



Staff Report

PLANNING DIVISION
COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Casey Stewart – Principal Planner
(801) 535-6260 or casey.stewart@slcgov.com

Date: March 8, 2018 (for March 14 hearing date)

RE: PLNPCM2015-00273 – Zoning Map Amendment (SR-1A to SNB)
PLNSUB2015-00271 – Planned Development
PLNPCM2015-00269 – Special Exception

ZONING MAP AMENDMENT, PLANNED DEVELOPMENT, AND SPECIAL EXCEPTION

PROPERTY ADDRESS: approximately 569 East Second Ave
PARCEL ID: 09-31-479-009
MASTER PLAN: Avenues Master Plan
ZONING DISTRICT: SR-1A Special Development Pattern Residential District

REQUEST: The applicant, Joseph Hatch, attorney for the property owner Boldspace LLC, is seeking to normalize the long-standing configuration of parking and uses on his client’s property at approximately 569 Second Ave. Currently there are two distinct businesses in separate buildings and the site is under-parked relative to the current city standards. The project requires a zoning map amendment, as well as planned development and special exception approvals. Specifically:

- Zoning Map Amendment: A request to amend the zoning map for the subject property from SR-1A (Single Family Residential) to SNB (Small Neighborhood Business).
- Planned Development: A request for planned development approval to normalize the presence of two principal buildings on a single lot.
- Special Exception: A request for special exception approval for alternative means to address off-street parking.

RECOMMENDATION: Staff recommends that the Planning Commission forward a favorable recommendation to the City Council for the proposed amendment to Salt Lake City’s Zoning Map for property located at approximately 569 East Second Avenue and approve the proposed Planned Development and Special Exception, with the condition that they are subject to the approval of the zoning map amendment by the City Council. The Planned Development and Special Exception are conditioned upon approval of the new zoning. Hence, should the City Council not approve the Zoning Map Amendment request, any approval by the Planning Commission of the Planned Development will become null and void.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Site Drawings](#)
- C. [Applicant Submitted Information](#)
- D. [Analysis of Map Amendment Factors](#)
- E. [Analysis of Planned Development Standards](#)
- F. [Analysis of Special Exception Standards](#)
- G. [Public Process and Comments](#)

BACKGROUND AND PROJECT DESCRIPTION

Zoning Amendment

The existing uses are considered legal, but non-conforming to zoning, having been authorized under the previous B-3 zoning which regulated the site prior to the adoption of the current zoning code in 1995. The objective of these petitions is to bring a site with conditions that are considered legal, but non-conforming, into alignment with the zoning district affecting the property. Neither the current SR-1A nor the proposed SNB zoning districts permit two principal buildings on a property; thus, given that there are separate principal uses in each of the two buildings on the site, the current arrangement can only be authorized as a planned development.

However, as a result of lot size restrictions for planned developments on residentially zoned properties, the site must be rezoned from SR-1A (Special Development Pattern Residential District) to SNB (Small Neighborhood Business District) in order to be a candidate for authorization as a planned development.

When the SNB district was initially created, city staff identified a number of sites across the city as appropriate for the new zoning based on a set of specific criteria (use, size, surrounding context, etc.). While each of these 'candidate' sites were identified through that process, the actual rezoning of each site was left to the discretion and agency of each individual property owner. In making this request, the applicant is seeking to exercise that discretion.

Please see the analysis table in Attachment D for more information.

Planned Development

For quite some time (since the early 2000's), the site has also been home to two separate buildings with different uses – essentially having two distinct principal buildings on one site - a condition not typically permitted under zoning.

Typically, the planned development process is used to authorize new developments that vary in some regard from the underlying zoning. However, in this case, the applicant is proposing to create a planned development of the buildings existing on the site currently. No new construction is proposed by this petition. The primary purpose of the request is to bring a set of existing uses that are considered legal, but non-complying, into alignment with land use regulations applicable to the site upon changing the zoning to SNB.

Please see the analysis table in Attachment E for more information.

Special Exception

The site is under-parked relative to the city's current standards, but was in compliance when constructed. Additionally, the owner was required (approx. 2006) to install an accessible parking spot and ramp, by the city, further reducing the on-site parking count. The applicant requests approval from the city for their current parking arrangement and recognizing that the site is very limited for parking space.

There are a number of strategies for reducing parking demand listed in the zoning code, one of which is the provision of specific pedestrian amenities. The applicant has proposed installing a bike rack and a bench, both of which are listed as approved strategies.

This strategy would entitle the site to exempt the first 2,500 square feet of building area from the calculation of required parking. In the case of the site, this reduces the area subject to the parking calculation to 400 square

feet, which would allow for the provision of one parking spot.

The parking chapter allows for reductions of off-street parking for pedestrian friendly development, in certain commercial districts. However, because the site is not in one of these districts, the only option for the applicant is to pursue this through the special exception process.

Please see the analysis table in Attachment F for more information.

KEY ISSUES:

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

1. Rezone to Commercial Use
2. Parking Demand
3. Potential for Increased Traffic

Issue 1 - Rezone to Commercial Use

Planning staff has received some input expressing concern about the types of commercial uses that would be permitted on site, should the subject property be rezoned to SNB. In the eyes of the community, the non-conforming status of the existing uses provided a bulwark against businesses with more significant external impacts occupying the site, should the spaces become available in the future.

However, the fact that these businesses are operating as legal but non-conforming uses, based on the previous B-3 zoning of the site leaves some amount of ambiguity about the uses that could occupy the spaces in the future. In fact, the previous zoning allows for a significantly broader range of uses than would be permitted under the new zone being proposed. Further, the SNB zone has explicit restrictions on expansion of uses, hours of operation, and other elements that are designed to allow the site to exist comfortably in a residential context well into the future. Ultimately, the SNB Zone was specifically designed to support small-scale businesses integrated within residential communities while minimizing the impact on adjacent residential properties.

Issue 2 - Parking Demand

Parking is perceived as a perennial problem in the Avenues. Given the appointment-based nature of their services, salons often have rapid turnover in parking use. This means that while there are often patrons there, they are not monopolizing parking spots for long durations. Additionally, given that salons generally operate during regular business hours, this is a use that requires parking at a different time than the surrounding residences, allowing the uses to comfortably share on-street parking spots.

As a professional office, the small design firm in the rear building rarely has clients visit them at their offices, and a number of the employees bike, walk, or use transit to get to work. Much like the salon located in the front building, this office operates during regular business hours, allowing for visitors to use parking at the very time of day that it is least likely to be needed by area residents.

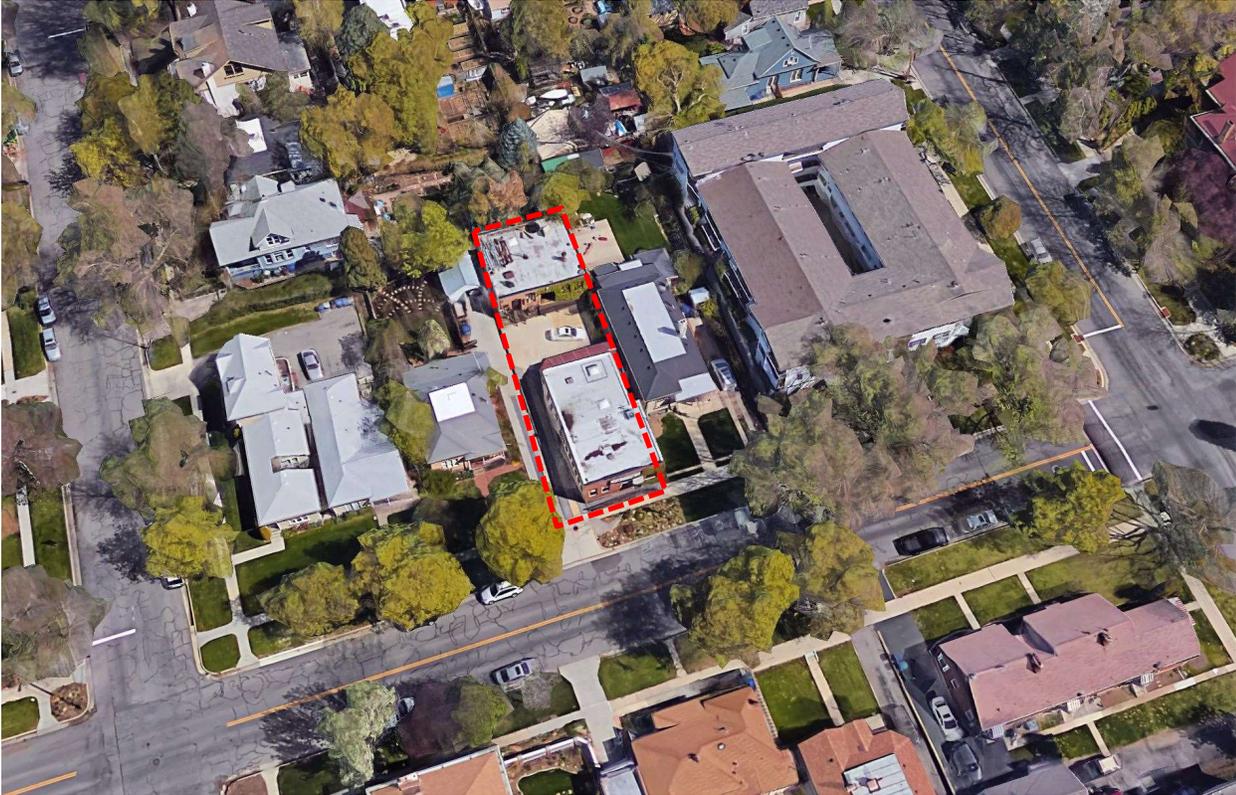
Issue 3 - Potential for Increased Traffic

