



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Eric Daems, AICP, Senior Planner, eric.daems@slcgov.com or 801-535-7236
Date: October 8, 2020
Re: Impound/Tow Yard – Conditional Use (PLNPCM2020-00324)

Conditional Use

PROPERTY ADDRESS: 360 W 1600 S and 384 W 1600 S
PARCEL ID's: 15-13-179-003-0000 and 15-13-179-008-0000
MASTER PLAN: Central Community
ZONING DISTRICT: CG (General Commercial)

REQUEST:

Mark Alletto of Aloha Towing is requesting a Conditional Use for an impound/tow yard at approximately 360 & 384 W 1600 South. The proposed impound/tow yard would use the existing building, parking, and storage areas of the lot.

RECOMMENDATION:

Planning Staff finds the project generally meets the applicable zoning standards and those for a Conditional Use and therefore recommends approval subject to:

1. Compliance with Department review comments
2. Obtaining of Salt Lake City business license

ATTACHMENTS:

- A. Vicinity Map
- B. Plan Set & Descriptions
- C. Property and Vicinity Photos
- D. CG Zoning Standards
- E. Conditional Use Standards
- F. Public Process & Comments
- G. Department Review Comments

PROJECT DESCRIPTION:

This proposal is to reuse the existing commercial style building and accompanying storage yard for a towing/impound business that, for the previous 16 years, had been located on the property immediately across 1600 South. The business would be for temporary storage of vehicles and would not include any repair or salvage activity. The proposed business hours are Monday – Friday, from 8 AM to 5 PM. The property consists of two parcels with a combined total of 36,079 square feet of area in the CG (General Commercial) zone.

The business averages 5-7 employees and would have an approximately 1,500 square foot office inside of the existing 8,927 square foot building. The remainder of the building includes two restrooms and a large area used for personal storage. The building is one-story masonry building and includes security cameras and lighting which are directed towards the impound/tow yard.

The area to be used as the tow/impound lot has an asphalt surface and is surrounded by a 7' masonry wall on the north and west and a 6' chain-link fence with barbed wire on the south. The lot is accessed through a 21' sliding gate along a driveway accessed from 1600 South. No changes are proposed to the existing lot.

KEY CONSIDERATIONS:

The key considerations for approval of the proposed impound/tow yard are:

- 1) Is there substantial evidence for the continuation of a non-complying site?
- 2) Has the proposed use been adequately mitigated for surrounding uses?

Key Consideration #1

The site includes some non-complying elements including a lack of a 10' front yard landscaped yard, 7' screening fences along the front of the property, and the building encroaches on the rear yard setback by 9'. These non-complying elements do not meet today's standards but are allowed to continue so long as they were legal at the time of development and new or expanded development does not trigger further compliance.

Chapter 21A.48.170 indicates that landscape and buffering requirements are required to be brought into current compliance when an addition or intensification of a property increases the floor area or parking requirement by 50% or more. This proposal does not include an addition or intensification of the property.

Business licensing records indicate that the building has included numerous automotive, contractor, and warehousing uses. From 2010 until the time of this application, the building was used for manufacturing and warehousing dietary supplements and the yard area was used for equipment storage and delivery vehicles. The parking requirement for the dietary supplement business was 8 stalls. The parking requirement for the proposed impound/tow yard is 6 stalls and does not trigger the need for compliance with current landscape, yard, and buffering requirements.

Key Consideration #2

The uses surrounding the subject property include a lumber mill to the north, auto repair to the east, contractor office and storage area to the south (across 1600 South), and personal storage to the west. These uses have similar impacts of noise and traffic and would not be adversely impacted by the addition of the proposed impound/tow yard. The closest residential property is over 1,500' away. Aloha Towing had been located on the property directly across 1600 South for the previous 16 years.

The tow yard area has a masonry wall on the north and west sides. The south side has a 6' chain-link fence and abuts an unimproved section of 1600 South (see image- next page). It is impractical to screen the tow yard from that section of road as it will likely never be improved due to the development directly to the west. Additionally, there is a contractor storage yard abutting the road section to the south that has similar impacts to the proposed tow yard.

Considering the similarity of surrounding uses, Staff feels the potential impacts from the proposed tow yard have been adequately mitigated.



Subject Property and Adjoining Unimproved Section of 1600 South

Summary

This proposal has been found to meet all applicable standards. Detailed analysis for these standards is found in [Attachment D](#) and [Attachment E](#) of this report.

