PLANNING COMMISSION STAFF REPORT

Diamond Parking Entrance Conditional Use Amendment Petition No. PLNPCM2009-00203 1925 W & 1969 W North Temple Street July 8, 2009



Applicant: Chris Furstenau, Furst Construction, in behalf of Diamond Parking

Staff: Michael Maloy, (801) 535-7118, michael.maloy@slcgov.com

Tax ID: 08-34-353-018, and 08-34-353-029

<u>Current Zone</u>: CC Corridor Commercial District, BP Business Park District

Master Plan Designation:

Business/Commercial, Northwest Community Master Plan (Adopted April 1990)

Council District: 2, Van Turner

Lot Size: 19.83 ± acres (combined)

<u>Current Use</u>: Vacant Commercial Building, Commercial Parking Lot

Applicable Land Use Regulations:

- 21A.26.050 CC Corridor Commercial District
- 21A.32.030 BP Business Park District
- 21A.36 General Provisions
- 21A.48 Landscaping and Buffers
- 21A.54 Conditional Uses

Notification:

- Notice mailed on June 23, 2009
- Sign posted on June 25, 2009
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on June 23, 2009

Attachments:

- A. Site Plan and Building Elevations
- B. Property Photographs
- C. Department Comments
- D. Additional Applicant Information

Request

The applicant requests permission to amend and expand an existing conditional use permit for a commercial parking lot operated by Diamond Parking located at 1925 west North Temple Street. Specifically, the applicant proposes to relocate the primary vehicular entrance at from 1925 West North Temple Street to 1969 West North Temple Street. The Planning Commission has final authority to make a decision in this matter.

Staff Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore recommends the Planning Commission approve Petition PLNPCM2009-00203 with the following conditions:

- 1. All park strips within the public right-of-way shall be fully landscaped and planted with deciduous shade trees spaced no more than 30 feet apart on center in compliance with City standards and subject to approval by the Urban Forester.
- Unless otherwise modified by special exception or waiver as permitted by the Zoning Title, the proposed development shall comply with all applicable City regulations and development policies.
- 3. Petition shall be subject to compliance with all department comments contained within Attachment C Department Comments.

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Background

On April 9, 2008, the Salt Lake City Planning Commission voted to grant approval of a conditional use petition (number 410-07-31) for a new 18.59 acre commercial parking lot and storage facility located approximately at 1925 West North Temple Street. The original development proposal included approximately 1,024 parking stalls on 7.19 acres, 590 storage units on 4.16 acres, and 5.88 acres of landscaped open space.

On February 23, 2009, the applicant submitted a petition to amend and expand the prior conditional use petition in order to relocate the primary vehicular ingress and egress for the subject property from 1925 West North Temple Street to 1969 West North Temple Street (see Attachment A – Site Plan and Building Elevations). The 1.24 acre parcel located at 1969 West North Temple Street was only recently acquired by Diamond Parking and was not part of the prior conditional use.

The subject property is comprised of the following two parcels:

- Parcel number 15-03-101-025 is the site of the original development, which is located at 1925 West
 North Temple Street and contains 18.59 ± acres. The parcel also has two different zoning districts. The
 CC Corridor Commercial District extends the width of the property parallel to North Temple Street and
 is approximately 292 feet deep. The remainder of the property (or southern portion) is zoned BP
 Business Park District.
- Parcel number 08-34-353-029 is the site of the **new development**, which is located at 1969 West North Temple Street and contains 1.24 ± acres. The parcel is zoned CC Corridor Commercial District.

Whereas the proposed development is a conditional use in the CC Corridor Commercial District, and requires significant modification of the existing conditional use permit, the proposal requires Planning Commission approval.

Project Description

The purpose for the amendment is to ensure full vehicle movement into and out from the Diamond Parking property. Currently, vehicle ingress and egress for the subject property at 1925 West North Temple Street includes both left and right vehicle movements. However, the City has informed the applicant that future access to the subject property will be restricted to only right in and right out vehicle movements because of light rail construction and operation by the Utah Transit Authority (UTA) along the North Temple Street corridor (see Attachment B – Property Photographs).

