



# Staff Report

PLANNING DIVISION  
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission  
From: Michael Maloy, AICP, Senior Planner, (801) 535-7118 or micheal.maloy@slcgov.com  
Date: August 12, 2015  
Re: PLNPCM2015-00284 Camper Repairadise

## Conditional Use

**PROPERTY ADDRESS:** 269-275 S Glendale Street (1135 West)  
**PARCEL ID:** 15-02-177-009 & 15-02-177-010  
**MASTER PLAN:** Westside Master Plan (adopted December 3, 2014)  
**ZONING DISTRICT:** CN Neighborhood Commercial District

**REQUEST:** The petitioner, Kevin Dwyer, is requesting conditional use approval for a minor auto repair business located at approximately 269-275 S Glendale Street. As per Section 21A.33.030 Table of Permitted and Conditional Uses for Commercial Districts, a minor auto repair business in the CN Neighborhood Commercial District requires conditional use approval. The Planning Commission has final decision-making authority for conditional use petitions.

**RECOMMENDED MOTION:** Based on the information contained within the staff report, and public testimony received, I move the Planning Commission approve conditional use petition PLNPCM2015-00284 for a minor automobile repair business at 269-275 S Glendale Street with the following conditions:

1. Petitioner shall comply with applicable zoning, building, engineering, and licensing standards of the City.
2. Applicant shall submit a landscape plan to the City for review, permitting, and inspection prior to issuance of a business license.
3. Applicant shall submit a lighting plan to the City for review, permitting, and inspection prior to issuance of a business license.
4. Business shall not include the sale of recreational vehicles.
5. Petitioner shall comply with, or resolve, all comments contained within Attachment H – Department Comments.

**ATTACHMENTS:**

- A. Applicant Information
- B. Site Plan
- C. Administrative Interpretation
- D. Property Photographs
- E. Existing Conditions
- F. Analysis of Standards
- G. Public Process & Comments
- H. Department Comments
- I. Motions

**PROJECT DESCRIPTION:**

Kevin Dwyer, an attorney with Cohne, Rappaport & Segal, on behalf of Brandon Zinninger, member and manager of Camper Reparadise, submitted a conditional use petition to operate a “vehicle, automobile repair, minor” business at approximately 269-275 S Glendale Street (1135 West). The business, known as Camper Reparadise, renovates vintage camper trailers (see Attachment A – Applicant Information, and Attachment C – Property Photographs).

The subject property is comprised of two contiguous parcels:

Parcel Address	Parcel Identification	Parcel Area	Improvements
269 S Glendale Street	15-02-177-009-0000	0.26 of an acre	Commercial building and parking lot
275 S Glendale Street	15-02-177-010-0000	0.09 of an acre	Parking lot

Cow Casa LLC, which owns both parcels, has leased the property to Camper Reparadise. In support of the petition, the applicant provided a notarized statement from Cow Casa LLC that acknowledges and authorizes the conditional use petition (see Attachment A – Applicant Information).



The proposed business will occupy an existing building on the subject property. According to Salt Lake City records, the City issued a building permit on November 9, 1937, to “Birrell Bottling Co” to construct a building at 267-269 S Glendale Street. According to Salt Lake City’s geographic information system (GIS), 267 S Glendale is no longer a certified address; however, 269 and 275 S Glendale Street are certified addresses for the subject property.

According to the applicant, Birrell Bottling used the property as a “fleet maintenance shop” until 1976. Wernli Refrigeration, which is currently located across Glendale Street, purchased the property to “warehouse refrigerated fixtures” from 1976 to 2007. Bill Strader, owner of Advantage Window and Door, purchased the property in 2007 and used it as a warehouse and auto body shop until 2012. In 2012, Cow Casa LLC purchased the property for storage (see Attachment A – Applicant Information).

The subject property is located within the Poplar Grove neighborhood, which is part of the West Side Master Plan (WSMP). The WSMP provides the following neighborhood description:

The Westside Community is comprised of two neighborhoods: Glendale and Poplar Grove. Many

residents self-identify as residents of one or the other, but “Westside” is also a commonly used place name. Poplar Grove, the northern part of the study area, began developing before Glendale did, but for the most part, the neighborhoods share similar development histories. A traditional boundary between the two neighborhoods is the former Union Pacific railroad right-of-way, which was converted in 2012 into a bicycle and pedestrian trail called the 9 Line. This line, however, is seen by most residents as an administrative boundary only, one that demarcates the two community councils, but the actual boundary is not well defined. 400 South is also called Poplar Grove Boulevard and there is a Poplar Grove Park at Indiana Avenue and Emery Street (WSMP, page 13).

The subject property is located on the northeast corner of 300 South and Glendale Street, which is equivalent to 1135 West. The *Salt Lake City Transportation Master Plan* (SLCTMP), which was approved by the City Council on July 17, 2006, classifies both streets as “local streets.” According to the SLCTMP, “local streets provide direct access to and from abutting property. Local streets are usually one lane in each direction meant to carry traffic over short distances and at low speeds.”

The property encompasses approximately 15,246 square feet, or 0.35 of an acre. The single-story concrete block building contains approximately 4,700 square feet. The existing building has the following setbacks:

Yard	Current Setback	Minimum Setback	Compliant?
Front	58'-0"	15'-0"	Yes
Rear	6'-0"	10'-0"	No
Corner	43'-0"	15'-0"	Yes
Interior	0'-0"	0'-0"	Yes

In addition to the minimum yard requirements, the CN District includes the following maximum setback, which the existing building does not meet:

**21A.26.020.F.6 Maximum Setback:** A maximum setback is required for at least sixty five percent (65%) of the building facade. The maximum setback is twenty-five feet (25'). Exceptions to this requirement may be authorized through the conditional building and site design review process, subject to the requirements of chapter 21A.59 of this title, and the review and approval of the planning commission. The planning director, in consultation with the transportation director, may modify this requirement if the adjacent public sidewalk is substandard and the resulting modification to the setback results in a more efficient public sidewalk. The planning director may waive this requirement for any addition, expansion, or intensification, which increases the floor area or parking requirement by less than fifty percent (50%) if the planning director finds the following:

- a. The architecture of the addition is compatible with the architecture of the original structure or the surrounding architecture.
- b. The addition is not part of a series of incremental additions intended to subvert the intent of the ordinance.

Whereas the setbacks of the existing building do not comply with current zoning requirements, the Salt Lake City Zoning Administrator, Joel Paterson, classified the building as a “non-complying structure” which is defined by the following City Code:

**21A.62.040 Definitions of Terms**

**Noncomplying Structure:** Buildings and structures that serve complying land uses which were legally established on the effective date of any amendment to this title that makes the structure not comply with the applicable yard area, height and/or bulk regulations of this title.

Vehicular access to the subject property is from a single drive approach on Glendale Street, which is adjacent to the west property line. Adjacent to the east property line is a public alley that extends from 300 South to Pierpont Avenue, which is equivalent to 225 South. The proposed site plan includes 7 parking stalls, 1 of which will be accessible as required by the Americans with Disabilities Act (see Attachment B – Site Plan).

## KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Land Use Classification
2. Quantity of Bay Doors
3. Reuse of Noncomplying Structure
4. Landscaping
5. Lighting

### Issue 1 – Land Use Classification

On September 11, 2014, under the direction of Joel Paterson, Salt Lake City Zoning Administrator, the Planning Division conducted an Interpretation Review Team meeting and determined that the proposed use “is similar to Minor Auto Repair as long as they (Camper Repair) do not do body work.” Furthermore, the Zoning Administrator determined that the proposed business, “cannot sell the trailers on-site because this would classify them as Recreational Vehicle Sales and Service, which is not allowed in the CN District.” On September 24, 2014, Salt Lake City Planning Division Manager, Nick Norris, published An “Administrative Interpretation Letter” that memorialized this decision (see Attachment D – Administrative Interpretation).

### Issue 2 – Quantity of Bay Doors

Anika Stonick, Salt Lake City Development Review Planner II, conducted a zoning review on the application and referenced the following definition:

#### **21A.62.040: Definitions of Terms**

**Vehicle, Automotive Repair, Minor:** A use engaged in the repair of automobiles involving the use of three (3) or fewer mechanics' service bays, where all repairs are performed within an enclosed building, and where not more than ten (10) automobiles, plus one automobile per employee, are parked on site at any one time including, but not limited to, those permitted as gas stations. Auto body repairs and drive train repair are excluded from this definition.

Consistent with the definition, Ms. Stonick recommended that the applicant reduce the number of bay doors on the existing building from five to three. In response, the applicant stated that only three bay are currently serviceable and that the business will comply with the regulation.

### Issue 3 – Reuse of Noncomplying Structure

The applicant does not intend to enlarge the existing building, but to renovate, repair, or modify the building required by City Code. As a legal “noncomplying structure” the property is regulated—and protected—by the following applicable sections of the Zoning Title:

#### **21A.38.010 Purpose Statement and Intent**

A.2: Noncomplying structures and improvements include legally constructed principal and accessory buildings, structures and property improvements, that do not comply with the applicable bulk and/or yard area regulations and design standards of this title such as setbacks and parking in the zoning districts in which the buildings or structures are located.

**21A.38.050: Noncomplying Structures:** No noncomplying structure may be moved, enlarged or altered, except in the manner provided in this section or unless required by law. Modifications to a noncomplying structure that is subject to the historic preservation overlay district requirements shall also meet the applicable supplemental regulations and standards of section 21A.34.020, "H Historic Preservation Overlay District", of this title.

A. **Repair, Maintenance or Alterations:** Any noncomplying structure may be repaired, maintained or altered, except that no such repair, maintenance or alteration shall either

create any new noncompliance or increase the degree of the existing noncompliance of all or any part of such structure. For purposes of this subsection, the addition of a solar energy device to a building is not a structural alteration. Small solar energy collection systems are subject to section 21A.40.190 of this title.

- B. **Enlargement:** A noncomplying structure may be enlarged if such enlargement and its location comply with the standards of the zoning district in which it is located. Horizontal in line additions or extensions to existing noncomplying building portions are considered not creating a new nonconformance and are subject to special exception standards and approval of subsection 21A.52.030A15 of this title. Vertical in line additions or extensions to existing noncomplying building portions are considered creating a new nonconformance and are not permitted.
- C. **Determination of Noncomplying Structure Status:** The zoning administrator shall determine the noncomplying structure status of properties pursuant to the provisions of this chapter.

**21A.38.020: Authority to Continue:** Except as provided in this chapter, a nonconforming use, noncomplying structure, noncomplying lot or legal conforming dwelling may continue unaffected by any change in ownership.

Whereas the proposal is compliant with the aforementioned regulations, staff recommends that reuse of the noncomplying structure with a conforming use—if approved by the Planning Commission—is appropriate.

#### **Issue 4 – Landscaping**

The subject property contains areas for landscaping—including abutting park strips. However, the existing landscaping has not been properly maintained and may lack irrigation. Regarding landscaping, the *West Side Master Plan* contains the following applicable statement:

**New Development.** New residential and commercial development that is adjacent to established single-family neighborhoods should be buffered with landscaping and side or rear yard setbacks based upon the distance between the proposed building and the existing buildings (WSMP, page 34).

In addition to the above statement, the Zoning Title provides the following purpose statement for landscaping:

**21A.48.010 Purpose Statement:** The landscaping and buffering requirements specified in this chapter are intended to foster aesthetically pleasing development which will protect and preserve the appearance, character, health, safety and welfare of the community. These regulations are intended to increase the compatibility of adjacent uses and, in doing so, minimize the harmful impacts of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions, and other objectionable activities or impacts conducted or created by an adjoining or nearby use, thereby fostering compatibility among different land uses. These regulations are also intended to preserve, enhance and expand the urban forest and promote the prudent use of water and energy resources.

Although the proposal is not a “new development”, it is a new use adjacent to an established single-family neighborhood. Therefore, in order to achieve the objectives of the *West Side Master Plan* and comply with the purpose statement of Chapter 21A.48 of the Zoning Title, which is entitled Landscaping and Buffers, staff recommends the applicant prepare and submit a landscaping plan as a condition of approval.

#### **Issue 5 – Lighting**

City Code 21A.26.020.J entitled “Parking Lot or Structure Lighting” states, “If a parking lot (or parking) structure is adjacent to a residential zoning district or land use, the poles for the parking lot (or) structure security lighting are limited to sixteen feet (16’) in height and the globe must be shielded

to minimize light encroachment onto adjacent residential properties. Lightproof fencing is required adjacent to residential properties.” The existing lighting does not appear to comply with current lighting standards and may need modification.

## **DISCUSSION:**

Approval of the petition will allow reuse of an existing noncomplying structure within a CN Neighborhood Commercial District. Reuse of existing structures—even noncomplying structures—is consistent with the following preservation and sustainability objectives, which have been adopted by the City Council:

Reusing sound older buildings is much more sustainable than abandoning them or demolishing them (*Community Preservation Plan*, page VI-3).

In the words of Richard Moe, the former president of the National Trust for Historic Preservation, “The bottom line is that the greenest building is the one that already exists.” In other words, one of the most environmentally friendly development practices is the decision to repair and reuse an existing building, rather than replace it” *Community Preservation Plan*, page VI-3).

To illustrate this issue, according to an embodied energy<sup>1</sup> calculator available at [www.thegreenestbuilding.org](http://www.thegreenestbuilding.org), the embodied energy for a 4,700 square foot “garage” is approximately 3,619,000 BTU<sup>2</sup> (British thermal unit)—which is equivalent to 31,470 gallons of gasoline. And the amount energy needed to raze, load, and haul away construction materials for the subject property is approximately 7,285,000 MBTU—which is approximately twice the amount of embodied energy contained within the existing building.

## **NEXT STEPS:**

If the Planning Commission approves the petition, the applicant will be required to (1) comply with any conditions approved by the Planning Commission, (2) obtain a building permit for any required improvements to the subject property, and (3) obtain a Salt Lake City Business License.

If the Planning Commission denies the petition, the applicant would not have City approval to do what is proposed.

