# A1 Auto Parts Conditional Use Outdoor Auto Salvage and Recycling in M-1 PLNPCM2010-00188 <br> 5 South 5100 West <br> June 23, 2010 



Planning Division
Department of Community and
Economic Development

Applicant: Mike Vanikiotis
Staff: Katia Pace, 535-6354, katia.pace@slcgov.com

Tax ID: 07-36-452-001
Current Zone: M-1 Light Manufacturing District

## Master Plan Designation:

- Zoning Map - M-1
(Northwest Quadrant does not have an adopted master plan)


## Council District:

District 2, Van Turner
Community Council:
Poplar Grove, Mike Harman
Lot Size: 23.23 acres
Current Use: Vacant Lot
Applicable Land Use

## Regulations:

- 21A.54.080 Standards for Conditional Uses
- 21A.28.020 M-1 Light Manufacturing District


## Attachments:

A. Site Plan
B. Department Review
C. Photos

## Request

This is a request by Mike Vanikiotis for conditional use approval for an outdoor auto salvage and recycling business to operate on a property located at 5 South 5100 West. The subject property is located in the M-1 Light Manufacturing zoning district.

## Staff Recommendation

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

1. Include a 20 foot landscaped setback along the I-80 corridor as per Zoning Ordinance Section 21A.48.110.
2. An avigation easement will need to be recorded for the site.
3. An odor easement will need to be recorded for the site.
4. Approval from the Salt Lake Valley Health Department addressing environmental performance standards.
5. Public Utilities approval on issues pertaining to the water quality, site drainage and the Little Goggin Drain.
6. Compliance with all other City department requirements outlined in the staff report for this project.

## VICINITY MAP



## Background

## Project Description

The project site is a vacant lot located at 5 South 5100 West in the M-1 (Light Manufacturing) zoning district. The lot is 23.23 acres and it is located between Interstate 80 and the Salt Lake Garfield Western Railroad line and immediately north of the Tom Rich Subdivision.

The applicant, A-1 Auto Parts, desires to use the property for an automobile salvage and recycling facility. Automobile Salvage Recycling is defined in the Zoning Ordinance as "the dismantling of automobiles, including the collection and storage of parts for resale, and/or the storage of inoperative automobiles for future salvage or sale. Such activities may be conducted outdoors or within fully enclosed buildings."

According to the application, A-1 Auto has a facility similar to what is being proposed located in West Valley City. That facility operates on 10 acres of land with a 10,000 square foot warehouse. The yard is enclosed by an 8 foot privacy chain link fence and an average of 1,150 cars is stored on that property at any given time. On
the average A-1 Auto rotates 28 vehicles per week or about 1,500 vehicles per year. Currently, all fluids from vehicles are drained, stored in the appropriate EPA approved containers, and recycled.

A-1 Auto Parts estimates that they will have 7 to 10 employees on-site during the highest shift. It proposes to operate from 8 AM to 6 PM Monday through Saturday.

Surrounding uses include:

- North (M-1 Zoning District): Interstate 80, and hotels across from the freeway
- South (M-1 Zoning District): railroad track, Handy Trucking, Stock Building Supply, vacant land
- East (M-1 Zoning District): Interstate 80
- West (M-1 Zoning District): vacant land


## Issues with the parcel:

The subject parcel does not have direct frontage on a public street, and although it is not part of a subdivision, it is recognized by Salt Lake City as a legal existing lot. The special circumstances relating to this parcel are:

- The parcel was created by the Utah Department of Transportation, an entity of the State of Utah that is exempt from the subdivision requirements of Salt Lake City.
- 5100 West Street was dedicated as a public right-of-way through the subdivision approval and recording of the Tom Rich Industrial Park No. 1 Subdivision plat.
- A perpetual non-exclusive easement for roadway and utilities provides access to the subject parcel form the northern end of the public dedicated cul-de-sac on 5100 West.
- The Salt Lake City Attorney’s Office reviewed the roadway and utility easement noted above and confirmed that the easement was granted in perpetuity and provides sufficient rights of access to the subject parcel.


