

PLANNING COMMISSION STAFF REPORT

Mark Miller Toyota
410-08-48 Conditional Use for
Carwash in D-2
located at 751 South 200 West Street
Hearing Date July 30, 2008



Planning and Zoning Division
Department of Community
Development

Applicant: Mark Miller, Mark Miller Toyota

Staff:
Marilynn Lewis 535-6409
marilynn.lewis@slcgov.com

Tax ID: 15-12-211-032-0000

Current Zone: D-2

Master Plan Designation:
Downtown Master Plan
Central City Master Plan

Council District: 4

Acreage: 0.28 Acres

Current Use: Automobile Sales and Service

Applicable Land Use Regulations:

- Section: 21A.30.030 D-2 Downtown Support District
- Section: 21A.30.050 Table Of Permitted And Conditional Uses For Downtown Districts
- Section: 21A.54.080 Standards for Conditional Use

Attachments:

- A. Site Drawings
- B. Department Comments
- C. Half-Mile Use Map
- D. Photos

REQUEST

The applicant is requesting conditional use approval for a carwash in a D-2 Zoning District located within 165 feet of an existing residential structure. The Planning Commission must make a determination whether to approve, approve with conditions or deny the conditional use request.

PUBLIC NOTICE

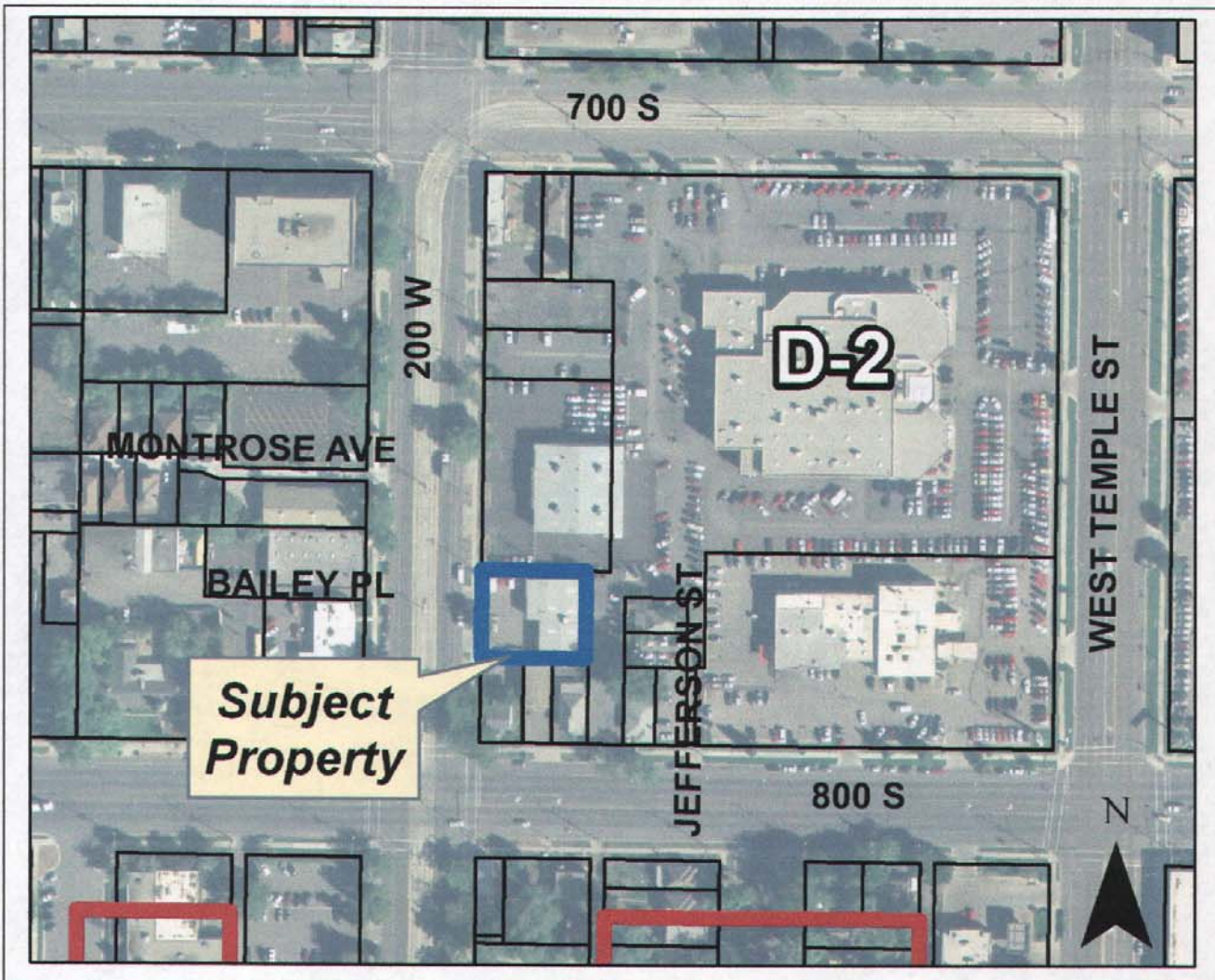
On July 15, 2008 a notice for the Planning Commission public hearing was mailed to owners of property within a radius of 450 feet as well as to community council chairs meeting the minimum 14 day notification requirement. In addition notice was sent to all individuals on the Planning Division's list serve. A sign was posted on July 15, 2008 on the property meeting the minimum 10 day posting requirement, and on the Division's web site at time of public distribution.

STAFF RECOMMENDATION:

Based on the findings listed in the staff report, the Planning Staff recommends the Planning Commission approve the conditional use with the following conditions:

1. A Cross-access agreement is recorded between the two parcels (auto sale lot and carwash lot) until such time that the parcels are combined through the subdivision process. This must be coordinated with the Transportation Division.

VICINITY MAP



COMMENTS

Public Comments:

The applicant attended the People's Freeway Community Council meeting on June 5, 2008. The few comments focused on traffic and whether or not the facility would be used privately or not. The applicant explained that cars will enter the carwash facility from the adjacent sales and service lot without having to travel on a public street. They further explained that the facility would not be open to the public, but used exclusively by the dealership. The community was satisfied that their issues had been addressed. They did not take a vote on whether or not to support the project and they did not provide any written comment.

City Department Comments:

All of the comments from the pertinent Departments and Divisions are included in this staff report. None of the Departments that provided comments were opposed to the project. (See Attachment B)

DESCRIPTION OF PROJECT/BACKGROUND

Project History: Automobile sales/rental and service are conditional uses in the D-2. Those that already exist would only go through the conditional use process if they are expanding. The larger dealership was granted approval by the Board of Adjustment in 1989. The most recent use, prior to the purchase by Mark Miller Toyota was a Ford dealership. There are four existing automobile dealerships on West Temple Street, between 700 South and 800 South Streets within the D-2 Zoning District. The subject site has been in commercial use since the late 1980's. The property has been purchased by Mark Miller Toyota. The property is currently being used by a commercial electrical business.

