

COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Chief Administrative Officer *Rocky* **DATE:** October 8, 2004

FROM: David Dobbins, Deputy Director *D. Dobbins*

RE: Petition 400-04-32: This is a request to amend the zoning ordinance text to allow car washes in the D-2 zoning district. The proposal is to add car wash uses to the Table of Permitted and Conditional Uses within the Downtown D-2 zoning district.

STAFF CONTACT: Everett L. Joyce, Planning Division

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION: The applicant, Robert Gempeler, a property owner in the D-2 zoning district representing KAS, LLC, has requested a zoning text amendment to allow car washes within the D-2 district.

Analysis:

The Central Community Development Plan supports both limited and intensive commercial services in the area that is zoned Downtown D-2. The plan identifies that the D-2 area can become a valuable service and distribution center and provide intensive services such as heavy duty laundries and warehouses. The area is well located to provide services for nearby visitor oriented downtown areas to the north.

The purpose statement for the D-2 Downtown Commercial Support District is to accommodate commercial uses and associated activities that relate to and support the Central Business District. The proposed text amendment will allow car washes within the D-2 zoning district. Car washes are classified as commercial services.

The proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City. The text amendment does not conflict with the amendment criteria of the zoning ordinance.

Public Process:

On August 2, 2004, notice was mailed regarding the text amendment to the People's Freeway, Rio Grande and Central City Community Councils. The People's Freeway Community Council desired to have a presentation at its monthly community meeting.

The other community councils did not respond with comments. On September 1, 2004, the petition was presented to the People's Freeway Community Council. They passed a unanimous motion supporting the text amendment.

On August 13, 2004, notice was mailed regarding the text amendment to the Vest Pocket Business Association, Downtown Alliance, Downtown Retail Association, Chamber of Commerce, and the Hispanic Chamber of Commerce. These organizations did not respond with comments.

The Planning Commission held a public hearing regarding the petition request on September 8, 2004. The Planning Commission moved to forward a positive recommendation to the City Council to amend the Table of Permitted and Conditional Uses for the Downtown D-2 zoning district to allow car washes as a permitted use, except when located within 165 feet of a residential use, then car washes would be allowed as a conditional use.

Relevant Ordinances:

Section 21A.50.050

Utah State Code Section 10-9-403

Utah State Code Section 10-9-304

Standards for zoning amendment

Amendments and rezoning

Amendment of plan

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5. Original Petition

1. Chronology

Chronology

| | |
|--------------------|--|
| July 28, 2004 | Planning Division received the petition request |
| July 28, 2004 | Assigned petition |
| August 2, 2004 | Notice mailed to the People's Freeway, Rio Grande and Central City Community Councils |
| August 2, 2004 | Requested City department review comments |
| August 13, 2004 | Notice mailed to the Vest Pocket Business Association, Downtown Alliance, Downtown Retail Association, Chamber of Commerce, and the Hispanic Chamber of Commerce |
| August 24, 2004 | Agenda notice of Planning Commission public hearing mailed out |
| September 1, 2004 | Petition request presented to the People's Freeway Community Council |
| September 8, 2004 | Planning Commission public hearing |
| September 10, 2004 | Ordinance request sent to City Attorney |
| September 22, 2004 | Planning Commission ratified minutes of September 8, 2004 meeting |
| October 6, 2004 | Received ordinance from Attorney's Office. |

2. Proposed Ordinance

SALT LAKE CITY ORDINANCE
No. _____ of 2004

AN ORDINANCE AMENDING SALT LAKE CITY ZONING CODE TO
ALLOW FOR CAR WASH FACILITIES IN THE DOWNTOWN (D-2) ZONING
DISTRICT, PURSUANT TO PETITION NO. 400-04-32.

WHEREAS, the Salt Lake City Zoning Code contains a table of permitted and
conditional uses in the downtown zoning districts; and

WHEREAS, after having considered this matter, the City Council has determined
that the table of permitted and conditional uses for downtown zoning districts should be
amended to allow car wash facilities in the downtown (D-2) zoning district, and that such
amendment is in the best interest of the City;

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. The table of permitted and conditional uses for the downtown
districts, located at Section 21A.30.050 of the Salt Lake City Code shall be and hereby is
amended to read as set forth on Exhibit A attached hereto.

