



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Administrative Hearing Officer
From: Aaron Barlow, Principal Planner, aaron.barlow@slcgov.com, 801-535-6182
Date: July 28, 2022
Re: PLNPCM2021-01011 – Outdoor Storage at 1139 S Richards St

Conditional Use

PROPERTY ADDRESS: 1133 & 1139 S Richards St
PARCEL ID: 15-12-432-006-0000 & 15-12-432-007-0000
MASTER PLAN: Central Community
ZONING DISTRICT: CC Commercial Corridor District
OVERLAY DISTRICT: South State Street Corridor Overlay District (*partially*)

REQUEST:

This is a request from Kiefer Nunley for conditional use approval to use part of the properties located at approximately 1133 & 1139 South Richards Street for outdoor storage. In the CC Commercial Corridor District, storing materials outside an enclosed building requires conditional use approval.



RECOMMENDATION:

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

- That the razor wire over the existing fence is removed.

ATTACHMENTS:

- [Vicinity Map](#)
- [Applicant Submittal](#)
- [Property Photos](#)
- [Relevant Zoning Standards](#)
- [Conditional Use Standards](#)
- [Public Process and Comments](#)
- [Department Review Comments](#)

PROJECT DESCRIPTION

The applicant, Kiefer Nunley, is opening an office for a “small, mobile, off-site welding business” within the building addressed at 1139 S Richards St. As part of that business, he would like to use the area between the buildings at 1133 and 1139 S Richards St as outdoor storage for “welding and fabrication equipment, vehicles and tools. (Welding Machines, welding tables, trailers, trucks, forklifts, saws, toolboxes, hand tools, etc.)” No welding will take place on the subject properties.

The site in question is a fenced-in concrete pad located in the space between the buildings addressed at approximately 1133 & 1139 S Richards St (see the map included with [Attachment A](#)). Based on historical images from Google, the current fence appears to have been installed sometime between 2007 and 2011. In the time since the existing fence was installed, it appears that the site has been used to store inoperable vehicles, construction materials, and a shipping container (additional photos can be found in [Attachment C](#)). The applicant does not plan to change anything about the site.

There is currently razor wire wrapped along the top of the existing fence. Razor and barbed wire are not permitted in the CC Commercial Corridor district. Staff is recommending that the wire be removed as a condition of approval (see [Key Consideration 1](#) for further discussion about the fence). The proposed outdoor storage use would be located entirely behind the existing solid fence.



2011 Google Street View of the Subject Properties



2007 Google Street View of the Subject Properties

APPROVAL PROCESS AND COMMISSION AUTHORITY

This Conditional Use application is authorized to be reviewed at an Administrative Hearing because (per [21A.54.155.B](#)) it is not located within a residential district, does not abut a residential use, and does not require Planned Development approval.

Per section [21A.54.010.A](#) of the zoning ordinance, Conditional uses are allowed unless appropriate conditions cannot be applied, which, in the judgment of the Administrative Hearing Officer, would mitigate adverse impacts that may arise by introducing a conditional use on the particular site. The Administrative Hearing Officer has the authority to approve, approve with conditions, or deny the Conditional Use request. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable conditional use standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use shall be denied.

KEY CONSIDERATIONS

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

1. Compliance with Current Zoning Regulations
2. Neighborhood Compatibility and Impact
3. Compatibility with Master Plan Policies and Initiatives

Consideration 1: Compliance with Current Zoning Regulations

Fence Regulations

The proposal does not include any modifications to the site. However, because the fence will be an integral part of the proposed outdoor storage use, anything that was not legal when it was installed will need to be removed. In particular, the razor wire around the top of the fence appears to never have been legal. Before 2021, razor and barbed wire fences were permitted by Special Exception in the CC Corridor Commercial District. There are no records of a Special Exception application or approval for either 1133 or 1139 S Richards Street between 2007 and today. Because the razor wire was never officially authorized, it will need to be removed to bring the property into compliance with the City's zoning regulations. The zoning analysis in [Attachment D](#) goes into greater detail about specific sections of the City's fence regulations.

Parking Regulations

The applicability of parking regulations for a change of use is controlled by section [21A.44.010.C](#) of the off-street parking regulations. For existing buildings and structures, additional parking is required for a change of use when the number of spaces required by the new use is greater than the old use. In this case, no parking is required for the outdoor storage of materials. Therefore, no new parking is required as part of this proposal.

Landscaping Regulations

New landscaping is required "for any addition, expansion or intensification of a property that increases the floor area and/or parking requirement by fifty percent or more" (section [21A.48.170](#)). This proposal neither increases a building's floor area nor the number of required parking. Because there are no proposed development improvements that meet the above criteria, no new landscaping is required as part of this request.