When the proposal was presented to the Greater Avenues Community Council, there was concern expressed that the rezoning of the property from a residential designation to a commercial one could lead to increased traffic in the future.

Each of the commercial spaces are relatively small, and given their setting in a predominantly residential area, they are likely most well-suited to a relatively limited range of commercial businesses. Through the actions proposed by the applicant, there would be significant restrictions imposed on the redevelopment of the site. First, the SNB district has limitations on new non-residential construction and enlargement of existing structures. Second, once approved through a Planned Development, any significant change in the scope of development on site would be subject to a public process where issues of compatibility and secondary effects would be considered. Finally, the property is also subject to Salt Lake City's historic preservation overlay district, which restricts the owner's ability to make large-scale changes to the buildings, including demolition.

In the opinion of staff, these factors limit the amount of additional traffic likely to be generated by the businesses on this site, both now and into the future.

PHOTOS OF SUBJECT SITE:



Aerial View of Subject Property



View of the subject property looking north-west across 2nd Avenue.



View of the subject property looking north across 2nd Avenue.



View of the subject property looking north-east across 2nd Avenue.



View of subject property, showing relationship between front building and sidewalk.

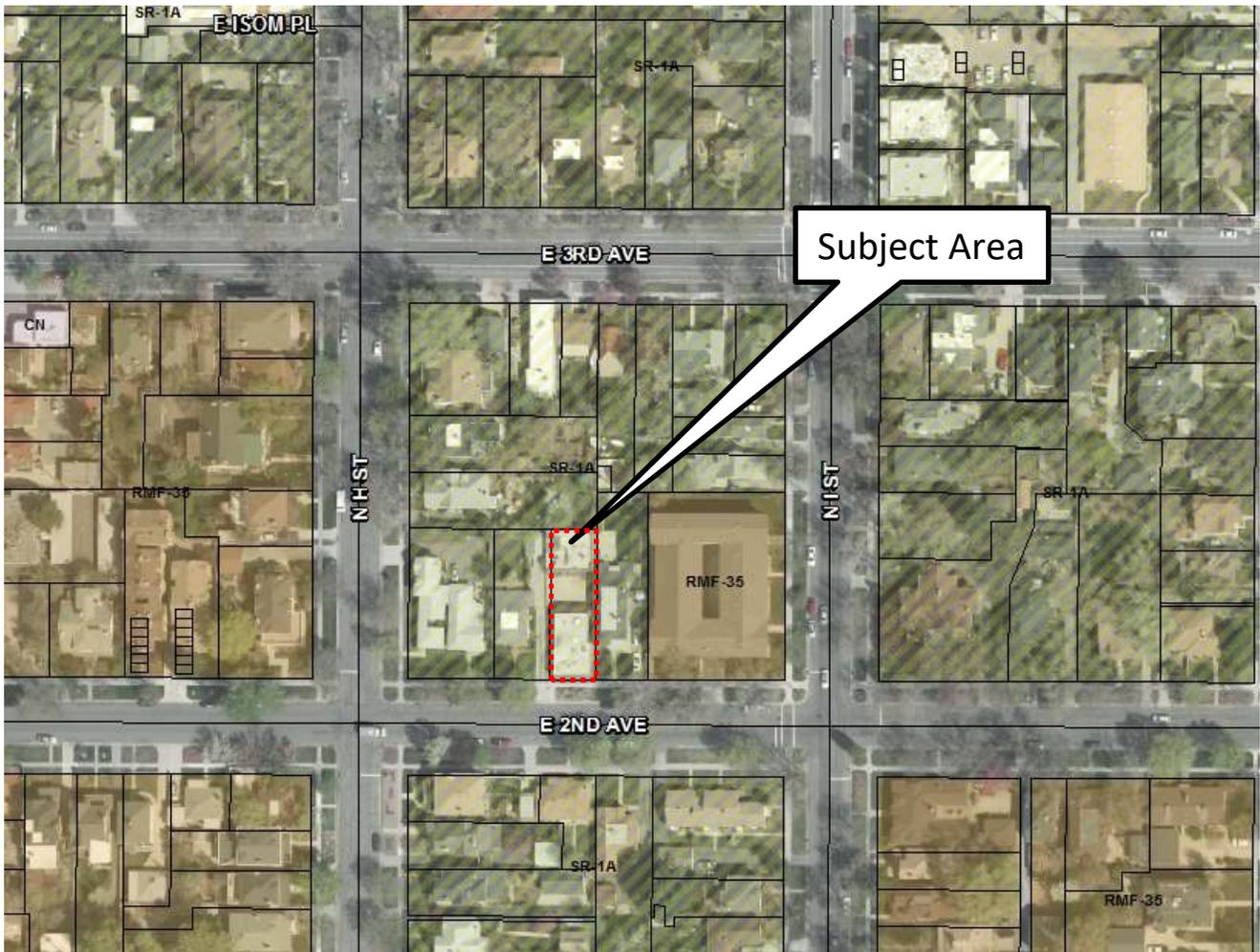
NEXT STEPS:

The Planning Commission is the decision making body for the Planned Development and Special Exception requests. Any action taken by the Planning Commission regarding those requests would complete City decision making processes regarding those matters. The proposed Zoning Map Amendment request would then move on to the City Council for a decision.

It is important to note that the proposed planned development and special exceptions are premised on the successful rezoning of the site to SNB.