Staff Review: The Conditional Use being requested is for a car wash facility for private use by the dealership. The business is a permitted use in the D-2 Zoning District unless it is located within 165 feet (including streets) of a residential use based on Section 21A.30.050 Table Of Permitted And Conditional Uses For Downtown Districts. Single-family homes are not permitted in the D-2 Zoning District. There are four single-family structures located within 165 feet of the proposed carwash site. These single-family homes are legal conforming uses within the D-2 Zoning District. The existing homes may be rebuilt. The applicant has purchased the single-family homes at 178 W and 160 W on 800 South Street. He is also in negotiations on the single-family home at 766 S Jefferson Street.

The applicant is proposing modifications to the existing building's interior with the addition of three overhead doors. The interior of the structure will be completely modified as an automated carwash facility. The carwash will have a water reclaim system, to conserve water. The equipment uses a measured amount of chemical giving control over sewer discharge. The average water use per car using bucket and brush has been estimated at around 40 - 45 gallons per car. The proposed car wash will use around 35 gallons per car without reclaim equipment. But with the reclaim system the proposed car wash will use around 10 - 12 gallons per car of fresh water. The system provides reduced employee exposure to chemicals. Soils are collected in the wash for proper disposal with companies like Beck Sanitation who transport soil to landfills where they are tested, dried and properly disposed.

CONDITIONAL USE STANDARDS Adopted by City Council on January 15, 2008

General Standards for Approval (21A.54.080):

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 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 may be denied.

In order to identify and evaluate the detrimental affects and the need for and/or adequacy of mitigating conditions, the Planning Commission shall review and consider the following:

1. Master Plan and Code Compliance

A. The proposed development is supported by the general policies of the City Wide, Community, and Small Area Master plan text and the future land use map policies governing the site;

Analysis: The project site is located within the *Downtown neighborhood-planning area* of the Central Community Master Plan. The Future Land Use Map of the adopted Central Community Master Plan identifies the site within the Central Business District Support area. However the land use policies for this particular area are contained in the Downtown Master Plan, adopted in 1995.

The Downtown Master Plan identifies land use policies, goals and objectives that have influence and impact on downtown development and preservation. Objective CL-4, under the *Commitment/Leadership Goal*: is to encourage existing businesses to remain and expand in order to promote the benefits of these business locations. The *Built Environment/Development Goal*: encourages the reuse of the existing physical environment while providing for the orderly transition of certain land uses. The Futures Commission Report identifies the need to nurture and encourage local businesses and entrepreneurship.

Finding: The proposed project reuses an existing structure with minor exterior modifications and major interior modifications (which include a water reclaim system) allowing for the expansion of an existing downtown business. The retention and development of local businesses in established downtown zoning districts is important to maintaining a thriving downtown. This petition is in keeping with that intent, and is compatible with the planning goals and objectives for the City. Therefore, the proposed request is in keeping with the Land Use Zoning Map, the Central City Community Master Plan and the Downtown Master Plan.

B. The proposed development is one of the conditional uses specifically listed in this title; and

Analysis: Prior to July 2007, a carwash was specifically listed as a conditional use where it was within 165' of a residential use in 21A.30.050 Table Of Permitted and Conditional Uses For Downtown Districts. In January of 2008 the City Council determined that requests for conditional use approval within non-residential zoning districts that do not directly abut a residential zoning district could be reviewed.

Finding: The proposed carwash is located within 165' of a residential use in the D-2 Zoning District. The subject site does not abut property in a residential zoning district. Therefore, the request can be processed.

C. The proposed development is supported by the general purposes and intent of the zoning ordinance including the purpose statement of the zoning district.

Analysis: The proposed request is for a carwash, which is specifically listed in 21A.30.050 Table Of Permitted and Conditional Uses For Downtown Districts. The proposed development is supported by the general purposes of the D-2 (Downtown Support) Zoning District, which states "...to accommodate commercial uses and associated activities that relate to and support the central business district".

Finding: Since the proposed development is supported by the general purposes and intent of the zoning ordinance, staff finds that the project meets the standard.

2. Use Compatibility

The proposed use at the particular location is compatible with the character of the site, adjacent properties, surrounding neighborhoods, and other existing development. In determining compatibility, the Planning Commission may consider the following:

A. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets;

Analysis: 200 West Street is considered a Collector Street. The carwash will only be accessed from the adjacent larger dealership site. Vehicles will not enter or leave the site via 200 West Street. The carwash is private so there will be no increase in traffic to 200 West Street. The Transportation Division did not identify any issues with offsite circulation. A Traffic Impact Statement was not required.

Finding: Means of access to the proposed carwash is internal to the dealership properties and is suitable and adequate. Traffic and will not materially degrade the service level on the adjacent streets. The project satisfies this standard

B. The type of use and its location does not create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use. In determining unusual patterns, the Planning Commission shall consider:

- i. The orientation of driveways and if they direct traffic to the major streets or local streets, and, if directed to the local streets, the impacts to the safety, purpose, and character of the local streets;
- ii. Parking locations and size, and if parking plans encourage street side parking to the proposed use which impacts the adjacent land uses;
- iii. Hours of peak land use when traffic to the proposed use would be greatest and that such times and peaks would not impact the ability of the surrounding uses to enjoy the use of their properties; and
- iv. The hours of operation of the proposed use when compared with the hours of activity/operation of the surrounding uses and the potential of such hours of operation do not create noise, height, or other nuisances not acceptable to the enjoyment of existing surrounding uses or common to the surrounding uses.

Analysis: There are no unusual pedestrian or vehicular traffic patterns or volumes expected as a result of the private carwash.

- i. The existing driveways will not undergo any physical alteration.
- ii. There are five (5) parking stalls shown on the plan. There are additional stalls located on the adjacent parcel.
- iii. The peak hours will coincide with that of the general operation of the auto sales lot.
- iv. The hours for the proposed carwash are 11:00 am to 5:00 pm Monday –Saturday. The abutting properties are located within the D-2 (Downtown Support) Zoning District.

Finding: Use of the carwash is private and will only be used for the auto sales business. The facility will only be used during the hours of 11:00 am to 5:00 pm Monday –Saturday. Vehicles will enter the carwash from the rear of the building from the adjacent auto sales lot. Vehicular access will not be from the right of way on 700 South or 200 West Streets. Therefore, the type of use and its location does not create unusual pedestrian or vehicle traffic patterns or volumes with the development of a permitted use. The project satisfies this standard.