Consideration 2: Neighborhood Compatibility and Impact

Within the immediate vicinity of the subject site, properties along Richards Street generally appear to have heavy commercial uses. Uses such as auto repair, audio/visual repair, contractors' offices, and warehouses line a busy street filled with box trucks, contractor vans, trailers carrying heavy machinery, and personal vehicle parking. The neighborhood is already very busy, and the outdoor storage of materials for a welding shop would not be out of place. The purpose statement of the CC Commercial Corridor zoning district specifically spells out that the district should provide "...economic development opportunities through a mix of land uses, including retail sales and services..." Within the context of Richards Street between Fremont and Paxton Avenues, the proposed outdoor storage is compatible with surrounding uses and would not significantly impact the neighborhood.

Consideration 3: Compatibility with Master Plan Policies and Initiatives

According to *Plan Salt Lake*, “Neighborhood and local businesses play an important role in place making and creating a unique community identity” (pg 39). Small businesses, like this proposed welding contractor, are part of the City’s “community identity.” This proposal is supported by *Plan Salt Lake’s* initiative 12.3 which says the City should “support the growth of small businesses, entrepreneurship and neighborhood business nodes.” Most of the businesses along this section of Richards Street are locally owned and operated contractors, warehouses, and auto shops. This street has been a node of economic activity for very long time. The proposed use at this site will only add to the economic growth at this site. Because of its distance from residential uses, the location is ideal for these types of uses.

The *Central Community Master Plan* also supports the proposed use. Its Future Land Use Map has designated the subject properties and their surrounding neighborhood as “High Mixed Use.” These areas are “targeted for higher-intensity commercial uses” (pg 10). Richards Street is filled with many “high intensity commercial uses,” and the proposed outdoor storage will fit right in with the existing uses and the recommendations of the master plan.

STAFF RECOMMENDATION

The proposed outdoor storage use at 1133 and 1139 South Richards Street is compatible with the character of the surrounding neighborhood and does not conflict with any applicable master plan policies or initiatives. The proposed use will be screened from the public way and will not significantly change any development (fences, buildings, etc.) on the site. The impact on the surrounding neighborhood will be minimal. After removal of the existing razor wire, the proposed outdoor storage use will comply with zoning standards for the CC Commercial Corridor Zoning District, the fence regulations, and other relevant standards. Finally, there are no anticipated detrimental impacts from the proposed use that need mitigation other than the solid fence that is required by section [21A.40.120.E.2.b.\(3\)](#).

Based on the information and findings listed in the staff report, it is the Planning Staff’s opinion that the request generally meets the applicable standards of approval and therefore recommends the Administrative Hearing Officer approve the request with the following condition:

- That the razor wire over the existing fence is removed.