To mitigate the future loss of full vehicle ingress and egress for the subject property, the applicant has acquired an adjacent parcel located at 1969 West North Temple Street, which is located directly south from an existing street intersection controlled by a three way traffic light. The applicant proposes to construct a new private driveway that is in-line with the existing intersection, and install a new four way signal for the intersection located at 1950 West and North Temple Street.

The proposal would require demolition of an existing commercial office building on the subject property located at 1969 West North Temple Street, and modification of the existing private driveway located at 1925 West North Temple Street. Specifically, the applicant would reduce the width of the existing drive approach and relocate the employee kiosk and gated entrance to the new parcel (see Attachment D – Additional Applicant Information)

Comments

Public Comments

The subject property is located within the required notification boundary for both the Jordan Meadow and Poplar Grove community council districts, staff conducted an open house meeting on April 16, 2009. During the meeting staff received one comment from an adjacent property owner concerned about future access to 1971 West North Temple Street, which property contains an existing public radio station (KRCL 90.9 FM).

City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment C. The Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

Project Review

- Development Review Team (DRT). The applicant attended a DRT meeting on January 12, 2009 to
 discuss the proposal prior to submittal of the petition. Representatives from Zoning, Transportation,
 Fire, Public Utilities and Engineering attended the meeting and provided cursory review comments on
 the proposal. No one in attendance opposed the proposal.
- Internal Project Review. Staff reviewed the proposal with Planning Division management and senior staff on March 12, 2009 to discuss applicable zoning regulations and processes.
- Revisions Made by Applicant. The current proposal has been modified from the original plan
 submitted by the applicant. Initially the applicant intended to consolidate the subject properties into one
 parcel; however City subdivision requirements negatively impacted the applicant's proposal. However,
 maintaining the parcels as separate lots required the applicant to revise the original submittal to address
 landscape buffer, building code and public utility regulations.

Analysis and Findings

Findings

21A.54.080 B. Specific Standards: A conditional use permit shall be approved unless the evidence presented shows that one (1) or more of the standards set forth in this subsection cannot be met. The Planning Commission, or, in the case of administrative conditional uses, the Planning Director or the Director's designee, may request additional information as may be reasonably needed to determine whether the standards of this subsection can be met.

- 1. Master Plan and Zoning Ordinance Compliance: The proposed conditional use shall be:
 - Consistent with any policy set forth in the City-Wide, Community, and Small Area Master plan
 and future land use map applicable to the site where the conditional use will be located, and
 - Allowed by the zone where the conditional use will be located or by another applicable provision
 of this title.

Finding: The City has identified the subject property as "Business/Commercial" on page four of the Northwest Community Master Plan, which plan was adopted by the City Council in April of 1990. The proposed land use is consistent with the Northwest Community Future Land Use Plan map and is not in conflict with any of the stated goals or policies of the Master Plan. Furthermore, the proposed use, a

commercial parking lot, is a conditional use within both the CC Corridor Commercial District and BP Business Park District.

- 2. Use Compatibility: The proposed conditional use shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the Planning Commission shall consider:
 - a. Whether the street or other means of access to the site where the proposed conditional use will be located will provide access to the site without materially degrading the service level on such street or any adjacent street;
 - b. Whether the type of use and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use, based on:
 - Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets;
 - Parking area locations and size, and whether parking plans are likely to encourage street side parking for the proposed use which will adversely impact the reasonable use of adjacent property;
 - iii. Hours of peak traffic to the proposed use and whether such traffic will unreasonably impair the use and enjoyment of adjacent property; and
 - Hours of operation of the proposed use as compared with the hours of activity/operation of other nearby uses and whether the use, during hours of operation, will be likely to create noise, light, or other nuisances that unreasonably impair the use and enjoyment of adjacent property;
 - Whether the internal circulation system of any development associated with the proposed use will be designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
 - d. Whether existing or proposed utility and public services will be adequate to support the proposed use at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;
 - e. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed use; and
 - f. Whether detrimental concentration of existing non-conforming or conditional uses substantially similar to the use proposed is likely to occur, based on an inventory of uses within one-quarter (1/4) mile of the exterior boundary of the subject property.