SECTION 2. Effective Date. This ordinance shall become effective upon its
first publication and shall be recorded with the Salt Lake County Recorder.

Passed by the City Council of Salt Lake City, Utah, this _____ day of
_____, 2004.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on _____.

Mayor's Action: ____ Approved. ____ Vetoed.

MAYOR

ATTEST:

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 10-6-04
By [Signature]

EXHIBIT A

21A.30.050 Table Of Permitted And Conditional Uses For The Downtown Districts:

| LEGEND | PERMITTED AND CONDITIONAL USES, BY DISTRICT DOWNTOWN DISTRICTS | | | |
|--|---|-----|-----|-----|
| | D-1 | D-2 | D-3 | D-4 |
| C = Conditional Use P = Permitted Use | | | | |
| Use | D-1 | D-2 | D-3 | D-4 |
| Residential | | | | |
| Dwelling units, including multiple-family dwellings above or below first story office, retail and commercial uses or on first story, as defined in the uniform building code, where the unit is not located adjacent to the street frontage | P | P | P | P |
| Group home, large (see section 21A.36.070 of this title) | | C | C | |
| Group home, small (see section 21A.36.070 of this title) above or below first story office, retail and commercial use or on the first story, as defined in the uniform building code where the unit is not located adjacent to the street frontage | P | P | P | P |
| Homeless shelter | | | C | |
| Multiple-family dwellings | C | C | P | C |
| Residential substance abuse treatment home, large (see section 21A.36.100 of this title) | | C | C | |
| Residential substance abuse treatment home, small (see section 21A.36.100 of this title) | | C | C | |
| Transitional treatment home, large (see section 21A.36.090 of this title) | | C | C | |
| Transitional treatment home, small (see section 21A.36.090 of this title) | | C | C | |
| Transitional victim home, large (see section 21A.36.080 of this title) | | C | C | |
| Transitional victim home, small (see section 21A.36.080 of this title) | | C | C | |
| Office And Related Uses | | | | |
| Adult daycare centers | P | P | P | P |
| Child daycare centers | P | P | P | P |
| Financial institutions, with drive-through facilities | P | P | C | P |
| Financial institutions, without drive-through facilities | P | P | P | P |
| Medical and dental clinics | P | P | P | P |
| Offices | P | P | P | P |
| Veterinary office, operating entirely within an enclosed building and keeping animals overnight only for treatment purposes | | P | P | |
| Retail Sales And Services | | | | |

| | | | | |
|--|----------------|----------------------|---|---|
| Automobile sales/rental and service | C | C | | |
| Car Wash | | P⁴ | | |
| Conventional department store | P ³ | | | |
| Fashion oriented department store | P ³ | | | |
| Furniture repair shop | P | P | P | P |
| Gas station, may include accessory retail sales and/or minor repair, as defined in part VI, chapter 21A.62 of this title | C | P | C | C |
| Health and fitness facility | P | P | P | P |
| Liquor store | C | C | C | C |
| Mass merchandising store | P ³ | | | |
| Merchandise display rooms | P | P | P | P |
| Pawnshop | C | P | | |
| Restaurants, with drive-through facilities | P | P | P | P |
| Restaurants, without drive-through facilities | P | P | P | P |
| Retail goods establishments | P | P | P | P |
| Retail laundries, linen service and dry cleaning | P | P | P | P |
| Retail services establishments | P | P | P | P |
| Specialty fashion department store | P ³ | | | |
| Specialty store | P ³ | | | |
| Upholstery shop | | P | P | |
| Institutional Uses (Sites <<<< 4 Acres) | | | | |
| Colleges and universities | P | P | P | P |
| Community and recreation centers, public and private, on lots less than 4 acres in size | P | P | P | P |
| Government facilities (excluding those of an industrial nature and prisons) | | | P | P |
| Libraries | | | P | P |
| Museum | | | P | P |
| Music conservatory | | | P | P |
| Places of worship | P | P | P | P |
| Schools, K-12 private | | | P | P |
| Schools, K-12 public | | | P | P |
| Schools, professional/vocational | P | P | P | P |
| Seminaries and religious institutes | | | P | P |
| Recreation, Cultural And Entertainment | | | | |
| Art galleries | P | P | P | P |
| Artists' lofts and studios | P | P | P | P |
| Brew pub (indoor) | P | P | P | P |
| Brew pub (outdoor) | P | P | C | P |
| Commercial indoor recreation | P | P | P | P |
| Commercial video arcade | P | P | P | P |