NEXT STEPS

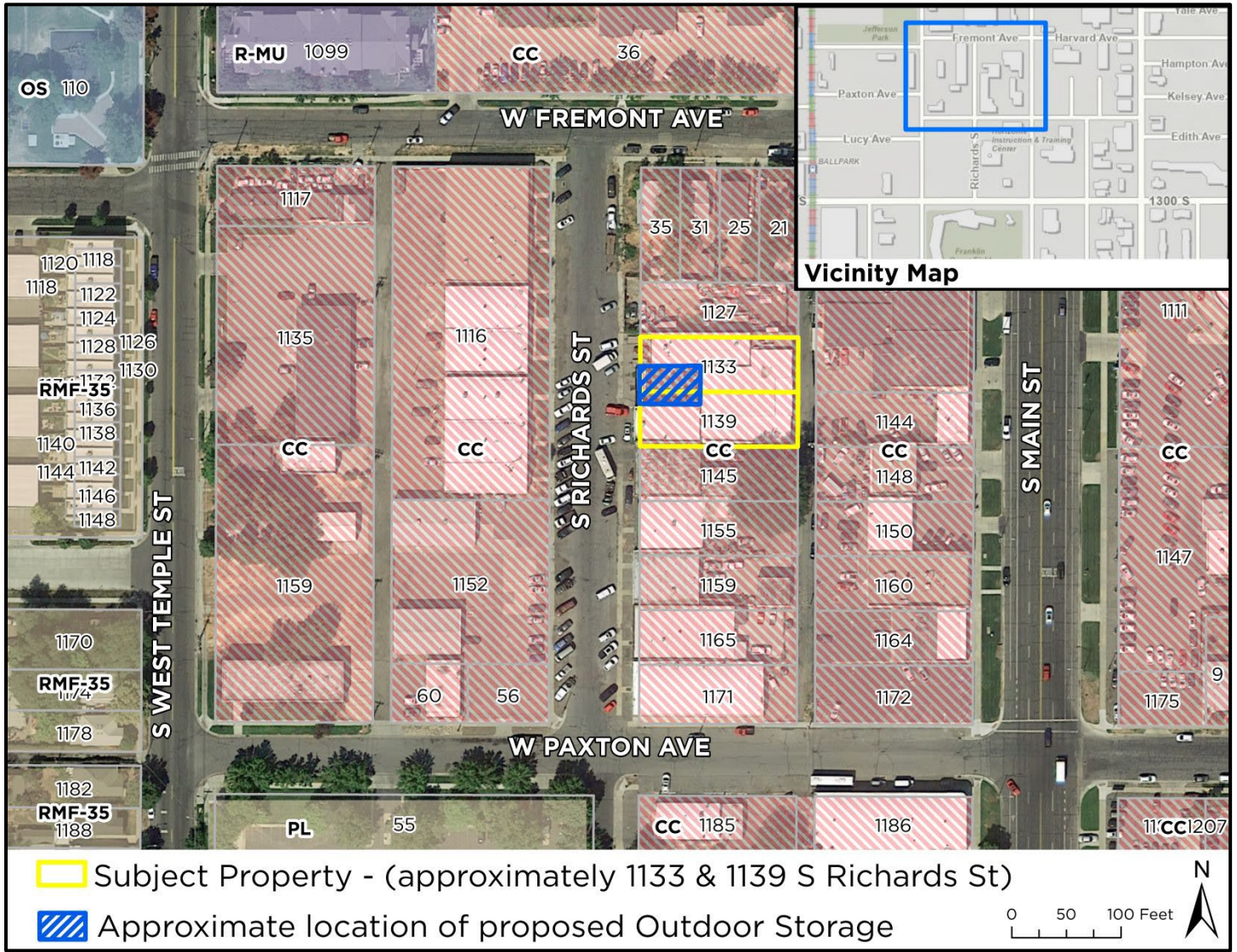
Approval of the Request

If the proposed outdoor storage use is approved, the applicant, Kiefer Nunley, will be able to apply for a business license for the outdoor storage as described in his proposal. If the Administrator approves the request with the recommended condition, the license could not be issued until the razor wire is removed from above the fence.

Denial of the Request

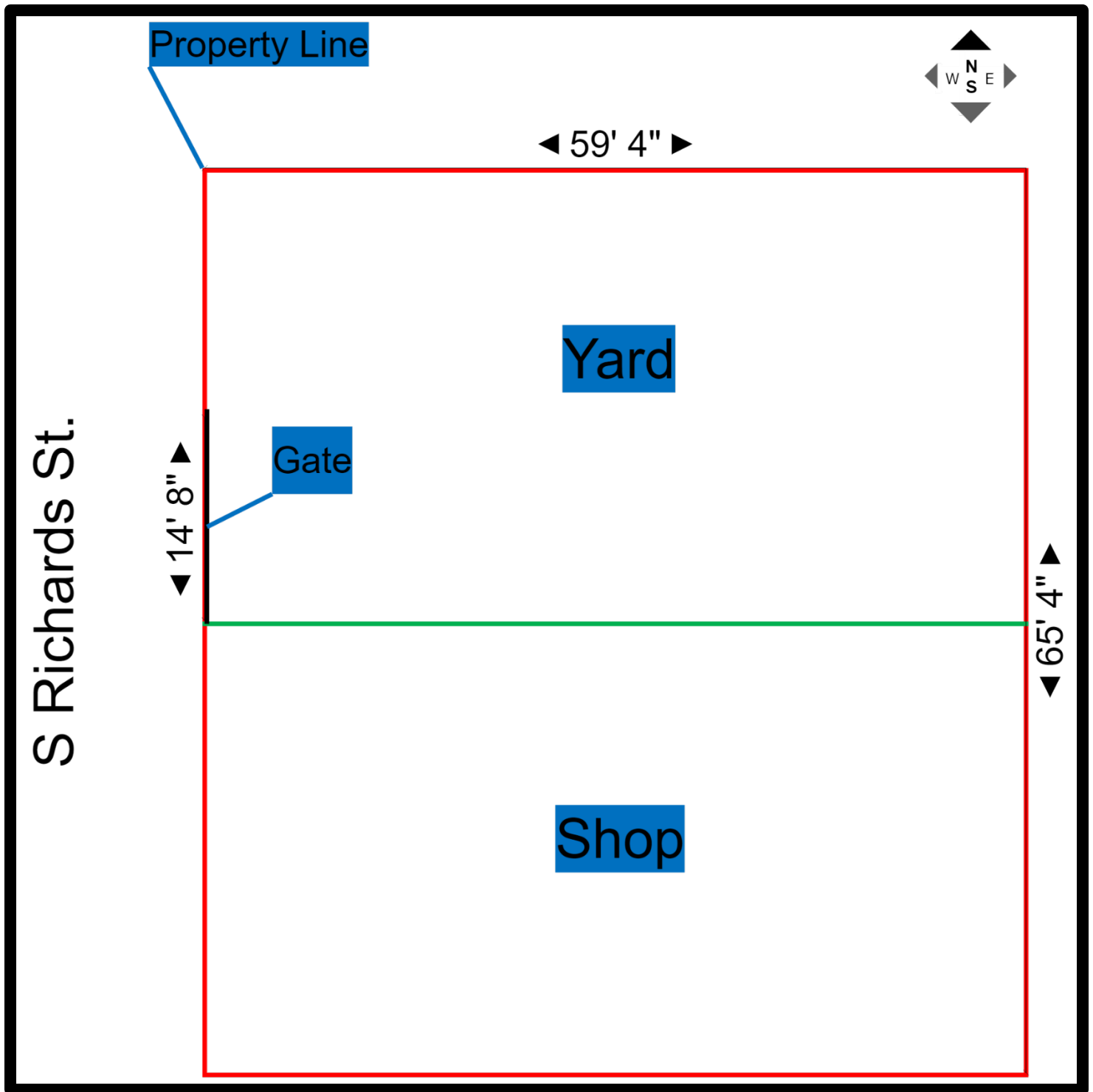
Denial of the request would prevent the applicant from storing materials associated with his welding business outside of the adjacent building within the subject site. Use of the site would be limited to permitted outdoor uses in the CC Commercial Corridor District by the Table of Permitted and Conditional Uses for Commercial Districts in section [21A.33.030](#) of the Salt Lake City Zoning Regulations. Alternatively, the site could be used for off-street parking if the proposed spaces meet the dimensional standards found in section [21A.44.020](#).

