

PLANNING COMMISSION STAFF REPORT



Planning and Zoning Division
Department of Community and
Economic Development

Commercial Parking Lot Conditional Use PLNPCM2011-00726 1530 North 2200 West April 25, 2012

Applicant:

Primary Residential Mortgage
Gerald Gagnepain, Representative

Staff:

Thomas Irvin (801) 535-7932
Thomas.irvin@slcgov.com

Tax ID:

08-21-426-003-0000

Current Zone:

BP – Business Park

Master Plan Designation:

Northwest Jordan River/Airport:
Business Park

Council District:

District One Carlton Christensen

Community Council:

Westpointe- Erin Youngberg
(Chair)

Lot Size:

96,268 Square feet (2.21 Acres)

Current Use:

Vacant Land

Applicable Land Use

Regulations:

- Chapter 21A.54 Conditional Uses
- Chapter 21A.32.030 BP Business Park District

Attachments:

- A. Site Plan
- B. Planned Development Amendment Request
- B. Photographs
- C. Department Comments

Request

Primary Residential Mortgage, represented by Gerald Gagnepain, is requesting a Conditional Use to construct a commercial parking lot at 1530 North 2200 West. Commercial parking lots are listed as a Conditional Use in the Business Park (BP) zoning district. An Alternative Parking Requirement Special Exception is being submitted along with this request to allow this property to provide parking for a future financial institution that will be at 1480 North 2200 West, immediately south of this parcel. The Planning Commission has final decision making authority for Conditional Uses.

Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that the project adequately meets the applicable standards for a conditional use and therefore recommends that the Planning Commission approve the request with the following condition:

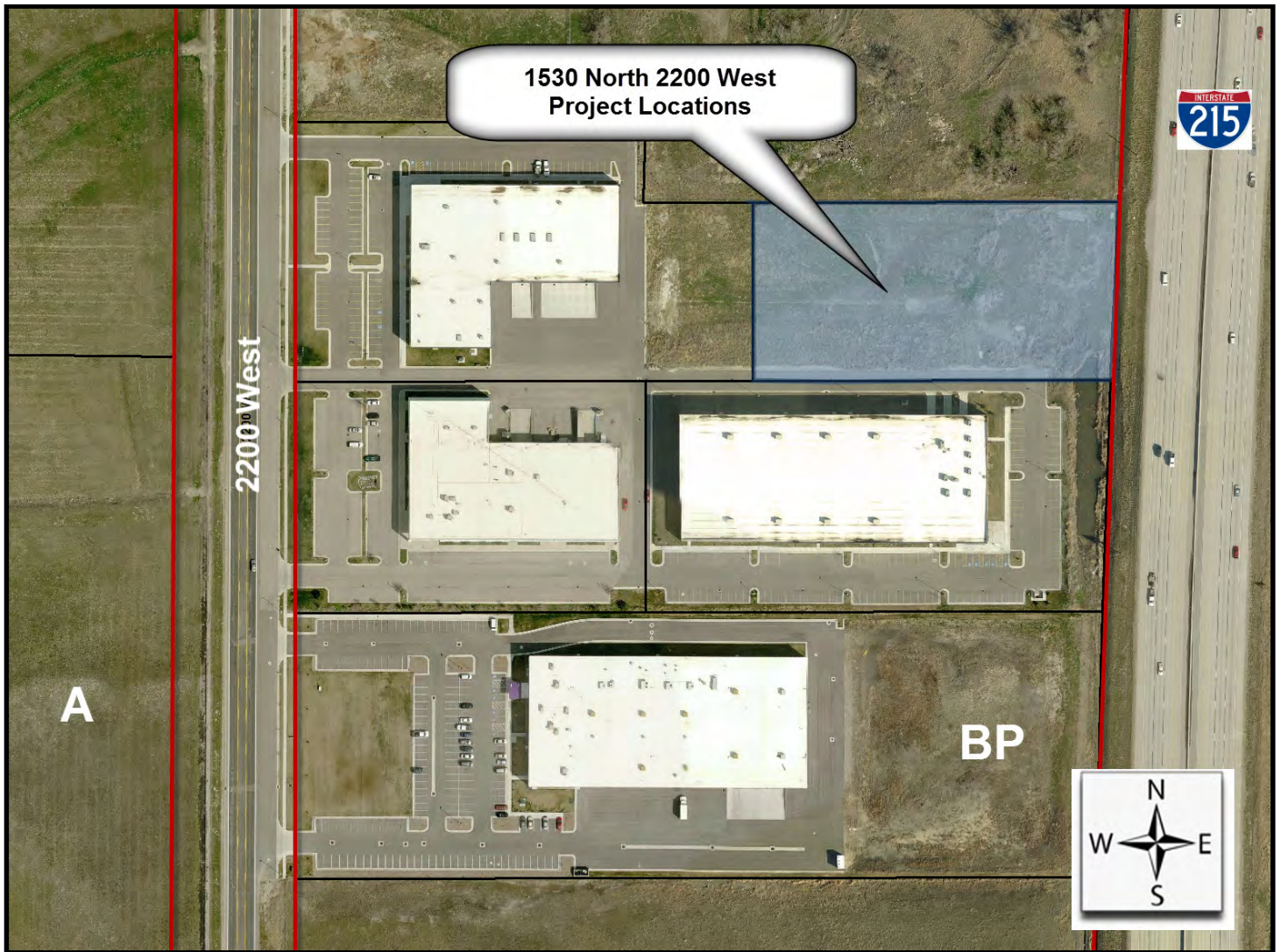
- 1- Modifications to the required detention basin must be reviewed and permitted by Public Utilities to show compliance with codes.

