fire hydrant and sharing street parking with business adjacent to and across the street to the south. Cars will park on east and west Kensington Avenue. Complicating the parking situation, 11<sup>th</sup> East Reconstruction Plan will restrict parking on the west side of 11<sup>th</sup> east between Kensington Avenue and Bryan Avenue, forcing residents and business patrons to park on the east side of 11<sup>th</sup> east. Business construction is increasing along the 11<sup>th</sup> east corridor from 17<sup>th</sup> south to 1300 south and the majority of these new establishments fit nicely into the neighborhood with presumed business hours ending by 7:00 pm. In fact, the development company seeking this CUP has purchased and is renovating 4-5 properties along the 11<sup>th</sup> east corridor. It should be noted that only one location, the old laundromat on Harrison Avenue has a parking lot. Two of these properties are on the west side of 11<sup>th</sup> east and directly south on the same block as the proposed Bar/Tavern, at the Bryan Avenue intersection. These establishments will also reduce the number of parking spaces for the proposed Bar/Tavern. To date it is not

anticipated that any of these projects will cause concern; however, a Bar/Tavern is completely out of character in this location and should be located closer to more business dense developments in Sugarhouse proper. Updated plans in the OPEN HOUSE link show 5 parking spaces along the north side of the building on Kensington Avenue, reduced to 4 on night food trucks will be there. Again, people will park well into all residential streets north, south, east, and west of the Bar/Tavern. In addition, the schematic for interior seating shows seating capacity of 90! At the end of the Narrative, a Parking Management Plan states there is "ample parking on 11<sup>th</sup> east", not true, and patrons will be discouraged to use adjacent residential streets for overflow parking. A sign will be posted encouraging patrons to utilize parking on 11<sup>th</sup> east. The words "discouraging and encouraging" do not calm the concerns for residents.

 The Salt Lake Byways Project has designated Kensington Avenue as an official Byway Corridor. The goals for Byway's are to reduce traffic volume and reduce speeds to

encourage safe walking/biking along these designated streets. East of 11<sup>th</sup> east Kensington Avenue, bulb outs have been installed to significantly restrict parking and reduce speeds. Signage has been installed lowering the speed limit to 20 mph and "one lane road" signs have gone up. Walkers and bikers have been using the middle of the street to move east and west along Kensington throughout the city since the pandemic. This has been a nice addition to our neighborhood, but reduced speeds and parking have not been trouble-free. People are still speeding and sometimes drive over the bulb outs when impatient to wait their turn in the narrowed sections. The congestion from patrons seeking parking for the proposed Bar/Tavern will only add to this chaos and could be potentially worse on Friday and Saturday nights, when food trucks are planned at the site.

- Hours of Operation: The petition states peak hours for this type of establishment will be between 7:00 pm and 10:00 pm on Friday and Saturday evenings; however, Bars/Taverns are open seven days a week from 10:00 am to 1:00 am or 2:00 am depending on the time savings schedule. All other businesses from 1300 south to Harrison Avenue close by 7:00 pm, making for a bustling daytime atmosphere, but quiet and enjoyable evenings and weekends for residents. Residents within one block in all directions will be impacted by this with no reprieve. In the OPEN HOUSE link, hours of operation are listed for first time, stating 7 days a week 12:00 noon to 12:00 midnight. Bars/Taverns are allowed to remain open until 1:00 a.m. or 2:00 a.m. depending on seasonal time differences, thus it is most likely the Bar/Tavern will remain open after midnight. Even if it is midnight, it is too late for all the reasons given.
- Potential Friday and Saturday night chaos: The CUP states in the first narrative
  paragraph that food trucks will be made available during peak hours of operation (Friday
  and Saturday presumably). This is both a concern and a positive for surrounding
  residents. Concern is heavy increase in traffic/number of visitors to the food trucks who
  may or may not be frequenting the establishment; a positive because it would be nice to
  walk over and obtain accessible fast food.
- Air Quality: Utah Code 21A.36.300: Alcohol Related Establishments, Section D-6, states a designated location for smoking tobacco outdoors must be in conformance with State law, and D 9-c requires buffering where Bar/Tavern establishments abut a residentially zoned parcel. Section ,D-2, subsection 3, # c, states the proposed location of an outdoor smoking area in the security and operations plan must address potential effects of the area appearing to adversely affect neighboring residents, business, and buildings. Smoking and remaining debris will affect residences/businesses surrounding the proposed Bar/Tavern adversely. In the updated OPEN House link, the narrative Provision 4, Location for Smoking Tobacco Outdoors will be placed towards front of the structure on 11<sup>th</sup> east. This is no solution to the problem. Patrons will smoke in front,

along north side and in back of the building. Pedestrians utilizing the Kensington Byway, residents, and children going to and from the art childcare problem use these sidewalks.