ATTACHMENT A: Vicinity Map



ATTACHMENT B: Applicant Submittal

Proposed Site Plan





Conditional Use

SALT LAKE CITY PLANNING

OFFICE USE ONLY

Project #:	Received By:	Date Received:	Zoning:
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Project Name:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Request:

Address of Subject Property:

Name of Applicant:	Phone:
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Address of Applicant:

E-mail of Applicant:	Cell/Fax:
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Applicant's Interest in Subject Property:

Owner Contractor Architect Other:

Name of Property Owner (if different from applicant):

E-mail of Property Owner:	Phone:
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Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

Planners are available for consultation prior to submitting this application. Please email zoning@slcgov.com if you have any questions regarding the requirements of this application.

WHERE TO FILE THE COMPLETE APPLICATION

Apply online through the [Citizen Access Portal](#). There is a [step-by-step guide](#) to learn how to submit online.

REQUIRED FEE

Filing fee of **\$806**

Plus, additional cost of postage for mailing notice will be assessed after application is submitted.

SIGNATURE

➔ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent:	Date:
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SUBMITTAL REQUIREMENTS

Staff Review

- 1. Project Description** (please attach additional sheets electronically)
 - Written description of your proposal

- 2. Conditional Use Information** [Section 21A.54.080](#) (please attach additional sheet)
 - If applicable, what is the anticipated operating/delivery hours associated with the proposed use
 - What are the land uses adjacent to the property (abutting and across-the-street properties)
 - How many employees are expected to work on-site during the highest shift
 - If applicable, how many seats will be provided as part of the conditional use
 - Have you discussed the project with nearby property owners?
If so, what responses have you received?

- 3. Minimum Plan Requirements**
 - A digital (PDF) copy of each plan and elevation drawing

- 4. Site Plan**
 - Site plan (see [Site Plan Requirements](#) flyer for further details)

- 5. Elevation Drawing** (if applicable)
 - Detailed elevation, sections and profile drawings with dimensions drawn to scale
 - Type of construction and list the primary exterior construction materials
 - Number, size, and type of dwelling units in each building, and the overall dwelling unit density

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

_____ I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

CONDITIONAL USE FOR CONTRACTORS YARD

The intent of use for the area (1139S Richards St) is for a Contractors Yard, for Metalhex Welding LLC, along with personal storage and personal projects. I work for myself and am wanting to start a small, mobile, on-site welding business. The space will ultimately be used for storing welding and fabrication equipment, vehicles, and tools. (Welding machines, welding tables, trailers, trucks, forklift, saws, toolboxes, hand tools, etc). I do not plan on changing any part of the exterior or interior features of the building.

