



Staff Report

PLANNING DIVISION
DEPARTMENT OF COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Amy Thompson, (801) 535-7281 or amy.thompson@slcgov.com

Date: June 14, 2017

Re: PLNPCM2017-00134 – The Parking Spot Commercial Parking Lot Expansion

Special Exception-Expansion of a Nonconforming Use

PROPERTY ADDRESS: 75 S. 2400 West

PARCEL ID: 15-04-200-006

MASTER PLAN: Northwest and North Temple Boulevard Plan

ZONING DISTRICT: TSA-MUEC-C – Transit Station Area-Mixed Use Employment Center-Core
AFPP (Airport flight Path Protection Overlay)

REQUEST: Matthew Idema, the **consultant representing the “Parking Spot”**, is requesting a special exception for expansion of a nonconforming use on the subject property. The proposal is to expand the existing commercial parking lot that has approximately 704 stalls, to approximately 3500 stalls over the entire 33 acre parcel. The subject property is located in the TSA-MUEC-CORE (Transit Station Area-Mixed Use Employment Center-Core Area) zoning district, the AFPP (Airport flight Path Protection Overlay) zoning district. The Planning Commission has final decision making authority for Special Exceptions.

RECOMMENDATION: Based on the findings listed in the staff report, it is the **Planning Staff's** opinion that the project generally meets the applicable standards for a special exception for expanding a nonconforming use, and recommends that the Planning Commission approve the request.

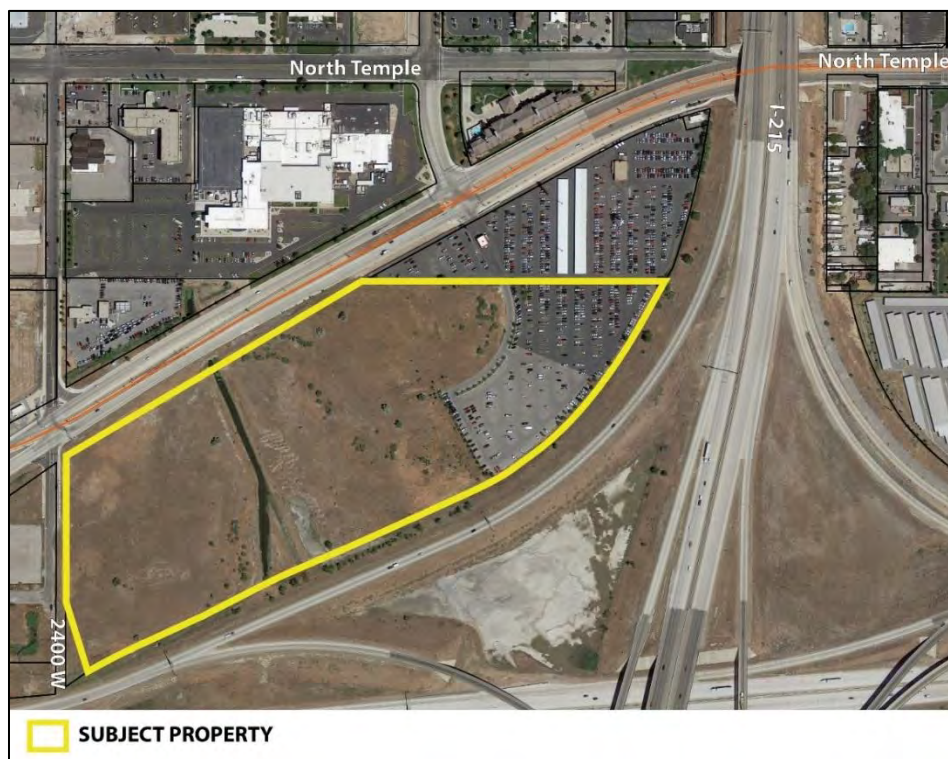
ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Applicant Materials](#)
- C. [Site Photographs](#)
- D. [Zoning Standards](#)
- E. [Analysis of Special Exception Standards](#)
- F. [Public Process and Comments](#)
- G. [Department Comments/DRT Notes](#)
- H. [Administrative Interpretation Letter](#)

BACKGROUND & PROJECT DESCRIPTION: The subject property is located at approximately 75 S. 2400 West and is bounded by North Temple, 2400 West and I-215. The existing parking lot was approved as a Conditional Use in 2006. At the time of approval, the property was zoned BP (Business Park) and commercial parking lots are a Conditional Use in that zoning district.

The property is now zoned TSA-MUEC-C and commercial parking lots not located in a parking structure are a prohibited use in the core area of the mixed use employment center station area and as such, the existing commercial parking lot on the property is considered a nonconforming use. The applicant is seeking special exception approval to expand the existing commercial parking lot onto the vacant portion of the subject property.

The existing parking area is approximately 6 acres and contains approximately 704 stalls, the remainder of the property is undeveloped. There are some delineated wetlands as well as a flood canal that traverses the property within the undeveloped area. The proposed project is comprised of approximately 33 acres and consists of a total of 3500 parking stalls. Of the total proposed parking area, approximately 475,390 SF (11 acres) is proposed to be covered with steel canopies. Accessory buildings and other improvements will be located on the property as part of the project and include pay booths, bridges and an office building. Section 21A.26.078.C of the zoning ordinance identifies the types of development that require a TSA development review score. Structures that are accessory to the principal use are not required to obtain a TSA development review score.



The proposed parking lot has three access points; two on North Temple and one off of 2400 West. Section 21A.26.078.N of the zoning ordinance states that the maximum width for access drives for developments over 5 acres is 24 FT. The applicant is proposing a 77 FT wide driveway access off of 2400 West, and two 30 FT wide driveway accesses on North Temple, and **has requested the city's** transportation division modify the 24 FT maximum width requirement. As indicated in section 21A.26.078.N of the zoning ordinance, this standard may be modified when, in the opinion of the director of the transportation division, a different design would improve the overall safety for all modes of transportation or improve the efficiency of the transportation network. (See Attachment B - request for increased access drive width)

For developments over 5 acres, the TSA zoning district requires a minimum of 10% open space up to 15,000 SF. The proposal exceeds the minimum open space requirement by providing approximately 95,058 acres of open space. The TSA zone requires surface parking lots be set back a minimum of 15FT from any property line adjacent to a public street, 7 FT of this area must be landscaped in accordance with the regulations in section 21A.48.070 Parking Lot Landscaping. (See analysis in Attachment D).

The surrounding properties to the north are also zoned TSA-MUEC-CORE; the adjacent property to the west is zoned BP (Business Park). Surrounding uses include a commercial parking lot, a rental car lot and a surface parking lot owned by Salt Lake City Corporation.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, and public input.

Issue 1: Elevation to a Planning Commission Hearing

Section 21A.52.040(5)(b) of the Salt Lake City Municipal Code states that: ***“The planning director or the planning director's designee may refer any application to the planning commission due to the complexity of the application, the significance in change to the property or the surrounding area.”***

This application has been elevated to a Planning Commission hearing based on the complexity of the proposal and because the proposed expansion would be a significant change to the property. A letter of opposition was also received by legal counsel representing an adjacent property owner requesting the case be heard by the Planning Commission.

Issue 2: Enlargement of a Nonconforming Use/Noncomplying Structure

Chapter 21A.38 of the ordinance regulates nonconforming uses and noncomplying structures. The purpose of this chapter is to limit enlargement, alteration, restoration, or replacement which would increase the level of nonconformity or noncompliance. Requests for enlargements of a nonconforming use require a special exception.

An Administrative Interpretation letter was issued on April 23, 2015, related to the parking lot on the subject property (PLNZAD2015-00193) stating that parking lots fall under the definition of a structure.

Section 21A.38.040 of the zoning ordinance authorizes enlargement of a structure with a nonconforming use through the special exception process if the floor area does not increase by more than 25% of the gross floor area or 1,000 gross square feet, whichever is less. The zoning ordinance defines gross floor area as:

“Gross floor area” (for determining size of establishment) means the sum of the gross horizontal area of all floors of the building measured from the exterior face of the exterior walls or from the centerline of walls separating two (2) buildings. The floor area of a building shall include basement floor area, penthouses, attic space having headroom of seven feet (7') or more, interior balconies and mezzanines, enclosed porches, and floor area devoted to accessory uses. Space devoted to open air off street parking or loading shall not be included in floor area.

As stated in the definition above, **“open air off street parking”** is excluded from the calculation of gross floor area. As such, the requested expansion of the commercial open air off street parking use does not increase the gross floor area by more than 25% or 1,000 SF. (See the Administrative Interpretation in Attachment H.

The existing parking lot is also considered a noncomplying structure. The zoning ordinance defines noncomplying structures as:

Noncomplying Structures: 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.

Section 21A.26.078.L.5 of the zoning ordinance regulates surface parking lots as a principal use in the TSA zone:

Surface Parking Lots as the Principal Use: Surface parking lots that are the principal use are permitted in the TSA zoning district provided the following standards are complied with:

- a. The surface parking lot does not have street frontage on the street where the fixed rail transit is located.*
- b. The surface parking lot is set back a minimum of fifteen feet (15') from any property line adjacent to a public street.*
- c. The parking area is screened by a wall or landscaping that is a minimum of thirty six inches (36") and a maximum of forty eight inches (48") tall.*

Because surface parking lot is already located with street frontage on North Temple where fixed rail transit is located, it is considered a noncomplying structure. The structure (parking lot) also **doesn't comply with the** 7 FT perimeter parking lot landscaping for parking lots located within 20 FT of a lot line. The new areas of the parking lot proposed with the expansion comply with standards b and c above.

In accordance with Chapter 21A.38, any noncomplying structure may be repaired, maintained or altered, as long it does not create any new noncompliance or increase the degree of the existing noncompliance of all or any part of the structure. 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. The existing parking area will be improved and expanded as part of the overall request. The proposal does not create any new noncompliance, and because the proposal will better comply with perimeter parking lot landscaping setbacks, it decreases the existing noncompliance.

Issue 3: TSA Standards

The subject property is located in the TSA-MUEC-CORE (Transit Station Area-Mixed Use Employment Center-Core Area). Generally, most new development is subject to a Development Review Score. As indicated in section 21A.26.078.C of the zoning ordinance, the development review process is required for the construction of new buildings, any addition of 1,000 SF or more that extend a street facing building façade or are located to the side of a building and are visible from a public space, or additions that increase the height of an existing building or change a roofline. Signs, fences, accessory structures or additions are not required to obtain a development score, and as such, the proposed addition or alteration to the commercial parking lot is not subject to the development review process.

Table 21A.26.078F in the Salt Lake City Zoning Ordinance identifies land uses that are not compatible with transit oriented development due to the nature of the use, the requirements of the use, or the potential impacts of the use. Commercial parking lots not located in a parking structure are a prohibited use in the Core Area of the Mixed Use Employment Center, and therefore the TSA

Standards are not written for commercial parking lots and many of them are not applicable because they relate to a building as the principal use, rather than a commercial parking lot as the principal use.

The proposed development has a total area of 33 acres and is subject to the TSA standards in 21A.26.078.N, “Developments over Five Acres.” The intent of these standards is for large scale developments to be designed to function as a self-contained mixed use neighborhood. Standards in this section relate to block size and layout, housing, connectivity to public streets, vehicle access, internal circulation, pedestrian and bicycle routes, as well as open space and landscaping. Most of the standards in this section assume that there are primary buildings and a mix of uses associated with the development, which is not the case with this proposal, and therefore some of the standards are not applicable. The primary use is a commercial parking lot and any buildings associated with the development are considered accessory to that primary use. The applicable standards for development over five acres are the vehicle access standards as well as the open space and landscaping requirements. The proposed expansion complies with the applicable TSA Standards. (See Attachment D for analysis of applicable TSA Standards).

NEXT STEPS:

Approve **with Staff's Recommendation**

If approved, the applicant will be able to expand the commercial parking lot as proposed. Project plans will need to be revised to show compliance with zoning district standards related to the following:

- 21A.26.078.J - TSA Design Standards related to service areas. The proposed garbage receptacle area must be fully screened from public views using building materials and detailing compatible with the building being served (the accessory office building).
- 21A.40.160 Ground Mounted Utility Boxes - Placement of the proposed Ground Mounted Utility Box should be considered in the priority as listed in section 21A.40.160 (A) of the zoning ordinance.
- 21A.48 Landscaping and Buffers - Applicant will submit final landscaping plans demonstrating compliance with the planting requirements for parking lots.
- 21A.34.040 AFPP Airport Flight Path Protection Overlay District – Applicant will work with Salt Lake City Department of Airports to ensure proposal complies with the standards in 21A.34.040(X) that relate to lighting of the sight, visibility and glare.

The special exception approval will be subject to obtaining a building permit and all other applicable approvals. The Special Exception will expire if a permit has not been taken out or an extension granted within 12 months from the date of approval. An extension of a special exception may be granted for up to one additional year when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact. Extension requests must be submitted to the planning director in writing prior to the expiration of the exception.