Recommended Motion

Based on the findings listed in the staff report and the testimony heard, I move that the Planning Commission approve the proposed conditional use with the following condition:

- 1- Modifications to the required detention basin must be reviewed and permitted by Public Utilities to show compliance with codes.

VICINITY MAP



BACKGROUND

Project Description

The subject property is an undeveloped lot located at 1530 North 2200 West within the BP (Business Park) zoning district. It is part of the West Point Business Center Planned Development which was approved in 2005. The applicant is proposing to construct a commercial parking lot in order to furnish contract overflow parking for a financial institution (call center and offices) located at 1480 North 2200 West. This Conditional Use request is being reviewed concurrently with a Special Exception to allow an Alternative Parking Requirement for the financial institution.

The property does not have street frontage, but an access easement and drive have been provided to allow vehicles access to 2200 West.

Project Details

Regulation	Zone Regulation	Proposal
Use	Commercial Parking Lots listed as a Conditional Use	Commercial Parking Lot
Density/Lot Coverage	30% Open Space	Contains 30% Open Space
Parking Lot Landscaping	-Interior: 5% -At least 7 feet in width from property line	Exceeds the Requirement
Freeway Scenic Landscape Setback	20 feet in width along interstate	53' 3" Landscaping and Detention

Public Notice, Meetings and Comments

The Conditional Use request for a Commercial Lot as well as the Alternate Parking Requirement for these properties was presented to the Westpointe Community Council on March 21, 2012. Residents asked questions about the hours of operation, number of future employees, and how soon before the opening. No comments were received concerning the proposed commercial lot. Community Council voted to approve both the Conditional Use and Alternate Parking Requirement.

Notice of the public hearings for the proposal include:

- Public hearing notice mailed on April 12th, 2012
- Sign posted on April 16th, 2012
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 12th, 2012

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.

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:

- 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
- b. Allowed by the zone where the conditional use will be located or by another applicable provision of this title.

Analysis: The Northwest Jordan River/Airport Master Plan designates land adjacent to the airport for airport related activities and other appropriate industrial uses. It suggests that development be managed through Planned Developments and other guidelines in order to control aesthetic elements. As part of an existing Planned Development, this property meets the requirement. The future land use map designates the property as Business Park which matches the current zoning. Commercial parking lots are listed as a conditional use in the Business Park zoning district.

Finding: The proposed commercial parking lot is consistent with the Northwest Jordan River/Airport Master Plan and requires conditional use approval in the zoning 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:
 - 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;
 - 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, non-motorized, 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.

Analysis: The property does not have street frontage. Vehicle access is provided through a 40 foot access easement on the south portion of the parcel and through the two properties that have access to 2200 West. The lot is anticipated to be used primarily between the hours of 5:00 am and 10:00 pm, Monday through Friday. 2200 West is designated as an arterial street in the Transportation Master Plan, and as such is intended to carry high traffic volumes at relatively high rates of speed.

Salt Lake City's zoning ordinance requires parking lots with 15 or more parking spaces meet specific landscaping requirements. These include; 5% interior landscaping, minimum landscape area sizes, specific tree and ground cover types/locations, and at least 7 feet of landscaping adjacent to property lines. The proposed site plan appears to meet all of these requirements.

Salt Lake City's zoning ordinance requires new developments adjacent to interstate highway right of way's meet specific landscaping requirements. 20 feet of landscaping is required along the length of frontage adjacent to the interstate. The proposal shows 53 feet of landscaping at this location.

This property and those located to the south and west are part of the West Point Planned Development, a business park with some light industrial/warehousing operations. Immediately north is undeveloped property. Interstate 215 borders this property to the east.