- The petitioner states new environment-friendly landscaping along the side of building on Kensington Avenue will be installed and small bushes are shown in the plans against the building itself and around the trash fenced area located on the alley side of the building. All this would be very nice but <u>does nothing</u> to ameliorate traffic, noise levels or drifting cigarette smoke.
- \* An Anomaly in the Neighborhood: The CUP states the proposed Bar/Tavern is compatible with surrounding eating/drinking establishments. In fact, the only establishments serving alcohol are located on the 11<sup>th</sup> east 13<sup>th</sup> south intersection and they are all restaurants. The nearest Bar/Tavern is located in Sugar House by the Post Office. There are no "similar establishments" in the area. Having a food truck one or two nights a week does NOT make it so.
- Property Values: Property values decreasing is always a concern when development changes to residential neighborhoods are proposed. A Google search provided many real estate links such as Zillow stating property values do drop when a Bar is placed in largely residential neighborhoods. The 11<sup>th</sup> east corridor from 1700 south to 1300 south does have a growing number of small businesses, but hours of operation are compatible with the largely residential neighborhood. The 7-11 on Milton Avenue is the only business open 24/7 with extended hours; however, patrons do quick in/out business so none of these concerns apply. It is, of course, not possible to predict the impact on property values in the long run, but these concerns should be taken seriously.

\*

From:	tony milner
To:	Hall, Rylee
Cc:	Matthew Barraza
Subject:	(EXTERNAL) Re: PLNPCM2023-00396 - In Support Of
Date:	Monday, October 23, 2023 4:49:26 PM

Hi Rylee, re: PLNPCM2023-00396, my husband and I live up the street on Kensington (1520 S 1300 E), and we are in support of this Conditional Use Permit application. Current zoning allows for such establishments, there is already a variety of commercial and restaurant businesses along 1100 E, and by staying within the existing structure's small footprint, this is conducive with a low-traffic business with minimal impact to the neighborhood. -Tony Milner and Matthew Barraza

https://www.slc.gov/planning/2023/10/10/openhouse-00396/

From:	Michael DeSantis
To:	Hall, Rylee
Subject:	(EXTERNAL) Tap house and wine bar – 1100 E. and Kensington
Date:	Wednesday, October 25, 2023 11:22:45 AM

**Caution:** This is an external email. Please be cautious when clicking links or opening attachments.

Yes, please! I live at 1519 S 1400 E, and something my partner and I constantly talk about is the lack of neighborhood bars. The only place within walking distance is Casot, but their prices are very high. If we want to go out for a drink we have to spend extra money on a car service. This neighborhood could really benefit from a neighborhood bar that will allow access to responsible (walkable) imbibing at reasonable prices, and provide community socializing. Yes, please!!

Best Regards,

Michael DeSantis

From:	Drew Freshour
To:	Hall, Rylee
Subject:	(EXTERNAL) Support for 1533 South 1100 East bar permit
Date:	Wednesday, October 25, 2023 10:14:21 AM

Hi,

I live on wood avenue and would be very close to the proposed bar on 11 E, and I am very supportive of the idea. Neighborhood bars are what I see as part of a vibrant community of businesses that brings people together, and I love that the location is ideal for people to walk/bike or take transit to enjoy. It is so exciting to imagine a late night neighborhood hang out spot there that my friends and I could walk to easily.

I feel much safer walking around at night in the area when there are plenty of other people out walking dogs, going out to get a drink, getting back from a dinner out, or making a 7/11 run than when I am one of very few people out and about. More foot traffic and eyes on the area makes everyone safer. I love that we have lots of reasons not to walk out of the bar and immediately get behind the wheel with this location.

From:	CaroleMurnin
To:	Hall, Rylee
Subject:	(EXTERNAL) 1533 S Kensington & 1100 E bar
Date:	Wednesday, October 25, 2023 5:09:55 PM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

I'm a resident at 1426 S 1100 E just down the street and would be in favor of the Tap house and wine bar.

It appears you addressed any concerns I have of no outdoor amplified music I think I would prefer no outdoor seating.

It could be a nice addition to the neighborhood having a local small bar I can walk to.

Thanks for your consideration. Carole Murnin 1426 S 1100 E #18 SLC, UT 84105

Heard there is a proposal for a tap room at this location, just wanted to say how excited I would be for the neighborhood! I live on Kensington and often walk down to 9th and 9th, it would be great to have another option closer to my house!

#### Lya Wodraska



From:	Melanie Hawks
To:	Hall, Rylee
Subject:	(EXTERNAL) support for Blog 11 Barcade
Date:	Thursday, October 26, 2023 7:19:01 PM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Planner Hall, I'm writing as a resident in the neighborhood to express my support for the plan to turn the former Shingleton Sewing building into a bar. I live less than a quarter mile from the site and have owned my home here since 2007. A major reason I purchased in this area and have stayed is the walkability and mix of local businesses I can easily get to. I feel safer and more connected to the community when I see people out and about. But the vibe changes in the evening, when almost everything between 17th/13th south is shut down. A bar on Kensington would increase neighborhood walkability by bringing more people onto the sidewalks after 5pm and livening up the area generally. A bar is a destination--it might encourage local residents to get out of the house and walk, bike, or scooter on the nearby McClelland Trail on their way to a place where they can socialize and build community. I hope the city will work constructively with the property owner to realize the potential of this space and bring a new amenity to the neighborhood.