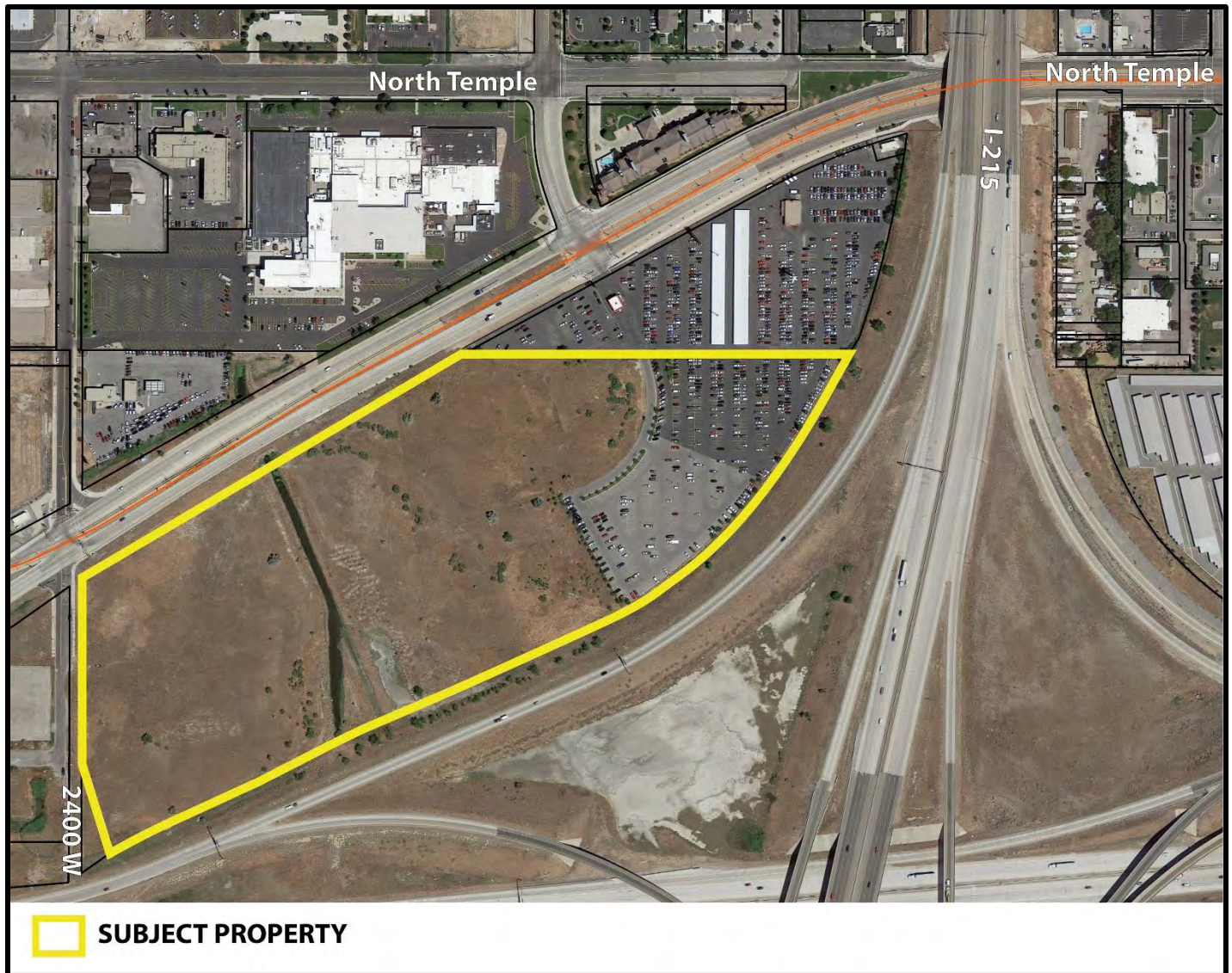
Deny

If denied, the applicant will not be able to expand the commercial parking lot as proposed. The applicant will still be able to continue the operating the existing commercial parking area subject to the provisions in Chapter 21A.38 Nonconforming uses and Noncomplying Structures.

Approve with Conditions

The Planning Commission can approve the Special Exception as proposed, but also impose additional conditions of approval in order to ensure that the request complies with the general standards for Special Exceptions. The Planning Commission may modify the recommended motion to include conditions of approval. The plans submitted for building permits will be reviewed by Planning Staff for compliance with the conditions imposed by the Planning Commission.

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: APPLICANT MATERIALS



MEMORANDUM

To: Salt Lake City Corporation, Planning Division

From: Matthew D. Idema, P.E.
Kimley-Horn and Associates, Inc.

Date: February 16, 2017

Subject: Project Description
Special Exception Application – The Parking Spot – SLC, UT

This Memorandum is the Project Description for the Special Exception Application for The Parking Spot surface parking project, located at southeast corner of 2400 West Street and North Temple in Salt Lake City, Utah (Property).

The Parking Spot (TPS) is pursuing the design and development of a surface parking facility project consisting of approximately 3600 parking stalls on a ±33 acre parcel of land (Project). The Property is currently vacant, with the exception of an existing surface parking area previously leased to an adjacent parking lot operator, containing approximately 680 stalls. These improved parking stalls will be included as part of the Project. Accessory buildings and improvements will be constructed on the Property as part of the Project and will include pay booths, bridges, an office area and steel canopies covering a portion of the parking stalls. Shuttles will service the site, picking up patrons at designated areas near their vehicles and dropping them off at their vehicles upon return. For this reason, there is not an anticipated need for pedestrian access or paths of travel internal to the site, such as crosswalks, etc.

The Project is planned for development in two phases, with approximately 1800 stalls being created in the first phase, half of which will be covered by a canopy structure, the other half being uncovered. The second phase will be started in future years, developing the other 1500-1800 stalls.

Four bridges are anticipated to be constructed to cross the existing CWA #2 canal, which bisects the property from south to the north with storm water run-off. All four bridges will be constructed as part of the first phase of development.

Based on the Salt Lake City Corp. jurisdictional ordinance, we understand that on-site detention will be required. A series of surface ponds and underground piping will satisfy the volume requirements.

Off-site improvements are anticipated to be limited to right-of-way improvements to 2400 West Street and North Temple Road, both of which are identified as city roadways. The proposed right-in/right-out movements onto North Temple will require Salt Lake City Corporation review and input. This is being confirmed with Michael Barry with the city.

Based on our current due diligence, a desktop analysis, a DRT meeting held on December 14, 2016 with Salt Lake City Corp. staff and a pre-application meeting held on December 22, 2016 with Joel

Paterson and other members of the SLC Planning Division staff, the following is our understanding of certain zoning and entitlement issues related to the Project.

The property is zoned TSA-MUEC-C, Airport Flight Protection Zone B. Based on the Administrative Interpretation letter PLNZA2015-00193 dated April 23, 2015 from Joel Paterson the commercial parking lot on the Property is an existing non-confirming use that may be expanded on the Property, without limitation on the size of the expansion so long as applicable setback requirements are satisfied. No re-zone of the Property is necessary for the Project, as designed. However, the Administrative Interpretation does require that an expansion of the existing parking lot be reviewed under the Special Exception process, which is the purpose for this application. The applicant understands that the Special Exception review must precede the review and approval of the Building Design Package for the Project.

In the pre-application meeting the question was raised as to whether the Project would be subject to the TSA scoring process. The participants discussed whether the canopy structure that will cover approximately one-half of the parking spaces, and the other small office space (less than 1,000 square feet) would be considered new buildings that would require the Project to be reviewed under TSA design scoring. The applicant believes that the Project is not subject to TSA scoring. While City Code Section 21A.26.078.C requires that a development score be determined for the construction of new buildings, the Code has a specific exception from the scoring process for "accessory structures".

"Accessory Building or Structure" is defined in the City Code as "a subordinate building or structure, located on the same lot with the main building, occupied by or devoted to an accessory use." Code Section 21A.40.040.A requires that "an accessory use, building or structure shall be incidental and subordinate to the principal use or structure in area, extent and purpose." (Emphasis added.) Other than the expansion of the surface parking lot the most significant new improvement planned for the Project is the canopy structure that will cover approximately one-half of the parking stalls. The canopy is an accessory structure because it is incidental and subordinate to the principal use or structure (the surface parking lot) based on the following factors:

1. Area. The canopy will only cover approximately 31.5% of the total site and approximately 40.5% of the paved area.
2. Extent. Approximately half of the parking spaces will be covered by the canopy and half will not.
3. Purpose. There is currently a commercial parking lot constructed on a portion of the Property. The current and continuing purpose of the Project is for the expansion and operation of a commercial parking lot. The canopy does not change that purpose, but enhances the functionality of the Property for that purpose by allowing customers of the facility to select between covered or uncovered parking spaces. The canopy, office, bridges and other improvements support and enhance, but do not change, the purpose of the Project.

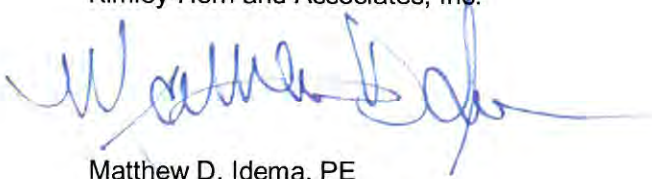
To summarize this issue, an accessory structure is: (1) subordinate in area, extent and purpose to, and serves a principal use or structure; (2) customarily found as an incident to such principal use; (3) contributes to the comfort, convenience or necessity of those occupying, working at or being serviced by such principal use; (4) is located on the same lot or parcel as the principal use; and (4) is under the

same ownership or control as the principal structure. (See Code Sec. 21A.62.040.) All of these requirements are satisfied by the canopy, office space and other vertical improvements to the Property that are included in the Project. Consequently, the Project is not subject to the TSA scoring process.

The design standards described in Code Sec. 21A.26.078.J are also not applicable to the Project. The Project is an allowed expansion of a non-conforming use, while the design standards are written to guide the development of projects that are allowed and anticipated within the TSA zone, with mixed uses, building facades, and similar improvements that are not found in a surface parking lot. The design standards address issues such as changes in the plane and color of building facades, the amount of glass in the ground floor of a building, ground floor residential uses and similar issues that are not applicable to a commercial parking lot.

Should you have any questions, please do not hesitate to contact me at 385.212.3177 or matthew.idema@kimley-horn.com.

Sincerely,
Kimley-Horn and Associates, Inc.



Matthew D. Idema, PE

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May 30, 2017

Salt Lake City Planning Commission
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Salt Lake City, UT 84114-5480
amy.thompson@slcgov.com

Re: Special Exception Permit for Property Located at 123 South 2400 West, Salt Lake City (the "Property") – PLNPCM2017-00134 (the "Special Exception Application")

Dear Commissioners:

This firm represents TPS Salt Lake City, LLC (the "TPS"), the applicant under the Special Exception Application. TPS has entered into a long-term ground lease with respect to the Property, for the purpose of developing and operating a commercial parking facility serving the Salt Lake City International Airport (the "Project"). Concurrent with the submission of this letter, TPS will be submitting a letter to the Planning Commission and staff, providing some introductory information regarding TPS, its business and its development plans for the Property. This letter is written to provide additional information regarding the Project and to specifically address the Project's compliance with the factors relevant to the Special Exception Application, including its anticipated impact on neighboring property.

The Property is a 33.49 acre parcel of land bounded on the north by North Temple and on the west by 2400 West. The Project is planned for development in three phases. In total the Project is expected to contain approximately 3500 parking stalls, approximately half of which will be covered by a steel canopy, with the remainder of the stalls uncovered. The Project will also include a small building containing office space for the administration of the Project. The Project includes, and will expand upon, an existing 704-stall parking lot that was previously leased to Park'n JET, situated on the eastern end of the Property.

I. Special Exception Application Review.

The Property was previously zoned BP (Business Park), and is currently zoned TSA-MUEC-C. The Project involves the expansion of an existing legal nonconforming use, as documented in an Administrative Determination letter issued by the Zoning Administrator on April 23, 2015 (the "Interpretation"). A copy of the Interpretation is attached as Exhibit "A". The Interpretation specifically grants the right to expand the commercial parking facility over the remainder of the Property, and provides that any expansion will be subject to the "Special Exception process and standards" set out in Chapter 21A.52 of the Salt Lake City Code ("Code") and other applicable zoning regulations. This does not mean that the special exception process can overrule the right to expand the commercial parking

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facility on the Property. That right was conclusively confirmed by the Interpretation. But it does mean that an expansion of the parking facility must be done in accordance with a development plan that has been through the special exception process, complies with applicable Code provisions, such as height limits, setbacks and landscaping, and satisfies the standards for special exception review.

The special exception process is outlined in Section 21A.52.040 of the Code. In accordance with that process an application package was submitted and reviewed, notice was provided to neighboring property owners, and the application is now in the hands of the Planning Commission for final review and approval. The special exception standards are outlined in Section 21A.52.060 of the Code. Each of those factors is identified and addressed in paragraphs (A)-(G) below:

A. Compliance with Zoning Ordinance and District Purposes: *The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.* As stated above, the Interpretation established the right to expand the existing commercial parking lot as a legal non-conforming use. Under the City Code, the Zoning Administrator is given authority to “determine the nonconforming use status of properties based upon the evidence submitted and information available,” and to “render use interpretations regarding nonconforming uses that are binding on the City.” (City Code Chs. 21A.12.060, 21A.38.025, 21A.38.040, emphasis added). Any person adversely affected by the Zoning Administrator’s decision had ten (10) days to file an appeal following the issuance of the Interpretation. (City Code Chs. 21A.12.040(D), 21A.16.030). The Interpretation was a land use decision that was not appealed, and the conclusions of the Interpretation are now binding on the city.

As a non-conforming use, the requirements of the TSA-MUEC-C zone governing use of the Property do not apply to the Project. However, the Planning Department staff has reviewed the Project for compliance with those provisions of the TSA-MUEC-C which apply to development regardless of use, including building height, setbacks, minimum lot area and street frontage requirements, open space, circulation and connectivity, and landscaping and screening, and concluded that the Project complies with all such requirements. In connection with that review the Planning Department also concluded that the proposed parking canopies over a portion of the Property and limited office facilities constitute “accessory structures” to the commercial parking lot.

B. No Substantial Impairment of Property Value: *The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.* The vast majority of surrounding properties, including the only directly contiguous parcel which is also operated as a commercial parking lot (Park’n JET), are similarly targeted to servicing the Salt Lake City International Airport, its patrons and related businesses. As set forth above, TPS plans to build a first class parking facility that will be operated consistent with its many other successful parking facilities throughout the country. The Project will support the existing uses and enhance the value of the neighborhood as a whole.

C. No Undue Adverse Impact: *The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.* TPS has taken significant steps to ensure the Project will not have a material adverse effect on the character of the area or the public health, safety and general welfare. TPS commissioned a Wetland and Waters of the U.S. Delineation (“Wetland Delineation”) performed by Wetland Resources in November 2016. After review of the Wetland Delineation and all other available information, the U.S. Army Corps of Engineers issued a Preliminary Jurisdictional Determination on April 24, 2017 finding that Property contains less than an acre of wetlands and non-wetland waters, and that no mitigation efforts would be required to

develop the Property. TPS has since applied for a permanent jurisdictional determination which it expects shortly.

TPS has also worked with the Salt Lake County Flood Control to address issues related to the canal traversing the Property. Finally, the Project plans have been revised based on a Traffic Study prepared by A-Trans Transportation Engineering dated January 2017 and comments from the Salt Lake City Transportation Division.

D. Compatible with Surrounding Development: *The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.* As set forth in item B above, the Project is compatible with the existing use and development of the neighboring properties. There are at least three other commercial parking facilities operating on North Temple between the Property and Redwood Road. On April 6, 2017 a Conditional Use Permit was approved for another commercial parking facility to be developed with approximately 1225 parking stalls just north of the Property at approximately 880 North 2200 West.

E. No Destruction of Significant Features. *The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.* The only natural features of the Property are the limited wetlands area and a flood control canal. As described in item C, above, the wetlands will be fully protected and no modifications will be made to the location or flow of the canal. No scenic or historic features of importance are situated on the Property.

F. No Material Pollution of Environment. *The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.* The Project is not a generator of pollutants. The Project is being designed to qualify for a sustainability accreditation from Green Business Council Certification, Inc. Sustainable features will include: 100 percent LED lighting, canopies with high-solar reflectance index (SRI) coating, electrical vehicle charging stations, and natural filtration of storm water runoff. Shuttle buses from the Project to the airport will typically consolidate 12-16 airport traveler drive trips at a time, thereby reducing traffic congestion, emissions and auto passenger dwell time in and around the airport.