Regardless of the outcome, the applicant may appeal any decision of the Planning Commission to the Salt Lake Appeals Hearing Officer as permitted within the following City Code:

**21A.16.020: Parties Entitled to Appeal:** An applicant or any other person or entity adversely affected by a decision administering or interpreting this title may appeal to the appeals hearing officer. (Ord. 31-12, 2012)

**21A.16.030: Procedure:** Appeals of administrative decisions by the zoning administrator, historic landmark commission or planning commission to the appeals hearing officer shall be taken in accordance with the following procedures:

**A. Filing of Appeal:** *An appeal shall be made in writing within ten (10) days of the administrative decision by the zoning administrator, historic landmark commission or planning commission and shall be filed with the zoning administrator. The appeal shall specify the decision appealed, the alleged error made in connection with the decision being*

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<sup>1</sup> Embodied energy is the total energy spent in the production of a building, from the manufacture of materials to their delivery to construction.

<sup>2</sup> The British thermal unit (BTU) is a traditional unit of energy equal to about 1,055 joules. It is the amount of energy needed to cool or heat one pound of water by one degree Fahrenheit.

appealed, and the reasons the appellant claims the decision to be in error, including every theory of relief that can be presented in district court (*italics added for emphasis*).

- B. Fees:** The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by chapter 21A.10 of this title.
- C. Stay of Proceedings:** An appeal to the appeals hearing officer shall stay all further proceedings concerning the matter about which the appealed order, requirement, decision, determination, or interpretation was made unless the zoning administrator certifies in writing to the appeals hearing officer, after the appeal has been filed, that a stay would, in the zoning administrator's opinion, be against the best interest of the city.

# **ATTACHMENT A: APPLICANT INFORMATION**



## Camper Reparadise, LLC, 269 S. Glendale, Conditional Use Application Submittal Requirements

1. Conditional Use applicant Camper Reparadise, LLC, by and through counsel, requests permission to use the 269 S. Glendale property for "Vehicle, Automobile Repair, Minor" as designated and defined in the City's municipal code. Camper Reparadise has entered into a lease agreement with Cow casa, LLC for the 269 S. Glendale property and desires to conduct its vintage camper restoration business on the property, zoned CN. Although classified as "Vehicle, Automobile Repair, Minor" in the City's administrative interpretation PLNZAD2014-00584, Camper Reparadise operations are largely of a cabinet making and upholstery nature.

The subject property is comprised of two tax parcels, 15-02-117-009 and 15-02-117-010, enclosed together by fencing and totaling .35 acres (roughly 132 ft. X 113 ft.). Previously the property had been used as warehouse and garage space for Birrell Bottling Co. In 1976, the property was purchased by Wernli refrigeration, now located immediately west, across the street from the subject property, and used as a warehouse. In 2007, 269 S. Glendale was purchased by Bill Strader and the property used as a warehouse (Advantage Window Co.) and auto body shop. In 2012, the property was purchased by Cow Casa, LLC, since which time it has been used as a warehouse.

Camper Reparadise's operations consist of restoring vintage travel trailers by rebuilding the interiors and cabinetry. Located in the eastern 60% of the building, trailers are partially or fully gutted, prepped and restored with new cabinets and upholstery. The eastern 40% of the building serves as bathroom, office space, materials/tool storage and shipping and receiving. The adjacent lot, south of the building, serves as a holding zone for campers waiting to be restored, the entirety of which is about three weeks. Customer visits are infrequent, averaging less than three per week, and outside contractors (mechanical, electrical, insulation) visit the site approximately one day per week.

2. Operating hours are 9am-5pm.  
Property is on a corner with street faces to the south and west, a residence to the north and an alley to the east. Further east of the alley is another residence. Across the streets are a school, the Jordan River Parkway and Wernli Refrigeration.  
No more than 4 employees, including the owner will be working at the highest shift.  
Seating is not applicable.  
The project has been discussed extensively with the neighbors and presented at a Poplar Grove Community Council meeting (see attached minutes). Wernli Refrigeration presently parks vehicles on the northwest corner of the lot and would continue to do so.
3. This is a use permitting issue only. There are no changes to the building, lot or access. See aerial photo attached.
4. This is a use permitting issue only. There are no changes to the building, lot or access.
5. This is a use permitting issue only. There are no changes to the 4700 sq. ft. building of concrete block and bow string truss construction, the lot or access.

Lease and Use Acknowledgement


Date: 04/27/15

To: Salt Lake City Planning and Zoning

WHEREAS, Cow Casa, LLC, has entered into a lease agreement with Camper Reparadise, LLC; and

WHEREAS, Cow Casa, LLC acknowledges that Camper Reparadise, LLC restores vintage travel trailers.

Cow Casa, LLC recognizes and supports Camper Reparadise, LLC's application to Salt Lake City for a conditional use permit authorizing the 269 S. Glendale property for use as "Vehicle, Automobile Repair-Minor." Cow Casa, LLC authorizes Camper Reparadise, LLC, through its attorney, Kevin P. Dwyer, to pursue such use for the property.

  
\_\_\_\_\_  
Jon Foster  
Member, Cow Casa, LLC  
jon@icow.tv

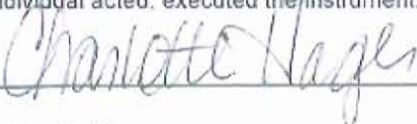
STATE OF UTAH)

) ss.:

COUNTY OF SALT LAKE)

On the 27<sup>th</sup> day of April in the year 2015, before me, the above signer,

Jon Foster personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 4/28/15





# WERNLI INC.

REFRIGERATION

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Fax (801) 322-0085

[www.wernliusa.com](http://www.wernliusa.com)

E-mail: [office@wernliusa.com](mailto:office@wernliusa.com)

Dec 3, 2013

TO WHOM IT MAY CONCERN:

This letter is to briefly describe the usage of the building at 269 So Glendale St.

SLC, Utah. Also to give an approx. time-line for that usage to the best of our knowledge.

Prior to 1976	Owned by Birrell Bottling Co. Used as a fleet maintenance shop.
1976 to 2007	Owned by Wernli Inc Used as a warehouse for refrigerated fixtures.
2007 to 2012	Owned by Bill Strader – aka Advantage Window Co. Used as warehouse for approx. 3 years Used as auto body shop for approx. 2 years
2012 to present	Owned by Impatient Cow LLC Used as storage and trailer repair shop.