NEXT STEPS:

Approval of Conditional Use

If the request is approved, the applicant will need to comply with the conditions of approval, including any of the conditions required by other City departments and any added by the Planning Director or Designee. The applicant will be able to submit plans for building permits and certificates of occupancy for the buildings will only be issued once all the conditions of approval are met including the registration process requirements outlined in 21A.40.200.F of the zoning ordinance.

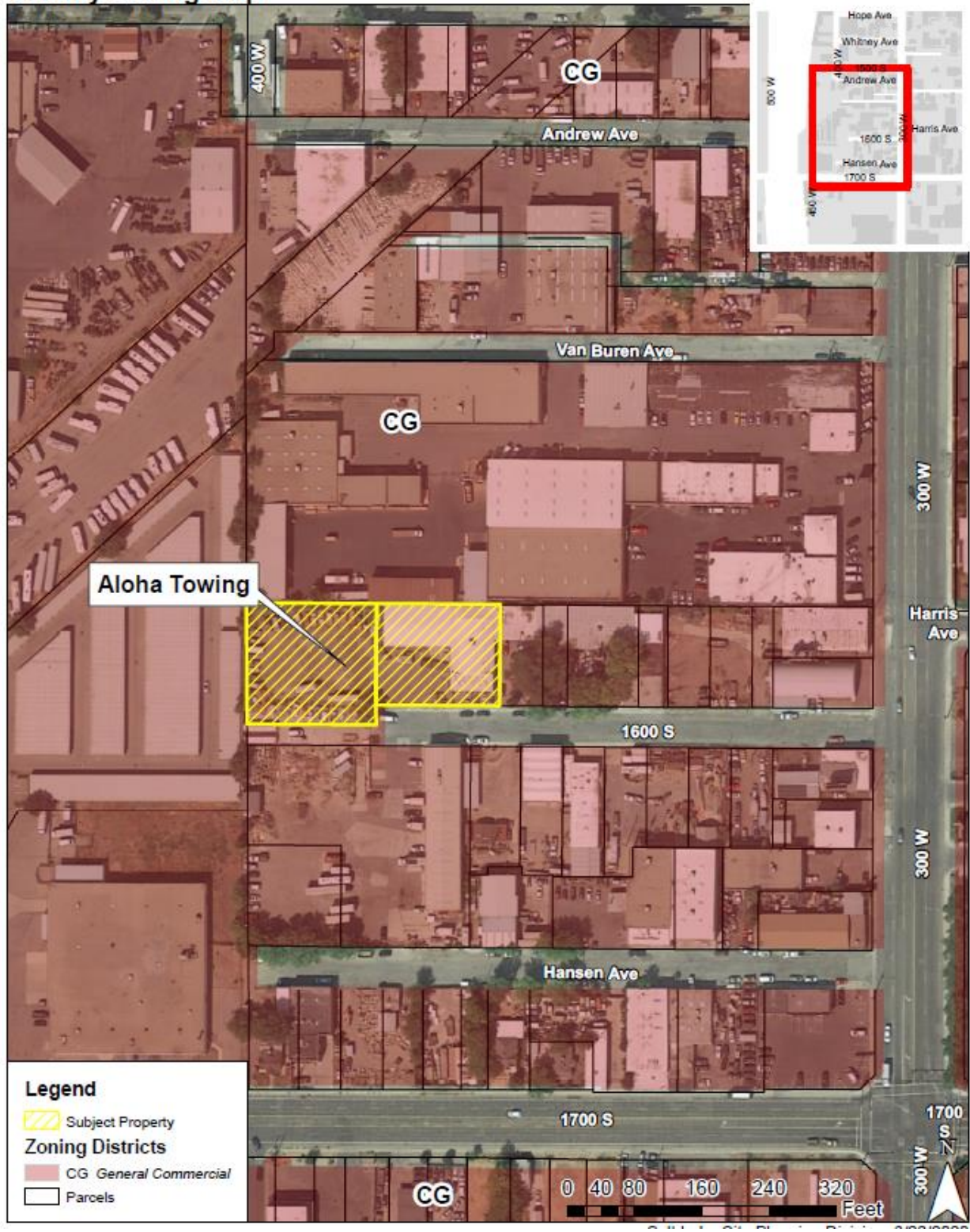
Denial of Conditional Use

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 Director or Designee finds that reasonably anticipated detrimental effects cannot be mitigated with the imposition of reasonable conditions.

If the Planning requests are denied, the use would not be allowed. However, the applicant would be able to appeal the decision and be heard by the Planning Commission.