II. Impact on Adjacent Property.

The only response submitted to the city following public notice of this Special Exception Application was a letter dated April 24, 2017 (the "PNJ Letter") from Bruce Baird, attorney for Park'n JET, which operates a commercial parking lot immediately to the east of the Property. Park'n JET is not an unbiased neighbor. SCSB previously leased a portion of the Property to Park'n Jet as part of its operations. That lease terminated and Park'n JET subsequently sued the landlord (*see Triple J Parking Inc. v. SCSB LLC*, Third District Court, Salt Lake County, Utah, Case No. 160906725). The case was dismissed by the District Court on December 14, 2016, and that decision has been appealed by Park'n JET. Nevertheless, ignoring the possible motivation behind the PNJ Letter, the objections to the Project raised in that letter are without merit. The challenge to the legality of the expansion of the existing parking lot on the Property articulated in the PNJ Letter was addressed and conclusively resolved by the Interpretation. The other issues raised in the PNJ Letter regarding traffic, wetlands protection and landscaping of the Project have been fully addressed by, and resolved to the satisfaction of, the Planning Department staff in its review of the Special Exception Application.

III. Conclusion.

We appreciate the Planning Commission's review of the Special Exception Application and the issues addressed in this letter. The Project satisfies each of the standards and considerations for special exceptions, as outlined above. TPS plans to develop and operate the finest off-airport parking facility in Salt Lake City. We look forward to meeting with the Planning Commission and addressing any comments or questions you may have regarding the Project and the Special Exception Application.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas G. Bennett", written in a cursive style.

Thomas G. Bennett
Counsel to TPS

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Senior Vice President, Development
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May 16, 2017

Salt Lake City Planning Commission
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amy.thompson@slcgov.com

Re: Special Exception Permit for Property Located at 123 South 2400 West,
Salt Lake City (the "Property") – PLNPCM2017-00134 (the "Special
Exception Application")

Dear Commissioners:

We are excited to be submitting this application to invest in Salt Lake City with a new, customer-focused parking facility adjacent to the Salt Lake City International Airport. The Parking Spot ("TPS") is the leading near-airport parking company in the United States. Since being founded in 1998, we have grown to include 39 airport parking facilities at 21 airports. We focus on hospitality and providing easy, comfortable, and affordable airport parking experiences.

Currently, Salt Lake City International Airport ("SLC") handles over 11 million enplanements each year and is served by only 15,400 parking spaces, despite some unique parking needs. The nearest alternative airport is about 400 miles away, so SLC serves a relatively large geographic population. Specifically, travelers coming from the population centers of Provo and Ogden are best served by airport parking as these 40 mile trip distances are not efficient for cabs or ride share arrangements. Not surprisingly, the occupancy of both on-airport and near airport parking facilities is quite high as there is significant demand for airport parking that cannot be accommodated by the current supply of parking. Adding to that shortage, Salt Lake City's growth in both economic product and population is roughly double the national average. Lastly, the planned terminal expansion will position the airport for significant growth in the coming years. This airport expansion includes a relatively modest increase in the on-airport parking; however, protecting SLC's massive investment requires additional parking.

The facility that we have planned for Salt Lake City will be built in three phases and will eventually include approximately 3500 parking spaces, of which approximately half will be covered by a steel canopy manufactured in Utah. When fully operational this facility will provide approximately 33 full-time jobs, and additional part-time employment. Both full-time and part-time employees will be eligible to participate in our health insurance and 401(k) offerings. In addition, when fully developed, the facility is projected to pay over \$1 million of combined taxes each year (compared to 2016 real estate taxes of \$23,000).

TPS has a strong focus on guest satisfaction—earning a Net Promoter Score (NPS) of 82, surpassing brands such as Delta Air Lines (38), Jet Blue (68), and Westin Hotels (59). TPS will add to the number of high-service brands serving the Salt Lake City International Airport and enhance the experience of travelers. At a significant discount to the terminal Parking, TPS will serve a different but important segment of cost conscious travelers. We offer a loyalty program, The Spot Club, which allows guests to earn free parking, waived reservation fees, and other benefits. Guests at our facility are picked up and dropped off at the trunk of their car. Finally, our shuttles arrive every 5-7 minutes, ensuring prompt, efficient airport transportation.

TPS is also committed to sustainability. Our Salt Lake City Facility is being designed to qualify for a sustainability accreditation from the Green Business Council Certification Inc. Some of our sustainable features will include: 100 percent LED lighting, canopies with high-solar reflectance index (SRI) coating, electrical vehicle charging stations, and natural filtration of storm water runoff. In fact, the proposed canopies will reflect significantly more heat island energy than would result solely from adherence to the city's landscaping requirements. Additionally, our quick shuttle service will consolidate 12-16 airport traveler drive trips at a time, thereby reducing traffic congestion and passenger auto dwell time in and around the airport, not only improving traffic flow, but also helping to improve air quality.

Another part of our emphasis on sustainability is preserving the existing natural environment at the facility. We have worked with Army Corps of Engineers to assure that the Property's existing wetlands will be preserved during and after the development of the facility.

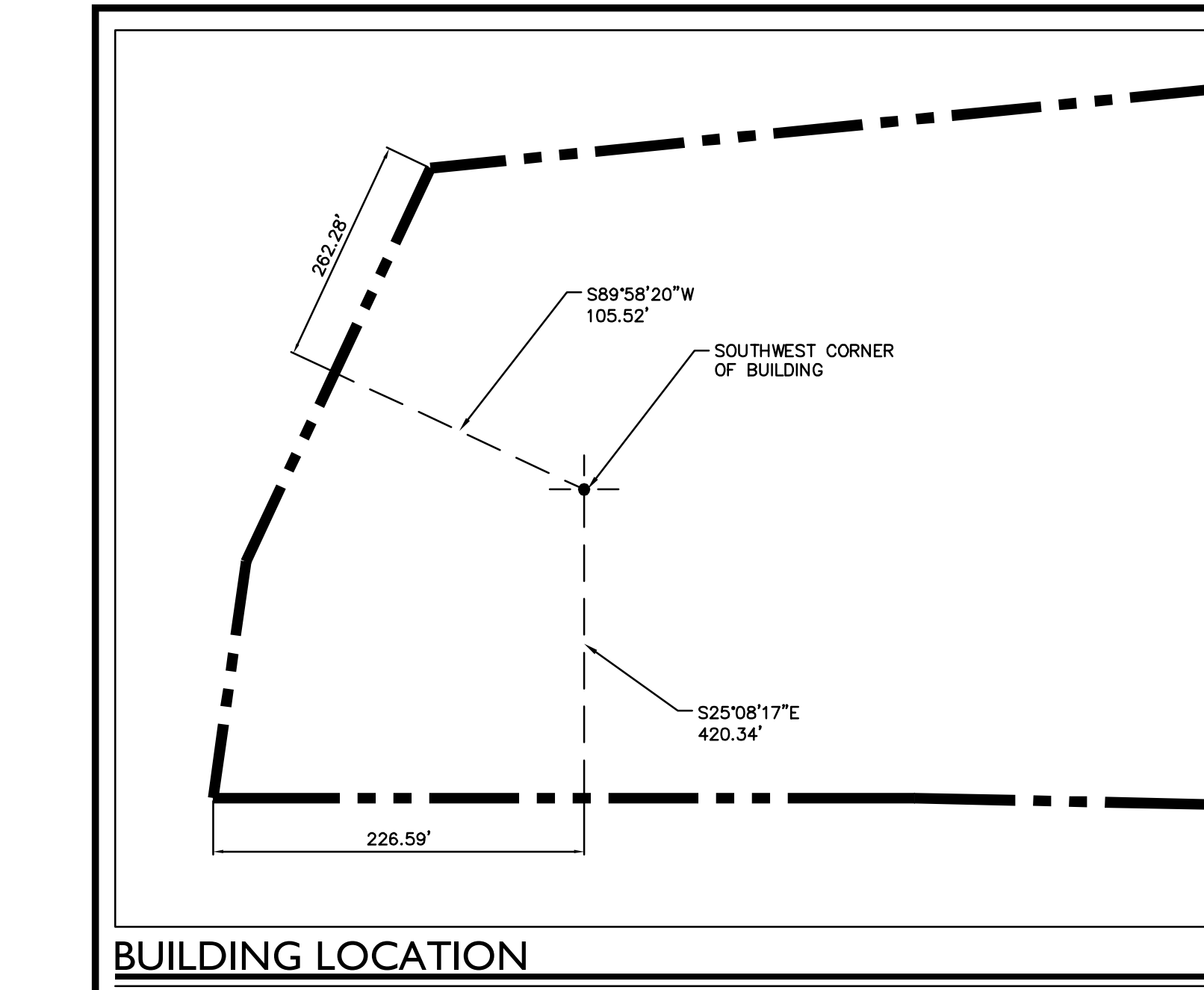
The design team has worked with the Planning staff to meet or exceed the city's goals for the project, including landscape design and transportation flow. TPS customers average a 4-day stay, so the trips generated are very modest for the capacity of the North Temple.

The Salt Lake City International Airport is an important asset to Salt Lake City. Our Salt Lake City facility will complement the airport and its surrounding areas with its focus on guest satisfaction, the economic benefits it would provide, and its positive effects on the local environment through its consolidation of airport traveler trips and preservation of wetlands.

Sincerely,

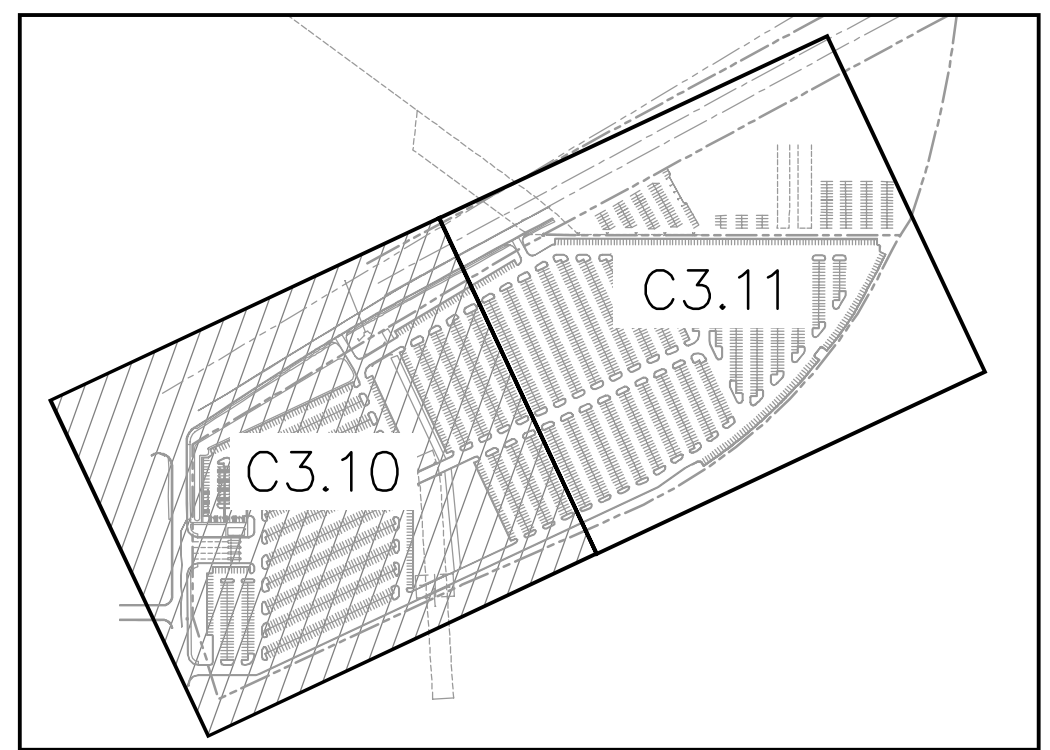
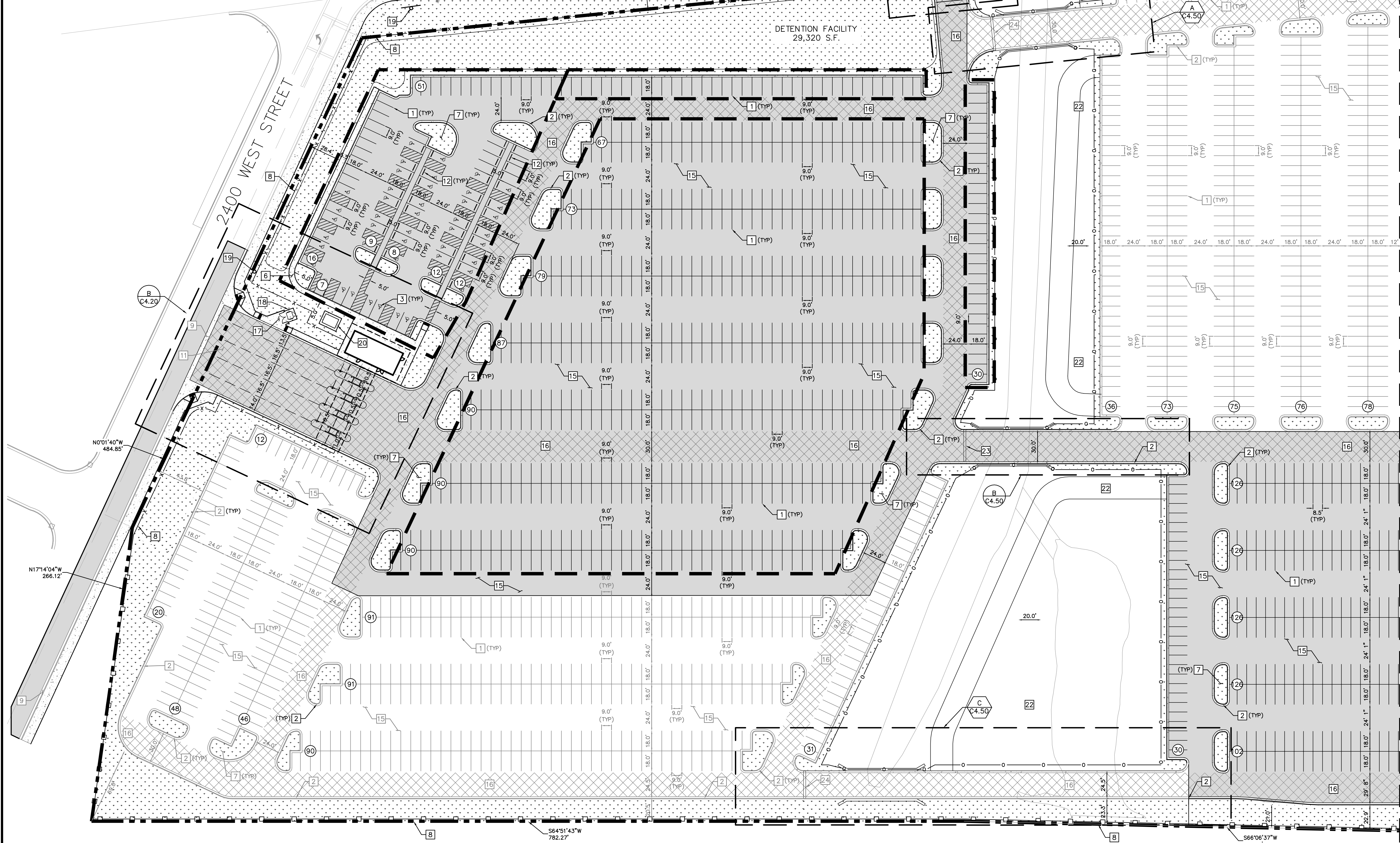