Melanie Hawks

From:	FromSue2U
To:	Hall, Rylee
Subject:	(EXTERNAL) Sending feedback on proposed 1100 East location for new bar
Date:	Wednesday, October 25, 2023 6:11:47 PM

Hello,

Was just reading about the proposed site for a bar and arcade in the old Shingleton sewing building. Was really surprised that a bar could be considered at this location noting that there is a day care exactly next door. Unless this day care is moving to a new location, I am fully opposed to putting a bar nextdoor to a daycare.

Several children utilize this daycare, including my grandchildren. There are very few options for childcare in this area. Shouldn't there be consideration for existing businesses that impact children when approving a bar/liquor license?

Sue Watson

 From:
 Mark Johnson

 To:
 Hall, Rylee

 Subject:
 (EXTERNAL) PLNPCM2023-00369 - CUP Application Objections

 Date:
 Wednesday, October 25, 2023 10:45:28 PM

 Attachments:
 Bar-Tavern Conditional Use Permit Objection.pdf

**Caution:** This is an external email. Please be cautious when clicking links or opening attachments.

Rylee,

My wife and I live at 1116 Kensington Ave S, Salt Lake City, UT 84105, the house directly east of (behind) the proposed location for the Bar / Tavern in the Conditional Use Permit application PLNPCM2023-00396.

Please find my attached objection to this application.

Thanks, Mark

Mark Johnson

Pamala Roskelley

Conditional Use Permit for a Bar/Tavern/Arcade -- 1533 South Kensington Avenue --October 23, 2023

Objection to Approval of Bar/Tavern respectfully submitted by Mark Johnson and Pamala Roskelley – 1116 East Kensington Avenue:

Notification has been issued for a Conditional Use Permit (CUP) request (PLNPCM2023-00396) to establish a Bar/Tavern for the old Shingleton's building at 1153 south 1100 east. We want to officially register our object to this application. We live in the house directly behind / east of the property in question. Our residence will be the most affected by this Bar/Tavern.

- Parking: This building has no parking, and the city just removed parking from Kensington Ave:
  - There will only be parking available on the east side of 11<sup>th</sup> East between Bryan and Kensington Avenue according to the 11<sup>th</sup> East Reconstruction Plan.
  - The parking on 11<sup>th</sup> East, in front of the Bar is restricted by a fire hydrant, further reducing the available spaces.
  - The parking on Kensington Avenue, east of the building in question, has limited parking used by residents, and recently reduced by the City for traffic control "bulb outs".
  - The OPEN HOUSE plan shows 5 parking spaces along the north side of the building on Kensington Ave, which is very tight and unlikely. It says it will be reduced to 4 occasionally due to a food truck. Has anyone seen a food truck take only one parking space?
  - The plan says that patrons will be "discouraged to use the adjacent residential streets for overflow parking." This is a meaningless statement. Patrons will see the sign upon entering the bar, after parking wherever they can, and laugh.
  - Residents near the 15<sup>th</sup> East and 15<sup>th</sup> South corner have complained about the parking, due to the bar located on that block, stating that their driveways are often blocked by parked cars and people pay no attention to the parking laws. How will parking be monitored/enforced by the city?
- Safety: The Salt Lake Byways Project has designated Kensington Avenue as an official Byway Corridor. The goals for Byway's are to reduce traffic volume and reduce speeds to encourage safe walking/biking along these designated streets. On Kensington Avenue, east of 11<sup>th</sup> East, bulb outs have been installed to significantly restrict parking and reduce speeds. Signage has been installed lowering the speed limit to 20 mph and "one lane road" signs have gone up. Walkers and bikers have been using the middle of the street to move east and west along Kensington throughout the city since the pandemic. The idea of adding a major parking congestion issue, right on the corner, where people must cross an often-busy street, and the inevitability of intoxicated drivers on a street

designated as a walking/biking byway is not just counterintuitive, but a very bad idea.

- Nighttime business in Residential Area: There are restaurants north of Kensington Avenue on 11<sup>th</sup> East and 13<sup>th</sup> south, a busy corner with traffic lights. South of Kensington Avenue on 11<sup>th</sup> East, there is a bar at 1994 South. Between 13<sup>th</sup> South and 20<sup>th</sup> South there is only one business open late, and that is the 7-Eleven on 11<sup>th</sup> East and Milton Avenue. Although 7-Eleven is a 24-hour business, it is not a place where people congregate. It has a parking lot, which is seldom full, since people arrive, purchase what they need quickly, and leave. We acknowledge that this is a bit of a "not in my back yard" complaint, but we do think there is merit in city planning, putting similar businesses together, and not disrupting established residential areas with loud, late-night bars.
- Noise: The ordinance has specifications for noise levels from within the bar, but we are concerned about outside noise levels for patrons both when leaving, and especially when standing outside to smoke. My bedroom window is in the alley a short distance from both the back of the bar and the sidewalk on Kensington Avenue. The existing building, and the plan, show a door on the northeast corner of the bar (at the back), which we are very concerned will be used to exit to congregate to smoke. If approved, we think:
  - There should both be a designated smoking area on 11<sup>th</sup> East.
  - The back door should be a fire exit only, forcing patrons to enter/exit through the front door, rather than the door that is almost in the neighborhood.