C. The internal circulation system of the proposed development is properly designed for motorized, non-motorized and pedestrian traffic, and mitigates impacts on adjacent properties;

Analysis: The parking requirements for a carwash are stated in 21A.44.060F Schedule Of Minimum Off Street Parking Requirements which states that five (5) stacking spaces are required for the automated facility and that 3 can stack for each bay.

Five (5) parking spaces, which are not for public use, have been provided. Stacking of cars will occur at the rear of the building from the adjacent auto sales lot. The required parking is less than 10 stalls, therefore the 5% bike parking requirement is less than ½ stall and is not required. Up to 25 total parking spaces requires that one be an accessible space. The site access and cueing for the private carwash will be in an area where the two properties are adjacent to one another. A cross-access agreement needs to be recorded on the property until such time that all of the properties are combined through a subdivision process.

Finding: The proposed plan shows parking spaces, as well as the cueing and movement of vehicular circulation on-site from the adjacent lot. The Transportation Division reviewed the project and stated no objection. Therefore, the project meets the standard for internal circulation and is properly designed for motorized, non-motorized and pedestrian traffic. The use is not intended for non-motorized or pedestrian traffic. The project satisfies this standard.

D. Existing or proposed utility and public services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources; and

Analysis: The proposed project is located in an existing structure in a developed part of the City. The Public Utilities Department did not have any concerns when they reviewed this request. They found no conflicts with water, sewer or storm drainage.

Finding: The existing utilities and public services are adequate for the existing structure and the proposed carwash. The designated area will not have an adverse impact on adjacent land uses or resources. Therefore, the project satisfies this standard.

E. Appropriate buffering such as landscaping, setbacks, and building location, is provided to protect adjacent land uses from light, noise and visual impacts.

Analysis: The applicant is proposing a carwash which is allowed within the D-2 Zoning District. The existing structure is within 165 feet of existing residential uses. The adjacent residential uses are legal conforming in this zoning district. The single-family home at 176 West 800 South Street is approximately 47 feet from the existing commercial structure on the carwash site. (See Attachments A and D) The southern wall of the existing commercial building is on the property line. Since the structure is remaining there will not be any new visual impacts due to the site. The carwash will only run between 11:00 am and 5:00 pm, therefore, the hours of operation mitigate the introduction of a potential noise impacts.

Finding: The applicant has purchased (178 West 800 South and 160 West 800 South) two of the homes on 800 South Street, and is talking to the property owner at 766 S. Jefferson Street (a lot which is and has been completely surrounded by parking lot for several years) about the purchase this lot. The only new impact would be the sound from the automated washing equipment. However, the carwash facility will only operate between the hours of 11:00 am and 5:00 pm Monday -Saturday. The Permits Division reviewed the proposed project and did not identify any required buffering. Therefore, the project satisfies this standard.

F. Detrimental concentration of existing non-conforming or conditional uses substantially similar to the use proposed. The analysis is based on an inventory of uses within a quarter mile radius of the subject property.

Analysis: The applicant is proposing the reuse of an existing structure for a private carwash in the downtown support zoning district. Since the existing structure is within 165 feet of a residential use approval must be obtained through the conditional use process. The subject property does not abut any residential zoning districts. Within a ¼ mile radius of the subject site there are 50 legal conforming single-family residential uses in the downtown support zoning district. Of the four (4) structures within proximity of the future carwash one has been purchased by the applicant and another owner is in negotiations. There are currently only two conditional uses and they involve the expansion of existing automobile sales/service businesses within the ¼ mile radius of the subject site.

Finding: Staff found no detrimental concentration of similar uses within a ¼ mile radius of the project site. The project meets the standard.

3. Design Compatibility

The proposed conditional use is compatible with:

A. The character of the area with respect to: site design and location of parking lots, access ways, and delivery areas; impact on adjacent uses through loss of privacy, objectionable views of large parking or storage areas; or views and sounds of loading and unloading areas;

Analysis: The character of the area is a grouping of commercial uses within the Downtown Support or D-2 zoning district that are designated by Section 21A.30.050 Table Of Permitted and Conditional Uses For Downtown Districts. Within the block of the subject site and the block directly east have a majority of the land used for automobile sales/rental and service. There are two multi-family projects and three single-family homes on the block. The proposed carwash will be located in an existing structure that is south of the vacant RDA lot, directly north of two single-family homes and another existing commercial building, and west of a portion of the larger auto dealership and two more single-family homes.

Finding: The area of the subject site is considered part of the “Central Business District Support” zoning designation on the Central City Future Land Use Map. This provides additional opportunities for commercial and high density residential in support of the “Central Business District”. The applicant will add three more overhead doors to the existing structure to accommodate the carwash. However, the general appearance of the buildings exterior will not change. Therefore, there are minor visual impacts to the surrounding residents and commercial uses. The project satisfies this standard.

B. Operating and delivery hours are compatible with adjacent land uses; and

Analysis: The hours of operation for the proposed carwash are 11:00 am to 5:00 pm Monday –Saturday. This is consistent or less than the hours of operation for adjacent commercial land uses. The health department limits the hours for noisy uses to 7:00 am- 10:00 pm.

Finding: Since the hours for operation and delivery are compatible with adjacent permitted and approved land uses, and will not operate through the evening hours or disturb adjacent residential uses, the project meets the standard.

C. The proposed design is compatible with the intensity, size, and scale for the type of use, and with the surrounding uses.

Analysis: The site contains an existing building that will be remodeled to accommodate the carwash facility. The proposed project will not include expansion of the building or site.

Finding: Since the proposed design is compatible with the intensity, size, and scale for the type of use, and with the surrounding commercial uses within the D-2 (Downtown Support) Zoning District, the project meets the standard.

4. Detriment to Persons or Property

A. The proposed use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety, and general welfare of persons, nor be injurious to property and improvements in the community, existing surrounding uses, buildings, and structures. The applicant shall demonstrate that the proposed use:

Analysis: The pertinent City Departments and Divisions that reviewed the proposed request for the private carwash in the D-2 Zoning District did not identify any associated detrimental impacts. Planning staff finds that this request does not pose detriment to health, safety and the general welfare of persons or property. Furthermore, the water reclaim system reduces impacts to the environment.

Finding: The project will not be a detriment to health, safety or general welfare.

B. Does not lead to deterioration of the environment by emitting pollutants into the ground or air that cause detrimental effects to the property or to neighboring properties;

Analysis: The project will have a water reclaim system installed. The system will collect soils for proper testing and disposal before they are dumped in the landfill, which keeps them from entering the storm system. A significantly reduced amount of fresh water is used. As proposed, the pertinent City Departments and Divisions did not identify any increase of pollutants into the ground or air.