John Lyons



BUILDING LOCATION

NOT TO SCALE



KEY MAP

NOT TO SCALE

CONSTRUCTION NOTES

- 1) PAINT 4" WIDE YELLOW PARKING STRIPING.
- 2) CONSTRUCT 6" VERTICAL CONCRETE CURB AND GUTTER PER APWA PLAN No. 205.
- 3) PAINT ADA PARKING PAVEMENT LEGEND. SEE DETAIL 2, SHEET C3.90.
- 4) FURNISH AND INSTALL ADA PARKING SIGN AND POST. SEE DETAIL 5, SHEET C3.90.
- 5) INSTALL PERPENDICULAR SIDEWALK RAMP AND DETECTABLE WARNING STRIP PER APWA PLAN No. 236 & 238.
- 6) CONSTRUCT CONCRETE SIDEWALK WIDTH PER PLAN. PER APWA PLAN No. 231.
- 7) CONSTRUCT LANDSCAPE. REFER TO LANDSCAPE PLANS.
- 8) FURNISH AND INSTALL FENCE. REFER TO LEGEND FOR FENCE TYPES.
- 9) CONSTRUCT 4" CONCRETE VALLEY GUTTER PER APWA PLAN No. 211.
- 10) FURNISH AND INSTALL FENCE AS SHOWN ON PLANS.
- 11) INSTALL OPEN DRIVEWAY APPROACH PER APWA PLAN No. 225.
- 12) FURNISH AND INSTALL CONCRETE WHEEL STOPS PER DETAIL 4, SHEET C3.90.
- 13) CONSTRUCT LANDSCAPE PARKSTRIP. REFER TO LANDSCAPE PLANS.
- 14) PAINT 4" WIDE DIAGONAL PAVEMENT MARKINGS AT 24" O.C.
- 15) INSTALL 3" OF AC PAVEMENT OVER 8" OF UNTREATED BASE COURSE PER GEOTECHNICAL ENGINEER'S RECOMMENDATION. SEE SECTION A, DETAIL 11, SHEET C4.91.
- 16) INSTALL 3" OF AC PAVEMENT OVER 9" OF UNTREATED BASE COURSE PER GEOTECHNICAL ENGINEER'S RECOMMENDATION. SEE SECTION B, DETAIL 11, SHEET C4.91.
- 17) INSTALL 5.5" OF PORTLAND CEMENT CONCRETE OVER 5" OF UNTREATED BASE COURSE PER GEOTECHNICAL ENGINEER'S RECOMMENDATION. SEE SECTION D, DETAIL 11, SHEET C4.91.
- 18) TRASH ENCLOSURE. REFER TO ARCHITECTURAL PLANS.
- 19) MONUMENT SIGN. REFER TO ARCHITECTURAL AND ELECTRICAL PLANS.
- 20) TRANSFORMER AND CONCRETE PAD. REFER TO ELECTRICAL PLANS.
- 21) FENCE TRANSITION POINT. REFER TO LEGEND FOR FENCE TYPES.
- 22) MAINTENANCE ACCESS ROAD, WIDTH PER PLAN.
- 23) FURNISH AND INSTALL NESTING GATE. REFER TO ELECTRICAL REVENUE CONTROL PLANS FOR DESIGN.
- 24) FURNISH AND INSTALL NESTING GATE (FUTURE PHASE). REFER TO ELECTRICAL REVENUE CONTROL PLANS FOR DESIGN.

LEGEND

- PROJECT PROPERTY LINE
- 42" BLACK CHAIN LINK FENCE
- 6" CHAIN LINK FENCE
- BLACK DECORATIVE WROUGHT IRON FENCE, SEE DETAIL
- CANOPY OVERHANG
- PROPOSED CONCRETE PAVEMENT
- PROPOSED STANDARD DUTY AC PAVEMENT
- PROPOSED HEAVY DUTY AC PAVEMENT
- PROPOSED AC OVERLAY
- PROPOSED LANDSCAPING
- PHASE 1 DETAIL CALLOUT
DETAIL X SHEET C0.00
- FUTURE PHASE DETAIL CALLOUT
DETAIL X SHEET 0.00

NOTES

1. NOTES

MATCH LINE: SEE SHEET C3.1

CAUTION: NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY ADVISED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY AGENCIES AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

DATE	12/10/16	DESCRIPTION	ORIGINAL PREPARATION
DATE	04/10/17	DESCRIPTION	INITIAL SLC BUILDING PACKAGE SUBMITTAL

Kimley»Horn
215 South State Street, Suite 400 | Salt Lake City, UT 84111 | Tel. No. 985 212376

SITE PLAN (WEST)
THE PARKING SPOT
141 SOUTH 2400 WEST
SALT LAKE CITY, UTAH

DRAWN BY: SAS 4/3/2017
DESIGNED BY: SAS 4/3/2017
CHECKED BY: MDJ 4/3/2017
PROJECT NO: 083581.000 SCALE: AS SHOWN

SEAL
MATTHEW D. IDEMA
362090-2202
04/14/2017
PROFESSIONAL ENGINEER

PREPARED UNDER THE DIRECTION AND SUPERVISION OF MATTHEW D. IDEMA, P.E. UTAH REGISTRATION NO. 362090-2202 FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC.

SHEET
C3.10





Monday April 3, 2017

**Salt Lake City Corporation
Community and Neighborhoods/Planning Division**

Attn: Amy Thompson, Principal Planner
451 South State Street #404
Salt Lake City, Utah 84111
T: 801-535-7281
amy.thompson@slcgov.com

**Re: Special Exception Application – The Parking Spot, Salt Lake City, UT
2400 West Street Access Issue**

Dear Ms. Thompson;

This letter is in response to a discussion with you regarding the width of the access drive into The proposed Parking Spot project at the southeast corner of 2400 West and North Temple Street. The proposed width of the access is shown currently at 78 feet. The applicant was notified that preliminary review by Salt Lake City planning noted that the maximum width permitted along a city road is 24 feet.

There are several reasons for the location and width of this access in its current configuration. The nature of this business is such that collection of customers to one central location for access to the site is necessary. Entertaining multiple ingress options would be counter-productive to the operations of the business and cause coordination problems with shuttles and revenue control systems.

Additionally, 2400 West Street is a dead-end road, terminating to the south at the I-80 ramp loops. This illustrates the fact that there are no other property owners or stakeholders along the east boundary of this city right of way that would impact traffic or safety issues dependent on the geometry of the drive aprons.

Furthermore, the intersection of 2400 West and North Temple (based on our traffic impact study conducted January, 2017, by A-Trans Engineering) operates at a Level of Service A and would not change with the access configured as proposed. This essentially shows that the factors of safety and pedestrian connectivity are still achieved by the plan as proposed.

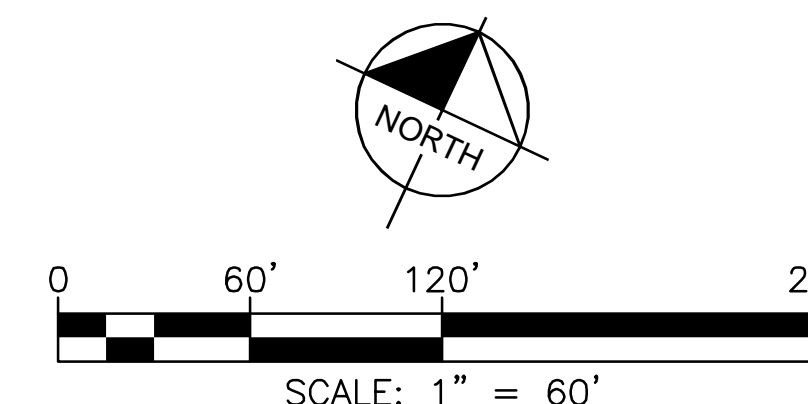
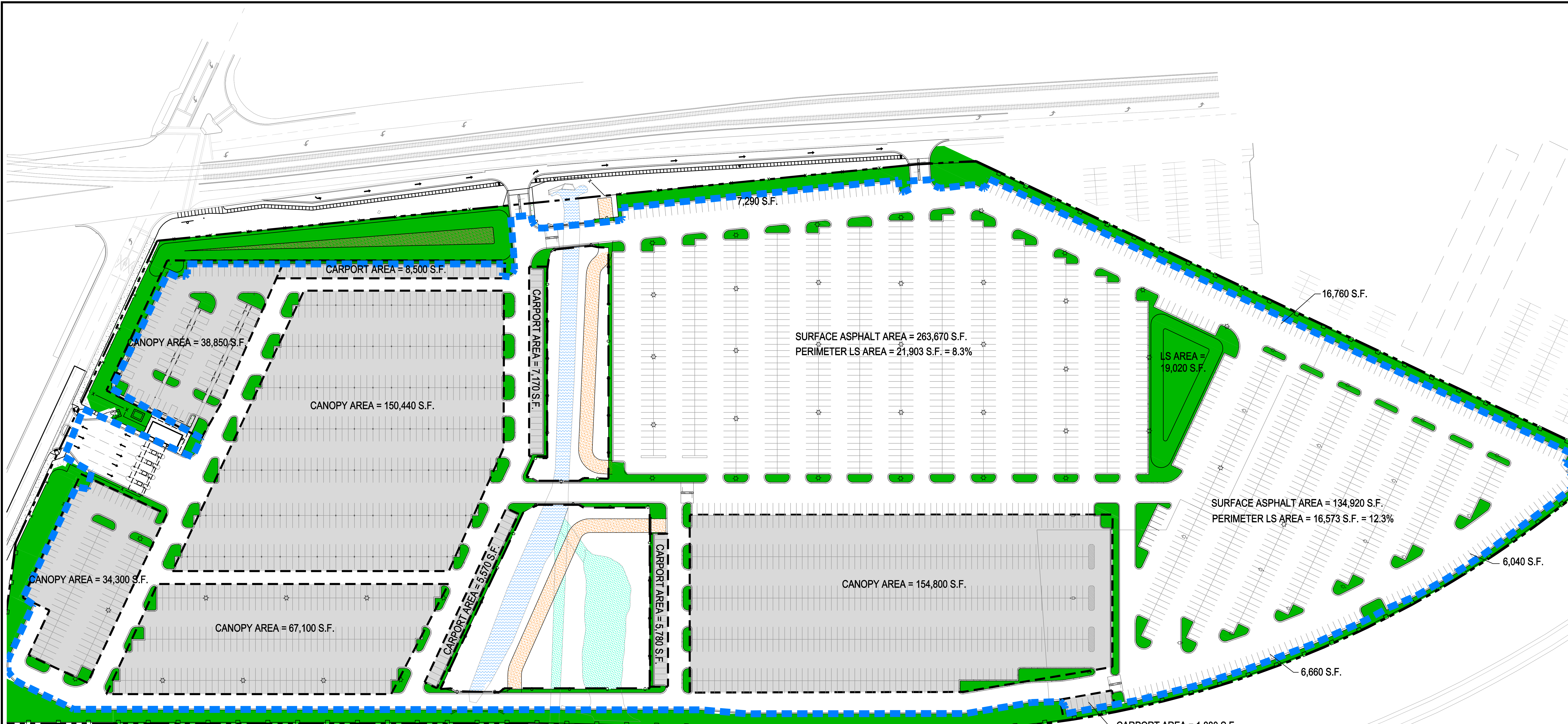
Please contact me at if you have any questions.



Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read 'Matthew Idema', written over a horizontal line.

By: Matthew Idema, P.E.
Associate



	PARKING COUNT SUMMARY
	
	TOTAL SURFACE AREA WITHIN BOUNDARY = 1,318,712 S.F.
	TOTAL CANOPY/CARPORT/OFFICE AREAS = 475,390 S.F.
	WETLAND/WATERS OF THE US/OPEN SPACE = 95,058 S.F.
	1,318,712 - 475,390 - 95,058 = <u>748,264 S.F.</u> (PERMEABLE SURFACE)
	5% OF 748,264 S.F. = <u>37,132 S.F.</u> (INTERNAL PARKING LANDSCAPING REQUIRED)
	37,132 S.F. / 120 = 311 TREES IN INTERIOR PARKING LANDSCAPED AREAS

SITE INFORMATION		
BUILDOUT		
TOTAL PROJECT AREA	34.66 AC (1,509,790 SF)	
OFF-SITE IMPROVEMENTS	1.17 AC (50,965 SF)	
SITE AREA (SUBJECT PROPERTY)	33.49 AC (1,458,825 SF)	100.00%
TOTAL LANDSCAPING	5.37 AC (233,994 SF)	16.03%
PARKING FIELD LANDSCAPING	2.73 AC (118,716 SF)	8.15%
PAVEMENT/IMPERVIOUS	26.40 AC (1,149,984 SF)	78.83%
OPEN SPACE (CANAL & WETLANDS)	1.72 AC (75,122 SF)	5.13%
TOTAL CANOPY AREA (INCL. CARPORTS)	10.89 AC (474,435 S.F.)	31.42%
TOTAL PARKING STALLS	3553	
PHASE 1		
PHASE 1 AREA	21.50 AC (936,540 SF)	
OFF-SITE IMPROVEMENTS	1.17 AC (50,965 SF)	
SITE AREA	20.33 AC (885,575 SF)	100.00%
TOTAL LANDSCAPING	3.82 AC (166,409 SF)	19.69%
PARKING FIELD LANDSCAPING	1.87 AC (81,345 SF)	9.74%
NEW PAVEMENT/IMPERVIOUS	11.78 AC (513,283 SF)	57.96%
PAVEMENT - 1-INCH MIL OVERLAY	4.73 AC (205,840 SF)	23.66%
COVERED PARKING STALLS	721	
UNCOVERED PARKING STALLS	1337	
TOTAL CANOPY AREA (INCL. CARPORTS)	4.70 AC (204,964 S.F.)	21.89%
TOTAL PARKING STALLS	2058	
FUTURE PHASES		
SITE AREA	11.82 AC (515,080 SF)	
TOTAL LANDSCAPING	1.55 AC (67,585 SF)	13.11%
PARKING FIELD LANDSCAPING	0.83 AC (36,260 SF)	7.02%
COVERED PARKING STALLS	1112	683 FROM UNCOVERED PHASE 1
UNCOVERED PARKING STALLS	1066	
TOTAL CANOPY AREA (INCL. CARPORTS)	6.19 AC (269,471 S.F.)	52.37%
TOTAL NEW PARKING STALLS	1495	
OPEN SPACE	2.26 AC (98,639 SF)	6.76%