Finding: The commercial parking lot and storage facility will be continuously operated (i.e. 24 hours a day, seven days a week). With regard compatibility, staff has provided the following list of land uses that surround the subject property:

North: Transportation/Commercial (North Temple Street, Days Inn, various professional offices)

South: Commercial/Industrial/Transportation (construction management, manufacturing, I-80 westbound on-ramp from Redwood Road)

East: Commercial (Altivity Packaging, manufacturing, various offices)

West: Commercial/Transportation (Wells Fargo Bank, KRCL Radio station, various professional offices, I-215 northbound on-ramp from I-80)

Staff has considered the above factors and has determined that the proposed conditional use amendment will be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located.

- 3. **Design Compatibility:** The proposed conditional use shall be compatible with the character of the area where the use will be located with respect to:
 - a. Site design and location of parking lots, access ways, and delivery areas:
 - Whether the proposed use, or development associated with the use, will result in loss of privacy, objectionable views of large parking or storage areas; or views or sounds of loading and unloading areas; and
 - c. Intensity, size, and scale of development associated with the use as compared to development and uses in the surrounding area.
 - d. If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed-used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in Chapter 21A.59 of this title.

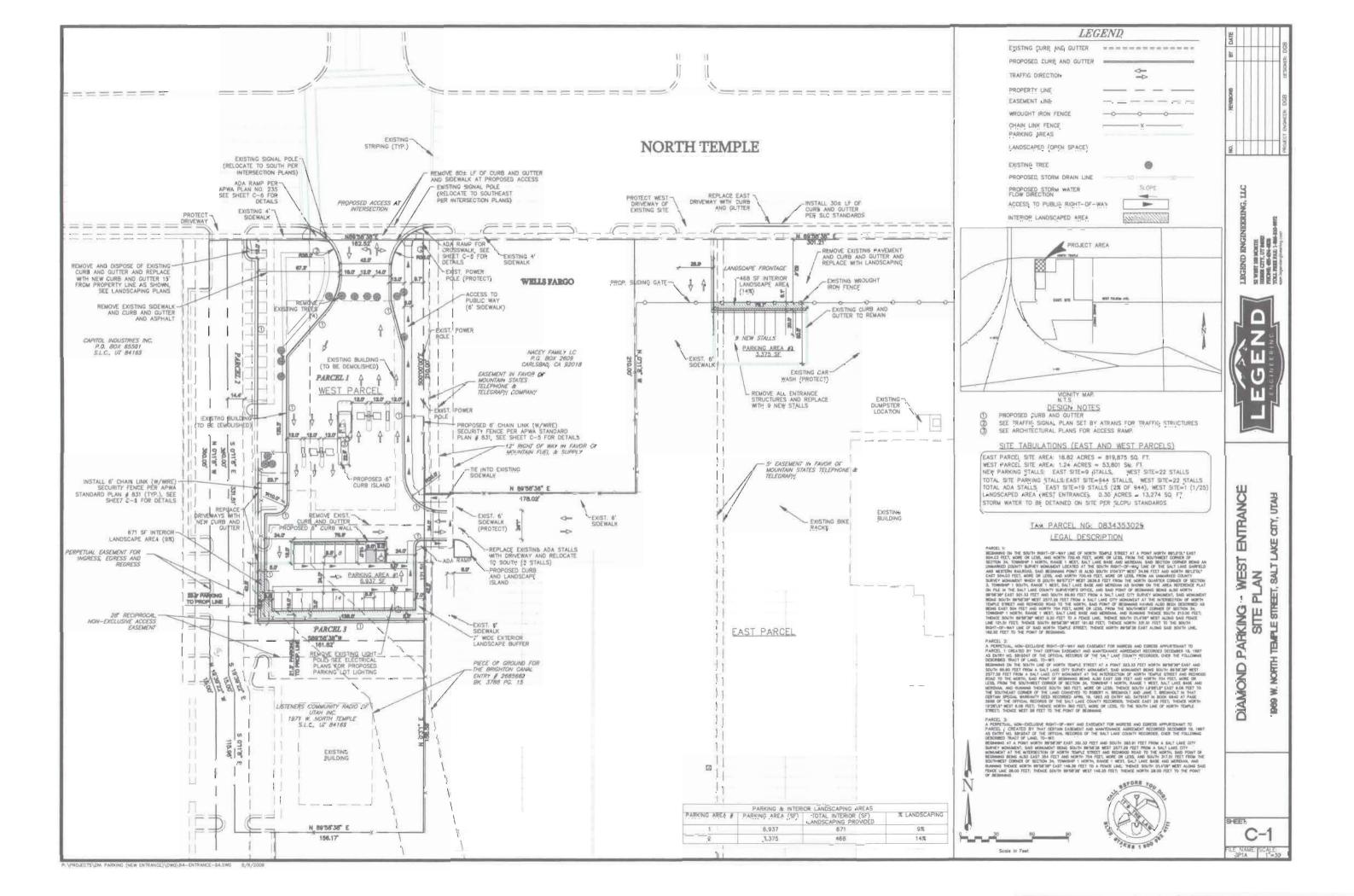
Finding: Staff has considered the above factors and has determined that the proposed conditional use will be compatible with the character of the area where the use will be located.