From:	Christi Thorn
To:	Hall, Rylee
Subject:	(EXTERNAL) Yes to 'barcade' on Kensington
Date:	Thursday, October 26, 2023 12:21:08 PM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hello! I live in 12th east and Emerson avenue and am %100 supportive of the local 'barcade' idea on Kensington and 1100 east. Walkable options, no drinking/driving, entertainment, togetherness. All good. Thank you for your time, Christi Thorn

From:	Kestrel Spring
To:	Hall, Rylee
Subject:	(EXTERNAL) 1100 east Kensington Tap House YES!!
Date:	Thursday, October 26, 2023 11:29:14 AM

Hello I hope you are well. I am writing in full support of a new business in my neighborhood. My Name is Kestrel Liedtke. I live a half block East and one block North of the proposed tap house and wine room location at 1100 East and Kensington ave. The I am at 1171 East Emerson ave. I am also a restaurant owner and state liquor licensee. I have owned the Tin Angel restaurant since 2007. So I know better than most the hardships in obtaining a license, as well as the exaggerated dangers people will come up with to oppose new licenses. A common topic in my neighborhood is the need for a local community space where we can meet neighbors over a drink like adults do in other cities. I think the majority of this business' clientele will be walking to the establishment from the few blocks surrounding it. My neighbors and I can't wait!

Kestrel Liedtke

From:	Andrea DeTemple
To:	Hall, Rylee
Subject:	(EXTERNAL) Neighborhood bar
Date:	Thursday, October 26, 2023 9:45:56 PM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

I am writing to share my support of a bar/arcade at Kensington and 1100 East. I live in Salt Lake near that area and would absolutely ride my bike there to hang out with friends and enjoy a beverage. These types of business help build communities and allow for people to gather together and get to know one another. We need more things like this in Utah!

Thank you, Andrea Smith Zip code: 84108

From:	A. Reynolds
To:	Hall, Rylee
Subject:	(EXTERNAL) Comment on Possible Taphouse and Wine Bar with Basement Arcade
Date:	Thursday, October 26, 2023 10:25:37 AM

To whom it may concern,

I am a resident in one of the neighborhoods near the proposed new taphouse, wine bar, and basement arcade on 11th E and Kensington. I live at 1519 S 1400 E.

I would like to say that I would be so excited to have such an establishment so close to home. The nearest bar to me currently is Casot on 15th and 15th and while it is lovely it also feels a little "high brow" sometimes. A bar with an arcade seems like a place that would be more relaxed and casual.

It would also be within walking distance of me, the bars in downtown Sugarhouse are just a little too far away to spontaneously walk to. Walking distance is very important because I absolutely refuse to drive if I've drank any amount but using rideshare apps gets very expensive very quickly.

I would be so excited to welcome this business into the neighborhood and I have high hopes that it could foster better community connections with my neighbors to have somewhere easy to hang out.

Please make this business happen!

Thank you, Adele Reynolds

From:	Anthony T
To:	Hall, Rylee
Subject:	(EXTERNAL) 1100 E. and Kensington
Date:	Wednesday, October 25, 2023 9:51:45 PM

**Caution:** This is an external email. Please be cautious when clicking links or opening attachments.

Hello,

I live at 1195 S 1100 E and frequently walk past the location of the potential taphouse and barcade on Kensington/1100E. I wanted to express support for allowing this - it would be an amazing amenity for the neighborhood. It would be deeply troubling if somehow this perfectly acceptable and well thought out plan was hindered.

Thank you, Anthony Teramana

From:	Craig Buschmann	
To:	Hall, Rylee	
Subject:	(EXTERNAL) Please support the Blog 11 Barcade conditional use permit	
Date:	Thursday, October 26, 2023 11:58:29 AM	

Dear Ms. Hall,

I urge you to support the Bloq 11 Barcade conditional use permit on 11<sup>th</sup> E & Kensington. I live in this area - 8<sup>th</sup> E and 16<sup>th</sup> S - and welcome a neighborhood bar that acts as a third place for the community to gather. (Third places are those areas besides work and church/school where a community can interact with each other.)

These are the types of places that give a community a sense of identity. I recently visited Helper, UT, and had the pleasure of meeting and sharing a beverage with locals at the Clampers 1900 chapter/club and the neighboring Regis Bar. We met a software developer that moved to Helper from Golden, CO during the pandemic because of the high-speed internet and low cost of housing. We met with former coal miners. It was a wonderful experience. **These** are the types of interactions that neighborhood bars and similar third places provide.

Please support Bloq 11 and the neighborhood become a more welcoming, walkable, and livable place.