Finding: The project includes provisions to ensure it does not lead to deterioration of the environment.

C. Does not encroach on rivers or streams or direct run off into rivers or streams;

Analysis: The site is not located near nor does it encroach on any open water stream, river or channel. The Public Utilities Department has determined that there are no conflicts with water, sewer or storm drainage.

Finding: Since the site does not encroach on rivers, streams or direct run off into rivers or streams the standard is not applicable to this project.

D. Does not introduce hazards or potentials for damage to neighboring properties that cannot be mitigated; and

Analysis: The pertinent City Departments and Divisions that reviewed the proposed request for a carwash in the D-2 and did not identify the introduction of any hazards or potential for damage to neighboring properties that require mitigation.

Finding: The design of the proposed project does not introduce hazards or impacts that cannot be mitigated.

E. Is in keeping with the type of existing uses surrounding the property, and that as proposed the development will improve the character of the area by encouraging reinvestment and upgrading of surrounding properties.

Analysis: The proposed request is in keeping with the type of existing uses and/or zoning (Downtown Support) of the abutting properties. The applicant has made a commitment to reinvest and upgrade this commercial property and to utilize a water reclaim system.

Finding: The project satisfies this standard.

5. Compliance with Other Applicable Regulations

The proposed development complies with all other applicable codes and ordinances.

Analysis: The permitting Departments and Divisions may have additional requirements beyond those presented in this staff report.

Finding: The project must meet all other applicable codes and ordinances prior to issuance of a permit.

6. Imposition of the Conditions of Approval

The Planning Commission may impose conditions on the proposed use which are in addition to any conditions specifically listed within this chapter. All conditions imposed shall meet the following criteria:

A. The condition is within the police powers of Salt Lake City;

Analysis: The Planning Commission's authority to grant conditional approval is allowed by Section 21A.54.020 Authority of the Salt Lake City Zoning Ordinance.

Finding: The project satisfies this standard.

B. The condition must substantially further a legitimate public purpose;

Analysis: The condition as stated under "Staff Recommendations" on the first page of this staff report clarifies the ingress/egress, which removes impacts to the public right-of-way.

Finding: The project satisfies this standard.

C. The condition must further the same public purpose for which it is imposed;

Analysis: The public purpose of the condition imposed is to direct vehicular traffic on site.

Finding: The project satisfies this standard.

D. The applicant/owner may not be required to carry a disproportionate burden in furthering the public purpose; and

Analysis: The applicant is responsible for compliance with the conditions of approval.

Finding: The project satisfies this standard.

E. Dedications of land and other contributions as conditions of approval must be reasonably related and roughly proportionate to the use of the property for which the conditional use permit is required.

Analysis: No dedication of land or other contributions are required.

Finding: The project satisfies this standard.

7. Mitigating Conditions

A. As part of their review, the Planning Commission may impose mitigating conditions on the proposed development.

Analysis: No adverse impacts are anticipated. However, based on comments provided by the review of pertinent City Departments and Divisions the Planning staff has identified the following condition; A cross-access agreement must be recorded on the property between the two parcels (auto sales lot and carwash lot) until such time that the parcels are combined through the subdivision process. This must be coordinated with the Transportation Division.

Finding: The project satisfies this standard.

B. These conditions may include but are not limited to the following areas: landscaping; access; loading and parking areas; sanitation; drainage and utilities; architecture and signage; fencing and screening; setbacks; natural hazards; public safety; environmental impacts; hours and methods of operation; dust, fumes, smoke and odor; noise, vibrations; chemicals, toxins, pathogens, and gases; and heat, light, and radiation.

Analysis: No additional conditions to mitigate impacts other than those stated in 7.A (above) are required.

Finding: The project satisfies this standard.

C. The conditions which are imposed on a conditional use permit must be expressly attached to the permit and cannot be implied.

Analysis: The conditions of approval are specific. The applicant agrees to the conditions stipulated.

Finding: The project satisfies this standard.

8. Denial of Conditional Use Application

The following findings or others may, in the judgment of the Planning Commission, be cause for denial of a conditional use application:

A. The proposed use is unlawful;

Analysis: An unlawful use cannot be heard by the Planning Commission, only those specifically listed as permitted or conditional uses.

Finding: The project satisfies this standard.

B. Conditions of approval could not reasonably mitigate the negative impacts of the proposed use.

Analysis: Staff did not identify any negative impacts. The condition identified is preventative in nature.

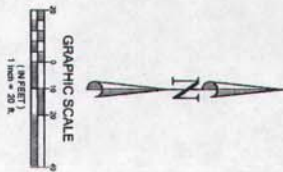
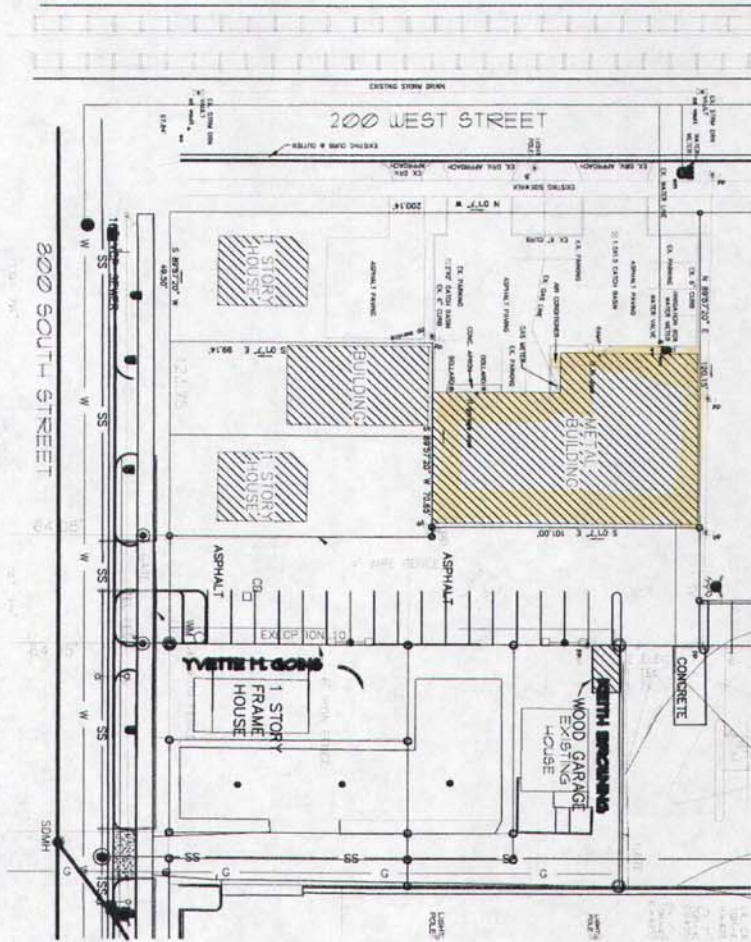
Finding: The project satisfies this standard.