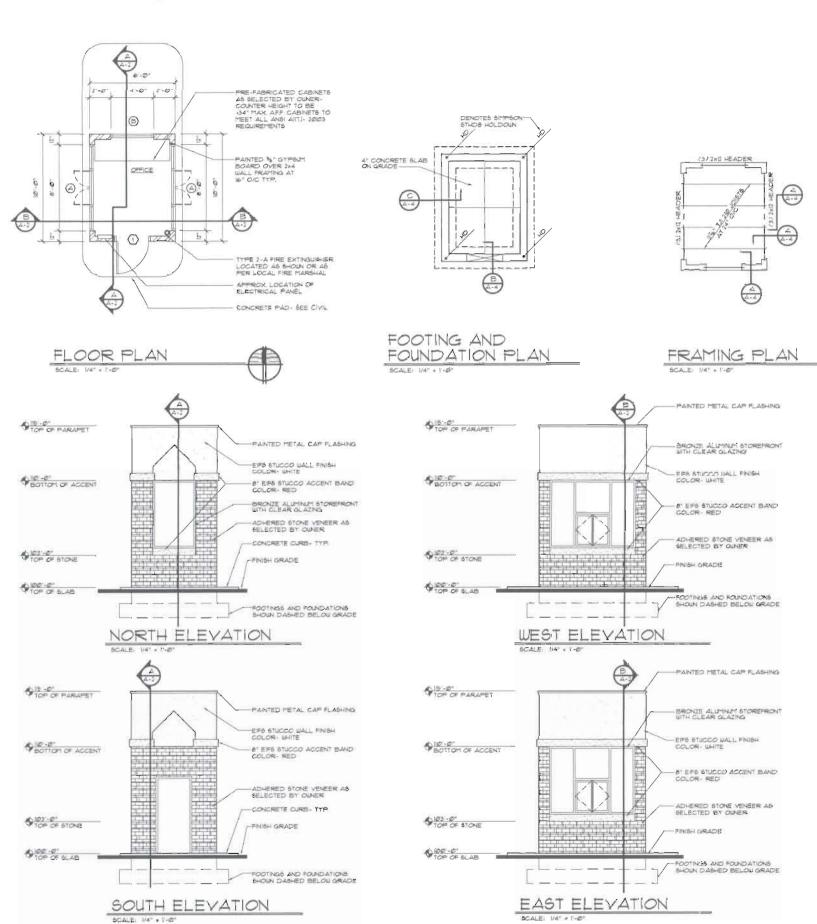
- 4. Detriment to Persons or Property: The proposed conditional use shall not, under the circumstances of the particular case and any conditions imposed, be detrimental to the health, safety, and general welfare of persons, nor be injurious to property and improvements in the community, existing surrounding uses, buildings, and structures. The proposed use shall:
 - a. Not emit any known pollutant into the ground or air that will detrimentally affect the subject property or any adjacent property;
 - b. Not encroach on any river or stream, or direct runoff into a river or stream;
 - Not introduce any hazard or potential for damage to an adjacent property that cannot be mitigated;
 - d. Be consistent with the type of existing uses surrounding the subject property; and
 - Improve the character of the area by encouraging reinvestment and upgrading of surrounding properties.