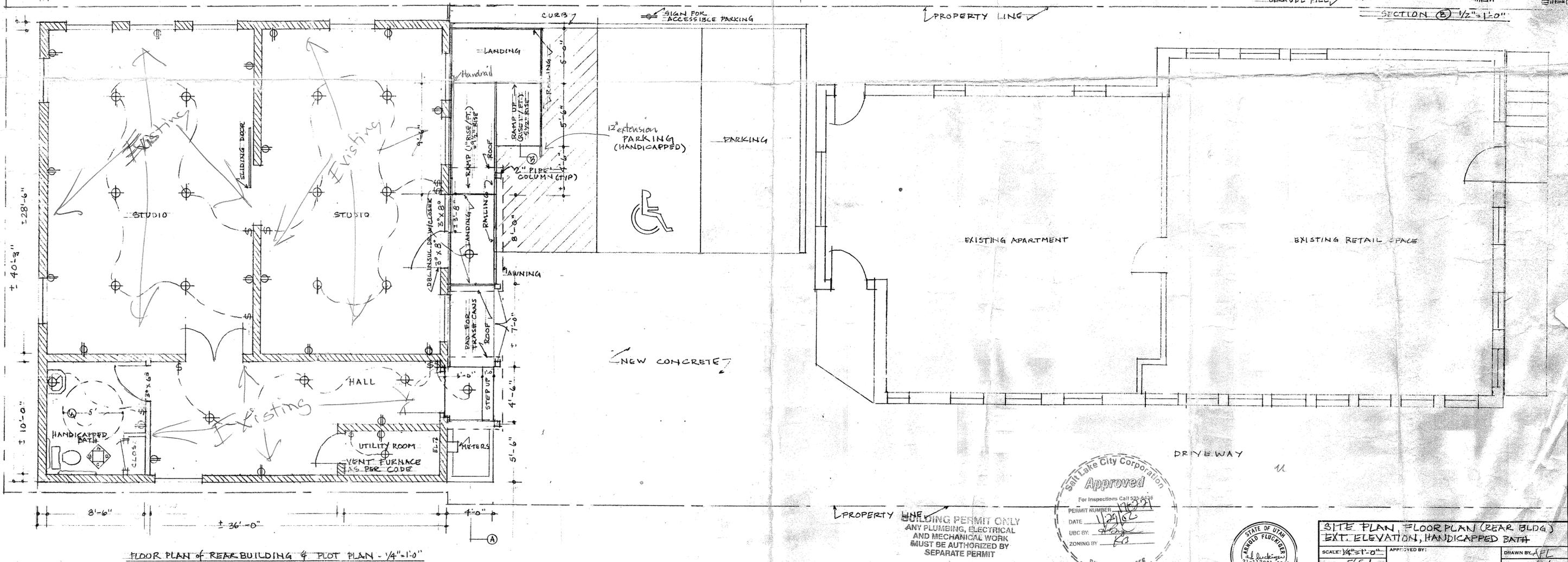
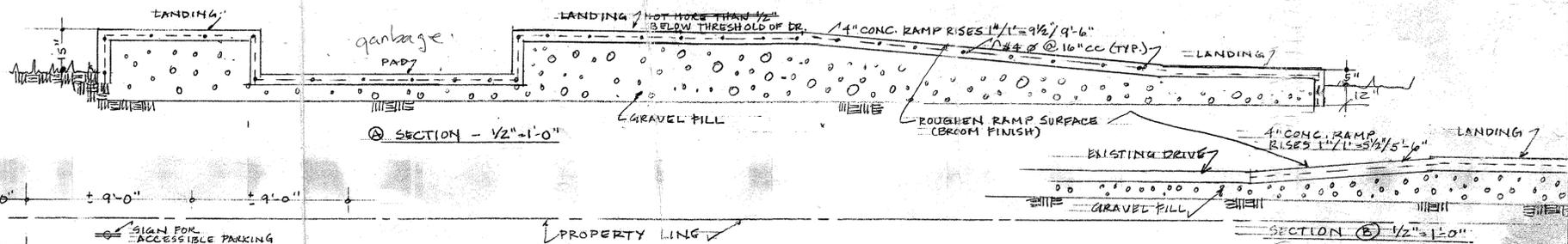
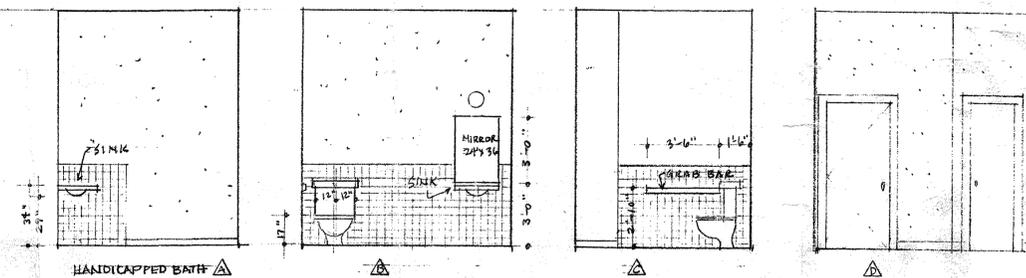
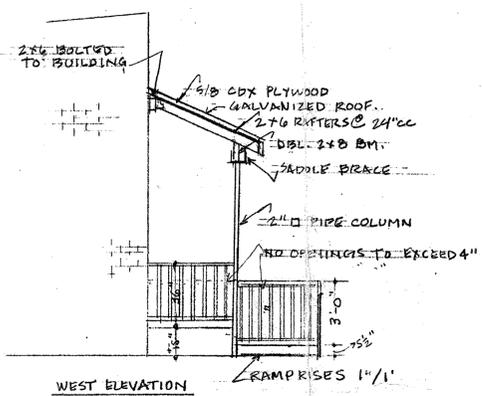
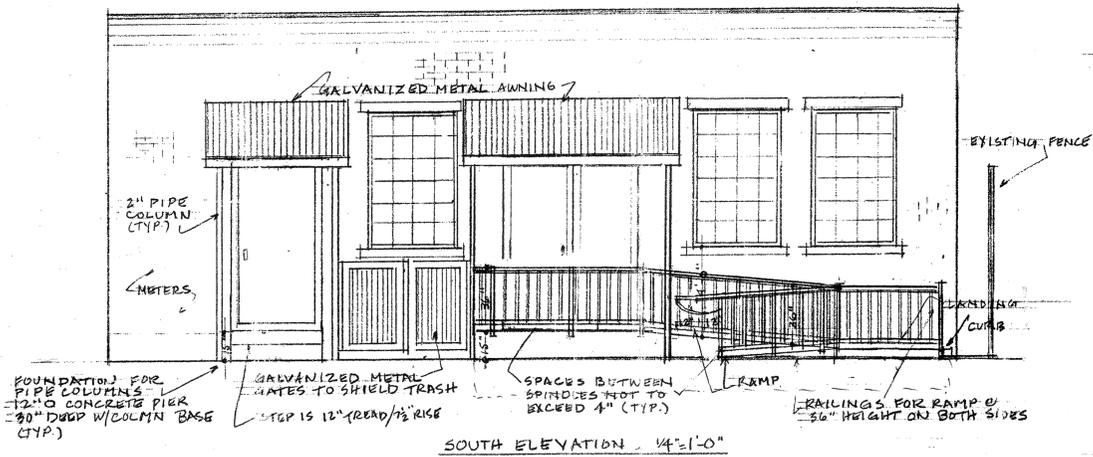
Hence, should the City Council decline to amend the master plan and rezone the site, a favorable Planning Commission decision on the Planned Development would become null and void.

ATTACHMENT A: VICINITY MAP





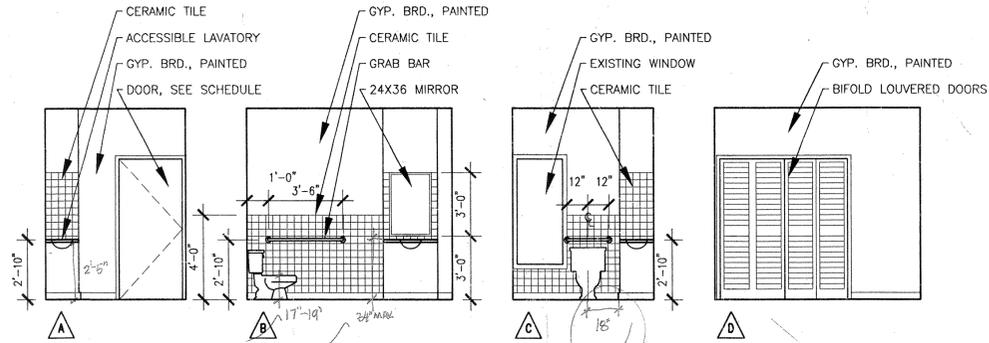
ATTACHMENT B: SITE DRAWINGS



PROPERTY LINE
BUILDING PERMIT ONLY
 ANY PLUMBING, ELECTRICAL
 AND MECHANICAL WORK
 MUST BE AUTHORIZED BY
 SEPARATE PERMIT



SITE PLAN, FLOOR PLAN (REAR BLDG.) EXT. ELEVATIONS, HANDICAPPED BATH	
SCALE: 1/4"=1'-0"	APPROVED BY:
DATE: 5/5/01	DRAWN BY: APL
BOB BOLDS - REAR BUILDING 509 E. 2ND AVENUE, SALT LAKE CITY	REVISED 1/3/02
322-9122	DRAWING NUMBER RB-1