Floor Plan; file:///C:/Users/metal/Downloads/floor%20plan%202021[850].PDF

- A. 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. Yes, the use is allowed as conditional use.
 2. Surrounding uses of the area are automotive repair shops, coffee roasting facilities, woodworking shop, scooter repair and sales.
 3. I currently live, and have lived on 25W Fremont Ave for 3 years. I believe that a contractor's yard is consistent with the planning policies. Past businesses that have resided at 1139S Richards St have been; disaster cleanup, automotive repair, and a machine shop. I do not plan on tearing down, or building anything on the property. No added water features etc.
 4. There are no anticipated detrimental affects for me to add outdoor storage.

- B. In analyzing the anticipated detrimental effects of a proposed use, the planning commission, or in the case of administrative conditional uses, the planning director or designee, shall determine compliance with each of the following:
 1. This title specifically authorizes the use where it is located; (Yes)
 2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps; (Yes)
 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; (Yes)
 4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered; (Yes, no modification)
 5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows; (Yes, no modification)
 6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic; (Yes)
 7. The site is designed to enable access and circulation for pedestrian and bicycles; (Yes)
 8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street; (Yes)

9. The location and design of off street parking complies with applicable standards of this code; (Yes)
10. Utility capacity is sufficient to support the use at normal service levels; (Yes)
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts; (Yes)
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; (Yes)
13. The hours of operation and delivery of the use are compatible with surrounding uses; (Yes)
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; (Yes)
15. The proposed use does not undermine preservation of historic resources and structures; (Yes)