## Freeway landscape:

Along with the conditional use application, the applicant requested a waiver of the 20 foot landscaped setback along Interstate 80. The applicant's reason for the waiver was because the shape of the property is long and narrow, and because an 8 foot fence is proposed to screen the development.

According to Zoning Ordinance Section 21A.48.110 Freeway Scenic Landscape Setback, lots abutting federal interstate highways are required to provide a 20 ' landscaped setback along the full length of its frontage to the interstate highway. The purpose for the Freeway Scenic Landscape Setback is to enhance the visual appearance of Salt Lake City, reduce visual distractions to motorists and promote the general health, safety and welfare of Salt Lake City.

Zoning Ordinance Section 21A.48.110 (H) states that some or all of the requirements of this section may be waived by the zoning administrator if conformance with such will not benefit the visual appearance of the city or the general public welfare. Specifically, the zoning administrator may waive the requirement where property abuts interstate highway bridges and underpasses and where the change of grade/elevation would not allow for views of the scenic landscape setback.

Since the property is at the same grade as the freeway, the special circumstance for a waiver does not exist, and therefore a waiver for the freeway setback was not granted.

## Comments

## Public Comments

The Poplar Grove Community Council discussed the project at its May 26, 2010 meeting. At the meeting, the council demonstrated concern for a recycling land use along the freeway and how the City should be conscious of keeping the freeway corridor looking nice. Staff stated that the project would require a 20 foot landscaped setback because the property abuts Interstate 80.

## City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment B. The Planning Division has not received comments from the applicable City Departments / Divisions that warrant denial of this request.

## Analysis and Findings

## Options

- Approve the land use based on the conditions listed on this staff report.
- Approve the land use and change the conditions by adding conditions, deleting conditions, or both.
- Deny the project on the basis that the detrimental effects of the proposed land use cannot be substantially mitigated with reasonable conditions.


## Findings

21A.54.080 - Specific Standards: A conditional use 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 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:
a. 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

Finding: This property is located within the Northwest Quadrant. There is no adopted master plan for this area. Therefore the Zoning Ordinance is the guiding tool for this property. The Zoning Map identifies the property as light manufacturing. This use is consistent with the M-1 zoning district.
b. Allowed by the zone where the conditional use will be located or by another applicable provision of this title.

Finding: The purpose of the M-1 light manufacturing district is to "provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting." As a conditional use, required mitigation actions such as landscaped setbacks and buffering, berms, are expected. The proposed automobile salvage and recycling facility is a manufacturing use anticipated for the zoning classification of the site.
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;

Finding: This is a legal lot without street frontage. The only access to the subject parcel would require crossing a railroad line. A roadway easement was granted in perpetuity that provides sufficient rights of access to the subject parcel.
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:
i. 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;
ii. 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
iv. 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;

Finding: This development is located in an industrial neighborhood. 5100 West is an industrial road intended to serve the industrial uses. Parking will be provided according to the appropriate City requirements. The hours of operation will be equivalent to other uses in the area.
c. 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;

Finding: The applicant would like to have gravel surface for the storage areas. This can create additional debris on the road and dust. This will require a Special Exception that can be obtained through a Routine and Uncontested Matter if all the abutting property owners consent to it. The applicant will then be required to enter into an agreement/covenant with the City that if it becomes necessary for the City to clean the street of debris associated with the non hard surfaced lot, the owner will pay for the damages. Also, the off-site sidewalk on the east side of 5100 West northward will be extended to tie to the proposed sidewalk leading into this site.
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;

Finding: Issues pertaining to the water quality, site drainage and the Little Goggin Drain will need to be addressed with Public Utilities Department prior to permits being issued.
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