C. The proposed use would create or pose a nuisance, conflict, or hazard relating to noise, vibration, light, electrical or electronic interference, traffic, odor, fumes, dust, explosion, flooding, contaminations, or other negative effects on the neighboring properties or the community in general, without adequate mitigation.

Analysis: The pertinent City Departments and Divisions did not identify that any of the aforementioned impacts.

Finding: The project satisfies this standard.

Attachment A Site Drawings



REV	DATE	DESCRIPTION

REV	DATE	DESCRIPTION

Checked by: Drawn by: Checked by: Approved by: Date:
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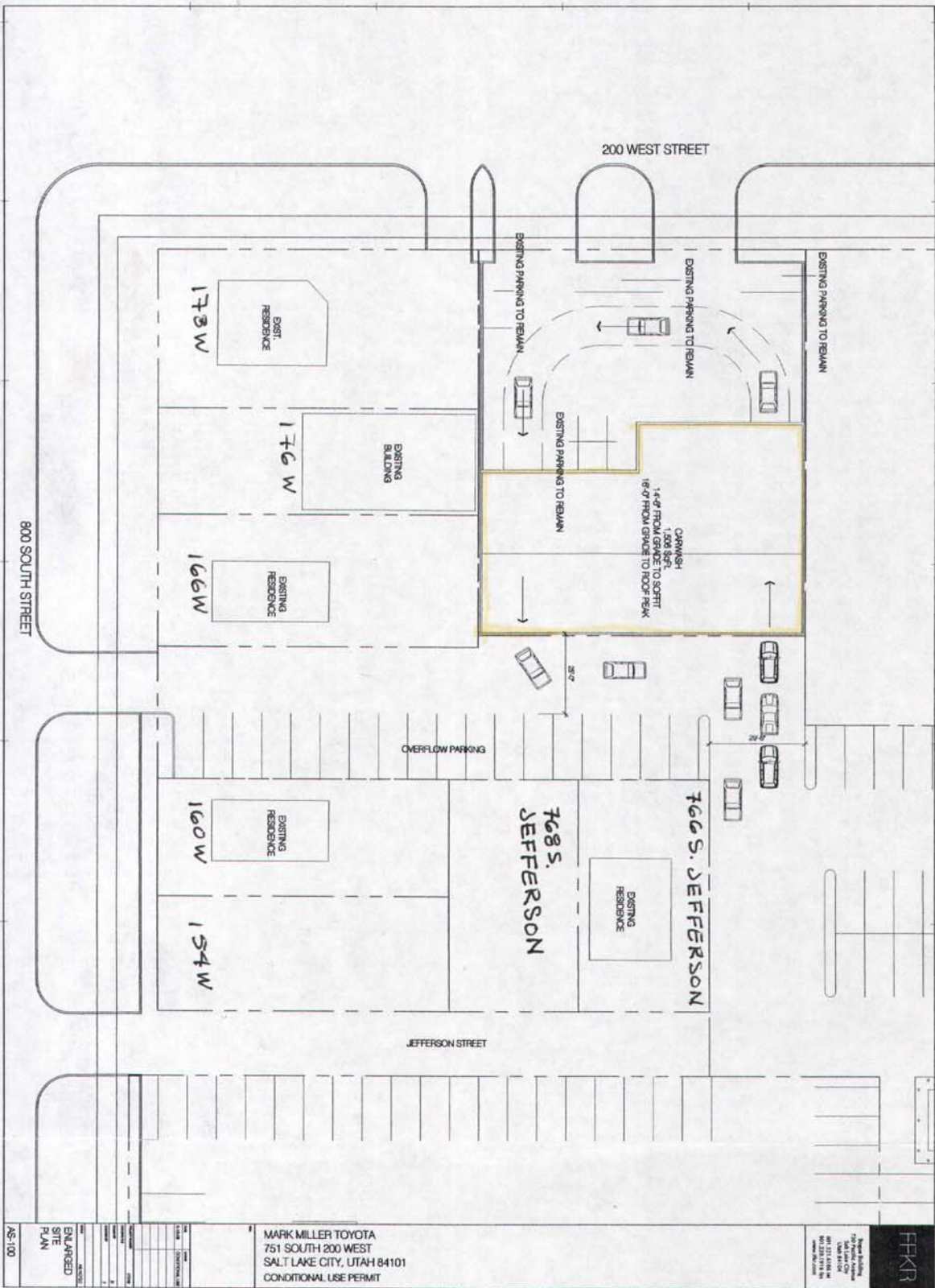
Burd & Associates, LLC
 Engineers & Land Surveyors

800 South Main Street
 Bountiful, Utah 84010
 Phone (801)-226-9400
 Fax (801)-226-9418

EXISTING CONDITIONS PLAN
 FOR MARK MILLER
 800 SOUTH AND 200 WEST STREETS

Sheet: 1
 Date:
 Drawing: C-1





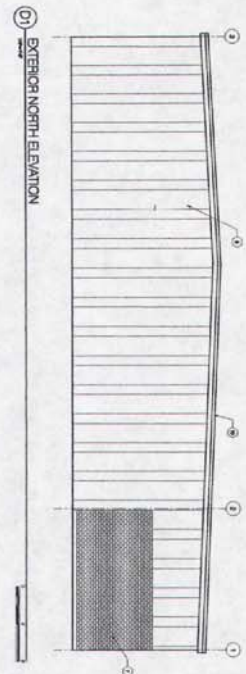
AS-100

NO.	DATE	DESCRIPTION
1	10/15/10	ENLARGED SITE PLAN

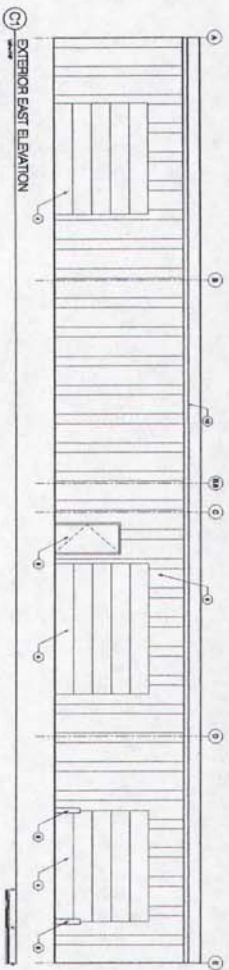
MARK MILLER TOYOTA
 751 SOUTH 200 WEST
 SALT LAKE CITY, UTAH 84101
 CONDITIONAL USE PERMIT