Finding: The proposed conditional use will not, under the circumstances of the particular case and any 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.

Compliance with Other Applicable Regulations: The proposed conditional use and any associated development shall comply with any other applicable code or ordinance requirement.

Finding: Approval of the requested conditional use amendment will be subject to meeting all applicable City departmental requirements. Final plans will be reviewed during the building permit process for compliance with all applicable City codes and ordinances. Subject to the recommendations contained within this staff report, staff finds the application is generally in compliance with all other applicable regulations.







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FOUNDATION PL

NO DATE DESCRIPTION

Property Photographs of 1925 and 1969 West North Temple Street



Southeast View of Existing Vehicle Access at 1925 West North Temple Street



Southward View of Existing Three Way Intersection Adjacent to 1969 West North Temple Street

Maloy, Michael

Transpertation

From:

Young, Kevin

Sent:

Thursday, March 12, 2009 2:47 PM

Cc:

Walsh, Barry; Maloy, Michael

CC.

Drummond, Randy, Weiler, Scott, Itchon, Edward; Garcia, Peggy; Butcher, Larry; Spencer,

John

Subject:

RE: PLNPCM2009-00203 Cond Use

Follow Up Flag: Flag Status:

Follow up Flagged

Categories:

Program/Policy

Michael.

I need to clarify that we are not asking for a traditional traffic impact study for the development of the Diamond Parking entrance at 1950 West North Temple. We are requiring that the design of the entrance take into consideration the future installation and operation of the North Temple TRAX line. The installation of the TRAX line will require the reduction and relocation of the travel lanes from where they exist today. This will have an effect on how the traffic signal is designed and operated, both before the TRAX line in installed and after. Projected vehicle counts for the different movements at this intersection and future layout of the TRAX line and road need to be included as part of the design and operation of the signal.

Kevin

Kevin J. Young, P.E. Transportation Planning Engineer 801-535-7108

From: Walsh, Barry

Sent: Thursday, March 12, 2009 1:34 PM

To: Maloy, Michael

Cc: Young, Kevin; Drummond, Randy; Weiler, Scott; Itchon, Edward; Garcia, Peggy; Butcher, Larry; Spencer, John

Subject: PLNPCM2009-00203 Cond Use

March 12, 2009

Michael Maloy, Planning

Re:

Petition PLNPCM2009-00203, Conditional Use for Diamond Parking Entrance at 1950 West North Temple "T"

intersection.

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

We have requested that the applicant present a "Traffic Impact Study" to address the current roadway characteristics and future Trax proposal in order to determine the appropriate signal phasing and therefore set guide lines to dictate the intersection geometrics design proposal.

The traffic study is to include, but not limited to the traffic counts for east west vehicle and trax function, the left turns – both, north and south legs, right turns, "U" turns, pedestrian movements, and north south thru movements. We also requested the drawings show any vehicular turning conflicts with various phasing patterns etc. in order to evaluate the final design proposal.