Finding: Staff finds that the proposed use is compatible with the surrounding neighborhood after consideration of the abutting streets and means of access, the anticipated traffic patterns or intensities, the internal circulation system, the buffering and anticipated impacts of the use, and the lack of other conditional uses within a ¼ mile of the subject property.

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;
- 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
- 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.

Analysis: This property is situated between the Salt Lake City Airport and Interstate 215. The existing uses along this corridor are compatible with the proposed commercial parking lot. No conflict amongst differing uses is anticipated.

Finding: Since large surface parking lots are commonly associated with business park operations, staff finds that the use will be compatible with the surrounding developments and character of the neighborhood.

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.

Analysis: The existing undeveloped lot has been left overgrown for many years. As it is adjacent to the freeway, trash tends to collect on the property. Developing the lot into a well maintained landscaped commercial parking lot will be a significant improvement. Additionally, the retention pond on the west side will be landscaped and maintained.

Finding: The Public Utilities Department is requiring that modifications to the required detention basin be reviewed and permitted by them in order to show compliance with applicable codes. This is listed as a condition of approval. The proposal meets these standards.

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

Analysis: The initial West Point Planned Development approved in 2005 with a condition that this property provide more than the standard 30% open space requirement in the BP zone. This was approved with the understanding that the net open space for all four parcels would remain. The current applicant has submitted an administrative revision that more equitably distributes the open space requirement amongst the properties. This has been approved by the Planning Director. This revision calls for 30% open space to be provided on this property.

Finding: With the revisions to the initial Planned Development, staff finds that the proposal meets this requirement.

Board/Commission Options

If this proposal is approved, the applicant will be allowed to seek a building permit to construct a commercial parking lot through the Building Services Department. Additionally, if the Special Exception to allow for an alternate parking requirement is concurrently approved, the applicant will be able to finalize the change of use to a financial institution at 1480 North 2200 West.

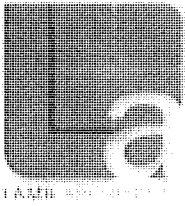
If this proposal is denied, the property will remain undeveloped and the applicant will need to either pursue other options to provide the necessary parking for the financial institution or seek an alternate location.

Potential Motions

The motion recommended by the Planning Division is located on the cover page of this staff report. The recommendation is based on the above analysis. Conditional uses are administrative items that are regulated by State Law as well as City Ordinance. State law *10-9a-507 Conditional Uses* states that “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. If the Planning Commission determines that this is the case, then the Planning Commission must make findings related to specific standards, identify the reasonably anticipated detrimental effects, and find that the detrimental effects cannot be reasonably mitigated.

EXHIBIT A: Site Plan

EXHIBIT B: Planned Development Amendment Request



1/27/12

Salt Lake City Planning Department
451 South State Street
Salt Lake City, UT 84111

Re: West Point Business Center – Phase II Revised
1480 and 1530 N 2200 West
Salt Lake City, Utah
Minor Site Amendment

To whom it may concern,

West Point Business Center was originally approved with required landscape areas distributed over 4 lots in a disproportionate manner. This was to allow Lot No. 1 of this project to reduce their required open space to facilitate their specific use. The balance of this deficiency was then loaded on Lot No. 3, making this parcel nearly unusable.

The original calculations also did not include the freeway frontage along the east end of Lot 2 since this area was reserved for retention. Currently this retention area is overgrown and unsightly. Since the Lot 2 and Lot 3 are owned by the same entity, we hereby propose to beautify (landscape) the freeway frontage on Lot 2 and include this area as part of the overall site landscape requirement in exchange for a reduction in the excessive open space requirement on Lot 3.

In beautifying the freeway frontage based on the City Salt Lake landscape guidelines, we would gain an additional 14,000 s.f. of landscape area on Lot 2 which would be offset by a reduction on Lot 3. Please see the chart below which indicates the current and proposed landscaped areas.

Lot	Site Area	Per PUD		L/S Proposed	%
		L/S Required	%		
1	125,600	21,352	17.00	21,352	17.00
2	164,515	49,941	30.36	61,511	37.39
3	98,796	41,211	41.71	29,641	30.00
4	169,045	55,941	33.09	55,941	33.09
Totals	557,956	168,445	30.19	168,445	30.19

We respectfully request that the PUD be amended to reflect the proposed landscape area revisions.