768 S. JEFFERSON
 SALT LAKE CITY, UTAH 84101
 10/15/10
 10/15/10

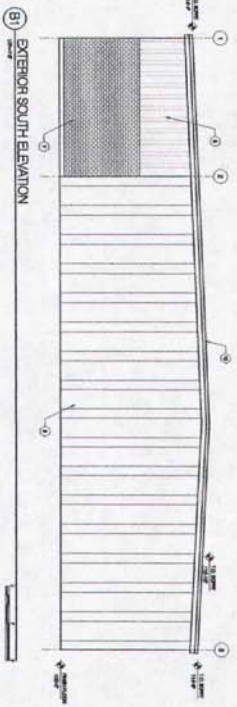




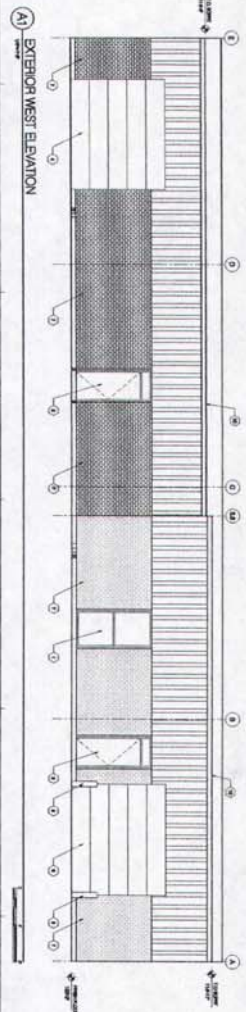
(D) EXTERIOR NORTH ELEVATION



(C) EXTERIOR EAST ELEVATION



(B) EXTERIOR SOUTH ELEVATION



(A) EXTERIOR WEST ELEVATION

REFERENCES NOTES

1. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.
2. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.
3. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.
4. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.
5. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.
6. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.
7. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.
8. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.
9. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.
10. SEE GENERAL NOTES FOR MATERIALS AND FINISHES.

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE UTAH CONSTRUCTION CODE.
2. ALL MATERIALS AND FINISHES SHALL BE AS SHOWN ON THESE DRAWINGS.
3. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
5. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

MARK MILLER TOYOTA - CAR WASH
 730 SOUTH WEST TEMPLE
 SALT LAKE CITY, UTAH 84101
 CONDITIONAL USE PERMIT SET



NO.	DATE	DESCRIPTION
1	11/15/2023	ISSUED FOR PERMIT
2	11/15/2023	ISSUED FOR PERMIT
3	11/15/2023	ISSUED FOR PERMIT
4	11/15/2023	ISSUED FOR PERMIT
5	11/15/2023	ISSUED FOR PERMIT
6	11/15/2023	ISSUED FOR PERMIT
7	11/15/2023	ISSUED FOR PERMIT
8	11/15/2023	ISSUED FOR PERMIT
9	11/15/2023	ISSUED FOR PERMIT
10	11/15/2023	ISSUED FOR PERMIT

A-201

Attachment B

Department Comments

Lewis, Marilyn

From: Walkingshaw, Nole
Sent: Monday, June 30, 2008 7:02 AM
To: Planning (All); CED
Subject: Accela Log In
Importance: High

Hello,

Could everybody try and Log on to Accela today, please let me know if you have troubles logging in, I am hoping to have all the logging stuff fixed this week.

Here is a link to the site.

<https://av.stag.slcgov.com/security/signon.do?successUrl=https://av.stag.slcgov.com/jetspeed/login.jsp>

Thank you,

Nole

Nole Walkingshaw
Salt Lake City Planning and Zoning
Senior Planner
801-535-7128

7/7/2008

Lewis, Marilyn

From: Brown, Ken
Sent: Thursday, June 26, 2008 1:25 PM
To: jkanno@ffkr.com
Cc: Lewis, Marilyn
Subject: Mark Miller Car Wash 730 S. West Temple St. - Log #227215
Categories: Program/Policy

SALT LAKE CITY BUILDING SERVICES AND LICENSING

Zoning Review Issues

Log Number: 227215

Date: June 26, 2008

Project Name: Mark Miller Car Wash

Project Address: 730 S. West Temple St.

Contact Person: James Kanno

Telephone: 801-355-9330

E-Mail: jkanno@ffkr.com

Zoning District: D-2

Reviewer: Ken Brown

Phone #: 801-535-6179

Comments

A zoning review of the above listed location has been completed with the understanding that this proposal is for a car wash accessory to an auto dealership operation and **not a public car wash**. The following issues need further clarification or correction. Please call me if you have questions or concerns with this review.

Please **respond in writing** to each of the items listed below and be prepared to insert all revisions into all sets of plans.

- 1) This development proposal requires that each sheet of the plans specify the Certified Address for the site. The plans currently reflect an address of 730 S. West Temple but yet show the 751 South 200 West building and parcel. Is the intention to combine the two parcels creating one larger parcel with the same sidwell/parcel number? If so, a Quit Claim Deed will need to be created and recorded at the Salt Lake County Recorders Office, documentation of this recording submitted for the building permit file and the site plan adjusted accordingly. If the properties are not combined, a water meter would need to be maintained on this site for operation of the car wash and maintenance of the landscaping.
- 2) This development requires a complete site plan and supporting documentation which includes all of the following;
 - a) The parcel/sidwell number, if assigned, and legal description,
 - b) The property lines along with the dimensions of each,

7/7/2008

- c) The identification of all easements,
 - d) The location of all existing and proposed structures, parking, landscaping, etc, for the entire site, including any parking for the employees of the proposed car wash,
 - e) The location and size of all utility structures, transformers, etc., planned for each site along with Drawing Symbols indicating where the details for each element may be found, and
 - f) Compliance to all conditions of approval for the Conditional Use Petition 410-08-48, etc.
- 3) Dumpster location and 6 ft. to 8 ft. high solid fence and gate enclosure details shall be shown on the plans if a dumpster is planned.
- 4) Public Utilities **approval** of this proposal to be submitted to **this office** for permit issuance. For information on obtaining this approval, submit plans to Peggy Garcia at 1530 South West Temple or phone 483-6727.