## Finding:

- Storage areas shall be screened by a solid wall or fence (including solid entrance and exit gates) not less than seven feet (7') nor more than ten feet (10') in height. The outdoor storage shall not be stacked higher than the enclosing wall or fence as per Zoning Ordinance Section 21A.28.010 (B).
- An avigation easement will need to be recorded for the site.
- An odor easement will need to be recorded for the site, because of a treatment facility close to the project.
- A minimum 20 foot wide freeway scenic landscape setback is required along the I-80 freeway frontage as per Zoning Ordinance Section 21A.48.110.
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: There are no similar conditional uses found within $1 / 4$ mile of the subject property. No detrimental concentration of similar uses was found.
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;

Finding: The majority of the property (23.23 acres) will be used for outdoor storage; the remainder of the property will be used for parking, an office (approximately 3,000 square feet) and an auto repair building (approximately 10,000 square feet.) The site design is compatible with the industrial character of the area.
b. 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

Finding: A proposed 8 foot high fence will be built enclosing the storage area. This fence will obstruct the view of the storage area. Also, a required 20 foot wide landscaped setback will be created along Interstate 80. This landscaped setback is intended to mitigate the visual impact along the freeway corridor. The parking lot will be buffered with perimeter landscaping reducing the visual impact normally associated with parking lots. Objectionable views will be mitigated.
c. Intensity, size, and scale of development associated with the use as compared to development and uses in the surrounding area.

Finding: Other surrounding properties are primarily storage type of land use. The proposed development and land use is compatible with the intensity, size and scale of other properties in the 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: According to Zoning Ordinance Section 21A.59.010, the intent of the Conditional Building and Site Design Review is "to help ensure that newly developed properties are designed to encourage pedestrian access, circulation and orientation while acknowledging the need for transit and automobile access." Since the request is for new construction of an industrial land use in an industrial neighborhood, the standards set for the design review are not applicable in this situation.
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;
c. 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
e. Improve the character of the area by encouraging reinvestment and upgrading of surrounding properties.

## Finding:

- The project must comply with the requirements of the Public Utilities Department related to discharging of fluids into the sewer system. Spills of automotive fluids must be cleaned up according to federal Environmental Protection Agency standards.
- All fluids from vehicles will be drained, stored in the appropriate EPA approved containers, and recycled prior to a vehicle being stored in the salvage yard.
- Approval from the Salt Lake Valley Health Department will be required to address environmental performance standards.
- Issues pertaining to the water quality, site drainage and the Little Goggin Drain will need to be addressed with Public Utilities Department prior to permits being issued.

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

Finding: All improvements to the site must be reviewed and receive proper permits from the City. Through these permitting reviews compliance with all applicable code and ordinance requirements will be confirmed.

## Notification

- Notice mailed 6/11/10
- Sign posted 6/11/10
- Posted to Planning Dept and Utah State Public Meeting websites 6/11/10


## Attachment A Site Plan



A-1 AUTO FACILITY
PREIRIMAM




## Attachment B

 Department Review
## Building Services

## MEMORANDUM

DATE: APRIL 27, 2010<br>TO: Katia Pace, Planning Division<br>FROM: Alan R. Michelsen, Building Services Division<br>SUBJECT: Petition \#PLNPCM2010-00188-Conditional Use for Outdoor Auto Salvage \& Recycling

The Building Services Division has conducted a zoning review of the proposal from A-1 Auto for conditional use approval of an outdoor automobile salvage and recycling facility. The Building Services Division has the following comments related to site development.

1) A subdivision is required to create the minimum 80 feet of street frontage required for development in the $\mathrm{M}-1$ zone.
2) All parking and maneuvering areas are required to be improved with hard-surfacing. Roads and vehicle equipment storage areas that are not hard surfaced may be approved with conditions as a Routine and Uncontested Matter.
3) Dependant on size—ground mounted utility boxes may require approval as a Routine and Uncontested Matter.
4) A minimum 15 feet landscaped front yard setback, parkway landscaping and parking lot landscaping are required as per 21A.48.090, 21A.48.060 and 21A.48.070
5) A minimum 20 feet wide freeway scenic landscape setback is required along the I-80 freeway frontage as per 21A.48.110.
6) Trash dumpsters and outdoor storage of auto bodies will need to be screened by a 7 to 10 feet high opaque (solid) fence or wall; however, no fence, wall or hedge shall be taller than 4 feet in the required 15 feet front yard setback.
7) Parking calculations are required and shall be documented on the site plan.
8) An avigation easement will need to be recorded for the site.
9) Prior to permit issuance Salt Lake Valley Health Department approval will be required to address with the environmental performance standards of 21A.36.180.
10) A certificate of address obtained from the Salt Lake City Engineering Division shall be submitted to the Building Services Division at the time of application for a building permit.
11) Please identify the purpose of the drive apron located in the freeway scenic landscape setback adjacent to I-80.