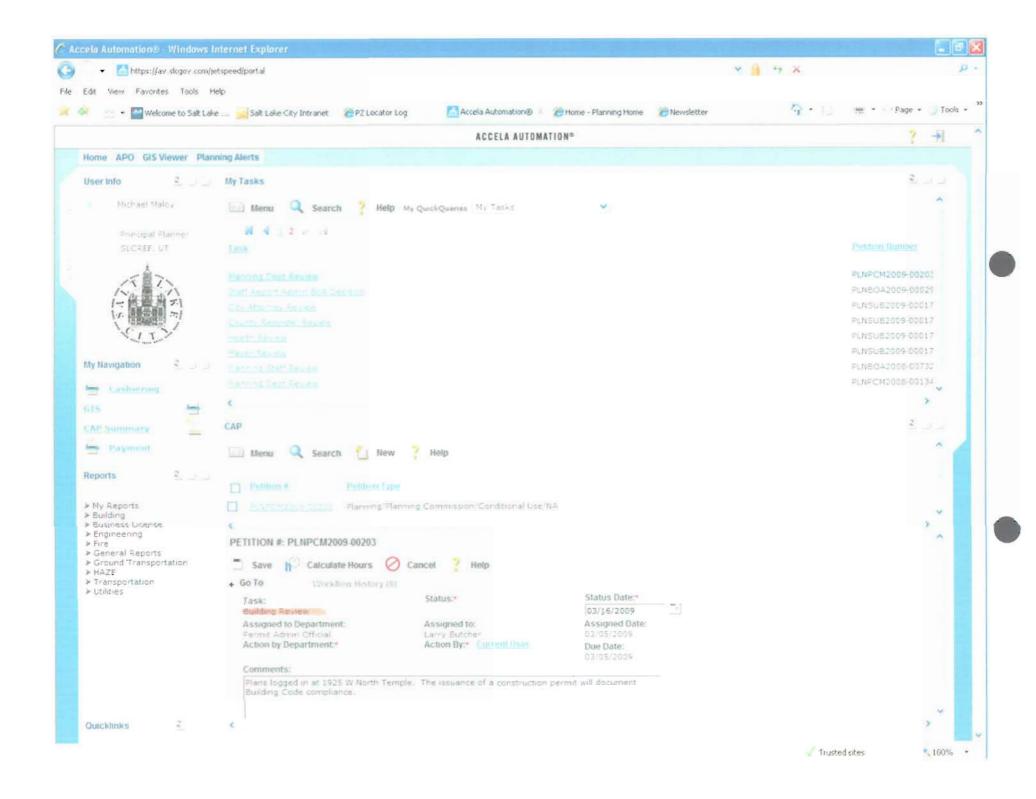
When the full intersection function is established for current design and future trax design, then the roadway alignment issue can be justified and the signal locations established. We ask that they coordinate with Engineering for future sidewalk and park strip design as they relate to the overall North Temple Grand Boulevard proposal as well.