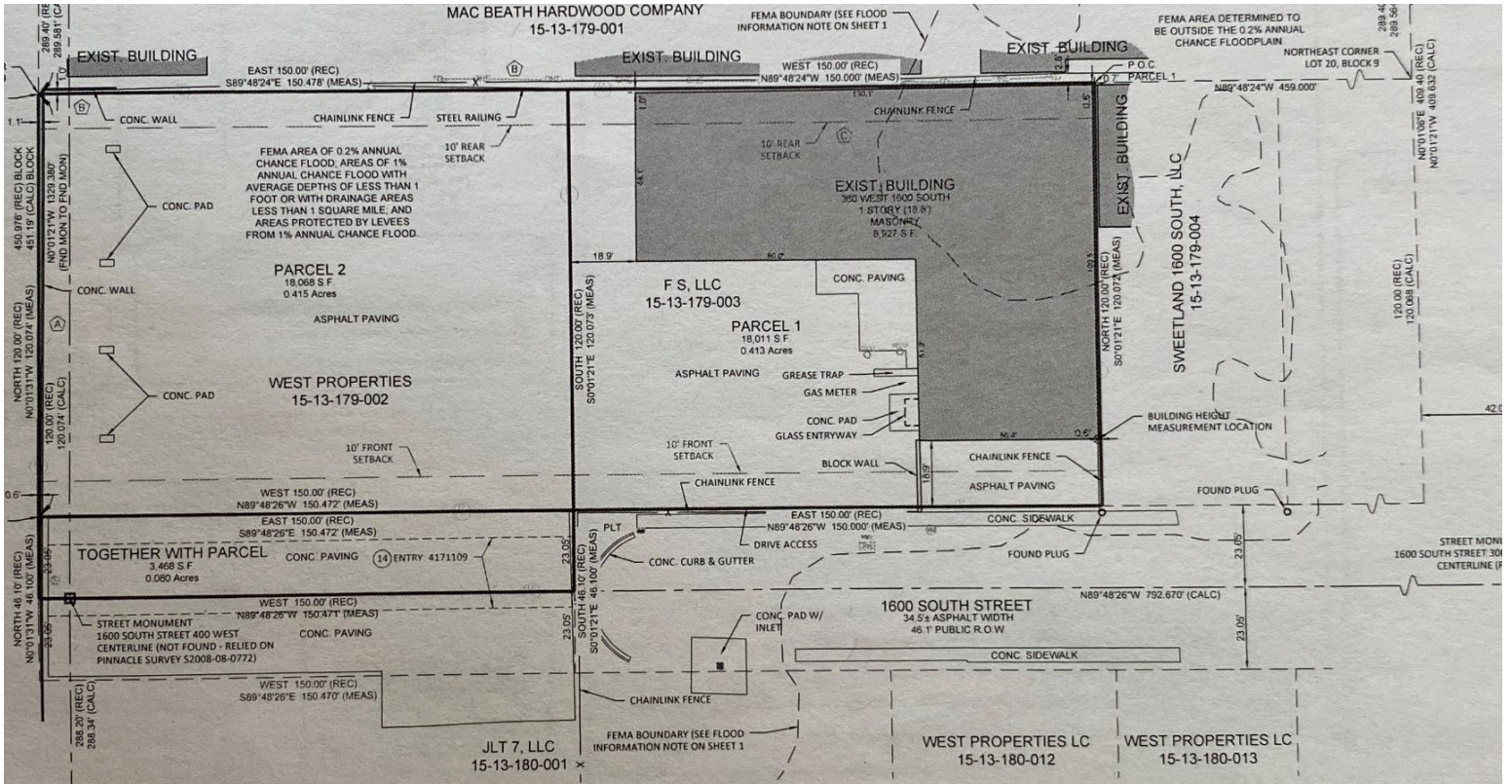
ATTACHMENT A – VICINITY MAP

Vicinity Zoning Map



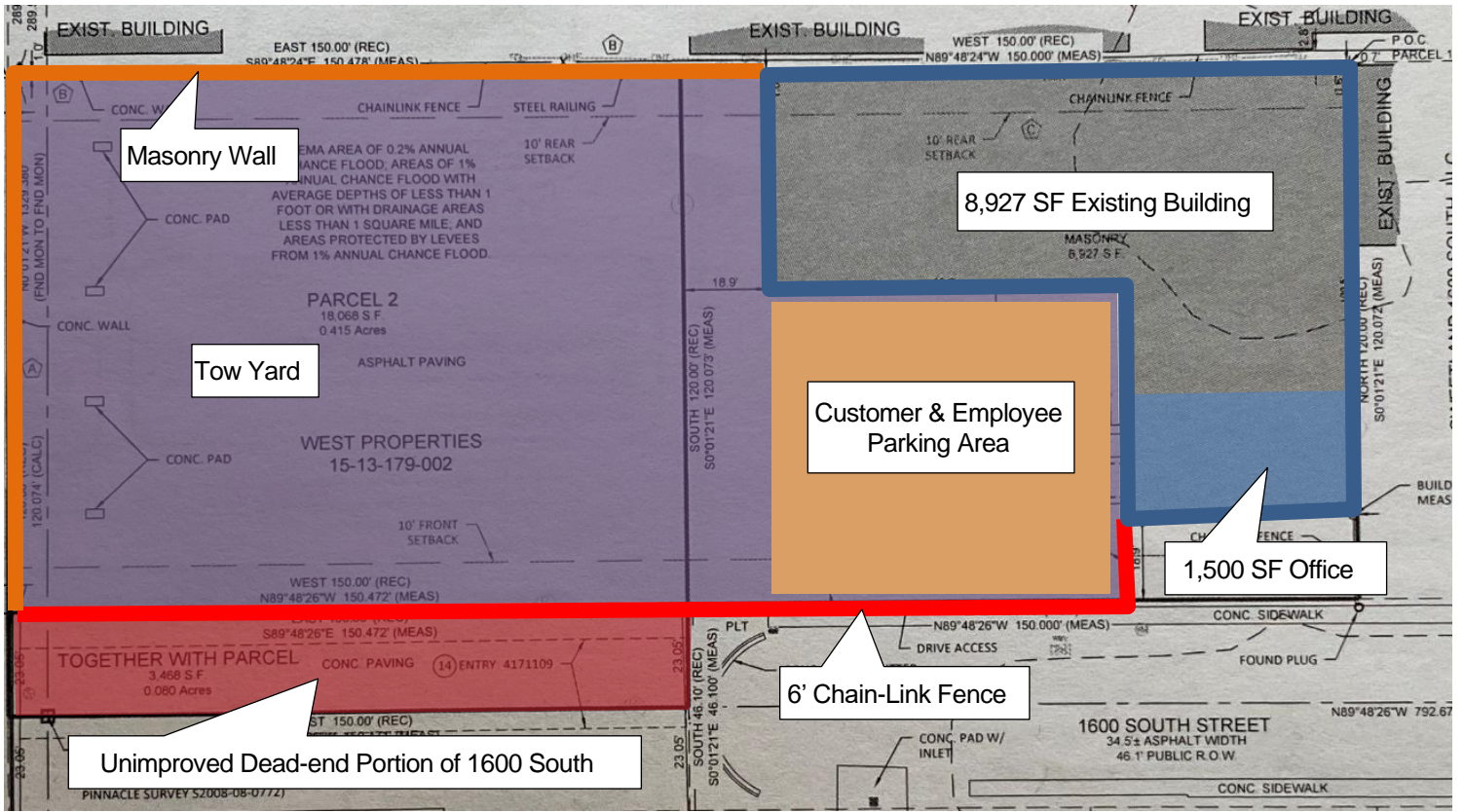
ATTACHMENT B – PLAN SET* & DESCRIPTION

*Please note, plans are depicted in original form as JPEG's as submitted by applicant. Clarifying markups by Staff are shown on the next page.



1. Project is a previously licensed towing company, Aloha Towing, that was moved across 300 West to the address 1600 South 360 West. Location is hard surfaced, with existing building and fence. Perimeter cameras, lighting and alarm in place for security. Tow truck is licensed and insured.
2. Hours will be 8 AM to 5 PM, or by appointment. Phone number displayed on signage. Neighboring businesses are an auto body shop east abutting, adjacent property is a construction and insulation company. Neighboring businesses are aware of my intent for property and are in good confidence.
3. Building and land have passed fire inspection, and are awaiting building and zoning inspections.