Thank you,

From:	Melanie Jenson
To:	Hall, Rylee
Subject:	(EXTERNAL) 1100 E Bar
Date:	Friday, October 27, 2023 5:01:56 PM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hi, I'm a resident who can see this proposed establishment from my front porch. I live along 1100 e.

I strongly oppose this building becoming a bar.

In the 10 years we have lived here, we have had 3 overnight accidents related to drunk drivers in front of our house. It wasn't until the tap bar on highland closed that we stopped having this issue.

I would be open to it being a food based location with a bar license that closed at 10 M-F and 11 on weekends, I think that would be much better for the community as a whole vs an over 21 bar.

Thanks. Melanie Jenson

From:	Zach Stolarsky
To:	Hall, Rylee
Subject:	(EXTERNAL) Bar at 1533 South 1100 East
Date:	Friday, October 27, 2023 9:05:58 AM

#### Hello,

I live at 1434 South McClelland Street (approximately 600 feet from this project location) and I support this project.

Thank you!

From:	Steven Lukens
To:	Hall, Rylee
Subject:	(EXTERNAL) Bar @ 1533 South & 1100 east
Date:	Sunday, October 29, 2023 9:01:38 AM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

I am a homeowner who lives two blocks away from the proposed location. I am married with three young children that all go to Emerson elementary school, which is close to the proposed location as well. There are lots of children in the neighborhood. The neighborhood already struggles with homeless or petty crime in the neighborhoods. The last thing we need is a bar which will only increase those issues that we deal with. This would be much better suited closer to an Utah University, or downtown. Not in the middle of a This would be much better suited closer to a Utah University or downtown. Not in the middle of a family neighborhood.

Please don't let this project move forward.

Steve

From:	Brian Winters
To:	Hall, Rylee
Cc:	Benson, Jenna; Mano, Darin
Subject:	Re: (EXTERNAL) Bar/Tavern at 1533 South 1100 East (PLNPCM2023-00396)
Date:	Monday, October 30, 2023 5:05:34 PM
Attachments:	image/011 and
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	25-10 ELECO Community Meeting Agenda.pdf

Hi Rylee,

I measured the distance from the proposed site to the "school", St. John's Community Child Development Center at 1432 South 1100 East (Roosevelt Ave. 1100 East).

The property to property distance is **500 feet** (plus or minus 20 feet). 491 feet by my estimation.

The proposed site is too close to a school, less than 600 feet.

thank you, -Brian Winters

From:	Nicholas Gabel
To:	Hall, Rylee
Subject:	(EXTERNAL) 1533 South 1100 East
Date:	Tuesday, October 31, 2023 12:38:43 PM

#### Hello -

I recently read about the application for a conditional use permit for a bar at the property located on 1533 South 1100 East. I'd like to pass along my thoughts on the project and why I believe it would be a benefit to the neighborhood. I strongly support the approval of the development of a bar at this location for the following reasons:

1. *The community is in need of more community gathering spaces.* A bar such as the one that is proposed will help to create a "third space" within the neighborhood where the community can gather. Some examples that currently exist on the 1100 East Corridor include Teazanti, Bartolos, Roots Coffee, and Hub and Spoke Diner - they all enhance the character of the street, provide a welcoming place for the community to gather, and help to establish an identity for the neighborhood.

2. A new bar at this location will help to *activate the 1100 East Corridor* by providing an evening use. The more active the area there are more eyes on the street which will help to promote a sense of safety and security in the evening.

3. The propsed bar is *adaptively reusing an old building*. Preservation of historic structures is important to maintaining the neighborhoods character which is why many people choose to live in the neighborhood.

4. Walkable neighborhoods with locally owned business are extreamly desireable because the provide a unique character that cannot be easilty repliaced. This project and more like it *will help improve propery values and will spur additional investment* because it will make the neighborhood more desirable.

Thank you for allowing me to comment on this project. Please let me know if there is another venue where I should provide my thoughts and support for the project.

Thanks again,

Nicholas Gabel 1204 E. Roosevelt Ave. SLC, UT 84105

From:	Ashlie Long at Reflections Salon
To:	Hall, Rylee
Subject:	(EXTERNAL) parking concerns for new bar at 1553 s 1100 east
Date:	Thursday, November 2, 2023 7:16:07 PM

I would have no problem with this business if they were not open late into the evening. I'm really worried that the neighbors are going to be affected even though they say that parking and people smoking out front won't be an issue. We all know that it will be. If approved The neighboring business will be fencing off and blocking off the alleyway and parking lot for any public use to protect his property/ parking etc ... so if they have any plan on using that back area even though that stated that they will not that will be blocked off which is unfortunate for the residential neighborhood who uses the area to walk pets and safely Navigate traffic.

Alcohol never helped anyone. And our neighborhood deserves healthy businesses.

There's also a bar 1 1/2 lights down on both directions.