Lewis, Marilyn

From: Brown, Jason
Sent: Wednesday, July 02, 2008 8:47 AM
To: Lewis, Marilyn
Cc: Garcia, Peggy
Subject: Petition # 410-08-50 Piper Down Conditional Use expansion at 1492 South State Street
Categories: Program/Policy

Marilynn,

Public Utilities has reviewed the above mentioned petition and offer the following comments;

The expansion areas must be served with sewer and water through the existing sewer laterals and water meter. No new services will be allowed. The site already has a grease trap and sampling manhole. If required by the Fire Department, Public Utilities will allow a two inch fire sprinkler lateral to be connected to the existing main in State Street.

If you have any questions please do not hesitate to contact me.

Jason Brown, PE

Development Review Engineer
Salt Lake City Public Utilities
1530 South West Temple
Salt Lake City, UT 84115
(801) 483-6729
(801) 483-6855 fax

7/7/2008

From: Walsh, Barry
Sent: Thursday, June 12, 2008 6:25 PM
To: Lewis, Marilyn
Cc: Young, Kevin; Smith, Craig; Butcher, Larry; Itchon, Edward; Stewart, Brad
Subject: Petition 410-08-48

Categories: Program/Policy
June 12, 2008

Marilynn Lewis, Planning

Re: petition 410-08-48, Mark Miller Toyota Conditional Use for a Carwash at 751 South 200 West.

The division of transportation review comments and recommendations are as follows;

The proposal indicates vehicles entering this property from the abutting property (750 So West Temple) Mark Miller Toyota into the building set on the property line thru a NEW doorway to the carwash and circulation with in the front yard parking lot which will remove existing parking stalls and back thru the building.

The parcels need to be combined to remove the property line issue. When the properties are combined new parking calculation are needed to clarify parking needs and removal of existing parking stalls.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Craig Smith, Engineering
Larry Butcher, permits
Ted Itchon, Fire
Brad Stewart, Public Utilities
File

From: Isbell, Randy
Sent: Tuesday, June 17, 2008 4:28 PM
To: Lewis, Marilyn
Subject: Pet

Categories: Program/Policy
Marilyn,

I have reviewed Petition 410-08-48, Mark Miller Toyota Conditional Use for a Carwash.

Services provided by Housing/Zoning Enforcement will not be impacted by the proposed carwash.

Thank You,

Randy Isbell
Housing/Zoning Specialist
Housing/Zoning Enforcement

From: Itchon, Edward
Sent: Thursday, June 05, 2008 12:00 PM
To: Lewis, Marilyn
Cc: Butcher, Larry; Montanez, Karleen
Subject: 410-08-48 Mark Miller Toyoata Conditional use for car wash
No issues

Lewis, Marilyn

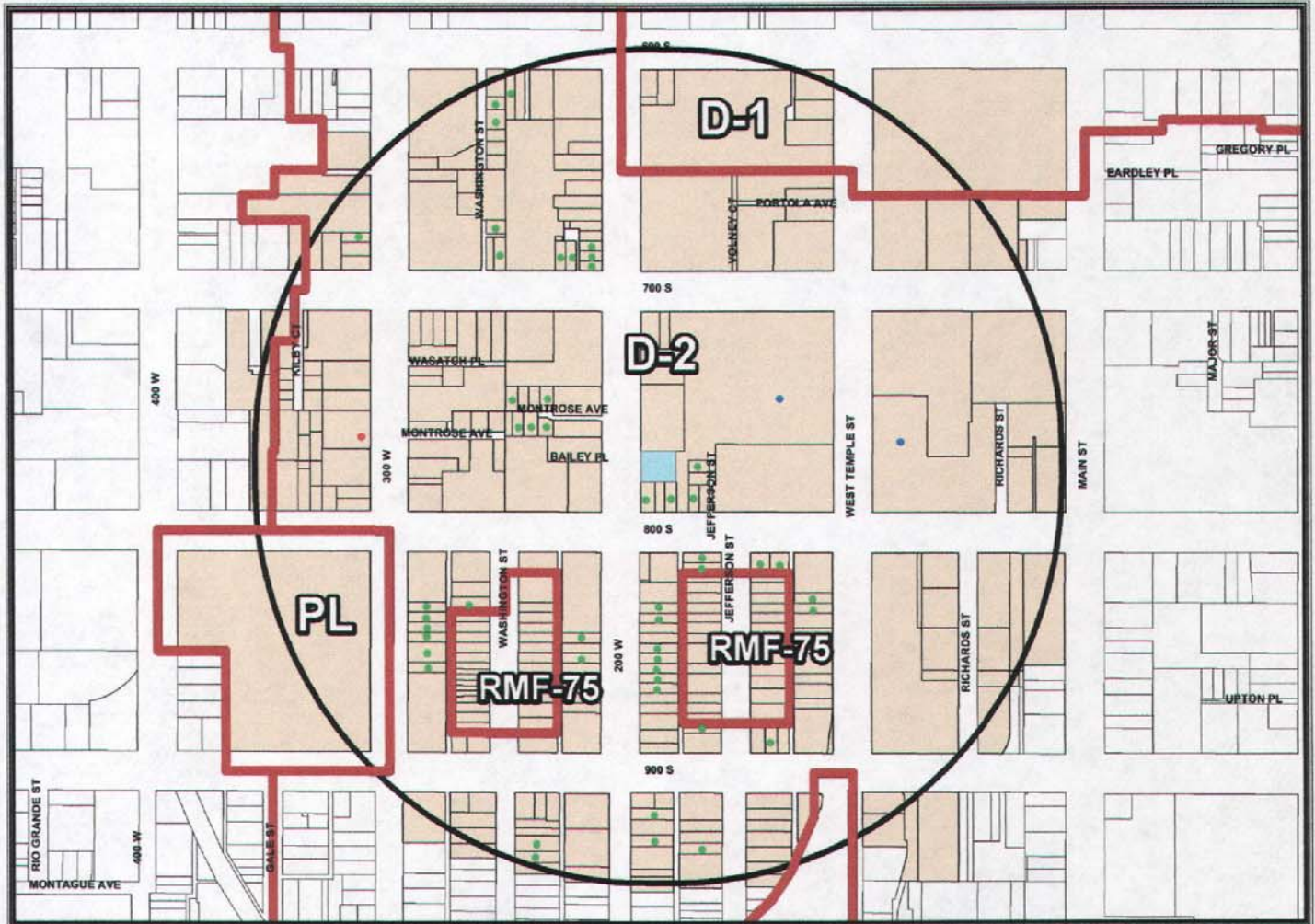
From: Smith, Craig
Sent: Friday, June 20, 2008 10:34 AM
To: Lewis, Marilyn
Cc: Weiler, Scott
Subject: 410-08-48

Marilynn-
I have reviewed petition 410-08-48, a request from mark miller to construct a car wash. Since they are not impacting the public way, Engineering has no concerns with this project.
Sincerely,
craig

6/20/2008

Attachment C

Half -Mile Use Map



- Conditional Uses in the D-2 District
- Residential Legal Conforming Uses
- Commercial/Office NonConforming Uses

- Subject Property
- 1320 Foot Buffer around the Subject Property
- Parcels that Intersect the 1320 Foot Buffer around the Subject Property



Attachment D

Photos



View along 200 West Street



Rear view of the proposed carwash from the parking lot east of the house at 176 West 800 South Street.