Sincerely,

Gerald J. Gagnepain AIA, CSI
Project Manager
Lamb Architects

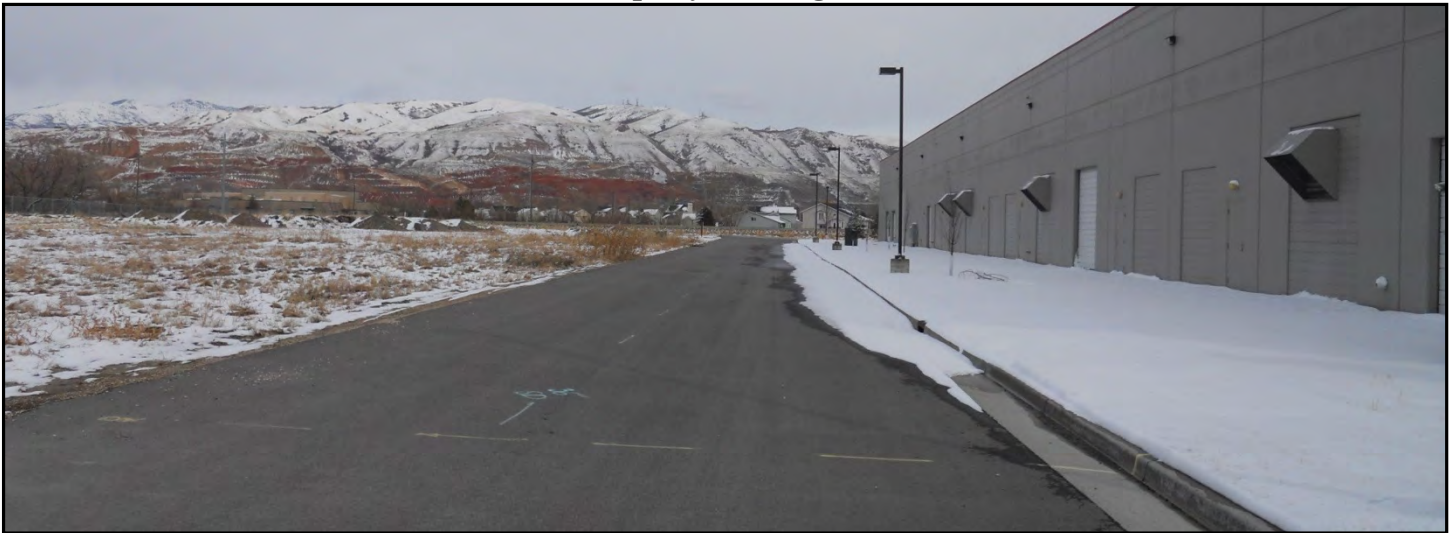
ggagnepain@lambarchitects.com

7114 E. Stetson Drive, Suite 350, Scottsdale, AZ 85251 480-994-5262

EXHIBIT C: Photographs



View of Property Looking Northeast



Right of Way on South of Property



Current Condition of Detention Basin

EXHIBIT D: Departmental Comments

Transportation: (Barry Walsh)

The past use proposal for lot 3 was for 39 stalls, and the new proposal is for 172 stalls, an increase of 133 stalls. The overall development proposal was for 388 stalls with three driveway access to 2200 West an arterial class roadway. The proposed revision will bring that total build out to 420 stall, well below the standard maximum of 600 vehicles per drive access. The final parking lot approval is subject to plan review in compliance with current city standards, fully dimensioned, with parking calculations noted and in compliance with ADA requirements. The plan submitted shows 170 stalls of which 6 are ADA designated. The written request notes 172 stalls.

Engineering: (Scott Weiler)

Lot 2 was developed a few years ago, requiring the developer, Dave Murdock, to sign a Subdivision Improvement Construction Agreement. The agreement covered some of the on-site paving required to access Lot 2 and 3 with fire trucks. I have released the developer's bonds for that project. Engineering has no objection to the proposed Conditional Use for Lot 3.

Public Utilities: (Justin D Stoker)

Any additional hard surface paving or modifications to the required detention basin must be reviewed and permitted by Public Utilities to show compliance with codes.

Fire: (Ted Itchon)

No Comments

Building Services: (Alan Hardman)

The original Landscape Plan from 2005 provided Planting Schedule Tables and Landscape Data for all four lots. I would recommend that they provide the same Tables and Data for the Modified Landscape Frontage Plan, showing that they comply with the requirements of the Freeway Scenic Landscape Setback section in 21A.48.110.

Department of Airports: (David Miller)

This address is in the Salt Lake City's airport influence zone "B" and is listed as a high noise impact zone. Salt Lake City requires an aviation easement for new development in this zone. The owner or developer should contact me at the address or email below, to complete the aviation easement if one does not already exist for this location. There is also a height restriction of approximately 155 feet. (It was later confirmed that an easement has already been recorded).