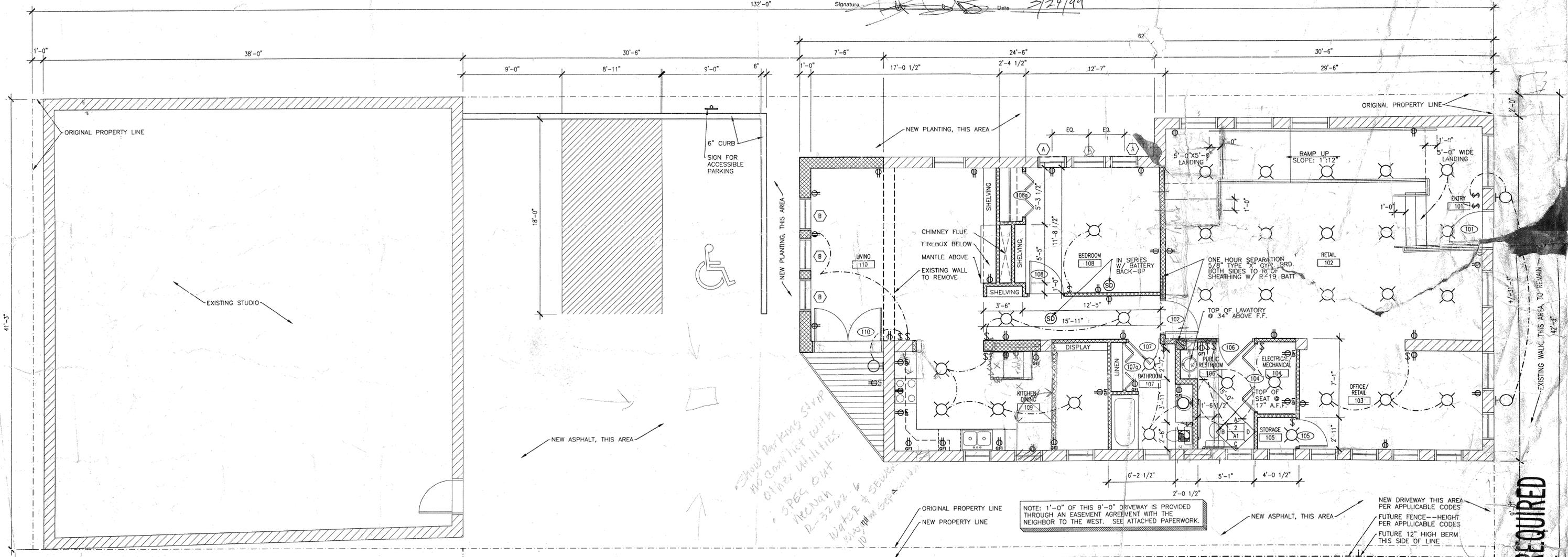
2 RESTROOM ELEVATIONS
SCALE: 1/4" = 1'-0"

Relationship To Easements, Government and Other Agreements (Zoning Ordinance Sec. 2-2.2)
The provisions of the Salt Lake City Zoning Ordinance are not intended to interfere with, abrogate or require enforcement by the City of any legally enforceable easements, covenants, or other agreements between private parties that may restrict the use of a lot or area more than the provisions of the Zoning Ordinance. When the regulations of the Zoning Ordinance impose greater restrictions than are imposed by such easements, covenants or other agreements between parties, or than are required by laws or other applicable ordinances, the provisions of the Zoning Ordinance shall control.

Signature: _____ Date: 3/24/99

SALT LAKE CITY ZONING
APPROVAL

Scope of Work: Change of Use / Adm Inter. Office
Address: 567 2nd Avenue
Zone: SR-1 Use: Off. Bldg. Parking Req'd: Z
Historic: NO SETBACKS FROM PROPERTY LINES
Front: 0 Sides: 9' 2 1/2' Rear: 30' to Building HT: 30 1/2' max
Conditions/Comments: REQUIRES PUBLIC WAY IMPROVEMENTS INSPECTION AND ANY REQUIRED IMPROVEMENTS BEFORE CO IS ISSUED.
APPROVED BY: [Signature] DATE: 3/24/99



*Show Parking Strip
No Conflict with
Other Utilities.
SPEC OUT
R-32 loc. 4
Water & Sewer
10' from Separation*

NOTE: 1'-0" OF THIS 9'-0" DRIVEWAY IS PROVIDED THROUGH AN EASEMENT AGREEMENT WITH THE NEIGHBOR TO THE WEST. SEE ATTACHED PAPERWORK.

NEW DRIVEWAY THIS AREA PER APPLICABLE CODES
FUTURE FENCE—HEIGHT PER APPLICABLE CODES
FUTURE 12" HIGH BERM THIS SIDE OF LINE

BUILDING PERMIT ONLY
ANY PLUMBING, ELECTRICAL & MECHANICAL WORK MUST BE AUTHORIZED BY SEPARATE PERMITS.
PLEASE CALL
535-6436
TO SET UP AN INSPECTION
(24 HR NOTICE REQUIRED)



1 BOLDSPACE
SCALE: 1/4" = 1'-0"
Bob Bold
569 East 2nd Avenue
Salt Lake City, Utah 84103

Drawn by:
Michael Crooks
1-801-485-9661 (day)
1-801-461-0355 (evening)

ELECTRICAL SYMBOLS:

- CEILING MOUNTED INCANDESCENT
- WALL MOUNTED INCANDESCENT
- GFI RECEPTACLE
- DUPLEX OUTLET
- DUPLEX SPLIT
- SMOKE DETECTOR
- EXHAUST FAN

NOTE: ELECTRICAL/MECHANICAL IS DESIGN/BUILD CONTRACTOR TO REVIEW WITH OWNER FINAL LOCATION OF ELEC./MECH. FIXTURES AND EQUIPMENT PRIOR TO INSTALLATION.

WALL TYPES:

- EXISTING CONSTRUCTION TO REMAIN
- EXISTING CONSTRUCTION TO REMOVE
- NEW CONSTRUCTION

WINDOW TYPES:

- 30"x30" CASEMENT TO MATCH EXIST. STYLE
 - 36" WIDE X 60" HIGH SINGLE HUNG EGRESS
- NOTE: GLAZING WITHIN 18" OF THE FLOOR TO BE TEMPERED