*** PARKING FIELD LANDSCAPING IS PART OF THE OVERALL LANDSCAPING TOTAL

theParkingSpot

Kimley»Horn

215 South State Street, Suite 400 | Salt Lake City, UT 84111 | Tel. No. 985.212376

SITE/LANDSCAPE EXHIBIT

THE PARKING SPOT
123 SOUTH 2400 WEST
SALT LAKE CITY, UTAH

DRAWN BY: SJS 12/15/2016

DESIGNED BY: SJS 12/15/2016

CHECKED BY: MDJ 12/15/2016

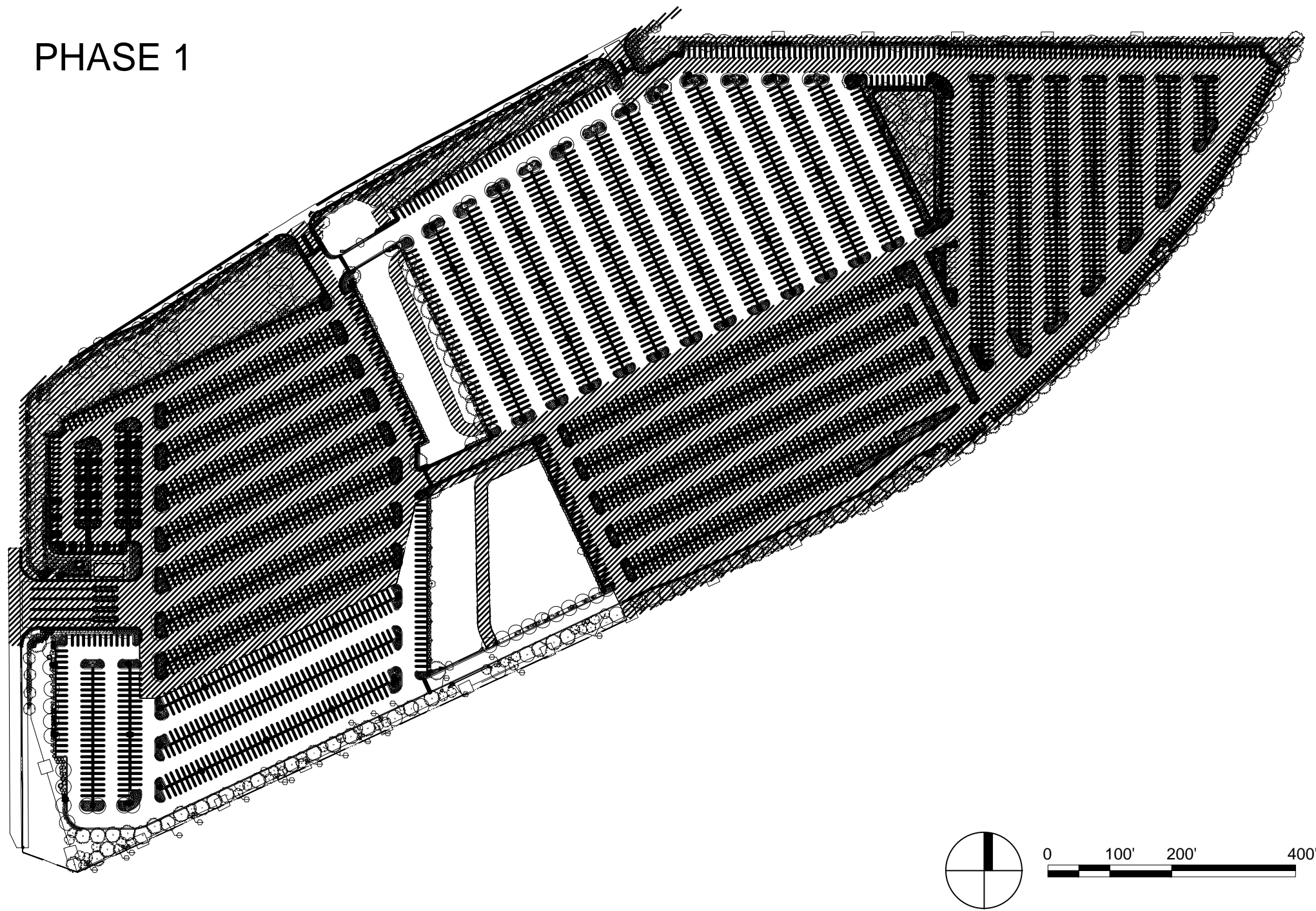
PROJECT NO: 083581.000 SCALE: AS SHOWN

SHEET

EX.01

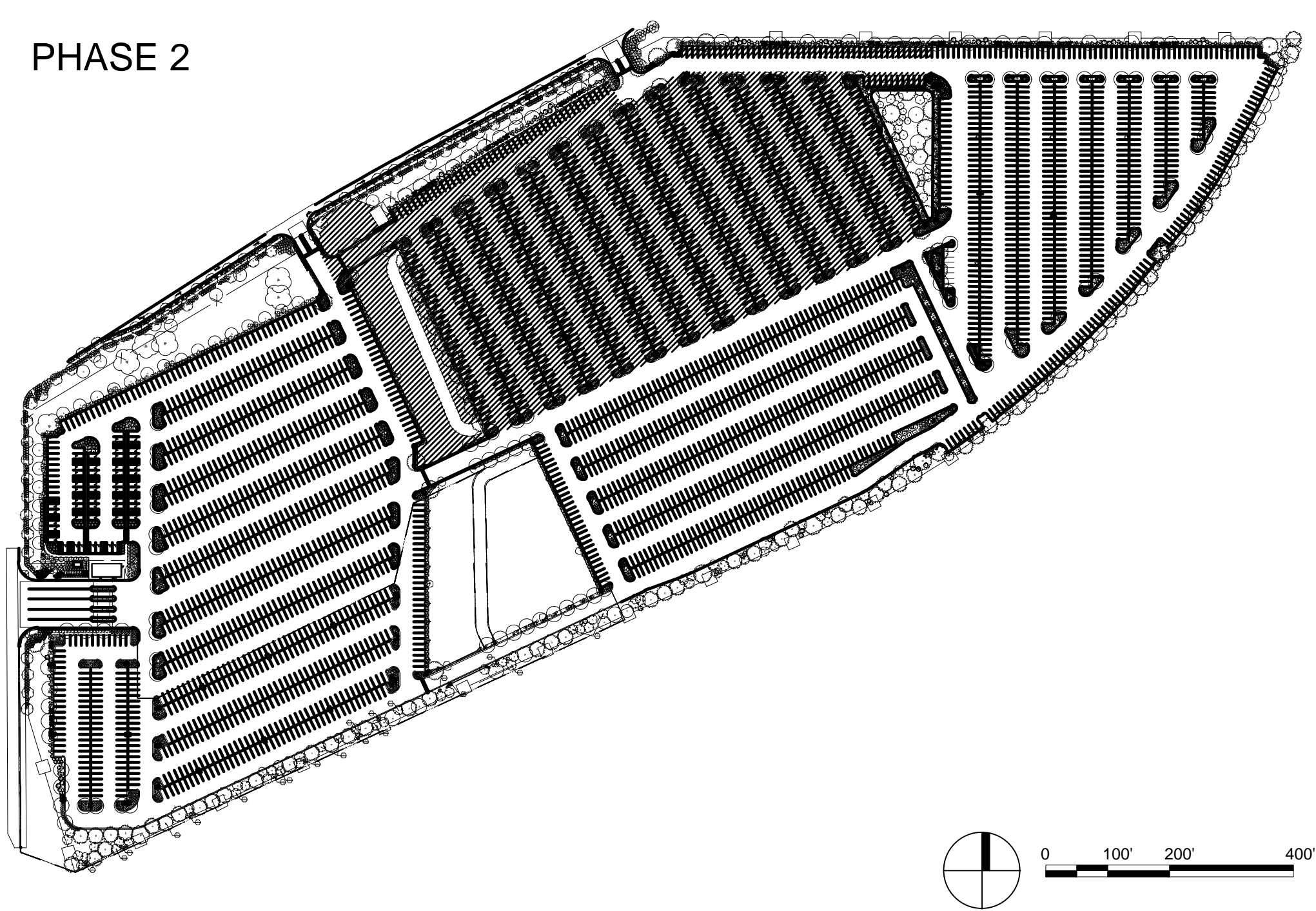


PHASE 1



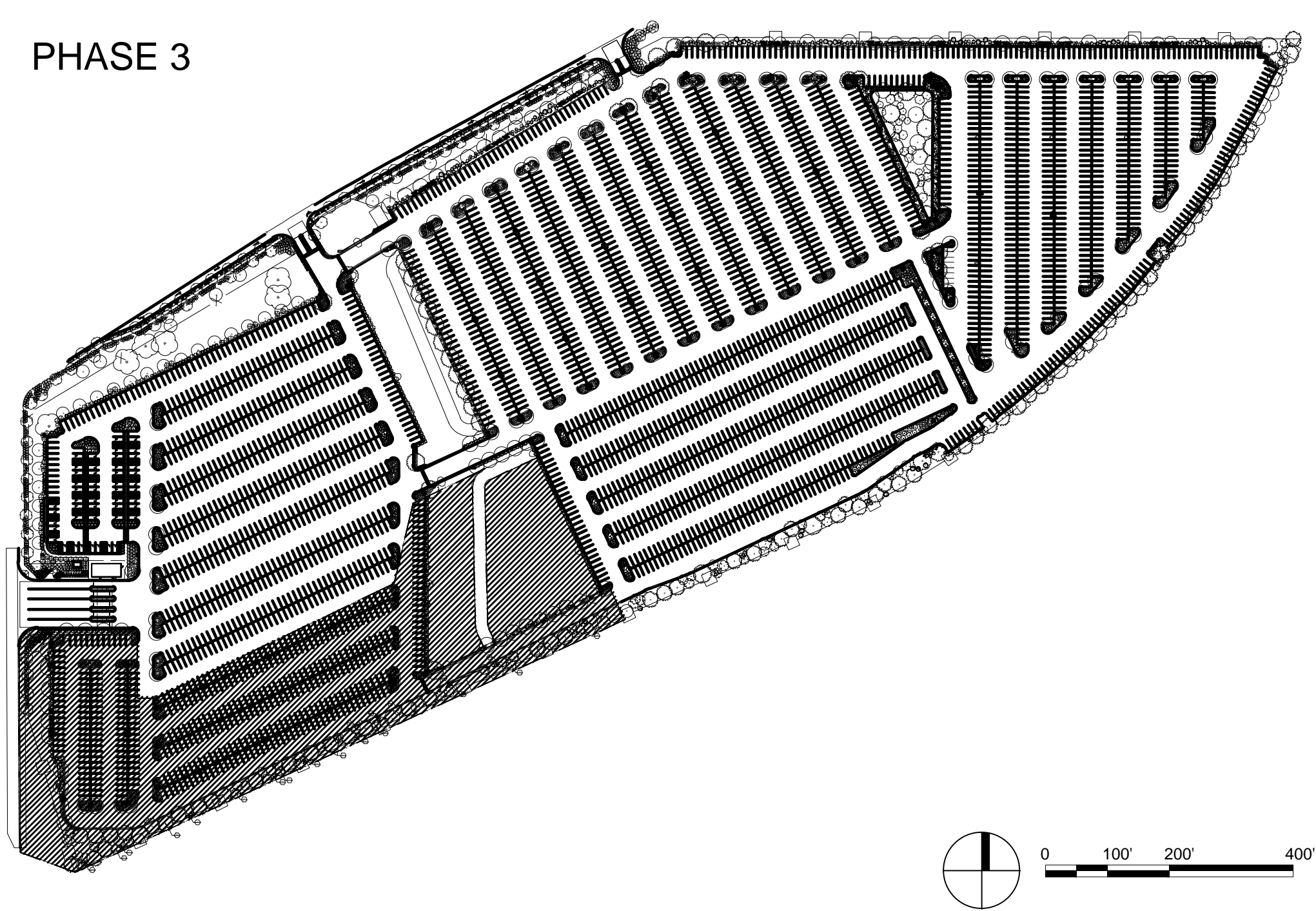
PLANT SCHEDULE PHASE 1			
TREES	CONT	CAL	QTY
Acer ginnala	B & B	1.5"Cal	23
Acer grandidentatum	B & B		48
Acer tataricum	B & B		45
Celtis occidentalis 'Prairie Pride'	B & B		36
Gleditsia triacanthos 'Imperial'	B & B		92
Pinus nigra	B & B		39
Quercus robur x alba 'Skinny Genes'	B & B		56
Rhus glabra	5 gal		16
Rhus typhina	5 gal		4
Zelkova serrata 'Green Vase'	B & B		59
WETLAND			
Populus deltoides 'Siouxland'	B & B		6
SHRUBS	SIZE	FIELD2	QTY
Berberis thunbergii 'Crimson Pygmy'	1 gal		33
Buddleia davidii 'Buzz Hot Raspberry'	1 gal		99
Cytisus purgans	5 gal		128
Juniperus communis 'Alpine Carpet'	2 gal		159
Perovskia atriplicifolia	1 gal		131
Potentilla fruticosa	2 gal		67
Rhus aromatica 'Gro-Low'	1 gal		103
ANNUALS/PERENNIALS	SIZE	FIELD2	QTY
Achillea x 'Moonshine'	1 gal		143
Agastache cana 'Sonoran Sunset'	1 gal		243
Artemisia frigida	1 gal		180
Caryopteris x clandonensis 'Dark Knight'	1 gal		268
Hemerocallis x 'Stella de Oro'	1 gal		92
Lavandula angustifolia 'Hidcote Blue'	1 gal		104
Linum perenne 'Sapphire'	1 gal		310
Penstemon eatonii	1 gal		233
Rudbeckia fulgida 'Goldstrum'	1 gal		290
GRASSES	SIZE	FIELD2	QTY
Festuca idahoensis	1 gal		961
Miscanthus purpurascens	1 gal		395
NATIVE SHRUBS	SIZE	FIELD2	QTY
Amelanchier alnifolia 'Regent'	5 gal		68
Artemisia tridentata	5 gal		123
Cercocarpus ledifolius	5 gal		33
Chrysothamnus nauseosus	1 gal		149
Dalea fremontii	5 gal		82
Ephedra nevadensis	5 gal		13
SHADE PLANTS	SIZE	FIELD2	QTY
Aesculus parviflora	5 gal		69
Amelanchier alnifolia 'Obelisk'	2 gal		169
Chaenomeles speciosa	2 gal		133
Hydrangea paniculata 'Quick Fire'	2 gal		121
Physocarpus opulifolius 'Nanus'	2 gal		344
Pieris japonica	5 gal		53
Prunus laurocerasus 'Otto Luyken'	1 gal		69
Sambucus nigra 'Black Lace'	5 gal		31
Taxus baccata 'Repandens'	2 gal		43
GROUND COVERS	QTY		
Native Seed Mix	76,370 sf		
WETLAND PLANTING AREA	40,281 sf		