| | | | | |
|--|---|---|---|---|
| Motion picture theaters | P | P | P | P |
| Natural open space and conservation areas on lots less than 4 acres in size | C | C | C | C |
| Parks and playgrounds on lots less than 4 acres in size | P | P | P | P |
| Pedestrian pathways, trails, and greenways | C | C | C | C |
| Performance arts facilities | P | P | P | P |
| Private club (indoor) | P | P | P | P |
| Private club (outdoor) | P | P | C | P |
| Squares and plazas on lots less than 4 acres in size | C | C | C | C |
| Tavern/lounge (indoor) | P | P | P | P |
| Tavern/lounge (outdoor) | P | P | C | P |
| Miscellaneous | | | | |
| Accessory uses, except those that are otherwise specifically regulated in this chapter, or elsewhere in this title | P | P | P | P |
| Automobile repair, major | C | P | C | C |
| Automobile repair, minor | C | P | C | C |
| Bed and breakfast | P | P | P | P |
| Bed and breakfast inn | P | P | P | P |
| Bed and breakfast manor | P | P | P | P |
| Blood donation center, commercial and not accessory to a hospital or medical clinic | | P | | |
| Bus line terminal | | P | | |
| Bus line yards and repair facilities | | P | | |
| Commercial laundry, linen service, and commercial dry cleaning establishments | C | P | C | C |
| Commercial parking garage, lot or deck | C | P | C | C |
| Communication towers | P | P | P | P |
| Communication towers, exceeding the maximum building height | C | C | C | C |
| Food product processing/manufacturing | | P | | |
| Graphic/design business | P | P | P | P |
| Heliports, accessory | C | C | | |
| Homeless shelter | | | C | |
| Hotels and motels | P | P | P | P |
| Industrial assembly | | C | C | |
| Limousine service | | P | | |
| Microbreweries | | C | | |
| Miniwarehouse | | P | P | |
| Off site parking | P | P | P | P |
| Outdoor sales and display | C | P | P | C |
| Precision equipment repair shops | | P | C | |
| Public/private utility buildings and structures | C | C | C | C |
| Public/private utility transmission wires, lines, pipes and poles ¹ | P | P | P | P |

| | | | | |
|--|---|---|----------------|---|
| Publishing company | P | P | P | P |
| Radio stations | P | P | P ² | P |
| Railroad passenger station | P | P | P | P |
| Social service missions and charity dining halls | | P | P | |
| Street vendors (see chapter 5.64 of this code) | | | | |
| TV stations | P | P | | P |
| Temporary labor hiring office | | P | C | |
| Vending carts on private property as per chapter 5.65 of this code | P | P | P | P |
| Warehouse | | P | P | |
| Warehouse, accessory | P | P | P | P |
| Wholesale distribution | | P | P | |
| Wireless telecommunications facilities (see table 21A.40.090E of this title) | | | | |

Qualifying Provisions:

1. See subsection 21A.02.050B of this title for utility regulations.
2. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
3. Uses allowed only within the boundaries and subject to the provisions of the downtown Main Street core overlay district (section 21A.34.110 of this title).
- 4. Any car wash located within 165 feet (including streets) of a residential use shall only be permitted as a conditional use.**

3. City Council Hearing Notice

**Notice
Mailing List**

NOTICE OF PUBLIC HEARING

The Salt Lake City Council will review Petition No. 400-04-32, a request by Robert Gempler, representing KAS, LLC to amend the Downtown D-2 zoning text to allow car washes within the D-2 district. The amendment proposal allows car washes as a permitted use unless located within 165 feet of a residential use then it is allowed as conditional use.

As part of this request the City Council is holding an advertised public hearing to receive comments regarding this petition request. During this hearing, the Planning staff may present information on the petition and anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 P.M.

PLACE: City Council Chambers
City and County Building
451 South State Street
Salt Lake City

If you have any questions relating to this proposal, please attend the meeting or call Everett L. Joyce at 535-7930, between the hours of 8:30 a.m. and 5:30 p.m. Monday through Friday.

Salt Lake City complies with ADA guidelines. Assistive listening devices and interpretive services will be provided upon a 24-hour advance request.