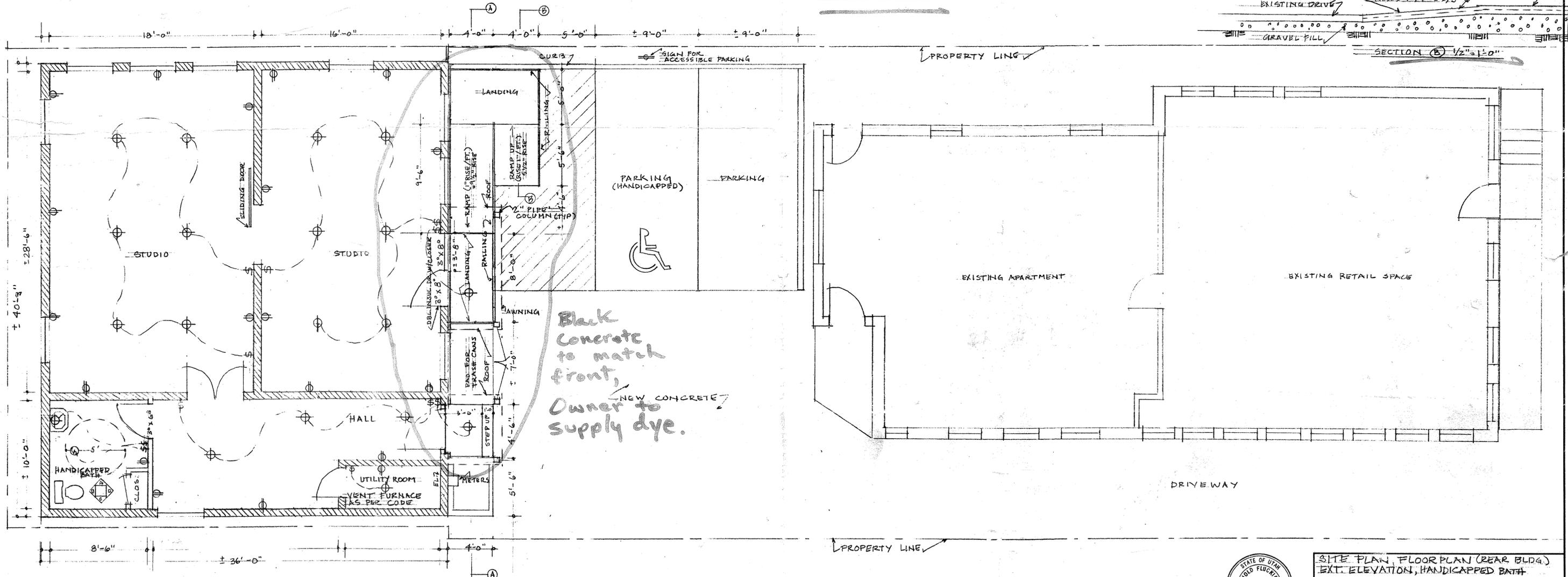
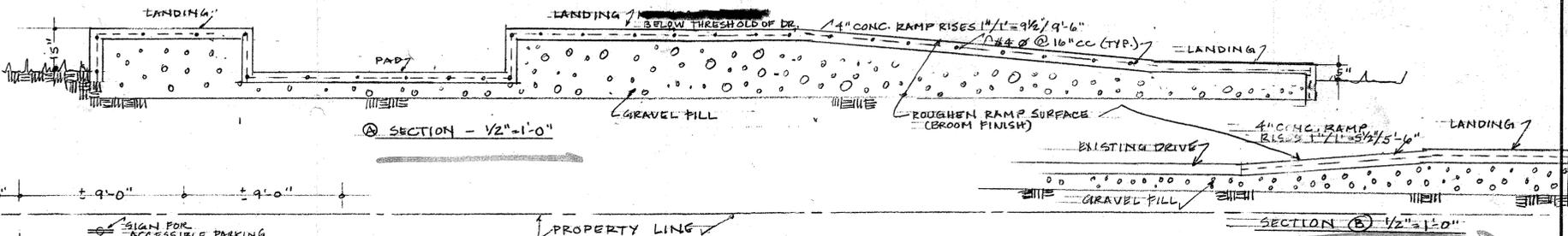
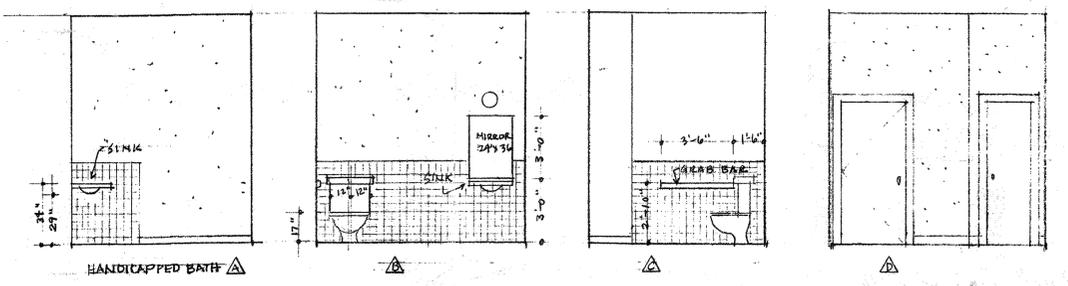
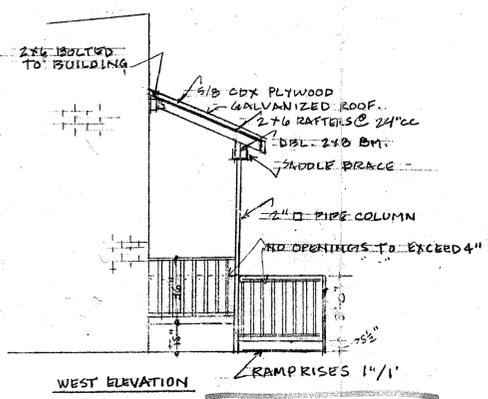
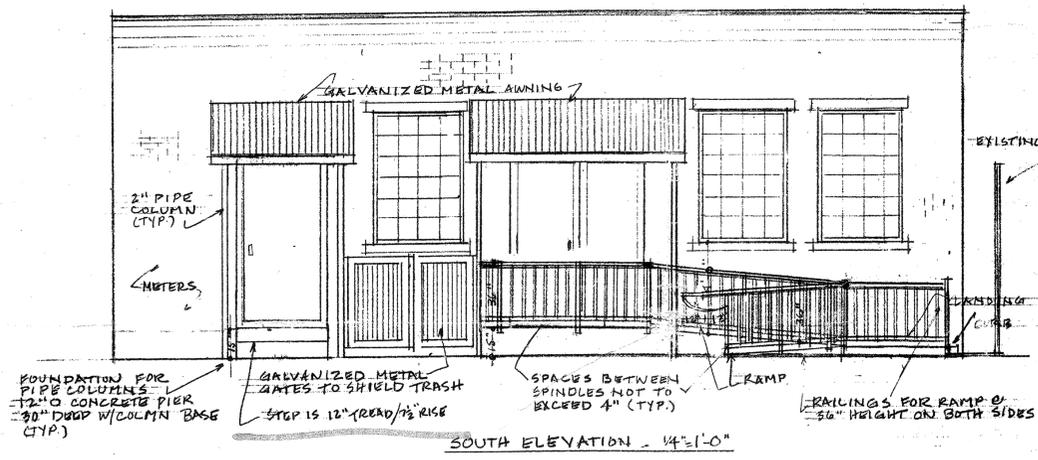
DOOR TYPES:

- 3'-0"x6'-8" INSULATED WITH CLOSER
- 3'-0"x6'-8" FIRE RATED (ONE HOUR) W/ CLOSER
- 6'-0"x6'-8" LOUVERED BIFOLD
- 2'-6"x6'-8"
- 3'-0"x6'-8" WITH CLOSER
- 2'-10"x6'-8"
- 4'-0"x6'-8" BIFOLD
- 3'-0"x6'-8"
- 4'-0"x6'-8" BIFOLD
- 6'-0"x6'-8" FRENCH DOOR

PUBLIC WAY PERMIT REQUIRED

Kim

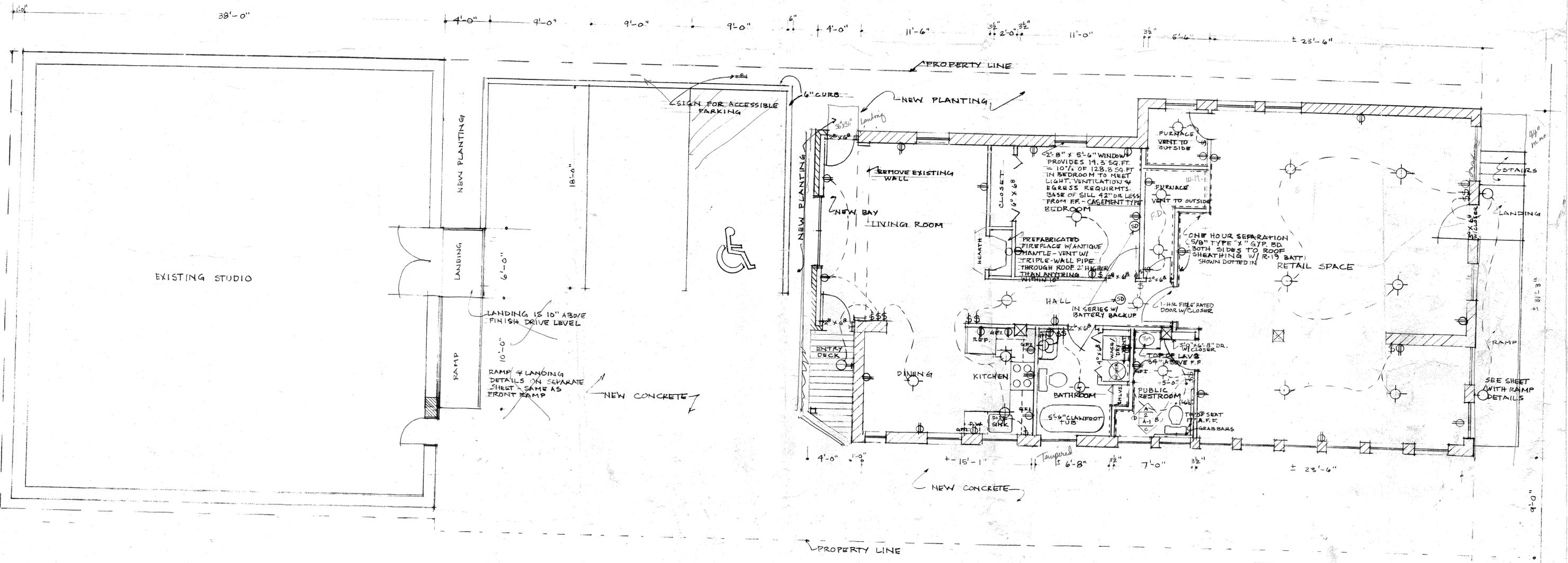
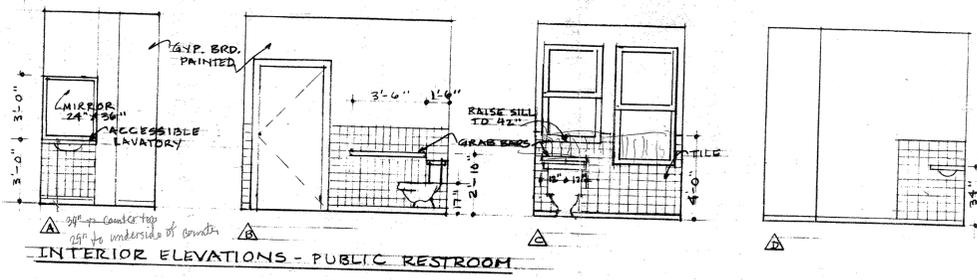
Kim



FLOOR PLAN OF REAR BUILDING & PLOT PLAN - 1/4"=1'-0"