PHASE 2



PLANT SCHEDULE PHASE 2			
TREES	CONT	CAL	QTY
Acer tataricum	B & B		22
Celtis occidentalis 'Prairie Pride'	B & B		19
Gleditsia triacanthos 'Imperial'	B & B		27
Rhus glabra	5 gal		1
Rhus typhina	5 gal		12
SHRUBS	SIZE	FIELD2	QTY
Juniperus communis 'Alpine Carpet'	2 gal		67
Perovskia atriplicifolia	1 gal		5
ANNUALS/PERENNIALS	SIZE	FIELD2	QTY
Achillea x 'Moonshine'	1 gal		81
Agastache cana 'Sonoran Sunset'	1 gal		339
Artemisia frigida	1 gal		123
Echinacea x 'After Midnight'	1 gal		2
Hemerocallis x 'Stella de Oro'	1 gal		136
Lavandula angustifolia 'Hidcote Blue'	1 gal		18
Linum perenne 'Sapphire'	1 gal		198
Penstemon eatonii	1 gal		10
Rudbeckia fulgida 'Goldstrum'	1 gal		276
GRASSES	SIZE	FIELD2	QTY
Festuca idahoensis	1 gal		169
Miscanthus purpurascens	1 gal		257
NATIVE SHRUBS	SIZE	FIELD2	QTY
Amelanchier alnifolia 'Regent'	5 gal		24
Artemisia tridentata	5 gal		2
Chrysothamnus nauseosus	1 gal		6
Dalea fremontii	5 gal		33
SHADE PLANTS	SIZE	FIELD2	QTY
Aesculus parviflora	5 gal		9
Chaenomeles speciosa	2 gal		1
GROUND COVERS	QTY		
Native Seed Mix	5,090 sf		

PHASE 3



PLANT SCHEDULE PHASE 3			
TREES	CONT	CAL	QTY
Acer grandidentatum	B & B		1
Acer tataricum	B & B		37
Celtis occidentalis 'Prairie Pride'	B & B		3
Gleditsia triacanthos 'Imperial'	B & B		32
Pinus nigra	B & B		24
Quercus robur x alba 'Skinny Genes'	B & B		25
Zelkova serrata 'Green Vase'	B & B		4
SHRUBS	SIZE	FIELD2	QTY
Berberis thunbergii 'Crimson Pygmy'	1 gal		21
Juniperus communis 'Alpine Carpet'	2 gal		83
Perovskia atriplicifolia	1 gal		19
Rhus aromatica 'Gro-Low'	1 gal		19
ANNUALS/PERENNIALS	SIZE	FIELD2	QTY
Achillea x 'Moonshine'	1 gal		12
Agastache cana 'Sonoran Sunset'	1 gal		221
Caryopteris x clandonensis 'Dark Knight'	1 gal		22
Echinacea x 'After Midnight'	1 gal		30
Lavandula angustifolia 'Hidcote Blue'	1 gal		46
Penstemon eatonii	1 gal		57
Rudbeckia fulgida 'Goldstrum'	1 gal		233
GRASSES	SIZE	FIELD2	QTY
Festuca idahoensis	1 gal		55
Miscanthus purpurascens	1 gal		128
NATIVE SHRUBS	SIZE	FIELD2	QTY
Artemisia tridentata	5 gal		47
Cercocarpus ledifolius	5 gal		7
Chrysothamnus nauseosus	1 gal		44
SHADE PLANTS	SIZE	FIELD2	QTY
Amelanchier alnifolia 'Obelisk'	2 gal		16
Chaenomeles speciosa	2 gal		68
Physocarpus opulifolius 'Nanus'	2 gal		58
Prunus laurocerasus 'Otto Luyken'	1 gal		21
Sambucus nigra 'Black Lace'	5 gal		10
GROUND COVERS	CONT	FIELD2	QTY
Native Seed Mix	Seed		9,871 sf

FFKR ARCHITECTS

Kimley»Horn

215 South State Street, Suite 100
Salt Lake City, UT 84111
Tel. No. (360) 212-3776

LANDSCAPE PLANTING PHASING DIAGRAM

THE PARKING SPOT
123 SOUTH 2400 WEST
SALT LAKE CITY, UTAH 84116

DRAWN BY: FFKR ARCHITECTS 04/28/2017

DESIGNED BY: FFKR ARCHITECTS 04/28/2017

CHECKED BY: FFKR ARCHITECTS 04/28/2017

PROJECT NO.: 093381-000 SCALE: AS SHOWN

SEAL

PRO OF PLAN
STATE OF UTAH
Professional Landscape Architect
04/28/2017

PREPARED UNDER THE DIRECTION
AND SUPERVISION OF MATTHEW D.
IDEMA, P.E. UTAH REGISTRATION
NO. 360598-2002 FOR AND ON
BEHALF OF KIMLEY-HORN AND
ASSOCIATES, INC.

SHEET

LA500.1

ATTACHMENT C: SITE PHOTOGRAPHS



Birds eye view of the subject property looking west



View of the subject property looking west from I-215



View of the subject property looking northwest from I-215



View of the subject property looking north from I-215. The photo shows the wetlands area and flood control canal.



View of the subject property looking northeast from I-215.



Street view of the subject property looking east from 2400 W.



View of 2400 W. looking north. Subject property is east of the street.



Surrounding development south of the subject property. View from 2400 W. looking south.



View from North Temple looking north. The subject property can be seen to the south (right)



View of the subject property looking south from North Temple

ATTACHMENT D: ZONING STANDARDS

21A.26.078: TSA Transit Station Area TSA-MUEC-C (Transit Station Area-Mixed Use Employment Center-Core)

21A.26.078.N-Development over 5 acres

Intent: Large scale developments have the potential to function as a self-contained mixed use neighborhood and could have both positive and negative impacts on nearby properties. All developments over five (5) acres in size shall be designed and planned to include a series of blocks and a network of public or private streets that connects to the existing public streets in the area and to adjacent development and neighborhoods. Buildings should be oriented to this street network. Regulating block size is necessary to provide development sites that are oriented to the pedestrian while accommodating other modes of transportation. A street network is required to ensure adequate circulation for pedestrians, bicycles, automobiles and service vehicles through the site, to adjacent sites and the public streets.

Applicable Standards from 21A.26.078.N

Regulation	Proposed	Complies Y/N
<p>d. Vehicle Access:</p> <ol style="list-style-type: none"> 1) Access points shall be spaced a minimum of 100 FT apart 2) No more than one vehicle access point for every 200 FT of frontage on a public street 3) No access drive shall be greater than 24FT wide. 4) The location of all vehicle access points is subject to approval from the transportation division and may be modified by the transportation division, when in the opinion of the transportation director, a different design would improve the overall safety for all modes of transportation or improve the efficiency of the transportation network. 	<ol style="list-style-type: none"> 1) Two access drives are proposed on North Temple and are approximately 530 FT apart. 2) There is approximately 1140 FT of frontage on North Temple and 2 access points are proposed. 2400 W has only one access point. 3) The proposed width of the access drive on 2400 W is 77 FT and the proposed width of the access drives on North Temple are 30 FT. The transportation division may modify the requirements of this section when in the opinion of the transportation director, a different design would improve the overall safety for all modes of transportation or improve the efficiency of the transportation network. 	<p>Complies; Subject to modifications to this standard approved by the transportation division for the proposed increased width of the access drives on North Temple</p>
<p>g. Open Space:</p> <ol style="list-style-type: none"> 1) Minimum of 10% of the site up to 15,000 SF "Usable open space" is defined as landscaped areas, plazas, outdoor dining areas, terraces, rooftop gardens, stormwater retention areas, and any other similar type of area. 2) Connectivity to Adjacent Open Space: When adjacent to public open space, parks, trails and pathways, open space on developments over five (5) acres in size are encouraged to provide access to the public open space. 	<ol style="list-style-type: none"> 1) The proposal includes 95,058 SF of open space (8.2%). 2) The proposal is not adjacent to publically accessible open space. 	<p>Complies</p>
<p>h. Landscaping:</p>	<p>The project meets this requirement. The project is subject to the landscaping</p>	<p>Complies</p>

All areas not occupied by buildings, plazas, terraces, patios, parking areas or other similar feature shall be landscaped.	requirements in 21A.48, as well as freeway scenic landscaping requirements for the area adjacent to I-215.	
--	--	--

21A.26.078: Landscaping Requirements

21A.48.070: Parking Lot or Vehicle Sales or Lease Lots Landscaping
21A.48.110: Freeway Scenic Landscape Setback

Regulation	Proposal	Complies
<u>Interior Parking Lot Landscaping</u> 1) 5% of interior parking lot shall be devoted to landscaping and developed in accordance with the following: 2) Landscaped Areas shall be improved in conformance with the following: a. Dispersion-Interior parking lot landscaping areas shall be dispersed throughout the parking lot b. Minimum size of landscaping areas shall be 120 SF and a minimum of 5 FT in width from back of curb to back of curb c. Landscape Material-One shade tree for every 120 SF. A minimum of 50% of the landscaping area shall be planted with an approved ground cover in the appropriate density to achieve complete cover within 2 years as determined by the zoning administrator.	1) Total interior parking lot area (excluding canopied area and open space) = 748,264 SF • 5% = 37,413 SF of interior parking lot landscaping required/provided 2) Landscaped Areas shall be improved in conformance with the following: a. Proposed landscaped areas are dispersed throughout the parking lot. b. Proposed landscape areas range in size. All areas are larger than 120 SF. c. 37,413 SF / 120 SF = 311 shade trees required/provided. 18,571 SF (50%) must be planted with an approved ground cover in the appropriate density to achieve complete cover within 2 years as determined by the zoning administrator.	Generally Complies More detailed information is needed. A landscaping plan will be required in accordance with the provisions in 21A.48 prior to building permit issuance.
<u>Perimeter Parking Lot Landscaping</u> 1) If a parking lot is located within a required yard, or within 20FT of a lot line, perimeter parking lot landscaping is required and must be at least 7FT in width. 2) Landscape improvements must meet the requirements indicated in table 21A.48.070.G <u>Front Yard:</u> 1 shade tree per 50 FT of yard length 1 shrub per 3 FT, on center along 100% of the yard length.	1) Parking area is proposed within 20 FT of lot line. Required setback for the zoning district is 15 FT. 7 FT is required to be landscaped in accordance with 21A.48.070.G 2) <u>Perimeter parking lot length front/corner side yard=</u> North Temple - approximately 1,182 FT 2400 West – approximately 499 FT 114 shade trees and 1,905 shrubs required along North Temple 10 shade trees and 166 shrubs required along 2400 W.	Generally Complies More detailed information is needed. A landscaping plan will be required in accordance with the provisions in 21A.48 prior to building permit issuance

<p>Ground Cover – Landscaped area outside of shrub masses shall be established in turf or other ground cover.</p> <p><u>Interior Side Yard:</u></p> <p>1 shade tree per 50 FT of yard length</p> <p>1 shrub per 3 FT, on center along 50% of the yard length.</p> <p>Ground Cover – Landscaped area outside of shrub masses shall be established per section 21A.48.090</p>	<p>Ground Cover – Landscaped area outside of shrub masses shall be established in turf or other ground cover.</p> <p><u>Perimeter parking lot length/interior side yard=</u></p> <p>north interior lot line - approximately 1,037 FT southwest interior lot line – approximately 233 FT</p> <p>21 shade trees and 346 shrubs required along northeast interior yard</p> <p>5 shade trees and 78 shrubs required along southwest interior yard</p> <p>Ground Cover – Landscaped area outside of shrub masses shall be established per section 21A.48.090</p> <p>*Yard area adjacent to I-215 subject to the landscaping standards below.</p>	<p>Generally Complies More detailed information is needed. A landscaping plan will be required in accordance with the provisions in 21A.48 prior to building permit issuance</p>
<p><u>Freeway Scenic Landscape Setback</u></p> <p>C. Areas adjacent to an interstate highway/full length of frontage</p> <p>D. Required width: 20FT</p> <p>E. Planting requirements:</p> <ol style="list-style-type: none"> 1) 1 shade tree for each 300 SF of setback 2) Evergreen trees may be substituted for 100% of required shade trees where microclimate conditions support the use of these trees subject to approval from the Zoning Administrator 3) Ornamental trees having a mature canopy size less than 30 FT may be substituted for up to 30% of the required shade trees 4) Large shrubs may be substituted for up to 10% of the shade trees required. 3 shrubs are required for every shade tree. <p>F. Ground Cover: To promote water conservation and the visual character of the native landscape, scenic landscape setbacks shall use native grasses, wildflowers and shrubs for the establishment of ground cover. In areas with greater exposure to sun and drought conditions, herbaceous perennials and shrubs will be used to create a native ground cover.</p> <p>G. Drought tolerant materials: All of the plant material used shall be drought tolerant species conforming to the current list maintained by the zoning administrator, or as otherwise approved.</p>	<p>C. The yard area adjacent to I-215 is subject to these standards.</p> <p>D. When the conditional use was approved in 2006, it was approved with a reduced setback along I-215. The area that was previously approved will maintain the reduced setback. Any new development of the parking lot along the I-215 frontage will meet the 20 FT setback requirement.</p> <p>E. Frontage length – 2,462 X 20 FT buffer = 49, 240 SF of freeway landscaping setback required.</p> <ul style="list-style-type: none"> • 164 trees required (minus 10% shrub substitution) = 148 • Shrubs substituted for 16 trees – 48 shrubs required <p>F. Ground cover will be provided in the required freeway landscape setback.</p> <p>G. Drought tolerant materials: If approved, project will be reviewed for compliance upon submittal of a complete landscape plan in accordance with 21A.48.</p>	<p>Generally Complies More detailed information is needed. A landscaping plan will be required in accordance with the provisions in 21A.48 prior to building permit issuance</p>

H. Irrigation: A permanent water efficient irrigation system shall be installed within each scenic landscape setback.	H. If approved, an irrigation plan will be required in accordance with 21A.48	
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ATTACHMENT E: ANALYSIS OF SPECIAL EXCEPTION STANDARDS

21a.52.060: General Standards and Considerations for Special Exceptions:

No application for a special exception shall be approved unless the planning commission or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