Thank you for considering public input

From:	Alan Thompson
To:	Hall, Rylee
Subject:	(EXTERNAL) CUP/Bar 1533 S 1100 E
Date:	Saturday, November 4, 2023 12:42:39 PM

## Caution: This is an external email. Please be cautious when clicking links or opening attachments.

I own the house at 1500 S 1100 E. I do have concerns about the proposed Bar at the above address.

By 6 or 7pm most businesses on 11<sup>th</sup> E are closed and the neighborhood is quiet. The residents on Kensington east and west as well as residents in the surrounding neighborhood will be seriously impacted.

PARKING: The only place for bar patrons to park is on the street. Even now, parking can be difficult for residents, and if the bar is successful the surrounding neighborhood of owners, tenants, and visitors alike will be competing for parking spaces.

NOISE: Bars tend to operate until the early morning hours. Quality of life for those living in the area will be affected by possible loud music, vehicles coming and going, and bar patrons congregating outside of the establishment.

A Bar will change the whole character of the neighborhood. Unfortunately, it probably won't be for the better.

Thank you for your consideration.

 From:
 Shelly Cordon Teuscher

 To:
 Hall, Rylee

 Subject:
 (EXTERNAL) Serious concerns about Bar at 1533 S 1100 E.

 Date:
 Friday, November 3, 2023 3:24:00 PM

 Attachments:
 Friday Serious Concerns about Bar at 1533 S 1100 E.

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

My name is Shelly Cordon Teuscher, and I own the house at 1137 Kensington, one house east of the house opposite the proposed bar.

#### Parking

My first concern is parking. The applicant admits there are only 4 or possibly five stalls on Kensington Ave for the use of the bar but maintains there is plenty of parking on 1100 East. This is not the case. In the 1100 E reconstruction currently underway, there will only be parking on one side of the street along 1100 E between 1300 S and 1700 S, except at the very north end of that stretch of 1100 E. There are residents that currently park their cars on the street who will take up some of those parking spaces on 1100 E. If you add up the seating in the applicant's schematics, you find the bar has a 90-person capacity. A few parking stalls along 1100 E and Kensington is woefully inadequate for that number of people. A bar of that size should have dedicated parking, which is simply not available in that location. The applicant expresses his hope that people will take public transportation, but that is unrealistic. Buses don't run very late at night, and so someone taking a bus to a bar would probably find themselves stranded.

Making the more rational assumption that 2/3 of the bar's patrons will drive, on a busy night that's 60 people. Assuming 2-3 people per car that's anywhere from 20-30 cars. How will the neighborhood absorb that many cars?

Without dedicated parking, parking will spill into the neighborhood around the bar, and most notably, onto Kensington Ave, which already has parking problems. The city recently added two bump-outs which cut the available parking on the street even further. The applicant is fond of comparing his bar to the bar Casot, at 15<sup>th</sup> and `15<sup>th</sup>, which also does not have dedicated parking, so we solicited comment from a resident that lives five houses up from Casot. Their experience has been nightmarish. People park across their driveway, and in their driveway. In the case of the proposed bar, the woman who lives immediately opposite the proposed bar has a history of medical emergencies, and inability to get out of her driveway could be very dangerous for her.

## I request the planning commission delay approval of the conditional use until the applicant can better address the parking issue.

#### Food Trucks on Kensington Ave.

Another concern is the applicant's proposal to bring in food trucks and park them on Kensington Ave. Food trucks have generators, which will create a noise nuisance for neighbors. Also, they will attract customers other than those in the bar, creating a traffic hazard and exacerbating the parking situation. Food trucks have no place in a residential neighborhood such as Kensington Ave.

## I request the planning commission impose a condition that food trucks may not park on Kensington Ave.

#### Hours of Operation

The applicant proposes to be open until midnight 7 days a week. State law allows him, if he gets the bar license he is planning to apply for, to remain open until 1 or 2 am. This is a residential neighborhood, and having people leave a bar at those hours during the week will be disruptive to the residents. More reasonable hours in a neighborhood setting would be to close at 10:00 Sunday-Thursday, and at midnight on Friday and Saturday.

## I request the planning commission impose a condition that the bar must close at 10 PM Sunday through Thursday, and at midnight on Friday and Saturday.

Thank you for considering my comments, and my requests.

From: Andy Blackburn	
To: Hall, Rylee	
Subject: (EXTERNAL) Blog 11	<ul> <li>Commentary</li> </ul>
Date: Saturday, November	4, 2023 4:51:35 PM

**Caution:** This is an external email. Please be cautious when clicking links or opening attachments.

Dear Ms. Hall, Mayor Mendenhall, SLC Council Members and ELPCO Council Members

I'm writing to voice my support for Block 11. It would be a wonderful addition to the neighborhood and will ultimately drive new business into the area. I live in this neighborhood and would love to have a nearby place for my partner and myself to grab a beverage and mingle with other members of our neighborhood and community.

As a transplant from the Midwest, I can tell you that the local bar is often the meetinghouse of the neighborhood and is where people gather to discuss issues important to themselves and the community. These spaces have been conspicuously absent from Utah and are sorely missed by those of us who have moved to this great state.