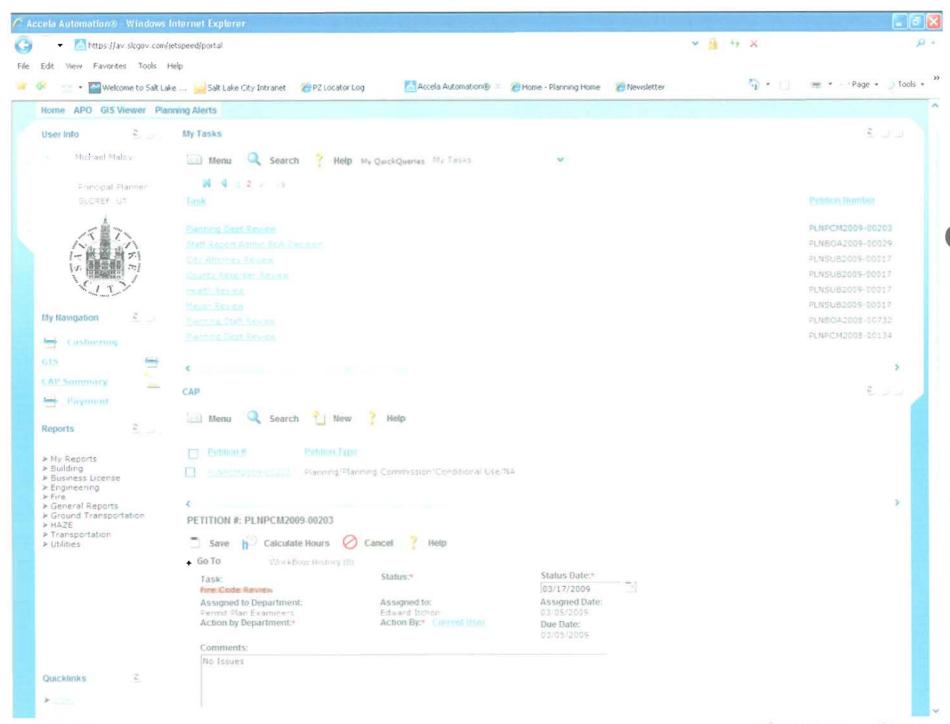
At this stage we have suggested only three lanes on the south leg (14', 12', 14'=40'), one lane in and two turn lanes out and require standard intersection curb returns of 34.5' TBC radii.

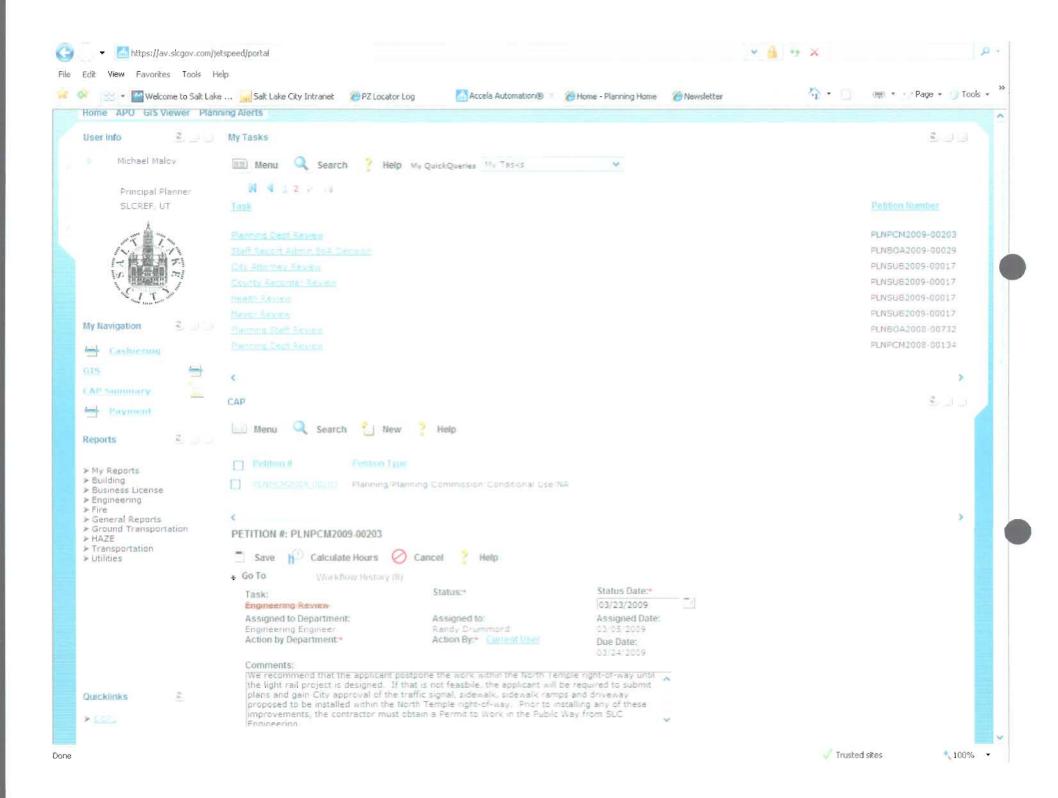
Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Randy Drummond, P.E.
Scott Weiler, P.E.
Ted Itchon, Fire
Peggy Garcia, Public Utilities
Larry Butcher, Permits
John Spencer, Property Management
Megan Deming, Planning
File.