Standard	Finding	Rationale
A. Compliance With Zoning Ordinance And District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.	Complies	<p><i>The purpose of the Transit Station Area is to provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed use development around transit stations. Redevelopment, infill development and increased development on underutilized parcels should include uses that allow them to function as part of a walkable, mixed use district. Existing uses that are complementary to the district, and economically and physically viable, should be integrated into the form and function of a compact, mixed use pedestrian oriented neighborhood.</i></p> <p>Summary of the Mixed Use Employment Center Station (TSA-MUEC): A mixed use employment station is an area with a high concentration of jobs that attract people from the entire region. Generally, new development occurs on vacant parcels and redevelopment occurs on surface parking lots, underutilized land, or as additions to existing buildings as businesses expand. The primary mode of circulation is by automobile, but the area is served by at least two (2) types of mass transit which provides alternative modes of transportation for employees. Land uses that support the employment centers are located throughout the station area. A mix of housing types and sizes are appropriate to provide employees with the choice to live close to where they work. The area is likely to have large blocks and lacks a consistent street network. Connectivity for all modes of travel is important due to the limited street network.</p> <p>The proposed project is an expansion of an existing nonconforming use. Because commercial parking lots are a prohibited use in the zoning district, the purpose statements of the zone generally relate to a mix of uses, rather than a parking lot as a primary use, and therefore it's difficult to make a comparison. Section 21A.38 regulates nonconforming uses. The purpose of chapter 21A.38 is</p>

		<p><i>“To regulate the continued existence of nonconforming uses, noncomplying structures, noncomplying lots and legal conforming dwellings as defined in chapter 21A.62, “Definitions”, of this title. While nonconforming uses, noncomplying structures and improvements may continue, this chapter’s purpose is to limit enlargement, alteration, restoration, or replacement which would increase the level of nonconformity or noncompliance.”</i></p> <p>As discussed in the “Issues” section of this Staff Report, the proposed expansion does not increase the level of nonconformity or noncompliance. The intent of the nonconforming use chapter states that</p> <p><i>“Certain nonconformities are permissible as is their continued use so long as in their particular location they are not detrimental to the surrounding neighborhood.”</i></p> <p>The location of the subject property is a commercial setting and also bordered by I-215. Staff is of the opinion the request would not have a detrimental impact to the surrounding neighborhood. This standard is met.</p>
B. No Substantial Impairment Of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.	Complies	<p>The existing use of the property is not changing from a commercial parking lot not located in a parking structure. The subject property is bordered to the south by I-215, and the other uses surrounding the property are commercial uses, and the proposal would not impair their value. Staff has not received any information or evidence indicating that the proposal would substantially diminish the value of the property within the neighborhood. This standard is met.</p>
C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.	Complies	<p>The request is to expand the use of a commercial parking lot which already exists on the property. Although the proposed expansion covers a much larger area than the current parking lot, the context of the surrounding area is commercial in nature and would not be negatively affected by the expansion. Staff is of the opinion the requested development will not have an adverse impact on the character of the area, public health, safety or general welfare. This standard is met.</p>
D. Compatible With Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.	Complies	<p>The surrounding development is similar to the proposed project. Surrounding uses include a commercial parking lot, a rental car lot and a surface parking area owned by Salt Lake City Corporation. The proposal will be arranged and operated to be compatible with</p>

		neighboring property. This standard is met.
E. No Destruction Of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.	Complies	The subject property contains some delineated wetlands as well as a flood canal that traverses the property. The applicant has been working with the Army Corps of Engineers on any mitigations efforts that may be required to develop the property. The applicant has also been working with Salt Lake County Flood Control to address any potential issues associated with the canal. The wetlands located on the property will be preserved and have been included as part of the required open space for the development. No modifications to the location or flow of the canal are being proposed at this time. Staff is not aware of any historic features of significant importance, and the proposal retains the natural features located on the property. This standard is met.
F. No Material Pollution Of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.	Complies	There is no foreseen material pollution of the environment. This standard is met.
G. Compliance With Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.	Complies	There are not any additional specific standards for Special Exceptions for expanding a nonconforming use. The project complies with the general special exception standards in 21A.52. This standard is met.

ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

Public Process:

- Notice of application letters sent to abutting property owners on April 10, 2017
- Public hearing notice mailed on June 1, 2017
- Newspaper notice sent on May 30, 2017
- Public hearing notice posted on the City and State websites on June 1, 2017
- Public hearing sign posted on property on June 5, 2017

Public Comments:

Staff received one letter in opposition to the proposal from an attorney representing an adjacent property owner. The letter is included on the next page of this attachment.

BRUCE R. BAIRD PLLC

ATTORNEY AND COUNSELOR

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SALT LAKE CITY, UTAH 84106

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BBAIRD@DIFFICULTDIRT.COM

April 24, 2017

VIA EMAIL ONLY

Amy Thompson, Planner
Salt Lake City Planning Division

**Re: "Parking Spot" Expansion/Special Exception – PLNPCM2017-00134
75 South 2400 West
Objection and Request for Hearing**

Dear Ms. Thompson:

I am counsel for Triple J Parking, dba Park'n JET concerning the above-referenced matter ("Application"). After reviewing the Notice dated April 10, 2017 and the documents related to the Application my clients and I have several questions and concerns remain regarding the proposed project as outlined below. I hereby request that this matter not be decided administratively but, instead, be considered by the Planning Commission pursuant to Section 21A.52.040.A.5.b. It is my understanding that Larane Investments (landlord of Park'n JET) concurs in this request.

- **Traffic Safety.** The site plan accompanying the Application shows three separate entrances/exits; two on North Temple and one on 2400 West. It is unclear how traffic will flow in and out of the lot. It is also unclear which access points will be used by shuttles and which by customers? Specifically, if shuttles exit the lot at North Temple, merging onto North Temple with oncoming eastbound traffic and immediately make a U-turn at 2200 West (in front of a TRAX line) to return to the Airport, potential traffic safety issues could result. This concern is compounded with the frequency of shuttle runs to and from the Airport. Similarly, it is unclear whether customers will utilize the same entrances and exits on North Temple and make U-turns at 2200 West and 2400 West respectively.
- **Wetlands Encroachment.** the Application appear to show that the project impacts what appear to be significant wetlands. What consideration is given to protect and mitigate any impact to the wetlands? Has a wetlands delineation survey been conducted and has a determination been made about the wetlands by the Corps? Are agreements in place to provide for multiple canal crossings?
- **Landscaping Bordering Park'n JET's facility.** The site plan specifies installation of landscaping along the north-west section of the facility, bordering Park'n JET's lot.

- What if any impact will installation of landscaping along the corridor have upon Park'n JET's existing fence line? What plant type of plant material will be used?
- ***Irrigation and Existing Power to Lighting.*** When and how will power to existing lot lights be terminated on property previously leased by Park'n JET? What is the plan for dealing with irrigation and the metering of water usage on property.
 - ***Plan Salt Lake.*** How does this development meet and further enhance the objectives of Plan Salt Lake, including environmental sensibility and promoting alternative methods of transportation (e.g. TRAX)?

More importantly than dealing with the issues addressed above, the process for considering this expansion (though that word seems inadequate in light of the scope of what is being proposed) of a "non-conforming use" by way of a "special exception seems strained to the point of illegality. The purpose of the non-conforming use guidelines according to Chapter 21A.38.010 of the Salt Lake City Code is "to limit enlargement, alteration, restoration, or replacement which would increase the level of nonconformity or noncompliance."

Expansion of a non-conforming use with a "structure" is, also, limited to 25% of the "gross floor area" pursuant to Section 21A.38.040.H.2. Even that limited expansion requires a "special exception". However, the fact that a special exception can be sought for that limited expansion does *ipso facto* allow the special exception to grow without limits. Merely defining a flat parking lot as a "structure" and then allowing that structure to metastasize does not seem legal to me.

Note, also, that Section 21.A.38.050.B provides that non-complying structures (which is what the Staff seems to have determined the flat parking lot to be, wrongly I think) may only be "be enlarged if such enlargement and its location comply with the standards of the zoning district in which it is located." Clearly, if the "parking lot" is, itself, a structure than its enlargement as proposed is prohibited because it is not allowed in the TSA-MUEC-CORE zone. Note that according to TSA Development guidelines, developments in TSA zones ought to promote unique places that are carefully integrated into the neighborhood and matched with the function of the station and the needs and desires of those who live and work nearby. Simply put, a vast field of asphalt seems to directly conflict with those requirements. Given that the proposed project will destroy the parcel's designated TSA use as and increase the size of the "non-conforming use" by a factor of at least 5 or 6 it seems impossible to reconcile how this proposal would be legal.

I appreciate your consideration of the issues raised above and trust that this matter will be set for a hearing in front of the Planning Commission. I look forward to hearing from you.

Sincerely,



Bruce R. Baird

cc: Clients

Ms. Amy Thompson
April 24, 2017
Page 3

Joel Patterson
Paul Nielsen, Esq.

ATTACHMENT G: DEPARTMENT COMMENTS

If the proposal is approved, the applicant will need to provide the required information showing compliance to the Building Services department before a building permit will be issued.

Transportation (Michael Barry at michael.barry@slcgov.com or 801-535-7147)

Recommended driveway access on 2400 W: The 78 foot wide driveway access appears confusing and cumbersome due to potential turning conflicts created by multiple vehicles side-by-side, turning into a single travel lane; vehicles exiting the property will almost exclusively turn right (north) toward North Temple St. into a single travel lane. Vehicles entering the property (turning left, from North Temple St.) may be unfamiliar with the driveway configuration and not be able to recognize which of the five lanes they should turn into to, causing confusion.

- **We recommend two (2) twelve foot (12') wide approaches; one (1) "in" and one (1) "out", separated by a median with a width of at least six feet (6'). The driveways could expand in width on the property to accommodate the five (5) lanes desired per the design.**
- Recommended accesses on North Temple St.: **We recommend that the two (2) accesses should include acceleration and decelerations lanes and/or be clearly marked as "shuttle van entrance only" (if that is the intent of the accesses).**

Planning Staff Note - Transportation: The zoning district regulations for the property indicate that no access drive shall be greater than 24 FT wide. As indicated in 21A.26.078.N, the transportation division may modify the requirements of this section when in the opinion of the transportation director, a different design would improve the overall safety for all modes of transportation or improve the efficiency of the transportation network.

Since this initial review Transportation has worked with the applicant on the proposed 2400 W. access drive and modified the maximum width requirement and approved the proposed design. Modifications to the maximum access width on the two North Temple access points are still subject to review and approval from transportation.

Public Utilities (Jason Draper at jason.draper@slcgov.com or 801-483-6751)

- Please also refer to previous DRT Notes
- Approval of the petition is not approval for construction.
- Water Quality treatment of the drainage from the parking areas will be required.
- Wetland determination shows some emergent wetlands. Army Corp of Engineers review may be required.
- Salt Lake County Flood Control Permit will be required for any work over or connecting to the CWA Drainage.
- Improvement Plans to be submitted to public utilities including grading and drainage plans, Technical Drainage Study, and SWPPP documents.

Engineering (Scott Weiler at scott.weiler@slcgov.com or 801-535-6159)

The public improvements proposed in 2400 West must comply with APWA Standards for curb, gutter, sidewalk, drive approach and asphalt tie-in.

Fire (Kenney Christensen at kenney.christensen@slcgov.com or 801-535-6619)

- Fire access and water supply shall be in accordance with IFC Sections: 503 Fire Apparatus Access Roads; and 507 Fire Protection Water Supplies; and the adopted IFC Appendices.
- Separate fire BLD permits required for underground fire lines and fire hydrants in accordance with IFC Section 105.7.13
- Structures or portions of structures shall be classified with respect to occupancy in one or more of the groups listed in IBC Section 302. A room or space that is intended to be occupied at different times for different purposes shall comply with all of the requirements that are applicable to each of the purposes for which the room or space will be occupied. Structures with multiple occupancies or uses shall comply with IBC Section 508. Where a structure is proposed for a purpose that is not specifically provided for in this code, such structure shall be classified in the group that the occupancy most nearly resembles, according to the fire safety and relative hazard involved.

Zoning/Building Services Department (Ken Brown at ken.brown@slcgov.com or 801-535-6179)

- The DRT comments of December 14, 2016 DRT2016-00308 should be considered.
- This property is located within a Surface Fault Rupture Special Study Area and may need building code input for the placement of structures.
- Generally, only one driveway and drive isle is permitted per street frontage on corner properties within the TSA Districts.
- Additional screening for the trash dumpster enclosure and transformer (ground mounted utility box) may need to be considered since they are in a location visible from the street.
- Monument signage will be reviewed under a separate sign permit application and shall comply with 21A.46.095.
- It is assumed that parking lot lighting will be provided, yet it does not appear to be addressed. How will it affect the surrounding area?
- The Interior Landscape Area table is a little confusing. It notes that 553 interior parking lot trees are required based on 1 Tree Per 120 SF. of Landscape Area, instead of Required Area. Interior parking lot trees are based on 5% of the total parking lot area with 1 Tree Per 120 SF. of this number. Clarification is needed.

- The Overall Plant Schedule needs to include the Hydro Zone of each species so that plants of similar hydro zones can be either grouped together on the same line or differentiated by the number of emitters.

Planning Staff Note – Zoning/Building Services:

The trash dumpster is proposed near the access drive off of 2400 W. in a location that is visible from public views. Section 21A.26.078.J of the zoning ordinance are related design standards for the TSA zoning district and require these areas to be completely screened from public views. All screening devices shall be a minimum of 1 FT higher than the object being screened. As a condition of approval, the trash area will need to be fully screened using building materials and detailing compatible with the building being served (the accessory office building) to comply with the design standards in 21A.26.078.

Ground mounted utility boxes are subject to the regulations in section 21A.40.160 of the zoning ordinance. There is an established location priority for placement of ground mounted utility boxes which is as follows:

- 1. In a location not readily visible from a street.*
- 2. In an alley located along the rear of adjacent properties.*
- 3. In a nonresidential location that may be visible from a street.*
- 4. In the park strip of a nonresidential property.*
- 5. In the park strip of a residential property.*

The proposed location of the utility box is located within the subject property approximately 70 FT from the property line adjacent to 2400 W, which may be visible from the street. The applicant is proposing an accessory structure in this same area, and it may be possible to modify plans so the ground mounted utility box is located behind that structure. The area is also heavily landscaped and Staff is of the opinion the landscaping may help screen the ground mounted utility box from public views.

Any on site lighting must be located, directed or designed in such a manner as to contain and direct light and glare to the property on which it is located only. Submittal of a lighting plan will be required and reviewed as part of the building permit process.

The landscaping tables have been revised since this zoning/building services review. If approved, a full landscaping plan will be required in accordance with Chapter 21A.48 of the zoning ordinance.

Airport (Allen McCandless at allen.mccandless@slcgov.com or 801-575-2231)

- This project would be located near the south end of Runway 17/35, however, the project is not within the approach critical areas of this runway approach. The project site is located a short distance east of Runway 17/35.
- All parking lot lights should be shielded to prevent lights from shining up. Shielding aids both pilots and the FAA air traffic controllers by controlling the additional lights visible from the aircraft and control tower as aircraft approach and depart the airport.