Respectfully

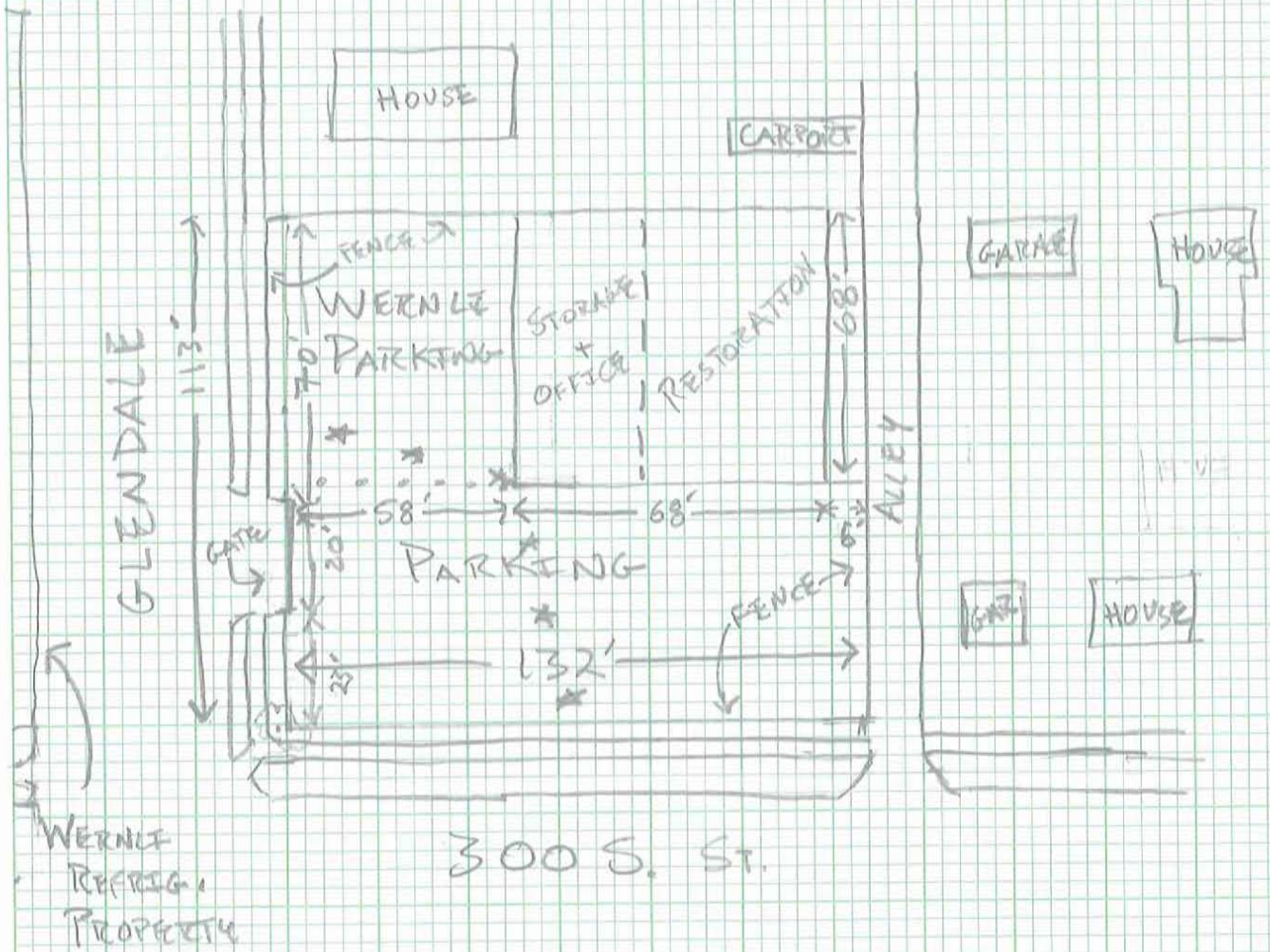
WERNLI INC.

# **ATTACHMENT B: SITE PLAN**

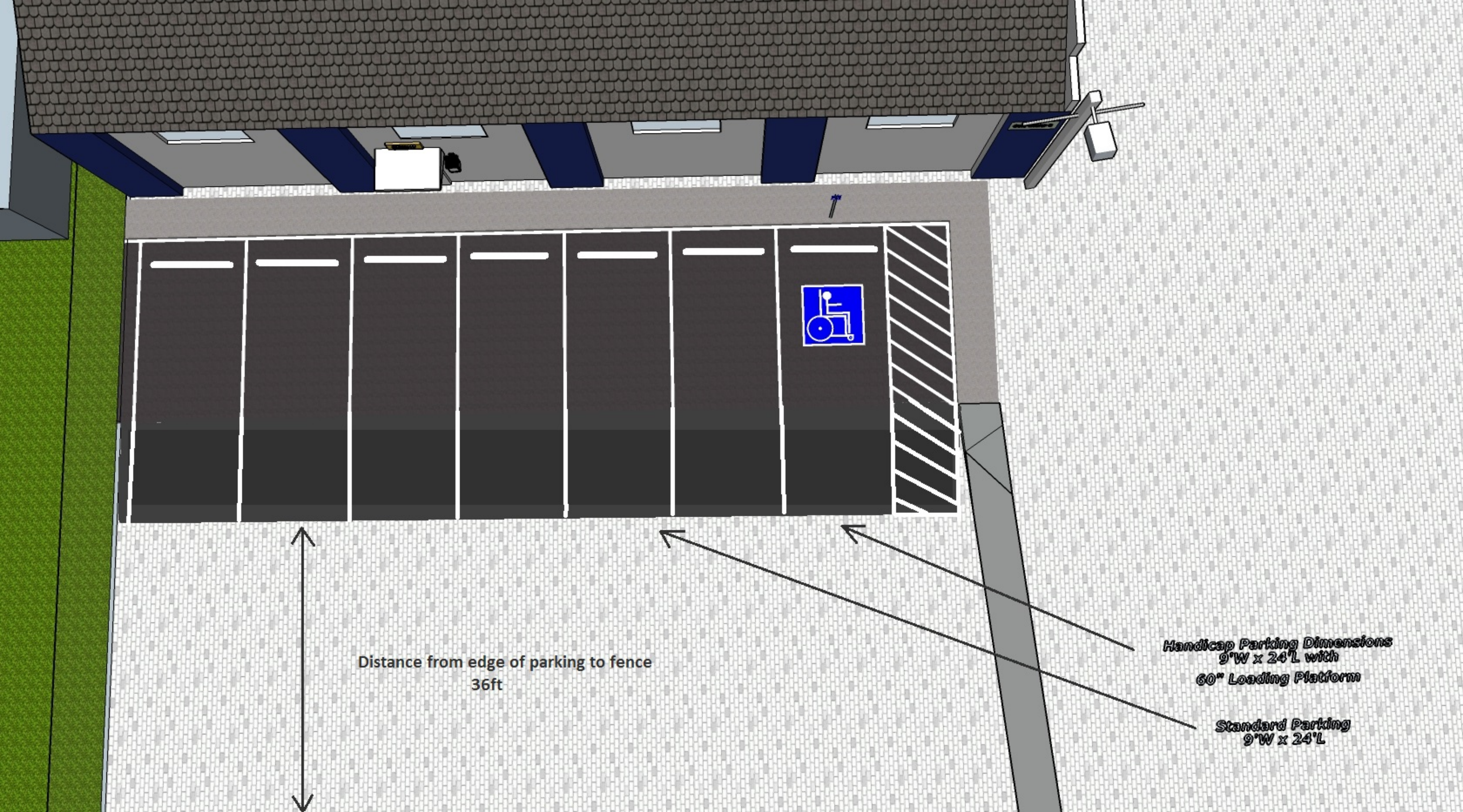
# 269 S. GLENDALE SITE PLAN CAMPER REPARADISE, LLC