Maloy, Michael

From: Brown, Ken

To: Tuesday, June 16, 2009 9:09 AM chris@furstconstruction.com
Maloy, Michael; Walsh, Barry

Subject: Diamond Parking Entrance 1969 W. North Temple - Log #09-01486

Categories: Other

SALT LAKE CITY BUILDING SERVICES AND LICENSING

Zoning Review Issues

Log Number: 09-01486 Date: June 16, 2009

Project Name. Diamond Parking Entrance

Project Address: 1969 W. North Temple St.

Contact Person: Chris Furstenau Telephone: 801-330-1968

Fax: 801-972-0390

E-Mail: chris@furstconstruction.com

Zoning District: CC / BP Reviewer: Ken Brown Phone #: 801-535-6179

Comments

A follow up zoning review of the above listed location has been completed and submitted to the Development Review Team (DRT) for their input. 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.

- The previous review indicated that because the 1969 W. North Temple building is being demolished to make way for a new parking entrance and attendant building, a new "Certified Address" was to be obtained from the Engineering Dept. I have not found an Address Certificate, issued by SLC Engineering Dept., in the file to document that this step has been taken. Please provide this documentation.
- 2) Because the most recent submittal now indicates that the properties will not be combined, and it is intended to use one set of plans to address permit issuance for two separate parcels, the plans will need to be adjusted to clearly indicate the address of each lot for use in obtaining permits and calling for inspections for each lot.
- 3) Because the most recent submittal now indicates that the properties will not be combined, cross access easement agreement recordings are required on each site and although a copy of a Declaration Of Easement has been submitted for the file, evidence of recording has not. Please

- provide the date, Book and Page Number or a "Received" stamp dated by the County Recorder's Office, for the file.
- 4) The previous review indicated that there where street dedication issues that needed to be worked out with the Transportation Dept. and today in our DRT meeting, it was pointed out that the street dedication width has not yet been determined, therefore it is unknown whether the public way improvements and front yard landscaping are appropriate as shown. Please contact Barry Walsh at 801-535-7102 to discuss this issue.
- 5) The previous review indicated that the Site Tabulations Tables needed to indicate the total number of parking stalls and number of ADA stalls required/provided. Although this information has now been provided for each separate site, the Electrical site plan is in conflict with this information. Please make appropriate adjustments.
- Public Utilities <u>approval</u> of the site drainage, plumbing plans, etc. to be submitted to <u>this office</u> for permit issuance.
- Any revised plans will also need to include any conditions of approval as outlined in Petition #PLNPCM2009-00203. It is my understanding that this proposal has not yet been heard by the Planning Commission.

Note: A separate demolition permit is required for the demolition of the existing building at 1969 W. North Temple.

Note: After the building permit is issued, a public way permit will be required from the Engineering Department prior to commencing any work in the public way.

FURST

phone fax

April 6, 2009

Ms. Woodhead Salt Lake City Planning Commission 451 South State Street Salt Lake City, Utah 84111

Dear: Ms. Woodhead:

Diamond Parking requests approval to amend the site plan for Conditional Use petition number 410-07-31, which was granted approval by the Planning Commission on April 9, 2008, for the property located at 1925 West North Temple.

The changes include relocating the primary entrance (1925 West North Temple) and kiosk to 1969 West North Temple. North Temple is currently under construction for a new TRAX line to the airport which will impede Diamond Parking's customers to make a left turn into the newly built property; therefore, the main reason for this development is so Diamond Parking customers can maintain left and right turn access from North Temple into their business property. The existing primary entrance (1925 West North Temple) will be utilized as a right in only for Diamond Parking's shuttles.

Thank you for your time and consideration.

Sincerely,

Chris Furstenau

Business Development