ATTACHMENT C: Property Photos



Subject site, facing east

Subject site, facing southeast

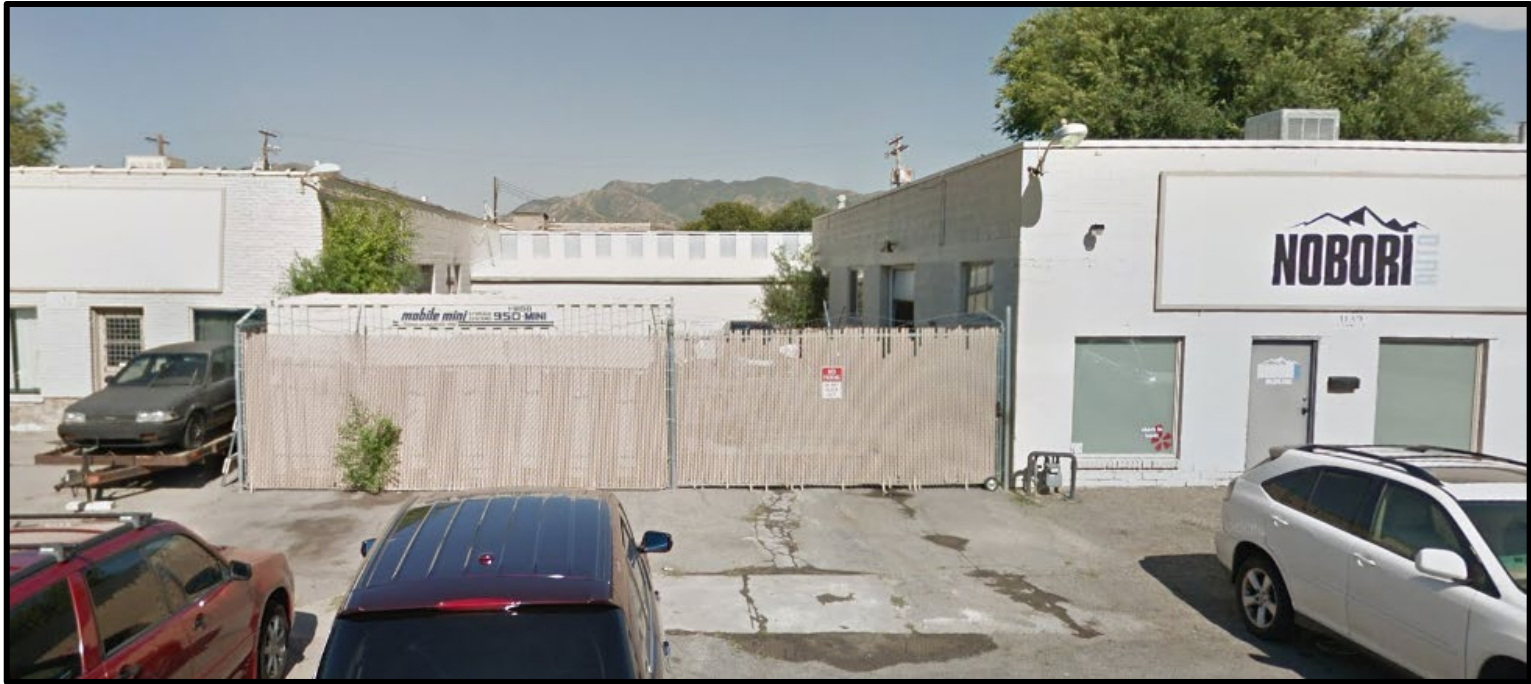




2014 Google Street View

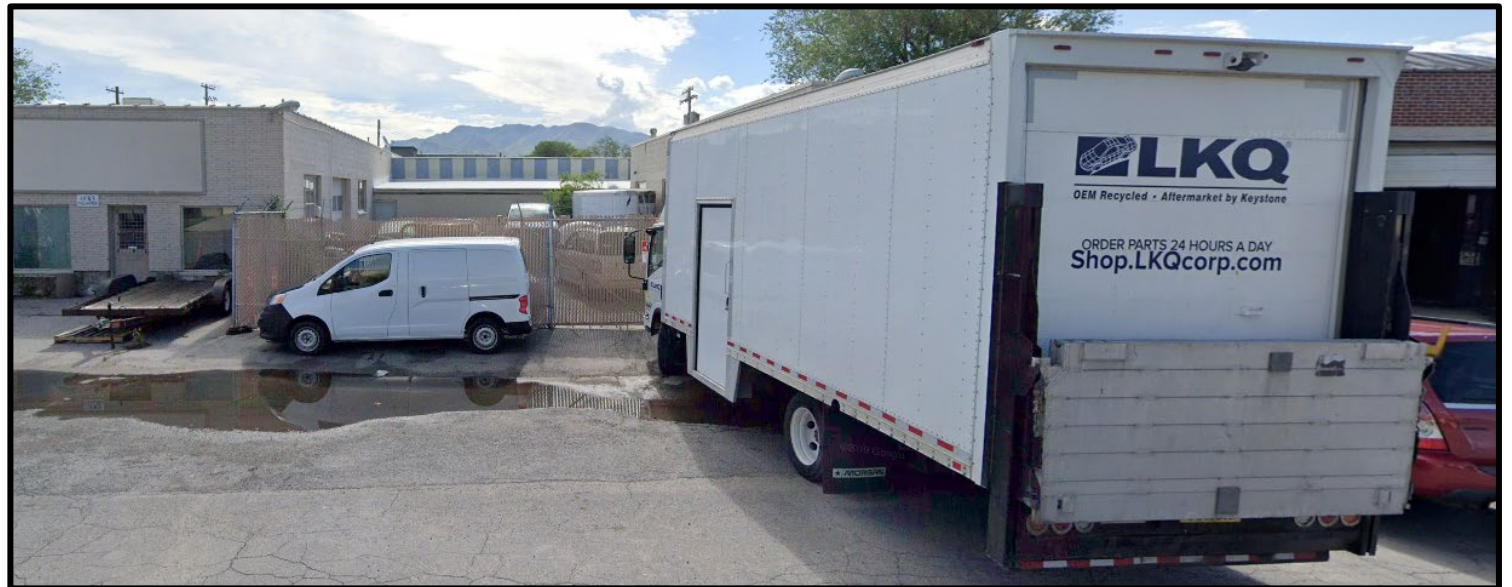


2016 Google Street View



2018 Google Street View

2019 Google Street View



ATTACHMENT D: Relevant Zoning Standards

CC Corridor Commercial District (21A.26.050)

Purpose Statement: The purpose of the CC Corridor Commercial District is to provide an environment for efficient and attractive commercial development with a local and regional market area along arterial and major collector streets while promoting compatibility with adjacent neighborhoods through design standards. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office, and residential. 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. This district is appropriate in areas where supported by applicable master plans. The standards are intended to promote a safe and aesthetically pleasing environment to all users.