KEY  $\uparrow$  1" = 20' FT  
 \*\*\* PARCEL BNDRY.  
 BOUNDARY  
 WERNLE  
 LEASED PKG  
 N  
 --- INTERIOR  
 WALL

DIMENSIONS & LOCATIONS OF ADJACENT  
 BUILDINGS ARE  
 APPROXIMATE



FRANKLIN ELEMENTARY



## **ATTACHMENT C: PROPERTY PHOTOGRAPHS**

## Photographs of 269-275 S Glendale Street



Northwest View of Subject Property from 300 South



Northward View of Subject Property and Glendale Street





Northward View of Subject Property and Abutting Alley



Northeast View of Subject Property

# **ATTACHMENT D: ADMINISTRATIVE INTERPRETATION**

WILFORD H. SOMMERKORN  
PLANNING DIRECTOR  
CHERI COFFEY  
ASSISTANT PLANNING DIRECTOR

**SALT LAKE CITY CORPORATION**  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
PLANNING DIVISION

RALPH BECKER  
MAYOR  
ERIC D. SHAW  
COMMUNITY AND ECONOMIC  
DEVELOPMENT DIRECTOR

September 24, 2014

Kevin P. Dwyer  
1411 South Utah Street  
Salt Lake City, UT 84104

**RE: Use Interpretation, Camper ReParadise (CR), PLNZAD2014-00584**

Dear Mr. Dwyer:

You have requested an administrative interpretation to determine if a proposed camper trailer refurbishing business is considered a retail furniture repair shop and is allowed as a conditional use in the CN, Neighborhood Commercial District. The following summarizes the specifics of the business as stated in your application submittal and subsequent phone conversations:

- The proposed use is the "restoration of non-motorized vintage Airstream and Alaskan campers".
- The existing building is a four bay garage warehouse.
- Most of the repairs done are interior and are described as furniture and upholstery repair.
- The business does not repair motor, transmission, ac/ heating, tire/axle, or exhaust services.
- The business will subcontract with local providers for tire, mechanical, and electrical services, utilizing the subcontractor's tools and facilities.
- The business will provide very minor mechanical and electrical repair.
- The proposed business anticipates approximately one customer per day and has up to six employees.

The following standards found in 21A.12.050 shall govern the zoning administrator, and the appeals hearing officer on appeals from the zoning administrator, in issuing use interpretations:

- A. Any use defined in chapter 21A.62 of this title, shall be interpreted as defined;
- B. Any use specifically listed without a "P" or "C" designated in the table of permitted and conditional uses for a district shall not be allowed in that zoning district;
- C. No use interpretation shall allow a proposed use in a district unless evidence is presented demonstrating that the proposed use will comply with the development standards established for that particular district;

451 SOUTH STATE STREET, ROOM 406, SALT LAKE CITY, UTAH 84111  
P.O. BOX 145480, SALT LAKE CITY, UTAH 84114-5480  
TELEPHONE: 801-535-7757 FAX: 801-535-6174 TDD: 801-535-6021

WWW.SLCC.UTAH.GOV



D. No use interpretation shall allow any use in a particular district unless such use is substantially similar to the uses allowed in that district and is more similar to such uses than to uses allowed in a less restrictive district;

E. If the proposed use is most similar to a conditional use authorized in the district in which it is proposed to be located, any use interpretation allowing such use shall require that it may be approved only as a conditional use pursuant to chapter 21A.54 of this title; and

F. No use interpretation shall permit the establishment of any use that would be inconsistent with the statement of purpose of that zoning district. (Ord. 8-12, 2012)

In reviewing the activities of the proposed business, the Zoning Administer has determined that your business is more closely related to an "Automotive Repair, Minor" use than a "Furniture Repair Shop". The definition of these two uses is as follows:

**RETAIL SERVICE ESTABLISHMENT, FURNITURE REPAIR SHOP:** A building, property or activity, the principal use or purpose of which is the consumer repair services of furniture.

**VEHICLE, AUTOMOBILE REPAIR, MINOR:** A use engaged in the repair of automobiles involving the use of three (3) or fewer mechanics' service bays, where all repairs are performed within an enclosed building, and where not more than ten (10) automobiles, plus one automobile per employee, are parked on site at any one time including, but not limited to, those permitted as gas stations. Auto body repairs and drive train repair are excluded from this definition.

Minor Automotive Repair is allowed as a conditional use in the CN zoning district subject to compliance will all applicable building and zoning regulations. This determination does not grant a conditional use. It pertains only to the camper trailer refurbishing business function. You will need to apply for all necessary City and State processes and permits.

If you have any questions regarding this interpretation please contact Anna Anglin at (801) 535-6050 or by email at [anna.anglin@slcgov.com](mailto:anna.anglin@slcgov.com) .