D J INVESTMENTS LC
Sidwell No. 1512128006
336 W 700 S
SALT LAKE CITY UT 84101

KNUDSON, KENNETH C; TR
Sidwell No. 1501454011
1725 S BERRY KNOLL BLVD
CENTENNIAL PARK AZ 86021

THREE G INC
Sidwell No. 1501455012
635 S 200 E
SALT LAKE CITY UT 84111

BARBARA JOY LIVSEY HOLT
Sidwell No. 1501454005
980 E 300 S
BOUNTIFUL UT 84010

KNUDSON, KENNETH C; TR
Sidwell No. 1501454010
1725 S BERRY KNOLL BLVD
CENTENNIAL PARK AZ 86021

STANDLEY, DOROTHY; TR
Sidwell No. 1512201004
3711 COLONIAL CIR
LAKE ELSINORE CA 92530

613 S LLC
Sidwell No. 1501454013
244 W 400 S
SALT LAKE CITY UT 84101

KEN'S AUTOMOTIVE SERVICE
Sidwell No. 1501454009
322 E BURTON AVE
SALT LAKE CITY UT 84115

SANTILLANES; SANTOS
Sidwell No. 1501454008
916 N CATHERINE ST
SALT LAKE CITY UT 84116

613 S LLC
Sidwell No. 1501454003
244 W 400 S
SALT LAKE CITY UT 84101

KARRAS, CONSTANCE K; TR
Sidwell No. 1512201007
529 E NORTHMONT WY
SALT LAKE CITY UT 84103

SANTILLANES, SANTOS
Sidwell No. 1501454007
916 N CATHERINE ST
SALT LAKE CITY UT 84116

613 S LLC
Sidwell No. 1501454002
244 W 400 S
SALT LAKE CITY UT 84101

FREWIN, ARTHUR LESTER
Sidwell No. 1501455010
640 S WASHINGTON ST
SALT LAKE CITY UT 84101

PUGH, ELDON D &
Sidwell No. 1512128005
1418 W 1700 S
SALT LAKE CITY UT 84104

613 S LLC
Sidwell No. 1501454001
244 W 400 S
SALT LAKE CITY UT 84101

FREWIN, ARTHUR L
Sidwell No. 1501455009
640 S WASHINGTON ST
SALT LAKE CITY UT 84101

NORD, LEWIS V & JOANN V (
Sidwell No. 1501454004
1376 E BARTON CREEK LANE
BOUNTIFUL UT 84010

613 S LLC
Sidwell No. 1501380016
244 W 400 S
SALT LAKE CITY UT 84101

FREWIN, ARTHUR L
Sidwell No. 1501455006
640 S WASHINGTON ST
SALT LAKE CITY UT 84101

MULLIKIN, LONNIE D
Sidwell No. 1512201006
672 S 300 W
SALT LAKE CITY UT 84101

613 S LLC
Sidwell No. 1501380014
244 W 400 S
SALT LAKE CITY UT 84101

FREWIN, ARTHUR L
Sidwell No. 1501455005
642 S WASHINGTON ST
SALT LAKE CITY UT 84101

LUACRE, LLC
Sidwell No. 1512202012
258 W 700 S
SALT LAKE CITY UT 84101

613 S LLC
Sidwell No. 1501380011
244 W 400 S
SALT LAKE CITY UT 84101

FREWIN, ARTHUR L
Sidwell No. 1501455004
640 S WASHINGTON ST
SALT LAKE CITY UT 84101

LEWIS, LUCY P; TR
Sidwell No. 1501454006
3884 S 3600 W
SALT LAKE CITY UT 84119

613 S LLC
Sidwell No. 1501380003
244 W 400 S
SALT LAKE CITY UT 84101

D J INVESTMENTS LC
Sidwell No. 1512201002
336 W 700 S
SALT LAKE CITY UT 84101

KNUDSON, KENNETH C; TR
Sidwell No. 1501454012
1725 S BERRY KNOLL BLVD
CENTENNIAL PARK AZ 86021

Downtown Alliance
Bob Farrington, Director
175 East 400 South #600
Salt Lake City, Utah 84111

Salt Lake Chamber of Commerce
175 East 400 South, Suite #600
Salt Lake City, Utah 84111