Standard	Requirement	Proposed	Finding
Maximum Building Height	30 feet	No changes proposed	Complies
Front/Corner/ Side/Rear Yard Setbacks	<i>Front:</i> 15 feet <i>Interior Side:</i> none <i>Rear:</i> 10 feet	Buildings are currently built up to the front, side, and rear lot lines. This proposal does not include any modifications to existing buildings.	Complies
Lot Size	10,000 square feet	Both lots are ~7,217 square feet. This proposal does not include any modifications to the configuration of existing lots and the lots are part of an existing subdivision.	Complies

Zoning Standards for Fences, Walls, and Hedges (21A.40.120)

Standard	Requirement	Proposed	Finding
Design Requirements 21A.40.120.D.2	Durable materials, no scrap materials, materials typically used for fencing	The proposal will keep the existing chain link fence with slats, a permitted material.	Complies
Height 21A.40.120.E.1.b	Six-foot maximum height when in line with the front façade of the principal building. Four-foot maximum height when located in front of the principal building's front façade.	The existing 6-foot fence would remain with this proposal. The fence sits in line with the building at 1139 S Richards St, but not the building to the north at 1133 S Richards St. However, the existing fence can be permitted by 21A.40.120.E.4.i , which allows additional fence height as part of conditional use approval.	Complies
Outdoor Storage 21A.40.120.E.1.b.(5) & 5.60.120	Outdoor storage (when permitted) must be screened with a solid wall or fence and located behind the front façade of the primary building. The storage of "junk" must be screened by a fence of at least 7 feet in height.	The existing fence would screen the proposed storage from these items from view. materials mentioned would not qualify as "junk" as described by the code.	Complies

<p>Additional Height for Conditional Use 21A.40.120.E.4.i</p>	<p>If required to mitigate negative impacts, a fence, wall or hedge may exceed the allowed height with conditional use approval.</p>	<p>The proposal would maintain the existing six-foot chain-link fence with slats to screen the outdoor storage use from the public way. Allowing the fence to remain in place at its current height should be sufficient mitigation of potential impacts from the proposed use.</p> <p>Additional discussion regarding anticipated impacts can be found in Attachment E, Conditional Use Standards.</p>	<p>Complies</p>
<p>Gates 21A.40.120.E.7</p>	<p>Gates may not exceed the allowed height of a fence, wall, or hedge. When vehicle staging is proposed, the gate must be set back at least 17 feet from the front property line.</p>	<p>The existing gate is six feet in height. No vehicle staging has been proposed as part of this petition.</p>	<p>Complies</p>
<p>Barbed or Razor Wire 21A.40.120.G & 21A.40.120.H</p>	<p>Not permitted on fences within the CC zoning district.</p>	<p>The applicant has not proposed removing the razor wire over the existing fence, which is not permitted. There is no record of prior approval for the razor wire fence. <i>Therefore, as a condition of approval, staff recommends that the razor wire be removed.</i></p>	<p>Does not Comply. Condition applied</p>

Other Zoning Requirements

Standard	Requirement	Proposed	Finding
<p>Off-street Parking 21A.44</p>	<p>A change in use for an existing building requires additional parking spaces if the amount required by the new use exceeds the requirement for the existing or previous use.</p>	<p>No parking is required for outdoor storage. No new parking will be required as part of this proposal.</p>	<p>Complies</p>
<p>Landscaping 21A.48</p>	<p>Per 21A.48.170, the landscaping requirements are not applicable for a change in use for an existing site or building.</p>	<p>No changes to the existing landscaping are proposed as part of this request.</p>	<p>Complies</p>

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.

21A.54.080.A: Approval Standards

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

Finding: Complies

Discussion: Outdoor storage is allowed in the CC Commercial Corridor District as a Conditional use in the Table of Permitted and Conditional Use for Commercial Districts in section [21A.33.030](#) of the Salt Lake City Zoning Regulations.

Condition(s): None proposed related to this standard

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

Finding: Complies

Discussion: As discussed under Key Consideration 2, the character of the neighborhood is primarily heavy commercial and the proposed outdoor storage is compatible with surrounding uses.

Condition(s): *Refer to detrimental impacts table*

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

Finding: Complies

Discussion: The location and intensity of the proposed use is consistent with applicable planning policies, documents and master plans.

Condition(s): None proposed related to this standard

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

Finding: Complies

Discussion: The proposed use is required to be screened by [21A.40.120.E.2.b.\(3\)](#), which will help separate the applicant's private space from the busy Richards Street public right of way.

Condition(s): None proposed related to this standard

21A.54.080.B: Detrimental Effects Determination

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

Finding: No Detrimental Impact

Discussion: The proposed use is authorized as a conditional use in the CC Commercial Corridor district.

Condition(s): None proposed related to this standard

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 proposed use's compatibility with relevant master plans is discussed under [Key Consideration 3](#). The proposed use is compatible with applicable city policies.

Condition(s): None proposed related to this standard

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: Surrounding uses are relatively high-intensity commercial uses and the proposed outdoor storage of materials related to a mobile welder would not be out of character with the contractors' offices, warehouses, and auto shops that line Richards Street.

Condition(s): None proposed related to this standard

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: No new structures are proposed as part of this request. The applicant plans to use the existing fence to screen the storage area from the public way.