Alan R. Michelsen<br>Development Review Planner<br>Building Services \& Licensing<br>(801) 535-7142<br>Alan.michelsen@slcgov.com

## Transportation

| From: | Walsh, Barry |
| :--- | :--- |
| Sent: | Monday, April 26, $20105: 45$ PM |
| To: | Pace, Katia |
| Cc: | Young, Kevin; Weiler, Scott; Itchon, Edward; Garcia, Peggy; Butcher, Larry |
| Subject: | PLNPCM2010-00188 |
|  |  |
| Categories: | Other |

April 26, 2010
Katia Pace, Planning

Re: PLNPCM2010-00188 Conditional Use for an Outdoor Salvage and Recycling in the M-1 Light Manufacturing zone.

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

Per our DRT reviews this has been established as a legal lot with the access crossing the railroad track and having a 40 foot wide drive approach (APWA 215) from the end of the cul de sac on 5100 West.
The parking is shown with $9^{\prime} \times 18^{\prime}$ stalls, 12 required and 18 provided with two being ADA stalls. A bike rack is noted. Pleased indicate a detail reference per city standard F1.f2.
The sidewalk needs to be extended to provide an ADA accessible corridor from the Office building entrance to the Public sidewalk.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Scott Weiler, P.E.
Ted Itchon, Fire
Larry Butcher, Permits
Peggy Garcia, Public Utilities
File

# Engineering 

TO: KATIA PACE, ASSOCIATE PLANNER, PLANNING DIVISION

FROM: RANDY DRUMMOND, P.E., ENGINEERING

DATE: APR. 28, 2010
SUBJECT: PLNPCM2010-00188
A-1 Auto Outdoor Salvage - Conditional Use Application

## 5 South 5100 West

Engineering review comments are as follows:

1. This submission proposal is for a conditional use approval for a outdoor auto salvage and recycling business on a 23.23 acre parcel immediately north of the Tom Rich Subdivision, at approximately 5 South 5100 West. This parcel has previously been reviewed as a subdivision which would have eliminated the temporary turn-around at the north end of 5100 West. However, inasmuch as this proposal will create the need for the turn-around to become permanent, the applicant must acquire the dedication of the portions of the temporary turn-around which are not now dedicated. In addition, the applicant will need to extend offsite sidewalk on the east side of 5100 West northward to tie to the proposed sidewalk leading into his site.
2. A certified address must be obtained prior to obtaining a building permit.
3. The applicant must obtain all necessary and required approvals for the railway crossing. These approvals shall include, but not be limited to UDOT, and railway company approvals, in writing.

Thank you.
cc: Scott Weiler
Brad Stewart
Barry Walsh
George Ott
Vault

## Public Utilities

| From: | Stoker, Justin |
| :--- | :--- |
| Sent: | Monday, May 03, 2010 2:54 PM |
| To: | Pace, Katia |
| Cc: | Garcia, Peggy |
| Subject: | Conditional Use for an Outdoor Storage (PLNPCM2010-00188) |

## Categories: Other

We have no objection to the Conditional Use for this proposal, but a number of site plan issues pertaining to the water quality, site drainage and the Little Goggin Drain will need to be address prior to permits and construction.