East Valley Chamber of Commerce
2299 S Highland Drive
Salt Lake City, Utah 84106

Hispanic Chamber of Commerce
PO Box 1805
Salt Lake City, UT 84110

Vest Pocket Business Coalition
PO Box 521357
Salt Lake City, Utah 84152-1357

Sugar House Merchants Association
C/O Barbara Green
Smith-Crown
2000 South 1100 East
Salt Lake City, Utah 84106

Westside Alliance
C/O Neighborhood Housing Services
Maria Garcia
622 West 500 North
Salt Lake City, Utah 84116

Downtown Retail
Merchants Association
Attn: Carol Dibble
9 East Exchange Pl Ste 900
Salt Lake City, UT 84111-2741

WILLIAMS, J RICHARD & LUC
Sidwell No. 1512128001
2662 E COMANCHE DR
SALT LAKE CITY UT 84108

WALL, ROSE H
Sidwell No. 1512201005
373 E DOREEN ST
MURRAY UT 84107

WALKER, SHAWN W
Sidwell No. 1501455002
645 S 300 W
SALT LAKE CITY UT 84101

WALKER BANK & TRUST CO.,
Sidwell No. 1512201001
PO BOX 45838
SALT LAKE CITY UT 84145

UTAH DEPARTMENT OF
Sidwell No. 1501455011
450 N STATE ST
SALT LAKE CITY UT 84114

Peter Corroon
GREATER AVENUES
445 East 200 South, Suite 306
Salt Lake City, Utah 84111

Peter Von Sivers
CAPITOL HILL
223 West 400 North
Salt Lake City, Utah 84103

Thomas Mutter
CENTRAL CITY
P.O. Box 2073
Salt Lake City, Utah 84101

Brian Watkins
LIBERTY WELLS
1744 So. 600 East
Salt Lake City, UT 84105

Jeff Davis
PEOPLES FREEWAY
1407 South Richards Street
Salt Lake City, Utah 84115

Bill Davis
RIO GRAND
329 Harrison Avenue
Salt Lake City, UT 84115

Dave Mortensen
ARCADIA HEIGHTS/BENCHMARK
2278 Signal Point Circle
Salt Lake City, Utah 84109

Ellen Reddick
BONNEVILLE HILLS
2177 Roosevelt Ave
Salt Lake City, Utah 84108

FOOTHILL/SUNNYSIDE
Vacant

Shawn McMillen
H ROCK
1855 South 2600 East
Salt Lake City, Utah 84108

Mike Zuhl
INDIAN HILLS
2676 Comanche Dr.
Salt Lake City, Utah 84108

Paul Tayler
OAK HILLS
1165 Oakhills Way
Salt Lake City, Utah 84108

Doug Foxley
ST. MARY'S
1449 Devonshire Dr.
Salt Lake City, Utah 84108

Larry Spendlove
SUNNYSIDE EAST ASSOC.
2114 E. Hubbard Avenue
Salt Lake City, UT 84108

Tim Dee
SUNSET OAKS
1575 Devonshire Dr.
Salt Lake City, Utah 84108

Beth Bowman
WASATCH HOLLOW
1445 E. Harrison Ave.
Salt Lake City, Utah 84105

Kenneth L. Neal
ROSE PARK
1071 North Topaz Dr.
Salt Lake City, Utah 84116

Tom Bonacci
YALECREST
1024 South 1500 East
Salt Lake City, Utah 84105

Penny Archibald-Stone
EAST CENTRAL
1169 Sunnyside Avenue
Salt Lake City, Utah 84102