SITE PLAN, FLOOR PLAN (REAR BLDG) EXT. ELEVATION, HANDICAPPED BATH	
SCALE: 1/4"=1'-0"	APPROVED BY:
DATE: 5/5/01	DRAWN BY: AFL
REVIS: 1/3/02	
BOB BOLDS - REAR BUILDING 569 E. 2ND AVENUE, SALT LAKE CITY	
DRAWING NUMBER RB-1	



DATE 2/16/06	FLOOR PLAN, SITE PLAN	ANN LARSEN • DESIGNER •
SCALE 1/4"	BOB BOLD	
JOB		

ATTACHMENT C: APPLICANT SUBMITTED INFORMATION



ALTERNATIVE TRANSPORTATION FACTS

- 4 OF 6 EMPLOYEES LIVE WITHIN 1 MILE
- 3 BUS LINES WITHIN 1/2 MILE
- 2 CARSHARE LOCATIONS WITHIN 1 MILE
- 3 GREENBIKE STATIONS WITHIN 1 MILE

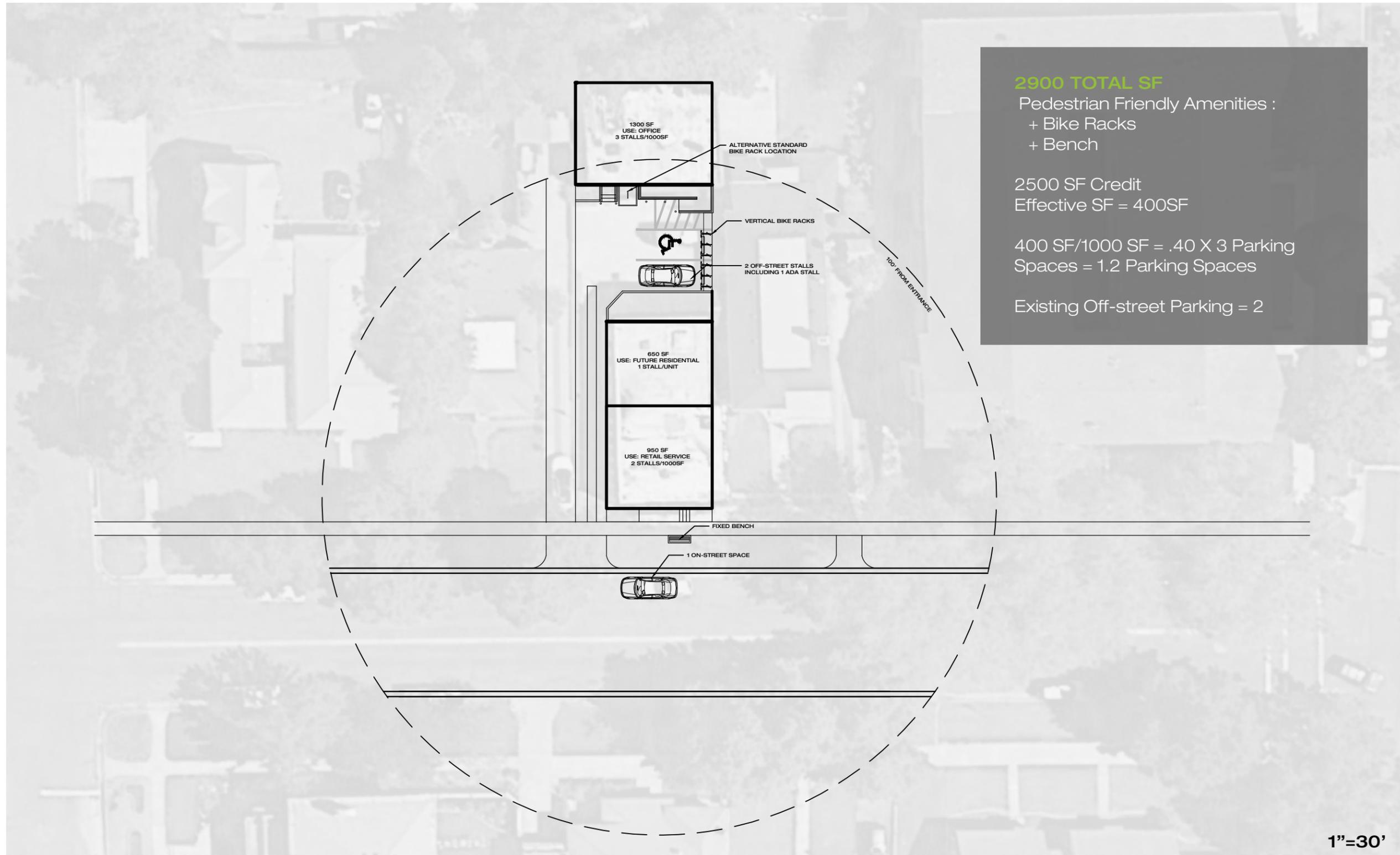
SR1A - "SR-1 special development pattern residential district is to *maintain the unique character* of older predominantly single-family and two-family dwelling neighborhoods that display a variety of yards, lot sizes and bulk characteristics. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to *preserve the existing character of the neighborhood.*"

Because the goal is to preserve the existing character of the neighborhood, we would recommend minimizing the required parking spaces and applying the 21A.44.040.8b 'Pedestrian Friendly Amenities' reduction to the property, although it is outside of the designated zones.

This neighborhood developed around small decentralized businesses that catered to the local residents and did not rely on heavy automobile traffic. By limiting authorized parking, future tenants will self-select based on their required amenities and desired market. This will direct tenants that require more parking to locations better suited to their needs and allow business that do choose to locate here and adjacent residents to coexist more peacefully.

Limiting parking also encourages use of alternative transportation, which supports better air quality, increased personal health and reduced traffic congestion.

PARKING STUDY | 569 E 2ND AVENUE



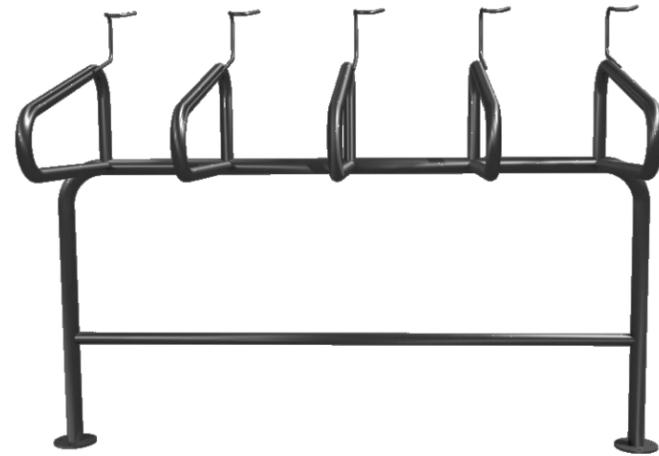
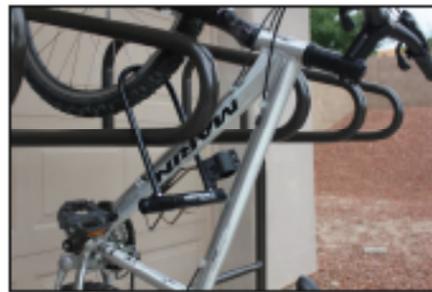
PARKING STUDY | 569 E 2ND AVENUE

VERTICAL BIKE RACKS

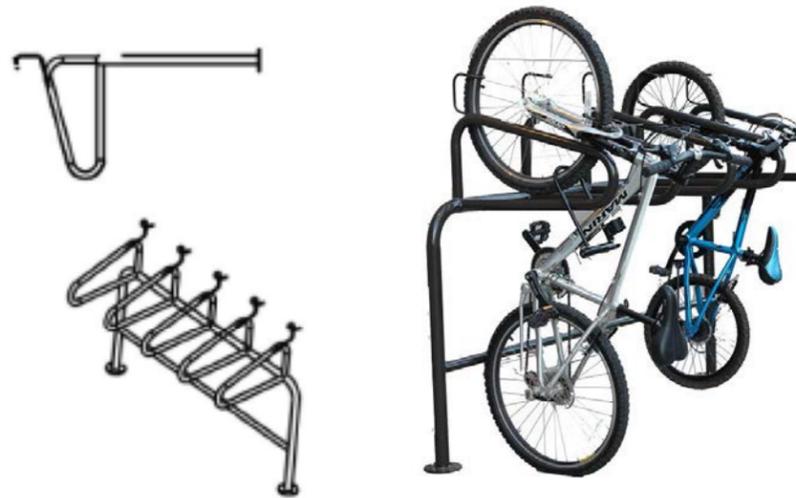
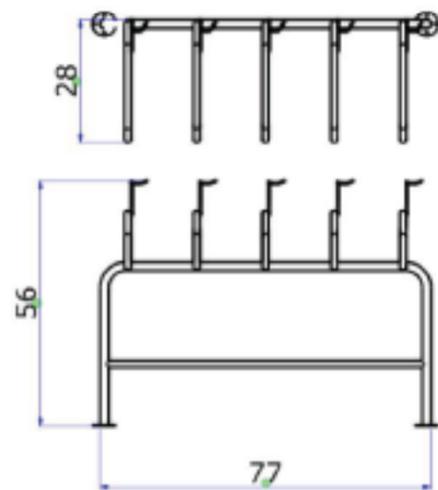
NO LIFT DESIGN