Project address is 1600 south 360 west, SLC , Utah 84115
 Aloha Towing LIC2018-03602
 Mark Aletto
 8013305244
thescrapile@gmail.com



ATTACHMENT C – PROPERTY AND VICINITY PHOTOS



Proposed Office Area- Looking Northeast



Proposed Storage Yard Area- Looking Northwest



Office & Storage Area Across the Street to the South- Looking Southwest



Similar Auto Storage Uses to the East- Looking East

ATTACHMENT D – ZONING STANDARDS

Applicable Zoning Standards

ZONING STANDARDS	DETAILS	COMPLIES Y/N
MINIMUM LOT SIZE Minimum lot area: 10,000 SF Minimum lot width 60'	The property consists of two parcels that are 18,011 SF and 18,068 SF respectively, with a combined total of 36,079 SF. The lot is 300' wide.	Complies
MINIMUM YARD REQUIREMENTS: Front: 10' Interior Side: None Rear Yard: 10'	The building is located 18.9' behind the property line but is built within 1' of the rear property line. As such, it is considered to be existing non-complying and is allowed to be used as situated.	Complies
LANDSCAPE YARD REQUIREMENTS: 10' in front yard	The current configuration of the property existed prior to the 10' landscape yard requirement and continued through until the current proposal. Because there has been continual use as configured, the site is considered complying.	Complies
MAXIMUM HEIGHT: 60'	The building is 18.8' tall.	Complies
SEPARATION Impound/Tow Yards are prohibited within Single or two-family zoning districts.	The property is more than 1,500 feet from the nearest single or two-family zoning district.	Complies
SCREENING Outdoor storage shall be screened with 7' screening fence.	The storage area is screened on two sides with a solid wall and on one side by the building. The side facing the unimproved section of 1600 South has not been screened and is considered existing non-complying. The storage area has been in continual use until the current proposed use and does not require modifications.	Complies
PARKING 3/1,000 for the office space	6 stalls are required and are provided within the fenced area.	Complies

ATTACHMENT E – CONDITIONAL USE STANDARDS

21A.54.080 Standards for Conditional Use

Approval Standards: A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use complies with applicable provisions of this title;

Analysis: The proposed site is located in the CG zoning district which allows for impound/tow yards to be approved through the conditional use process. No special standards are identified for impound/tow yards beyond the standard zoning standards of the CG zone and the detrimental impacts identified through the conditional use process.

Finding: The proposed use will comply with the applicable provisions of the Salt Lake City Zoning Ordinance. See Attachment D above for analysis.

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

Analysis: The proposed impound/tow yard is surrounded by other similar uses including automotive towing and repair, a lumber mill, and construction offices and yards. This same tow business was located across 1600 S to the South for 16 years.

Finding: The proposed development and use is generally compatible with the surrounding uses.

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

Analysis: The proposal is located within the Central Community Planning Area. The location is largely comprised of one and two story industrial, warehouse, and commercial buildings. The master plan designates a continuation of similar regional industrial and commercial businesses into the future.

The existing zoning on the property is CG, General Commercial.

The purpose of the CG General Commercial District is to provide an environment for a variety of commercial uses, some of which involve the outdoor display/storage of merchandise or materials. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office, residential, heavy commercial and low intensities of manufacturing and warehouse uses. This district is appropriate in locations where supported by applicable master plans and along major arterials. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary. Access should follow a hierarchy that places the pedestrian first, bicycle second and automobile third. The standards are intended to create a safe and aesthetically pleasing commercial environment for all users.

The proposed impound/tow yard is consistent with these purposes.

Finding: The uses are consistent with applicable adopted city planning policies, documents, and master plans.

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to Detrimental Impacts Chart below for details).

21a.54.080B Detrimental Effects Determination

In analyzing the anticipated detrimental effects of a proposed use, the planning commission shall determine compliance with each of the following:

Criteria	Finding	Rationale
1. This title specifically authorizes the use where it is located	Complies	The proposed use as an impound/tow yard is allowed as a conditional use within the CG zoning district.
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps	Complies	The property is zoned and designated by the Central Community master plan for regional industrial/commercial development. The proposed use is consistent with that vision.
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	Complies	The proposed use is surrounded by other automotive uses, a lumber mill, and construction uses. All are similar in intensity. The proposed impound/tow yard was in business directly across the street from this site for the previous 16 years.
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered	Complies	The use proposes to occupy the existing single-story commercial style cinderblock building. The building is similar to the other industrial buildings surrounding the property on all sides.
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows	Complies	The existing driveway is located near the end of the dead-end street and does not impede traffic flows on 1600 South.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic	Complies	Although there is not a defined circulation pattern, the impound/tow yard area allows for loading/unloading and circulation of the tow trucks and does not impact adjacent properties.
7. The site is designed to enable access and circulation for pedestrian and bicycles	Complies	Although generally in poor condition, 1600 South includes sidewalks on both sides that provide pedestrian access. As the street comes to a dead end, it has a light traffic flow and is therefore conducive to bicycle traffic. The site allows for the safe circulation of both bicycles and pedestrians.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street	Complies	Vehicular access to the site is provided through a 21' driveway with a gate and would not impact the abutting street.
9. The location and design of off-street parking complies with applicable standards of this code	Complies	Sufficient parking is provided within the fenced impound/tow yard area. The existing 5 parking stalls accessed off 1600 S would be allowed to