Condition(s): None proposed related to this standard

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 applicant has not proposed any site improvements and will use all existing access points and driveways.

Condition(s): None proposed related to this standard

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: No vehicular or pedestrian traffic circulation is proposed at the subject site.
Condition(s): None proposed related to this standard
7. The site is designed to enable access and circulation for pedestrian and bicycles;
Finding: No Detrimental Impact
Discussion: The existing gate is adjacent to the public right of way and can be easily accessed by pedestrians and cyclists.
Condition(s): None proposed related to this standard
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;
Finding: No Detrimental Impact
Discussion: Based on the photos included with Attachment C , it appears that expected traffic from the proposed use will not have any more of an impact than previous uses on the site. Neither Planning nor Transportation Staff has found any unreasonable impacts on the service level of Richards Street.
Condition(s): None proposed related to this standard
9. The location and design of off street parking complies with applicable standards of this code;
Finding: No Detrimental Impact
Discussion: The proposed use will not require additional off-street parking.
Condition(s): None proposed related to this standard
10. Utility capacity is sufficient to support the use at normal service levels;
Finding: No Detrimental Impact
Discussion: Public Utilities did not indicated that the proposal would impact utilities serving the subject properties.
Condition(s): None proposed related to this standard

11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;
Finding: No Detrimental Impact
Discussion: While adjacent uses are not dissimilar the proposed outdoor storage use should be screened to conform with zoning requirements [see 21A.40.120.E.2.b.(3)] and to help separate the applicant’s private space from the public way. Staff does not anticipate any potential use conflicts with the adjacent or nearby property.
Condition(s): None proposed related to this standard
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: Staff does not anticipate any environmental impacts that would be significantly different than what already exists at the site or in the neighborhood. The proposed use would not significantly impact the quality of surrounding air or water.
Condition(s): None proposed related to this standard
13. The hours of operation and delivery of the use are compatible with surrounding uses;
Finding: No Detrimental Impact
Discussion: Staff does not anticipate that the proposed use’s hours of operation and delivery will be all that different from the surrounding uses. Most are similar in nature (contractor-related) and carry out business in a similar manner. The subject properties are not adjacent to or nearby any residential uses or districts.
Condition(s): None proposed related to this standard
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses;
Finding: No Detrimental Impact
Discussion: At this time, no new lighting or signs have been proposed as part of this request.
Condition(s): None proposed related to this standard
15. The proposed use does not undermine preservation of historic resources and structures.
Finding: No Detrimental Impact
Discussion: Neither subject property is located within a local or national historic district, nor are any structures at the subject site listed as a national or local landmark site.
Condition(s): None proposed related to this standard

According to Zoning Code Section 21A.54.080.C, the Planning Commission may impose conditions related to the standards and detrimental impacts listed above if a condition is necessary for compliance with the standards of approval or any applicable zoning regulation and to reduce any reasonably anticipated detrimental impact. Conditions may be related to:

1. Conditions on the scope of the use; its character, location, hours and methods of operation, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks; and
2. Conditions needed to mitigate any natural hazards; assure public safety; address environmental impacts; and mitigate dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, and radiation.

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

ATTACHMENT F: 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:

- April 26, 2022 – The Chair of the Ballpark Community Council was sent the 45 day required notice for recognized community organizations. The council did not provide comments.
- April 26, 2022 - Property owners and residents within 300 feet of the development were provided early notification of the proposal.
- April – June 2022 – The project was posted to the Online Open House webpage.

Notice of the public hearing for the proposal included:

- July 18, 2022
 - Public hearing notice sign posted on the property
- July 14, 2022
 - Public hearing notice mailed
 - Public notice posted on City and State websites and Planning Division list serve

Public Input:

Except for an inquiry about the details of the proposal, staff did not receive any public comments regarding this request.

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.

Engineering (Scott Weiler):

No public way improvements, so no comments.

Building (William Warlick):

No comments

Fire (Douglas Bateman):

- Gates for fire access vehicles, if necessary, need to provide a minimum clear width of 20-feet
- Hydrant to be located within 400-feet of all ground level exterior walls and storage yards, which is measured following the drive route and in straight lines and right angles

Transportation (Kevin Young):

Parking along Richards Street is signed for 45 degree parking, but 90 degree parking, parking in front of driveways or garage doors, etc. is occurring. Applicant would need to show how parking for the property can be met with this proposal.

Planning Staff note: No parking is required with this proposal and no on-street parking will be needed to fulfill parking requirements.

Public Utilities (Jason Draper):

No site development proposed, so no comments from public utilities.