Thanks you for considering this project, we're looking forward to seeing this business in our community.

Sincerely,

Andy Blackburn

From:	Christina Montero
To:	Hall, Rylee
Subject:	(EXTERNAL) Yes to the bar on Kensington
Date:	Sunday, November 5, 2023 4:04:26 PM

#### Hi Rylee,

I live at 1208 E Kensington Ave, a few doors down for the proposed bar, and I'm all for it. I'm 42, live with my husband and 5 year old and we think it's great to have something in walking distance. Right now I need to walk to 15th and 15th for a beer or wine which is fine, but uphill. I used to live in NYC before moving to SLC and while SLC is way smaller, being able to walk to restaurants, bars, coffee shops and stores right out your front door is a great perk! And the proposed arcade and food truck also sounds great. I know parking could be an issue but people will figure it out since most people have driveways and there is usually room on the street. And again, folks can walk to the bar and not need to drive, which reduces risk of accidents and dumb decisions. I'm psyched 1100 E has new commercial stuff in the works, and this would be a great addition. Let's do this!

#### Christina

From:	Erick Billetdeaux
To:	Hall, Rylee
Subject:	(EXTERNAL) Conditional Use Permit for 1533 S 1100 E
Date:	Sunday, November 5, 2023 3:08:03 PM

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Rylee,

I just wanted to show my support for the approval of this permit. Having a neighborhood bar would a awesome addition to our area. It also gives the residents another walkable option to go have a social drink with friends in the neighborhood. I look forward to the opening of this business.

Erick Billetdeaux 1212 E Kensington Avenue Salt Lake City, UT 84105

Hello,

I am a property owner at 1131 E Bryan Ave. This property is just around the corner from the proposed bar. I wanted to write and let you know that I am 100% in favor of this project. It will add great value to the neighborhood. A great place to network and hangout/work in the neighborhood. Get to know the neighbors, etc.

Bernard Arroyo

Hi Rylee,

I saw the recent article on <u>buildingsaltlake.com</u> about the proposed tap house/ wine bar at 1100 E and Kensington, and the article listed you as the recipient for comments (so, here are some comments).

I own two properties in the area (one near the intersection of 900 E and Kensington, and another a bit further West), and I have watched the area change (and generally improve) over recent years.

I'd like to voice my **support** for the proposed tap house / wine bar at 1100 E and Kensington Ave. (I do not have any business or personal affiliation with the proposed tap house).

I hope the city and those responsible for issuing the permits will consider the following:

1. Small neighborhood tap houses/wine bars are very uncommon in this area (and throughout most residential parts of SLC). As a result, people living in this area have limited options for walkable public gathering spaces, and <u>very</u> limited options for walkable eating and drinking establishments.

2. Because this tap house would be in a more residential area, it's reasonable to assume that most of its customers will be residents of the neighborhood (this has numerous benefits that I outline below).

3. A neighborhood tap house can decrease driving, and decrease drinking and driving. Currently, residents of this neighborhood have to drive to bars (since very few bars are walkable). Having a neighborhood tap room residents can walk to will diminish the number of residents driving to bars in other neighborhoods, and thereby diminish the number of people drinking and driving.

4. Eating and drinking establishments located in similar SLC neighborhoods have generally improved the vitality, desirability, and livability of those neighborhoods (for instance, the areas surrounding Hub and Spoke, Red Moose Coffee, Nomad-East, etc. are all vibrant neighborhoods thanks in part to those eating and drinking establishments).

5. Neighborhood tap rooms improve social cohesion in the neighborhood--which has numerous second- and third-order beneficial effects. Specifically, a neighborhood tap room serves as a gathering space for residents to meet and form friendships and connections. Importantly, a neighborhood tap room provides a forum for *face-to-face* social interactions (which research shows are critical for social cohesion, but which have become much less common due to COVID and increased reliance on technology for social interaction). Put simply, a neighborhood tap room helps residents get to know each other, which is critical for social cohesion in a neighborhood lowers crime, increases resident

buy-in to the community, increases residents' involvement in neighborhood improvement initiatives, fosters upward social and economic mobility among residents, and increases residents' likelihood of investing money into property improvements. These effects tend to be cyclical (for instance, lower crime in a neighborhood fosters upward socioeconomic mobility among residents, which further suppresses crime).

6. A successful tap room will help generate tax revenue for the city, which can fund any number of city and neighborhood improvements--from road infrastructure to education.

In a nutshell, I think this tap room will create a number of benefits for residents, the neighborhood, and the city.

I'm happy to answer any questions you may have.

Thank you for your time.

Leo Schlosnagle, Ph.D.

## **ATTACHMENT G: 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: (Bryan Romney at bryan.romney@slcgov.com)

1. Review ongoing with applicant.

*Planning Note:* The Security & Operations plan was sent to the Building Department for review. They provided the following comments:

- William Warlick: No comment regarding Security and Operations Plan. The applicant be aware that a building permit is required for this change of occupancy and the work. A plumbing permit application (BLD2023-04608) was submitted, but this is not sufficient. A review of the plans for Building Code compliance was not done as part of the PLNPCM2023-00396 review. However, the applicant should be aware that there could be significant Building Code issues.
- Seth Hutchinson: I do not have any comments for the proposed "Security Operations Plan", but my original comments for Fire still stand for this proposed bar.