Sincerely,



Nick Norris  
Planning Manager  
Salt Lake City Planning

NN/aa

Cc: Orion Goff, Director, Building Services and Licensing  
Posted to Web  
File

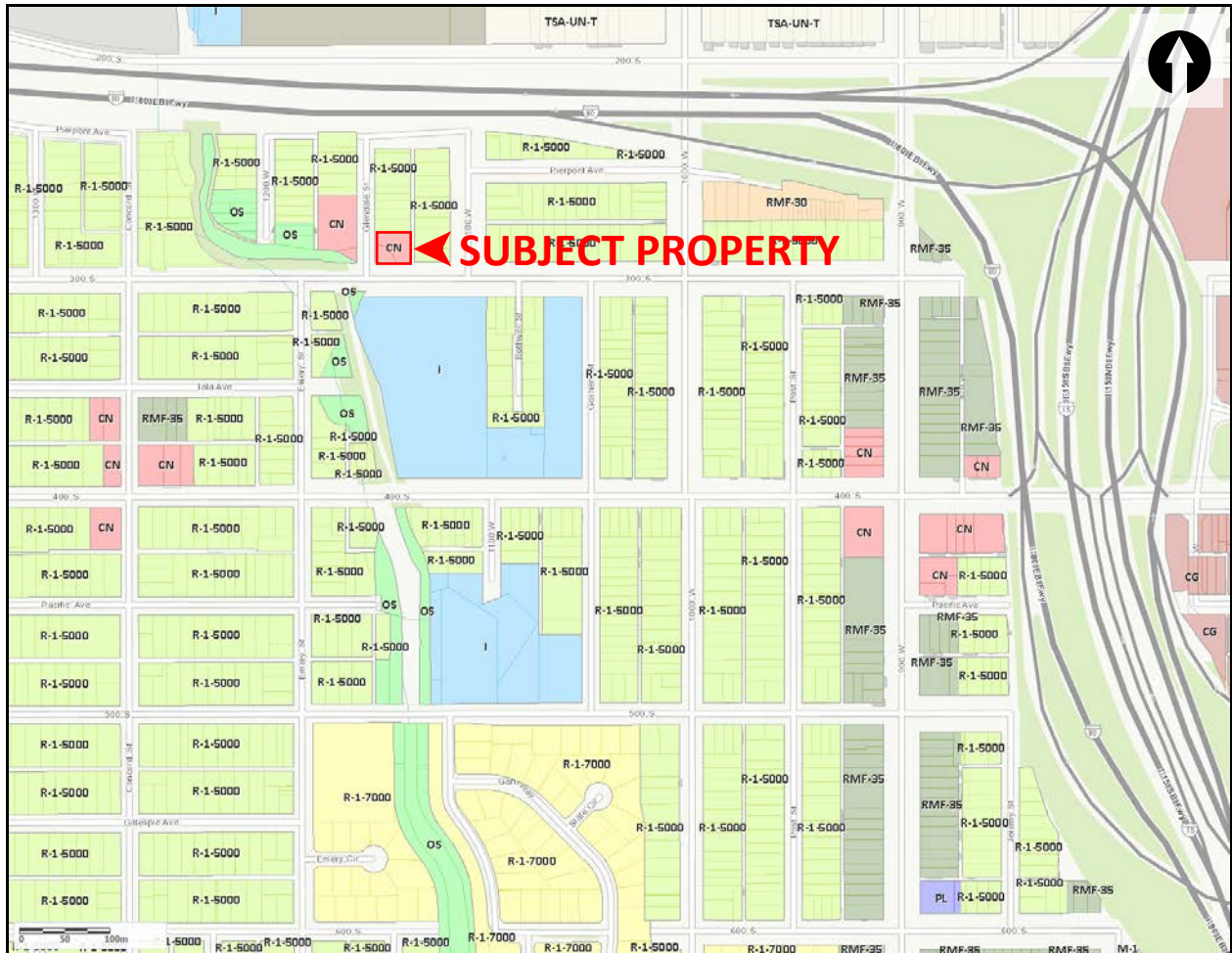
**NOTICE:**

Please be advised that a determination finding a particular use to be a permitted use or a conditional use shall not authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure. It shall merely authorize the preparation, filing, and processing of applications for any approvals and permits that may be required by the codes and ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a certificate of occupancy, subdivision approval, and a site plan approval.

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Department and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. A nonrefundable application and hearing fee of \$238.00 plus postage for notifying neighbors is required.

# **ATTACHMENT E: EXISTING CONDITIONS**

**Zoning Map:**



Source: Salt Lake City Geographic Information System

**Zoning Designation:** CN: Neighborhood Commercial District

**21A.26.020. A. Purpose Statement** - The CN neighborhood commercial district is intended to provide for small scale, low intensity commercial uses that can be located within and serve residential neighborhoods. This district is appropriate in areas where supported by applicable master plans and along local streets that are served by multiple transportation modes, such as pedestrian, bicycle, transit and automobiles. The standards for the district are intended to reinforce the historic scale and ambience of traditional neighborhood retail that is oriented toward the pedestrian while ensuring adequate transit and automobile access. Uses are restricted in size to promote local orientation and to limit adverse impacts on nearby residential areas. (City Code 21A.26.020.A)

**Zoning Overlay:** Airport Flight Protection Path Zone H

**21A.34.040.A. Purpose Statement (for AFPP Airport Flight Protection Overlay District)** - It is determined that a hazard to the operation of the airport endangers the lives and property of users of the Salt

Lake City International Airport, and the health, safety and welfare of property or occupants of land in its vicinity. If the hazard is an obstruction or incompatible use, such hazard effectively reduces the size of the area available for landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the Salt Lake City International Airport and the public investment. Accordingly, it is declared:

1. That the creation or establishment of an airport hazard is a public nuisance and an injury to the region served by the Salt Lake City International Airport;
2. That it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented; and
3. That the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

**21A.34.040.V.4. Airport Influence Zone H:** The uses within zone H shall be the same as the underlying city zone.

**Minimum Lot Area & Width:**

Land Use	Minimum Lot Area	Minimum Lot Width	Maximum Lot Area
Minor Auto Repair	None Required	None Required	16,500

Source: Salt Lake City Code 21A.26.020.D

**Lot & Bulk Regulations:**

Building Height	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard	Buffer Yards
25'	15'	15'	None required	10'	Any lot abutting a lot in a residential district shall conform to the buffer yard requirements of chapter 21A.48 of this title.

Source: Salt Lake City Code 21A.26.020.F.H

**Surrounding Land Uses:**

Address	Direction	Adjacent Land Use	Adjacent Zoning District	Building Height
265 S Glendale	North	Single-family residence	R-1/5,000 Single-Family Residential District	≈ 23'-0"
268 S 1100 West	East	Single-family residence, separated by an abutting public alley	R-1/5,000 Single-Family Residential District	≈ 19'-0"
278 S 1100 West	East	Single-family residence, separated by an abutting public alley	R-1/5,000 Single-Family Residential District	≈ 29'-0"
1115 W 300 South	South	Franklin Elementary School	I Institutional District	≈ 30'-0"
270 S Glendale	West	Office warehouse for Wernli Refrigeration	CN Neighborhood Commercial District	≈ 20'-0"
264 S Glendale	West	Office warehouse for Wernli Refrigeration	CN Neighborhood Commercial District	≈ 22'-0"

Source: Salt Lake County Recorder's Office



## CN Neighborhood Commercial District Land Use Table:

Land Use	Permitted or Conditional
Accessory use, except those that are specifically regulated elsewhere in this title	Permitted
Adaptive reuse of a landmark site	Permitted
Alcohol:	
• Brewpub (2,500 square feet or less in floor area)	
• Brewpub (more than 2,500 square feet in floor area)	
• Dining club (2,500 square feet or less in floor area)	Conditional <sup>12, 13</sup>
• Dining club (more than 2,500 square feet in floor area)	
• Distillery	
• Microbrewery	
• Social club (2,500 square feet or less in floor area)	
• Social club (more than 2,500 square feet in floor area)	
• Tavern (2,500 square feet or less in floor area)	
• Tavern (more than 2,500 square feet in floor area)	
Ambulance service (indoor)	
Ambulance service (outdoor)	
Amusement park	
Animal:	
• Cremation service	
• Kennel	
• Pet cemetery	
• Veterinary office	Conditional
Antenna, communication tower	
Antenna, communication tower, exceeding the maximum building height in the zone	
Art gallery	Permitted
Auction (outdoor)	
Auditorium	
Bakery, commercial	
Bed and breakfast	Permitted
Bed and breakfast inn	Permitted
Bed and breakfast manor	Conditional <sup>3</sup>
Blacksmith shop	
Blood donation center	
Bus line station/terminal	
Bus line yard and repair facility	
Car wash	
Car wash as accessory use to gas station or convenience store that sells gas	
Check cashing/payday loan business	
Clinic (medical, dental)	Permitted
Community correctional facility, large	
Community correctional facility, small	
Community garden	Permitted
Contractor's yard/office	
Crematorium	
Daycare center, adult	Permitted
Daycare center, child	Permitted
Daycare, registered home daycare or preschool	
Dwelling:	
• Assisted living facility (large)	
• Assisted living facility (small)	
• Group home (large)	
• Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage	Permitted
• Living quarter for caretaker or security guard	Permitted
• Manufactured home	
• Multi-family	
• Residential substance abuse treatment home (large)	