LOCKABLE



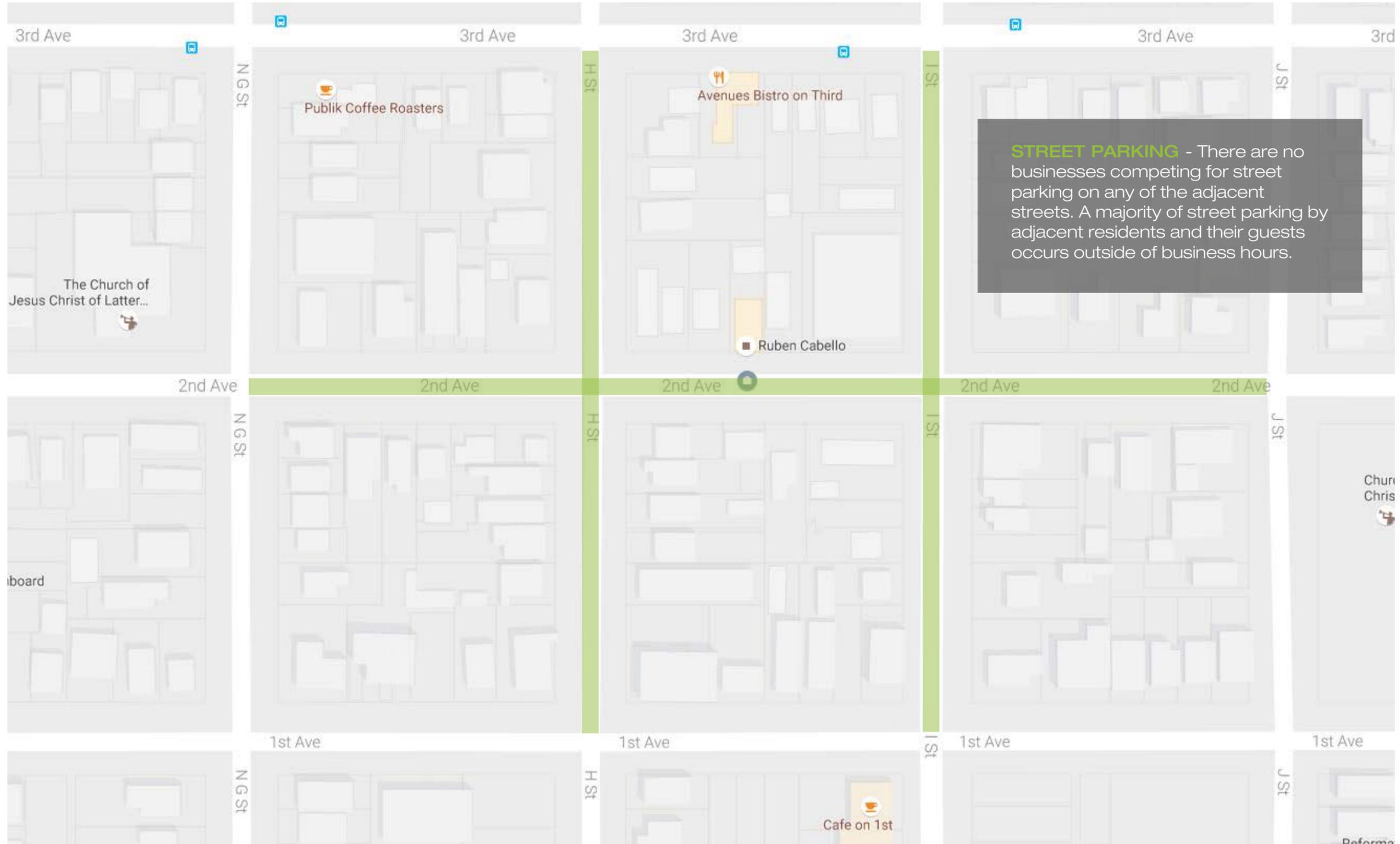
DIMENSIONS



BENCH



PARKING STUDY | 569 E 2ND AVENUE



ATTACHMENT D: MAP AMENDMENT FACTORS

21A.50.050 Standards for General Amendments: A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. In making a decision to amend the zoning map, the City Council should consider the following:

Standard	Finding	Rationale
<p>Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</p>	<p>Complies</p>	<p>Avenues Master Plan: Specifically identifies the preservation of residential character and existing land use patterns as a planning goal. This site was used for commercial purposes at that time, and the retention of this use clearly is supported by that policy statement.</p> <p>The Avenues Master Plan also specifically identifies “Limiting Business Hours of Operation” as a planning goal. This is an attribute of the proposed SNB zoning that is not currently required of the site.</p> <p>SNB Zoning Study: When the SNB zoning was created, staff identified parcels across the city where small commercial uses were integrated within residential districts as specific candidates for this new zoning classification. The subject site was identified through that process.</p> <p>Plan Salt Lake: Plan Salt Lake also has a number of initiatives which offer support to the proposed rezone.</p> <p>Neighborhoods: 7: Promote accessible neighborhood services and amenities, including parks, natural lands, and schools.</p> <p>Growth: 2: Encourage a mix of land uses.</p> <p>Transportation and Mobility: 4: Reduce automobile dependency and single occupancy vehicle trips.</p> <p>Preservation: 1: Preserve and enhance neighborhood and district character.</p> <p>Economy: 3: Support the growth of small business, entrepreneurship, and neighborhood business nodes.</p>

<p>Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;</p>	<p>Complies</p>	<p>The decision to amend the zoning map in this instance is a matter of changing the zoning to suit the specific and long-standing land uses present on the site.</p> <p>Additionally, the proposed new land use designation was specifically designed to allow for the inclusion of small, pedestrian oriented, neighborhood commercial operations within residential neighborhoods. The proposed rezone furthers the specific purpose of the zoning ordinance by supporting these existing commercial businesses, appropriately classifying land uses, and distributing land development and utilization.</p>
<p>The extent to which a proposed map amendment will affect adjacent properties;</p>	<p>Complies</p>	<p>The proposed map amendment is consistent with the long standing use of the property as well as the density of surrounding development in the immediate vicinity.</p> <p>Given that no new development is proposed the rezone should have virtually no new impact on the adjacent properties.</p>
<p>Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and</p>	<p>Complies</p>	<p>The subject parcel is also subject to Salt Lake City's Historic Preservation Overlay District.</p> <p>This proposed rezone is consistent with the purposes and provisions of that district.</p>
<p>The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.</p>	<p>Complies</p>	<p>The proposal was routed to applicable City Department/Divisions for comment.</p> <p>There were no comments received that would indicate that the adequacy of public facilities and services is insufficient to serve the site under the proposed zoning district.</p>

ATTACHMENT E: PLANNED DEVELOPMENT STANDARDS

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

Standard	Finding	Rationale
<p>A. Planned Development Objectives: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section:</p> <p>A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;</p> <p>B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;</p> <p>C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;</p> <p>D. Use of design, landscape, or architectural features to create a pleasing environment;</p> <p>E. Inclusion of special development amenities that are in the interest of the general public;</p> <p>F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;</p> <p>G. Inclusion of affordable housing with market rate housing; or</p> <p>H. Utilization of "green" building techniques in development.</p>	<p>Complies</p>	<p>The proposal achieves objectives A and C.</p> <p>Given that the buildings on the site have been a part of the character of the neighborhood for decades, it is reasonable to think that the building form, materials, and architectural style of the site are relatable to the character and design context of the Avenues Neighborhood.</p> <p>This planned development formalizes – and hence, helps preserve – the long-standing condition of the site, that of two buildings on one parcel. As a contributing property to the Avenues Local Historic District, this site contributes to the character and identity of the neighborhood and, in turn, the city as a whole.</p>
<p>B. Master Plan And Zoning Ordinance Compliance: The</p>	<p>Complies</p>	<p>Avenues Master Plan: Specifically identifies the preservation of residential</p>