Fire: (Seth Hutchinson at <a href="mailto:seth.hutchinson@slcgov.com">seth.hutchinson@slcgov.com</a>)

Governing codes will be the 2021 editions of all codes, except the NEC which is the 2020 edition of NFPA 70.

Fire sprinklers are required in this building, and under NFPA 13 the sprinkler system must be monitored for activation and tampering. FDC must be on the address side of the building.

All egress doors must swing in the direction of egress travel and meet all requirements in Chapter 10 in the IFC. All egress pathways must be maintained clear.

Fire Extinguishers must meet the requirements in Section 906 in the IFC and NFPA 10.

Fire Extinguishers shall be within a 75-foot travel distance of all points in the building, in accordance with Section 906 in the IFC, and NFPA 10. Travel Distance as defined in NFPA 10, is measured as a person would walk, NOT in a radius around fire extinguishers.

Any alcoholic spirits or wines that are stored in Casks or barrels must meet the requirements in Chapter 40 in the IFC.

#### **Police Department:** (Andrew Cluff at andrew.cluff@slcgov.com)

I like the robust complaint response, because they are going to happen just based on the proximity to residential property in the area. I don't actually see a safety and security plan though. What do they plan to do for safety concerns? Are they going to have security? What is maximum occupancy and what are they going to do to ensure they don't go over? Do they have an adequate staffing plan/per patron? Who is going to do license checks? What is the plan for regulating already intoxicated patrons? What is the plan for business closure each night and exiting patrons safely? Is there a security system? Is there proper signage for use and direction inside the business for patrons? What are the plans if someone gets injured on the property? How do you plan to handle crimes that occur on premise?

*Planning Note*: The applicant has updated their Security & Operations plan to address these comments. The updated plan was sent to the Police Department for review. They updated their comment with the following: 'I like the updates to the security plan. Looks like it addresses any issues I had before.'

On the proposed landscaping near the dumpster enclosure: (Andrew Cluff) It depends. I can see why they are planting them there. It could create a hiding place, but I think as long as they have a regular maintenance plan for them so they don't become overgrown and look well maintained, along with clear signage for private property and no trespassing this may be enough of a deterrent to be a non-issue. If this can't be accomplished I would recommend a different bush that doesn't grow 5-7 feet tall and as full as buckthorn can become. But a good maintenance plan to keep it trimmed would still create good coverage while allowing open visibility to detour trespassing.

#### Transportation: (Jena Carver at jena.carver@slcgov.com)

Given the limitations of the site I recommend that we approve their proposal to roll the dumpsters into the alley for pickup. It will likely block the alley for less time than a garbage truck pulling into the alley would (if there was even space). I have no problem with them rolling them to the street and that would be preferred in order to limit the time the alley is blocked.

*Planning Note*: The applicant has indicated they plan to roll the dumpsters to the street (1100 East) for pickup to minimize blocking the alley. The dumpsters will be rolled back after pick-up.

#### Public Utilities: (Kristeen Beitel at kristeen.beitel@slcgov.com)

The Public Utilities Department has concerns regarding the proposed conditional use permit for this site. Currently, the site lacks a necessary pre-treatment device for waste discharge. As per regulations, the site will not be permitted to discharge waste until such a device is installed.

To proceed with the conditional use permit, detailed existing and proposed plumbing plans outlining the installation of a pre-treatment device must be submitted for review and approval by the Public Utilities Department.

Currently there is only a plumbing permit BLD2023-04608. A building permit will need to be applied for. Additional comments have been provided to assist the applicant in obtaining a building permit.

•Please show all existing plumbing fixtures, including all floors that are changing. Clearly label each fixture and indicate if it is to remain, be removed, be replaced, or be relocated. These existing plans will be compared to the proposed plans to assess Public Utilities fees. Fees are assessed for all new plumbing, while credit is received for replacing existing fixtures in kind.

•Any 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. Applicant will be required to 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 without being in the public right-of-way. 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, this must show up on the plans. Plumbing plans must show two separate waste streams - one for grease and one for sewer.

•

#### Public Utility permit, connection, survey, and inspection fees will apply.

•All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.

•The Commercial & Industrial User Questionnaire (CIUQ) will need to be filled out & returned prior to opening.

•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 streetlights.

•One culinary water meter is permitted per parcel and fire services, as required, will be permitted for this property. If 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. There are multiple existing water meters to the site. These will need consolidated to a single culinary water meter and service.

•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 (BMPs) to remove solids & oils. Green infrastructure should be used whenever possible.

\**Planning Note*: Any requirements from Public Utilities, including any requirements to update to the existing utilities, will not change any aspect of the proposal as it relates to the conditional use requirements and standards.