Justin D. Stoker, PE, LEED ${ }^{\circledR}$ AP, CFM
Salt Lake City Public Utilities
1530 S. West Temple, SLC, UT 84115
ph. (801) 483-6786- justin.stoker@slcgov.com

## DRT notes

| Address: | 5105 West I-80 \& 10 South 5100 West |
| :--- | :--- |
| Project Name: | A-1 Auto Parts |
| Contact: | Jeremy Jensen 801 231-2487 jeremy@ipgsaltlake.com |
| Date Reviewed: | December 15, 2009 |
| Zone: | N/A |

## The Development Review Team (DRT) is designed to provide PRELIMINARY review to assist in the design of the complete site plan. A complete review of the site plan will take place upon submittal of the completed site plan to the Permits Counter.

## Project Description: New auto recycling company with outdoor storage.

## Ken Brown/Zoning:

It appears that development of this parcel will need to include going through the subdivision process to create the minimum $80^{\prime}$ of frontage on a public street. Will need to obtain a certified address for the building prior to submitting for a building permit. Outdoor salvage and recycling is a conditional use in this zone. An avigation easement will need to be recorded on the site. Trash dumpsters and outdoor storage of auto bodies shall be screened with a solid wall or fence $7^{\prime}$ to $10^{\prime}$ in height, however fences or walls greater than $4^{\prime}$ would not be allowed in the 15 ' front yard setback area. Proposal to provide parking calculations for each use. Proposal will need to conform with the environmental performance standars of 21A.36.180. Project needs to comply with the freeway landscaping requirements of 21 A .48 . Ground mounted utility boxes may need a special process for approval. Gave applicants a copy of the M-1 zoning requirement. Will need to review proposal with the fire code personnel.

## Barry Walsh/Transportation:

Private drive? Frontage? Sub status. Need paved surface for all manuevering, staging, and parking. Provide parking calculations with ADA \& $5 \%$ bike parking. Provide pedestrian access from public way.

## Brad Stewart/Public Utilities:

Odor easement. Protect water, sewer, and storm drainage easements. Detention, 3 elements: \% of region detention, pass through little goggin drain, $0.2 \mathrm{cfs} /$ acre maximum discharge. Need to identify lowest lot, and lowest finished floor elevations. Sand/oil separators for shop building. Will need industrial waste discharge permit. Storm-water pollution plan with NOI. BMP's for storm water quality. Cannot mobilize contaminants.

## Chris Norlem/Engineering:

At the time of application for approval, an inventory of the condition of the existing street and/or access-way improvements will occur. The condition of said improvements will be determined, and any sub-standard improvements (curb, gutter, sidewalk, asphalt paving, etc.) will be required to be either repaired or replaced as a condition of approval of the project. Certified address required prior to building permit issuance. See Alice Montoya 801 535-7248. Public Way Permit is required for project completion. Licensed, bonded and insured Contractor to obtain permit to install or repair required street improvements. Site plan required.

## DRT notes

Address: 5105 West I-80 Eastbound Freeway
Project Name: A-1 Auto
Contact:
Jeff Snelling 801 713-3000
Date Reviewed: March 11, 2010
Zone:
M-1

The Development Review Team (DRT) is designed to provide PRELIMINARY review to assist in the design of the complete site plan. A complete review of the site plan will take place upon submittal of the completed site plan to the Permits Counter.

## Project Description: Auto parting operation.

## Ken Brown/Zoning:

Reviewed previous DRT notes for December 15, 2009. Discussed freeway, front yard \& parking lot landscaping along with fencing requirements.

## Barry Walsh/Transportation:

Memo on Fite @ 80' frontage n/a \& legal lot status. Need parking calculations, show ADA, $5 \%$ bike, provide public sidewalk, and APWA 225 flare.

## Chris Norlem/Engineering:

Certified address required prior to building permit issuance. See Alice Montoya at 801-535-7248. Public Way Permit is required for project completion. Licensed, bonded and insured Contractor to obtain permit to install or repair required street improvements. (For deteriorated street improvements or new drive approaches only). Site plan required. Submit site plan to Engineering Permits Office @ 349 South 200 East.

## Attachment C Photos



View of the A-1 Auto Parts property from the cul-de-sac (5100 West)


View of the freeway from the A-1 Auto Parts property