The house at 176 West 800 South has a commercial business to the west and the existing commercial structure (proposed carwash) to the north.



View north on Jefferson Street.



766 South Jefferson Street



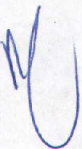
768 South Jefferson Street



Memorandum

Planning Division
Community & Economic Development Department

TO: Planning Commission

FROM: Marilyn Lewis, Principal Planner 

DATE: July 28, 2008

SUBJECT: Mark Miller Toyota Carwash Petition #410-08-48 Conditional Use for D-2. Item scheduled for the July 30, 2008 Hearing

BACKGROUND

On July 21, 2008 the applicant notified staff that they want to change the hours of operation for the proposed carwash from the originally stated 11:00 am - 5:00 pm to of 7:00 am - 9:00 pm. The applicant has stated that this change is requested to operate the carwash during the same hours of operation for the dealership.

As was stated in the staff report, a carwash can only be allowed by conditional use when located within 165 feet (including streets) of a residential use in the D-2 Zoning District. There are six (6) conditional use standards in the staff report that address impacts due to noise and the conditions that will be imposed to provide mitigation

REVISION TO ANALYSIS OF CONDITIONAL USE STANDARDS

2. B. iv. The hours of operation of the proposed use when compared with the hours of activity/operation of the surrounding uses and the potential of such hours of operation do not create noise, height, or other nuisances not acceptable to the enjoyment of existing surrounding uses or common to the surrounding uses.

Analysis: The use of the carwash is private and will only be used for auto sales business. The applicant has requested to operate the facility 7:00 am until 9:00 pm Monday through Friday.

Findings: There is the potential for noise as an impact to the residential uses in the early morning and evening hours. Therefore, mitigation is necessary.

2. E. Appropriate buffering such as landscaping, setbacks, and building location, is provided to protect adjacent land uses from light, noise and visual impacts

Analysis: The applicant is proposing a carwash which is allowed within the D-2 Zoning District. The existing structure is within 165 feet of existing residential uses. The adjacent residential uses are legal conforming in this zoning district. The single-family home at 166 West 800 South Street is approximately 47 feet from the existing commercial structure on the carwash

site. The southern wall of the existing commercial building is on the property line. Since the structure is remaining there will not be any new visual impacts due to the site. The applicant wants to operate the carwash between the hours of 7:00 am and 9:00 pm Monday through Saturday.

Finding: The applicant has purchased (178 West 800 South and 160 West 800 South) two of the homes on 800 South Street, and is talking to the property owner at 766 S. Jefferson Street (a lot which is and has been completely surrounded by parking lot for several years) about the purchase this lot. The new impact would be the sound from the automated washing equipment, which the applicant is proposing to operate from 7:00 am to 9:00 pm Monday-Saturday. The Permits Division reviewed the proposed project and did not identify any required buffering based on the original hours submitted (11:00 am and 5:00 pm Monday – Saturday). Therefore, the project will require mitigation to these longer hours of impact from noise.

3. B. Operating and delivery hours are compatible with adjacent land uses; and

Analysis: The hours of operation for the proposed carwash are 7:00 am to 9:00 pm Monday – Saturday. This is consistent with the hours of operation for adjacent commercial land uses. Salt Lake City Code Section 9.28.040 Commercial Power Equipment – restricts noisy commercial equipment between the hours of 9:00 pm and 7:00 am. However, the closest residential structure is 47 feet from the carwash.

Findings: Since the proposed hours of operation are compatible with adjacent permitted commercial uses, but incompatible with existing residential land uses within 50 feet and would operate through the evening hours. The hours of operation are therefore an impact to the existing residential uses and mitigation is required.

7. A. As part of their review, the Planning Commission may impose mitigating conditions on the proposed development.

Analysis: Some adverse impacts are anticipated due to the applicants proposed hours of operation 7:00 am to 9:00 pm Monday- Saturday. Planning staff has identified the following condition; a) a cross-access agreement must be recorded on the property between the two parcels (auto sales lot and carwash lot) until such time that the parcels are combined through the subdivision process. This must be coordinated with the Transportation Division; b) the operational hours of the carwash are Monday – Friday from 8:00 am – 7:00 pm and Saturday from 9:00 am – 9:00 pm as noise mitigation.

Finding: The required mitigation for the project satisfies this standard.

7. B. These conditions may include but are not limited to the following areas: landscaping; access; loading and parking areas; sanitation; drainage and utilities; architecture and signage; fencing and screening; setbacks; natural hazards; public safety; environmental impacts; hours and methods of operation; dust, fumes, smoke and odor; noise, vibrations; chemicals, toxins, pathogens, and gases; and heat, light, and radiation.

Analysis: No additional conditions to mitigate impacts other than those stated in 7.A (above) are required.

Finding: The project satisfies this standard.

7. C. The conditions which are imposed on a conditional use permit must be expressly attached to the permit and cannot be implied.

Analysis: The conditions of approval are specific. The applicant is aware that conditions can be imposed to mitigate adverse or potentially adverse impacts.

Finding: The project satisfies this standard

STAFF RECOMMENDATION

Based on the findings of fact identified in the staff report and on the revisions in this supplemental memorandum, staff recommends that the Planning Commission approve the conditional use with the following conditions:

1. A Cross-access agreement is recorded between the two parcels (auto sale lot and carwash lot) until such time that the parcels are combined through the subdivision process. This must be coordinated with the Transportation Division.
2. As mitigation for adverse impacts due to noise, the operational hours of the carwash Monday – Friday from 8:00 am – 7:00 pm and Saturday from 9:00 am – 9:00 pm as noise mitigation.

Lewis, Marilyn

From: James Kanno [jkanno@ffkr.com]
Sent: Monday, July 21, 2008 3:26 PM
To: Lewis, Marilyn
Subject: Mark Miller Carwash

Marilynn,

I found out from Mark that the hours of operation will be 7am to 9pm, to match the hours of the main dealership. This will need to be updated to the planning commission for them to review. If you have any questions, please let me know.

Thanks

James D Kanno, Assoc. AIA
FFKR Architects
office: 801-355-9330
mobile: 801-910-4610
jkanno@ffkr.com

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7/21/2008