Land Use	Permitted or Conditional
• Residential substance abuse treatment home (small)	
• Rooming (boarding) house	
• Single-family attached	
• Single-family detached	
• Single room occupancy	
• Transitional victim home (large)	
• Transitional victim home (small)	
• Twin home	
• Two-family	
Eleemosynary facility	
Equipment rental (indoor and/or outdoor)	
Farmers' market	
Financial institution	Permitted
Financial institution with drive-through facility	
Flea market (indoor)	
Flea market (outdoor)	
Funeral home	
Gas station	
Government facility	
Government facility requiring special design features for security purposes	Permitted
Homeless shelter	
Hotel/motel	
House museum in landmark sites (see subsection 21A.24.010T of this title)	
Impound lot	
Industrial assembly	
Intermodal transit passenger hub	
Laboratory (medical, dental, optical)	
Laboratory, testing	
Large wind energy system	
Laundry, commercial	
Library	Permitted
Limousine service (large)	
Limousine service (small)	
Manufactured/mobile home sales and service	
Mixed use development	Permitted
Mobile food business (operation on private property)	Permitted
Municipal service uses, including city utility uses and police and fire stations	
Museum	Permitted
Nursing care facility	
Office	Permitted
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this title)	
Open space	Permitted
Open space on lots less than 4 acres in size	
Park	Permitted
Parking:	
• Commercial	
• Off site	Conditional
• Park and ride lot	
• Park and ride lot shared with existing use	
Place of worship on lot less than 4 acres in size	Permitted
Radio, television station	
Reception center	
Recreation (indoor)	Permitted
Recreation (outdoor)	
Recreational vehicle park (minimum 1 acre)	
Recycling collection station	Permitted
Research and development facility	
Restaurant	Permitted

Land Use	Permitted or Conditional
Restaurant with drive-through facility	
Retail goods establishment	Permitted
• Plant and garden shop with outdoor retail sales area	Permitted
• With drive-through facility	
Retail service establishment	Permitted
• Furniture repair shop	Conditional
• With drive-through facility	
Reverse vending machine	Permitted
Sales and display (outdoor)	Permitted
School:	
• College or university	
• Music conservatory	
• Professional and vocational	
• Seminary and religious institute	
Seasonal farm stand	Permitted
Sexually oriented business	
Sign painting/fabrication	
Solar array	
Storage (outdoor)	
Storage, public (outdoor)	
Storage, self	
Store:	
• Department	
• Mass merchandising	
• Pawnshop	
• Specialty	
• Superstore and hypermarket	
• Warehouse club	
Studio, art	Permitted
Studio, motion picture	
Taxicab facility	
Theater, live performance	
Theater, movie	
Urban farm	Permitted
Utility, building or structure	Permitted <sup>2</sup>
Utility, transmission wire, line, pipe, or pole	Permitted <sup>2</sup>
Vehicle:	
• Auction	
• Automobile repair (major)	
• Automobile repair (minor)	Conditional
• Automobile sales/rental and service	
• Automobile salvage and recycling (indoor)	
• Boat/recreational vehicle sales and service	
• Truck repair (large)	
• Truck sales and rental (large)	
Vending cart, private property	
Warehouse	
Welding shop	
Wholesale distribution	
Wireless telecommunications facility (see section 21A.40.090, and Table 21A.40.090E of this title)	
Woodworking mill	

Source: Salt Lake City Code 21A.33.030 Table of Permitted and Conditional Uses for Commercial Districts

**Qualifying provisions:**

2. Subject to conformance to the provisions in subsection 21A.02.050.B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsections 21A.24.010T and 21A.26.010.K of this title).
12. Subject to conformance with the provisions in section 21A.36.300 "Alcohol Related Establishments" of this title.
13. In CN and CB zoning districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.

# **ATTACHMENT F: ANALYSIS OF STANDARDS**

## 21A.54.080 Standards for Conditional Use

The standards listed below apply to conditional uses in the CN Neighborhood Commercial District.

**Approval Standards:** A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use complies with applicable provisions of this (Zoning) title;

**Finding:** The proposed use, minor automobile repair, is a conditional use in the CN Neighborhood Commercial District as per City Code 21A.33.030 Table of Permitted and Conditional Uses for Commercial Districts. With respect to the applicable provisions of the Zoning Title, Ms. Anika Stonick, Salt Lake City Development Review Planner II, reviewed the proposal and recommended approval subject to compliance with recommended conditions of approval contained within Attachment G – Department Comments.

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

**Finding:** As described within the Planning Commission staff report, the applicant intends to reuse an existing noncomplying structure that had been developed for various preceding commercial uses. Furthermore, the Poplar Grove Community Council voted on February 26, 2014, to “support (the) conditional use permit” (see Attachment F – Public Process & Comments). Staff finds that the use can be made compatible with surrounding uses if approved with conditions (see Attachment H – Motions).

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

**Finding:** In addition to the *Salt Lake City Preservation Plan* and the *Salt Lake City Transportation Master Plan*—which were previously discussed in the Planning Commission Staff Report—the subject property is within the boundaries of the *West Side Master Plan*. The WSMP provides the following applicable vision, goal, and implementation statements:

### **Vision**

The Westside will be:

- A growing and diverse collection of commercial and neighborhood centers and thriving recreational assets;
- Home to a diverse mix of people, cultures and businesses that form a network of neighborhood destinations for residents;
- Home to numerous retail and service options from a mix of commercial types;

### **Goal**

*Promote reinvestment and redevelopment in the Westside community through changes in land use, improved public infrastructure and community investment to spur development that meets the community’s vision while maintaining the character of Westside’s existing stable neighborhoods* (West Side Master Plan, page 4, italics added for emphasis).

### **Implementation**

E.3 Celebrate the Jordan River. Salt Lake City’s Department of Community and Economic Development should continue its work with residents, businesses owners and community organizations along the Jordan River to establish the “River District” as a unifying theme between Glendale and Poplar Grove (WSMP, page 95).

Staff finds the proposed use is consistent with applicable City master plans and policies.

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to the table provided below for details).

**Finding:** On May 12, 2015, Planning Division staff routed the proposal to all applicable City Departments and Division for review and comment. On June 3, 2015, Planning Division staff forwarded all comments—which included requirements to repair, improve, and maintain the subject property in order to mitigate anticipated detrimental effects of the proposed use—to the applicant for review. On July 20, 2015, the applicant reviewed and accepted all comments contained within Attachment G – Department Comments.

**21a.54.080B: Detrimental Effects Determination:** In analyzing the anticipated detrimental effects of a proposed use, the planning commission, or in the case of administrative conditional uses, the planning director or designee, shall determine compliance with each of the following:

Criteria	Finding	Rationale
1. This title specifically authorizes the use where it is located	Complies	City Code 21A.33.030 authorizes "minor automobile repair" as a conditional use in the CN District.
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps	Complies	As demonstrated within this report, the proposed use is consistent with applicable policies set forth in the <i>West Side Master Plan</i> , the <i>Salt Lake City Preservation Plan</i> , and <i>Salt Lake City Transportation Master Plan</i> .
3. The use is well-suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area	Complies	Although low-density residential development borders the site, the existing commercial building has occupied the site since 1937. In addition, the existing building is 5'-10" less than the average height of surrounding buildings (see Attachment D – Existing Conditions).
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered	Complies	Maximum building height in the CN District is 25 feet, which is 3 feet less than the maximum building height for pitched roofs in the R-1/5,000 District that abuts the subject property on the north and east.  The existing single-story building, which is approximately 18'-0" tall, is compatible in scale, style, design, and architectural detailing with commercial structures across Glendale Street and 300 North.
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows	Complies	The proposed business will have negligible impact on traffic and is accessible from existing driveways
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic	Complies	Transportation reviewed the proposal and determined that the internal circulation system has been designed to accommodate proposed use
7. The site is designed to enable access and circulation for pedestrian and bicycles	Complies	The subject property has frontage on Glendale Street and 300 South, which streets include public sidewalks. The site is accessible by pedestrians and cyclists.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street	Complies	Transportation did not indicate any issues with street level of service
9. The location and design of off-street parking complies with applicable standards of this code	Complies	Transportation reviewed and approved the proposed site plan, which includes 7 parking stalls, of which 1 will be accessible in compliance with ADA standards.
10. Utility capacity is sufficient to support the use at normal service levels	Complies	Use has access to all necessary utilities.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts	Complies	Except for the location of the existing noncomplying structure, the use will be required to meet all applicable landscaping and screening requirements of the Zoning Title prior to issuance of a Business License.
12. The use meets City sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke	Complies	Whereas the subject property is approximately 107 feet from the riparian boundary line of the Jordan River, it is not within the RCO Riparian Corridor Overlay District. The Salt Lake City Public Utilities Division, as well as the Salt Lake City Sustainability Division, reviewed the proposal and recommended approval. As such, staff finds that the proposal does not significantly affect sustainability plans nor does it encroach onto a stream or water way.
13. The hours of operation and delivery of the use are compatible with surrounding uses	Complies	According to the applicant, the hours of operation will be Monday through Friday, from 9:00 AM to 5:00 PM, which is comparable with adjacent commercial and institutional land uses.
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses	Complies	Signage and lighting will meet all applicable Zoning requirements, which will be enforced through building permit review and inspection.
15. The proposed use does not undermine preservation of historic resources and structures	Complies	There are no historic sites or features on property.

# **ATTACHMENT G: PUBLIC PROCESS & COMMENTS**

## **PUBLIC NOTICE, MEETINGS, AND COMMENTS**

The following is a list of public meetings, and other public input opportunities, that the City coordinated for the proposed master plan and zoning map amendments.

### *Community Council Notice:*

On April 20, 2015, Planning Division staff contacted Marti Woolford, Chair of the Poplar Grove Community Council, to inform the community council of the proposed conditional use petition and allow 45 days to respond with any concerns or comments. Staff also requested a meeting to present and discuss the proposed amendments.

On April 21, 2015, Ms. Woolford responded and said that the applicant had previously “presented at the Poplar Gove Community Council” and that “there were no concerns.” Furthermore, Ms. Woolford stated that the Poplar Grove Community Council was “in support of (the) shop opening” and did not feel that there was a need for the applicant to present his proposal again.

### *Department Review:*

On May 12, 2015, the Salt Lake City Planning Division requested all pertinent City Departments review and comment on the petition. All comments have been included in Attachment H – Department Comments.

### *Notice of Public Hearing:*

- Public hearing notice mailed on July 30, 2015
- Public notice posted on City and State websites and Planning Division list serve on July 30, 2015
- Public hearing notice posted on the subject property on July 31, 2015

### *Public Input:*

Prior to publication of this report, staff has not received any additional public comment in response to the petition.



## **ATTACHMENT H: DEPARTMENT COMMENTS**



# Department Comments

## 269-275 S GLENDALE STREET

### PLNPCM2015-00284

Date	Task/Inspection	Status/Result	Action By	Comments
5/12/2015	Public Utility Review	Complete	Draper, Jason	Please submit a complete and signed Commercial and Industrial User Questionnaire to Public Utilities for review. This is available on our website at <a href="http://www.slcdocs.com/utilities/PDF%20Files/PU-1%202011.pdf">http://www.slcdocs.com/utilities/PDF%20Files/PU-1%202011.pdf</a> . Public Utilities will review any Tenant Improvement plans.  Jason Draper Engineer VI, Public Utilities (801) 483-6751
5/15/2015	Engineering Review	Complete	Weiler, Scott	If uneven sidewalk joints exist along the site frontage of Glendale Street or 300 South, it is recommended that they be ground down or otherwise remedied by the property owner to remove the tripping hazard.
5/18/2015	Transportation Review	Complete	Barry, Michael	The parking stalls with dimensions should be shown on the plan. The site plan indicates that the existing parking is leased to Wernli and therefore should not be considered as provided parking for the new business.
5/22/2015	Zoning Review	Complete	Stonick, Anika	269 S Glendale, PLNPCM2015-00284; CN zoning district; in this zone, the use "Vehicle, automobile repair, minor" requires Conditional Use application process; previous use to be determined to assess if this proposal is an intensification that will require landscaping and other improvements; there are two lots involved (at 269 and 275 S Glendale) which it is recommended be combined or agreements for cross access, cross drainage, etc. should be recorded between the owners of the two lots (even if the same owner owns both); applicant relates there are 4 bay doors, street views of structure show 5 bay doors- to reduce to maximum 3 bays to satisfy definition of use, which will require building permit; to limit parking per 21A.62.040 which defines the use as allowing for no more than ten (10) automobiles, plus one automobile per employee, to be parked on site at any one time; use definition also prohibits auto body and drive train work; dumpster to be provided per 21A.48; signage to be permitted separately; lighting to be per 21A.26.020.J; fencing to be per 21A.40.120.  Anika Stonick Development Review Planner II (801) 535-6192
5/26/2015	Building Review	Complete	Maloy, Michael	No comment received from Building Services.
5/26/2015	Fire Code Review	Complete	Maloy, Michael	No comment received from Fire Protection Engineer.
5/26/2015	Police Review	Complete	Maloy, Michael	No comment received from Police Department.
5/26/2015	Sustainability Review	Complete	Maloy, Michael	No comment received from Sustainability Division.
7/30/2015	Airport	Complete	Miller, David	This address is in the Salt Lake City's Airport Influence Zone "H" which has specific height restrictions. The project area has a height restriction of 4,475' MSL approximately 255' above ground level. Salt Lake City does not require an aviation easement for new development in this zone. This project creates no observed impacts to airport operations.

# **ATTACHMENT I: MOTIONS**

## **POTENTIAL MOTIONS FOR THE SALT LAKE CITY PLANNING COMMISSION**

### **Staff Recommendation:**

*Based on the information contained within the staff report, and public testimony received, I move the Planning Commission approve conditional use petition PLNPCM2015-00284 for a minor automobile repair business at 269-275 S Glendale Street with the following conditions:*

- 1. Petitioner shall comply with applicable zoning, building, engineering, and licensing standards of the City.*
- 2. Applicant shall submit a landscape plan to the City for review, permitting, and inspection prior to issuance of a business license.*
- 3. Applicant shall submit a lighting plan to the City for review, permitting, and inspection prior to issuance of a business license.*
- 4. Business shall not include the sale of recreational vehicles.*
- 5. Petitioner shall comply with, or resolve, all comments contained within Attachment H – Department Comments.*

### **Not Consistent with Staff Recommendation:**

*Based on the information contained within this staff report, and comments received, I move the Planning Commission deny conditional use petition PLNPCM2015-00284 for a minor automobile repair business at 269-275 S Glendale Street.*

### **Note:**

If motion is to recommend denial, the Planning Commission shall make findings based on the Zoning Amendment standards and specifically state which standard or standards are not compliant. See Attachment E for applicable standards.