<p>proposed planned development shall be:</p> <p>1. Consistent with any adopted policy set forth in the citywide, community, and/or small area master plan and future land use map applicable to the site where the planned development will be located, and</p> <p>2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.</p>		<p>character and existing land use patterns as a planning goal. This site was used for commercial purposes at that time, and the retention of this use clearly is supported by that policy statement.</p> <p>Plan Salt Lake: Plan Salt Lake also has a number of initiatives which offer support to the proposed rezone.</p> <p>Neighborhoods: 7: Promote accessible neighborhood services and amenities, including parks, natural lands, and schools.</p> <p>Growth: 2: Encourage a mix of land uses.</p> <p>Transportation and Mobility: 4: Reduce automobile dependency and single occupancy vehicle trips.</p> <p>Preservation: 1: Preserve and enhance neighborhood and district character.</p> <p>Economy: 3: Support the growth of small business, entrepreneurship, and neighborhood business nodes.</p> <p>Note: The availability of the requested planned development is conditioned on the successful rezoning of the site from SR-1A to SNB. If a planned development is granted by the Planning Commission but the City Council does not grant the request to rezone the property, the Planned Development approval will become null and void.</p>
<p>C. Compatibility: The proposed planned development shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the planning commission shall consider:</p> <p>1. Whether the street or other adjacent street/access or means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any</p> <p>2. Whether the planned development and its location will create unusual pedestrian or</p>	<p>Complies</p>	<p>The proposed planned development is, essentially, formalizing the long-standing development pattern of the site.</p> <p>No changes to the site are proposed and hence no additional adverse impacts on site ingress/egress, pedestrian or vehicle traffic patterns, internal site circulation, the adequacy of utility and public services, or adjacent properties are anticipated.</p>

vehicle traffic patterns or volumes that would not be expected, based on:

- a. Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets;**
- b. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned development which will adversely impact the reasonable use of adjacent property;**
- c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property.**

3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic;

4. Whether existing or proposed utility and public services will be adequate to support the proposed planned development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;

5. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed planned development; and

<p>6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties.</p> <p>If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in chapter 21A.59 of this title.</p>		
<p>D. Landscaping: Existing mature vegetation on a given parcel for development shall be maintained. Additional or new landscaping shall be appropriate for the scale of the development, and shall primarily consist of drought tolerant species;</p>	<p>Complies</p>	<p>No changes are proposed to the landscaping of the site. Therefore, any existing mature vegetation will be maintained.</p>
<p>E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;</p>	<p>Complies</p>	<p>No changes are proposed to the buildings on site. Additionally, the subject property is located in a local historic district.</p>
<p>F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.</p>	<p>Requires PC approval for the creation of a lot with multiple principle buildings on a single parcel.</p>	<p>The applicant is specifically seeking relief of the requirement that there only be one principal building on each parcel. This is the long-standing condition of the site, which is presently legal non-complying.</p> <p>The Planning Commission has decision making authority in this case. Other than the specific modifications requested by the applicant, the site is legally non-conforming to other applicable codes.</p>

ATTACHMENT F: SPECIAL EXCEPTION STANDARDS

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

Standard	Finding	Rationale
A. Compliance With Zoning Ordinance And District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.	Complies, contingent on City Council rezoning of site	The existing uses on the site are operating under legal non-conforming status based on the previous B-3 zoning of the site. The uses will be in harmony with the proposed zoning of SNB.
B. No Substantial Impairment Of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.	Complies	The parking condition that is being proposed has been in existence for a number of years, but without the pedestrian and bike-friendly amenities being proposed. There has been no demonstrable impact on property values in the neighborhood.
C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.	Complies	The parking condition that is being proposed has been in existence for a number of years, but without the pedestrian and bike-friendly amenities being proposed. There has been no demonstrable impact on the character, public health, safety, or general welfare of the area.
D. Compatible With Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.	Complies	The parking condition that is being proposed has been in existence for a number of years, but without the pedestrian and bike-friendly amenities being proposed. If anything, the inclusion of these additional amenities will improve compatibility with the surrounding area, by creating new options for those seeking to visit the site.
E. No Destruction Of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.	Complies	No natural, scenic, or historic features will be damaged.
F. No Material Pollution Of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.	Complies	The proposed special exception will not cause material air, water, soil, noise, or other types of pollution.
G. Compliance With Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.	Complies	Please see the following table for the analysis of additional specific standards that are imposed, pursuant to this chapter.

21A.44.040(D)(4): Requests for alternative parking requirements shall be granted in accordance with the standards and considerations for special exceptions in section [21A.52.060](#) of this title.

In addition, an application for an alternative parking requirement shall be granted only if the following findings are determined:

Standard	Finding	Rationale
a. That the proposed parking plan will satisfy the anticipated parking demand for the use, up to the maximum number specified in section 21A.44.030 and table 21A.44.030 of this chapter.	Complies	Parking demand for the site is anticipated to continue at the same levels
b. that the proposed parking plan will be at least as effective in maintaining traffic circulation patterns and promoting quality urban design as would strict compliance with the otherwise applicable off street parking standards.	Complies	<p>There should not be any measurable impact on circulation based on the proposed alternative parking requirement.</p> <p>The proposal for inclusion of pedestrian amenities along the sidewalk would likely improve the urban design of the area.</p>
c. That the proposed parking plan does not have a materially adverse impact on adjacent or neighboring properties.	Complies	The parking arrangements described have been in existence for quite a while. The provision of additional amenities would have no material impact on adjacent or neighboring properties.
d. That the proposed parking plan includes mitigation strategies for any potential impact on adjacent or neighboring properties.	Complies	The proposed parking plan, in creating a more welcoming environment for pedestrians and increasing bicycle-friendly amenities on the site, is designed to reduce the number of trips to the site by car. This inherently mitigates parking impact on adjacent properties.
e. That the proposed alternative parking requirement is consistent with applicable city masters plans and is in the best interest of the city.	Complies	<p>The proposed alternative parking requirement will allow for the continuation of long-standing small scale commercial integrated within a residential district while potentially reducing impacts on adjacent properties. It is consistent with applicable master plans as follow:</p> <p>Avenues Master Plan: Specifically identifies the preservation of residential character and existing land use patterns as a planning goal. This site was used for commercial purposes at that time, and the retention of this use clearly is supported by that policy statement.</p> <p>Plan Salt Lake: Plan Salt Lake also has a number of initiatives which offer support to the proposed rezone.</p> <p>Neighborhoods: 7: Promote accessible neighborhood services and amenities, including parks, natural lands, and schools.</p>

		<p>Growth: 2: Encourage a mix of land uses.</p> <p>Transportation and Mobility: 4: Reduce automobile dependency and single occupancy vehicle trips.</p> <p>Preservation: 1: Preserve and enhance neighborhood and district character.</p> <p>Economy: 3: Support the growth of small business, entrepreneurship, and neighborhood business nodes.</p>
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ATTACHMENT G: PUBLIC PROCESS AND COMMENTS

Meetings & Public Notice

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

May 19, 2015: Notice of Application for Planned Development and Map Amendment sent to Greater Avenues Community Council

July 8, 2015: Applicant presented to Greater Avenues Community Council on proposed Planned Development and Map Amendment. The community council provided no feedback on either petition.

Notice of the Planning Commission public hearing for the proposal include:

- Notices mailed on March 1, 2018
- Property posted on March 1, 2018
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on March 1, 2018

COMMENTS

City Department/Division comments regarding the zoning amendment, planned development and special exception are listed below. *Staff received comments from only the city's transportation division.* No other concerns or issues were noted by any other city departments. No comments were received that would preclude the proposed special exception, planned development, or zoning map amendment.

**Any approval granted by the Planning Commission would be conditional based upon the City Council subsequently approving the zoning map amendment.

PLNPCM2015-00269: Special Exception

Scott Vaterlaus – Transportation

A few comments on this:

- The on-site ADA parking space should be available to all tenants or occupants of the property whether office or residential and not assigned to just one.
- The street frontage of the property allows for only one vehicle, the second vehicle overlaps slightly in front of the adjacent property.
- The vertical bikes racks do not meet the typical city standard and placement in front of the vehicle parking stalls may limit their ability to be used.
- There is demand for the on-street parking along this block of 2nd Avenue due to some existing apartments and multi-family units.

[Staff provided information on city standards regarding bicycle parking to applicant. The applicants have responded to each point above and stated they would work to resolve any outstanding issues.]