		continue as they were in place before current standards.
10. Utility capacity is sufficient to support the use at normal service levels	Complies	Utility demand on the site is minimal and only services a small office and two restrooms. Existing utility service is sufficient for the demand.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts	Complies	The property is surrounded by similar automotive, construction, and industrial uses on all sides. Two sides are buffered by building walls. Loading and unloading activities will occur within the impound/tow yard and will not impact surrounding properties. Additional buffering is not required due to the continuation of use and the site configuration.
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	Complies	The use does not significantly impact sustainability plans. The proposed use will re-utilize a site and building that was previously created for automotive repair and storage. The proposal supports sustainability objectives by occupying vacant space in a developed area with existing infrastructure, thereby reducing sprawl which would create greenhouse gas emissions and fossil fuel consumption.
13. The hours of operation and delivery of the use are compatible with surrounding uses	Complies	Business hours are proposed as Monday – Friday from 8 AM to 5 PM and should not create a nuisance for neighboring properties.
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses	Complies	The property only includes a non-illuminated wall sign and does not impact surrounding uses.
15. The proposed use does not undermine preservation of historic resources and structures	Complies	The property is not located within a Local or National Historic District and the proposal does not involve removal or any historic resources or structures.

Finding: In analyzing the anticipated detrimental effects of the proposed use, Staff finds that the request complies with the criteria listed above.

ATTACHMENT F – PUBLIC PROCESS & COMMENTS

Public Notice, Meetings, Comments

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

- June 22, 2020 – Notice of the project was provided to the Ball Park Community Council, other recognized community organization, as well as property owners and residents within 300 feet of the proposal.

No community council requested the item to be discussed during a community council meeting and no comments were received from nearby property owners/residents.

Notice of the public hearing for the proposal included:

Public hearing notice mailed on October 9, 2020

Public hearing notice posted on October 9, 2020

Public notice posted on City and State websites and Planning Division list serve on October 9, 2020

ATTACHMENT G – DEPARTMENT REVIEW COMMENTS

1st REVIEW COMMENTS

PLANNING DIVISION COMMENTS

Comments by: Eric Daems

Email: eric.daems@slcgov.com

Phone: 801-535-7236

Status: Approved

TRANSPORTATION DIVISION COMMENTS

Comments by: Kevin Young

Email: kevin.young@slcgov.com

Phone: 801-535-7108

Status: Approved with comments

- No work or storage may occur in the public right-of-way

PUBLIC UTILITIES DIVISION COMMENTS

Comments by: Jason Draper

Email: Jason.draper@slcgov.com

Phone: 801-483-6751

Status: N/A

ZONING REVIEW COMMENTS

Comments by: Alan Hardman

Email: alan.hardman@slcgov.com

Phone: 801-535-7742

Status: Approved

- CG zone. This proposal came to a DRT meeting DRT2019-00224 on 8/19/2019. The lot appears to be hard-surfaced, but if not, it will need a special exception per 21A.44. Will need a sign permit.

BUILDING REVIEW COMMENTS

Comments by: Jason Rogers

Email: Jason.rogers@slcgov.com

Phone: 801-535-7642

Status: Approved with comments

- Pre-existing tow yard/ Inspection of building to be done for code compliance. No other comments at this time.

ENGINEERING REVIEW COMMENTS

Comments by: Scott Weiler

Email: scott.weiler@slcgov.com

Phone: 801-535-6159

Status: N/A

FIRE REVIEW COMMENTS

Comments by: Doug Bateman

Email: douglas.bateman@slcgov.com

Phone: 801-535-6619

Status: Approved with comments

- Gate shall be provided with Knox Box key entry system for fire department access.
- Combustible vegetation (weeds or grasses) need to be removed or cut to a height of 4-inches or less.
- Any hazardous materials on site need to be less than the allowed quantities or a permit is required through the fire department

POLICE REVIEW COMMENTS

Comments by: Scott Teerlink

Email: scott.teerlink@slcgov.com

Phone: 801-799-3631

Status: No objections