Work Flow History Report

75 S 2400 W

DRT2016-00308

Project: The Parking Spot

Project Description: 3:00PM, New surface parking business, South of the SL International Airport

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.

Date		Task/Inspection	Status/Result	Action By	Comments
12/14/2016	0	Application Acceptance	Accepted	Robinson, DeeDee	
12/14/2016	0	Engineering Review	Comments	Thompson, Josh	At the time of application for Building Permit or Plat, 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, drive approach, 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 at 801-535-7248. UDOT approval of certain roadway improvements and/or driveway locations. 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 Review – Required Approved site plan required. Submit approved site plan to Engineering Permits Office @ 349 South 200 East. Contact Josh Thompson @ 801-535-6396 for Permit information.

12/14/2016	0	Fire Review	Comments	Christensen, Kenney	For any occupancy the following is needed: • Provide record of certified address assigned by the city engineer office; all drawing sheets shall contain the certified address in the title block including the unit or suite number if applicable. The application for permit shall have the same certified address, unit or suite number. • Fire hydrants shall be within 400 feet of all exterior walls of the first floor and 100 feet of a fire department connection (FDC). • If required; FDC shall be installed on the certified address side of the structure. • FDC and fire hydrants shall be unobstructed and have a minimum 3 feet clearance. • Fire department access shall be within 150 feet of all exterior walls of the first floor. If the structure is built on property line then an Alternate Means & Method may be applied for. • Fire department access roads shall be a minimum of 26 ft. clear width and a clear height of 13 ft. 6 inches. Fire department access roads shall be design HS20 with turning radius of 45 ft. outside and 20 ft. inside. The access road shall not have a dead end greater than 150 ft. • The access road shall have no utility lines over the road or between the structure and the access road. • When two access roads are required then one of the roads shall not be closer than 15 ft. to the structure and greater than 30 ft. from the structure.
12/14/2016	0	Fire Review	Will Not Attend	Christensen, Kenney	

12/14/2016	0	Public Utilities Review	Comments	McIntire, Blayde	<p>Proposed airport parking on approximately 33 acres. Submit site utility and drainage plans for review. A SWPPP and Technical Drainage Study will also be required. Water - There is an 8" Transite water main in 2400 West. This is a dead end main and available flows are fairly low. The minimum fire flow of 1750 may not delivered by this main. A fire flow test will be conducted to determine the available flow. If the required flow is not delivered, system upgrades will be required at the property owner's expense. One culinary water meter, one irrigation meter, and one fire line are permitted. Sewer - There is a 10" Truss sewer main in 2400 West. Drains in covered parking areas must be treated to remove solids and oils and are discharged to the sanitary sewer. Use a sand/oil separator or similar device with a sampling manhole. Connect the building sewer downstream of the sampling manhole. Storm water - The CWA#2 canal runs through the middle of the property. Any design around this canal must be reviewed and approved by Salt Lake County before the plans will be approved by Salt Lake City Public Utilities. Storm water detention is required to the effect that no more than 0.2 cfs/acre is discharged during the 100 yr 3 hr storm using the Farmer Fletcher rainfall distribution. Drains from uncovered parking areas must be treated to remove solids and oils prior to discharging to the storm drain. Ponding may be used as a detention method as long as the depth is less than 1ft and there is 1ft freeboard to any finished floor elevation. A SWPPP is required.</p>
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12/14/2016	0	Transportation Review	Comments	Barry, Michael	<p>Proposed commercial parking lot. Major issues include traffic demands, including left turns, at 2400 W traffic signal (UDOT signal), lane striping on 2400 W. References to general parking requirements are provided below.</p> <p>*****</p> <p>***** Provide a site plan, drawn to scale and fully dimensioned, showing any off street parking or loading facilities to be provided; see also: • Change in Use (21A.44.010.C) • General Off Street Parking Regulations (21A.44.020) • Driveway Standards (21A.44.020.F.7) • Driveway construction per 2012 APWA Standards; specify driveway type (example: Plan 225) • Parking Restrictions in Required Yards (21A.44.060) • Outdoor Dining (21A.40.065) • Regulation of Fences, Walls, and Hedges: Height Restrictions and Gates (21A.40.120.E) Provide complete parking calculations on site plan indicating the following: • Each type of use and associated parking ratio per Table 21A.44.030; and square footage (or other specified basis of measurement) of each type of use. • Minimum number of ADA parking spaces required (21A.44.020.D) • Minimum number of passenger vehicle parking spaces required (21A.44.030.G) • Maximum number of passenger vehicles parking spaces allowed (21A.44.030.H) • Minimum number of electric vehicle parking spaces required (21A.44.050.B.2) • Minimum number of bicycle parking spaces required (21A.44.050.B.3) • Minimum number of loading berths required (21A.44.080) • Number of parking spaces provided • Any modifications to parking requirements (21A.44.040) Provide the following details: • ADA parking stall dimensions, signage, pavement markings, and ramps. • Signage and/or pavement markings for electric vehicle parking spaces indicating exclusive availability for electric vehicles (see 21A.44.050.B.2). • Bike rack installation (See SLC Transportation Standard Detail, F1.f2, "Bicycle Parking" @ http://www.slcdocs.com/transportation/design/pdf/F1.f2.pdf. Please feel free to contact me if you have any questions. Michael Barry, PE SLC Transportation Division 801-535-7147 email: michael.barry@slcgov.com</p>
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12/14/2016	0	Zoning Review	Comments	Brown, Ken	<p>TSA-MUEC-C Zone / Airport Flight Path Protection Zone B - The applicant proposes to construct a surface parking business south of the Salt Lake International Airport using the April 23, 2015 Administrative Interpretation PLNZAD2015-00193 regarding an expansion of the existing nonconforming commercial parking lot requiring a special exception review and approval. • The special exception is to be initiated with the Planning Desk in the Building Permits Office. • The office, parking canopy, handicap parking provisions, etc. will need to be discussed with the building code personnel in Room #215. • A Certified Address is to be obtained from the Engineering Dept. for use in the plan review and permit issuance process. • This proposal will need to address the recycling collection station and construction waste management provisions of 21A.36.250. To download the construction waste management plan handout, see http://www.slcgov.com/slcgreen/constructiondemo). Waste Management Plans should be filed by email to the Streets and Sanitation Division at constructionrecycling@slcgov.com and the approval documentation included in the new construction permit package. Questions regarding the waste management plans may be directed to 801-535-6984. • The proposal is located within Airport Flight Path Protection Zone B and requires documentation of recording of an avigation easement. If this recording has not yet occurred; a cover letter regarding an Avigation Easement and including the applicant's name, project address, property owner, tax parcel number(s) and a Sidwell Plat is to be submitted to the Salt Lake City Department of Airports. • This proposal will need to address the appropriate provisions of 21A.44 for parking lot access, layout, pedestrian access, electric vehicle parking, etc. unless modified through the special exception process. • This proposal will need to comply with the appropriate provisions of 21A.48 for landscaping and - the provisions of 21A.58 for site plan review. Ken Brown Senior Development Review Planner 801-535-6179 email: ken.brown@slcgov.com</p>
12/15/2016	1	Closure	Emailed Notes to Applicant	Robinson, DeeDee	

ATTACHMENT H: ADMINISTRATIVE INTERPRETATION

April 23, 2015

Vasilios Priskos
51 E 400 South Suite 210
Salt Lake City, Utah 84111

Subject: PLNZAD2015-00193 – Administrative Interpretation for Commercial Parking Lot
Nonconforming Use Expansion at 75 S 2400 West, Salt Lake City, Utah

Dear Mr. Priskos:

This letter will serve as my determination regarding the ability to expand the existing nonconforming use, "Commercial parking lots not located in a parking structure," at 75 S 2400 West. The following findings were made as they relate to this request:

Conditional Use Expansion Status

- From 1995 to 2010, the property was zoned BP (Business Park).
- The property received conditional use approval for the expansion of a commercial parking lot in 2006. "Commercial Parking" is a conditional use in the BP zone.
- The approval was for a commercial parking lot configured as shown in the approved site plan.
- City records show that building permits were pulled in 2006 and 2007 for the parking lot and associated carports, but only a portion of the work was completed. No building permits have been requested since that time for this property.
- In 2006, the Conditional Use section of the Zoning Ordinance stated the following in section 21A.54.120 "Limitations On Conditional Use Approval":
Subject to an extension of time granted by the planning commission, or, in the case of administrative conditional uses, the planning director or designee, no conditional use shall be valid for a period longer than twelve (12) months unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion, or unless a certificate of occupancy is issued and a use commenced within that period, or unless a longer time is requested and granted by the planning commission, or, in the case of administrative conditional uses, the planning director or designee. Any request for a time extension shall be required not less than thirty (30) days prior to the twelve (12) month time period. The approval of a proposed conditional use by the planning commission, or, in the case of administrative conditional uses, the planning director or designee, shall authorize only the particular use for which it was issued. (Ord. 2-08 § 5, 2008; Ord. 69-06 § 6, 2006; Ord. 26-95 § 2(27-12), 1995)
- Approximately half of the parking lot approved by the Planning Commission was never completed, nor diligently pursued to completion, and City records show that no subsequent requests to the Planning Commission were received for an extension of time. As such, the conditional use approval to build a parking lot across the remaining approved area of the lot has been lost.

Nonconforming Use Expansion Status

- The land was rezoned to Transit Station Area, Mixed Use Employment Center, Core (TSA-MUEC-C) in 2010.
- Section 21A.26.078F “Prohibited Uses” lists “Commercial parking lots not located in a parking structure” as a prohibited use in the TSA-MUEC-C zone.
- Section 21A.26.078.F.1 states:
 - *Existing Uses And Buildings: A use located within a station area legally existing at the time that this zoning district was adopted, but listed as a prohibited use in this subsection F, shall be considered a legal nonconforming use. A structure legally existing at the time this section was adopted, but not conforming to the standards in this chapter, shall be considered a legal noncomplying structure. Any legal nonconforming use or legal noncomplying structure is subject to chapter 21A.38 of this title.*
- As the use legally existed at the time the TSA district was adopted and is now prohibited, the use is considered a legal nonconforming use and is subject to Chapter 21A.38 “Nonconforming Uses and Noncomplying Structures.”
- Modifications or expansions to nonconforming uses are regulated by section 21A.38.040.H:
 - Modifications To Nonconforming Uses: Except as provided in this section, a nonconforming use may be extended within the existing building where the nonconforming use occupied only a part of the building, provided no structural alteration to the exterior walls or roofline of the building is proposed or made for the purpose of the extension. No nonconforming use may be changed to another nonconforming use, moved, enlarged or altered except as provided in this section and no nonconforming use of land may occupy additional land.*
- Certain enlargements of structures with a nonconforming use are allowed by subsection 21A.38.040.II.2:
 - Enlargement Of A Structure With A Nonconforming Use: Alterations or modifications to a portion of a structure with a legal nonconforming use may be approved by special exception, subject to the provisions of chapter 21A.52 of this title, if the floor area does not increase by more than twenty five percent (25%) of the gross floor area, or one thousand (1,000) gross square feet, whichever is less and subject to the site being able to provide required off street parking within the limits of existing legal hard surfaced parking areas on the site. An approved expansion shall be documented through an updated zoning certificate for the property. Any expansion to the nonconforming use portion of a structure beyond these limits is not permitted.*
- Parking lots fall under the definition of structures. Structures are defined as:
 - Anything constructed or erected with a fixed location on the ground or in/over the water bodies in the city. Structure includes, but is not limited to, buildings, fences, walls, signs, and piers and docks, along with any objects permanently attached to the structure.*
- Gross floor area is defined as:
 - "Gross floor area" (for determining size of establishment) means the sum of the gross horizontal area of all floors of the building measured from the exterior face of the exterior walls or from the centerline of walls separating two (2) buildings. The floor area of a building shall include basement floor area, penthouses, attic space having headroom of seven feet (7') or more, interior balconies and mezzamines, enclosed porches, and floor area devoted to accessory uses. Space devoted to open air off street parking or loading shall not be included in floor area.*

- As stated, “open air off street parking” is excluded from the calculation of gross floor area. As such, expansion of the commercial, open air off street parking use does not increase the gross floor area by more than 25% or 1,000 square feet.
- As expanding the existing commercial parking lot use does not increase the gross floor area of the use, the expansion is allowed under the provisions of 21A.38.040.H.2 through the Special Exception process found in Chapter 21A.52. The expansion would be subject to all other applicable zoning standards, such as, but not limited to, interior and perimeter parking lot landscaping, front landscaped setbacks, and screening requirements.

Subdividing Land with a Nonconforming Use and Multiple Operators

- 21A.38.040.H. states that “...*no nonconforming use of land may occupy additional land.*” This means that expansion of the nonconforming use may only occur on the existing parcel and the use may not expand beyond this parcel onto any other parcels.
- If the existing property is subdivided, the nonconforming use may only be expanded within the lot that contains the existing nonconforming parking use. Any new lot created through a subdivision that does not include the existing nonconforming use may not thereafter establish a new “Commercial parking lots not located in a parking structure” use.
- Multiple “commercial parking lot” businesses (operators) may operate on the same parcel that contains the nonconforming use. A separate business license would be required for each operator as regulated by Title 5 “Business Taxes, Licenses, and Regulations” of the Salt Lake City Code.

Based on the above findings, I find that the existing nonconforming use, “Commercial parking lots not located in a parking structure,” can be expanded as per section 21A.38.040.H.2. Any expansion of the existing nonconforming use is subject to the Special Exception process and standards of Chapter 21A.52 and all other applicable zoning regulations. Any applicable permit(s) that may be required, including approval of the Building Department or Business License shall be pursued separately by the property owner.

If I may be of further assistance on this matter, please contact me at (801) 535-7165 or by email at daniel.echeverria@slcgov.com.

NOTICE:

Please be advised that an administrative interpretation finding a particular use to be allowed does not authorize 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 site plan approval.

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal the decision 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 Division and shall specify the decision appealed and the reasons the appellant

claims the decision to be in error. Applications for appeals along with information about the applicable fees are located on the Planning Division website at:

<http://www.slcgov.com/planning/planning-applications/>

Appeals may be filed in person at the Planning Counter, 451 S State Street, Room 215, or by mail at Planning Counter, PO BOX 145471, Salt Lake City, Utah, 84114.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joel Paterson", is written over a faint, larger blue ink signature that is partially obscured.

Joel Paterson, AICP
Zoning Administrator
Salt Lake City Planning Division

JP/dc

CC: Jill Remington Love, Community and Economic Development Director
Orion Goff, Building Services and Licensing Director
Nora Shepard, Planning Director
Posted on Web
File