Boris Kurz
EAST LIBERTY PARK
1203 South 900 East.
Salt Lake City, Utah 84105

Angie Vorher
JORDAN MEADOWS
1988 Sir James Dr.
Salt Lake City, Utah 84116

Mike Harman
POPLAR GROVE
1044 W. 300 S
Salt Lake City, Utah 84104

Jilene Whitby
STATE FAIRPARK
846 W 400 N.
Salt Lake City, Utah 84116

Kadee Nielson
WESTPOINTE
1410 N. Baroness Place.
Salt Lake City, Utah 84116

Helen Peters
SUGAR HOUSE
2803 Beverly Street
Salt Lake City, Utah 84106

Randy Sorenson
GLENDALE
1184 S Redwood Drive
Salt Lake City, Utah 84104

4. Planning Commission

Public Hearing Notice

Agenda

Minutes

Staff Report

THREE G INC

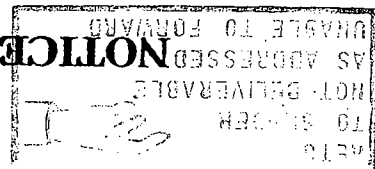
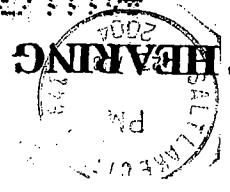
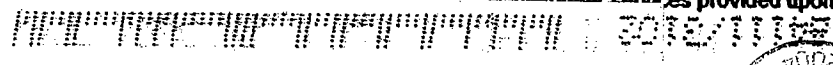


Salt Lake City Planning Division
451 South State Street
Salt Lake City, Utah 84111

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearings will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. Speakers will be called by the Chair.
4. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
5. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
6. A time limit may be placed on speakers to ensure everyone has a chance to comment. The Chair will make that determination upon reviewing the number of people wishing to speak.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Meeting notices are made available 14 days in advance. If persons wish to submit written comments, they should be directed to the Planning Division at least 7 days in advance to enable Planning Commissioners to consider those written comments. Comments should be sent to:

Salt Lake City Planning Director
451 South State Street, Room 406
SLC, UT 84111

Note: We provide ADA and other services provided upon 24 hour advance



NOTE: The field trip is scheduled to leave at 4:00 p.m.

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, September 8, 2004, at 5:45 p.m.**

The Planning Commission will be having dinner at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting will be open to the public.

1. **APPROVAL OF MINUTES** from Wednesday, August 25, 2004
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
 - a. The City of North Salt Lake is requesting a boundary adjustment between Salt Lake City and North Salt Lake concerning an 80-acre parcel of property owned by North Salt Lake City located east of the gravel pits along Beck Street.
4. **CONSENT AGENDA** – Salt Lake City Property Conveyance Matters / Request for time extension:
 - a. Handy Trucking and Salt Lake City Public Utilities Department – The owners of Handy Trucking Company are requesting that Public Utilities allow the reduction in width of an existing 30 foot wide public utility and drainage easement, which was created by a recently recorded subdivision plat for the Tom Rich Subdivision. The proposal is to reduce the width of the easement from 30 feet to 12 feet, to accommodate the proposed building development on the lot in this industrial subdivision. The property is located just south of I-80 at 30 South 5100 West in the Manufacturing "M-1" zoning district, within Salt Lake City limits. Public Utilities and Planning Staff recommend approval of the proposed reduction in the easement width as requested.
 - b. Jerry and Linda Petersen and Salt Lake City Public Utilities Department – The Petersens are requesting Public Utilities' approval to place a concrete box culvert, to contain a portion of the existing East Jordan Canal (irrigation water), and to lease the surface rights to the canal right-of-way property at 1441 East Fort Union Blvd (6910 South) in unincorporated Salt Lake County. Public Utilities and Planning Staff recommend approval of the request.
 - c. Quest Communications and Salt Lake City Public Utilities Department – Quest is requesting that Public Utilities issue a standard utility permit, allowing Quest to install two communications conduits which would cross a portion of the Jordan and Salt Lake City Canal property, at approximately 12080 South Lone Peak Parkway (125 West) in Draper, Utah. Public Utilities and Planning Staff recommend approval of the standard utility permit as requested.
 - d. Quest Communications and Salt Lake City Public Utilities Department – Quest is requesting that Public Utilities issue a standard utility permit, allowing Quest to install a communications conduit, which would cross a portion of the East Jordan Canal (irrigation water) Public Utilities owned canal property located at 6890 South 1495 East, in unincorporated Salt Lake County. Public Utilities and Planning Staff recommend approval of the standard utility permit as requested. (Staff – Karyn Greenleaf at 483-6769 or Doug Wheelwright at 535-6178)

Request for time extension on prior approval

 - a. Petition No. 410-643, by Redman Investment Partnership, requesting an extension of time for the Planned Development approval of September 24, 2003, for the renovation of the Redman building and Conditional Use approval for an off-site parking lot associated with the future commercial/residential condominium use of this property. The project is located at 1240 East 2100 South in the Sugar House Business District "C-SHBD" zone. (Staff – Doug Wheelwright at 535-6178)
5. **PUBLIC HEARINGS**
 - a. **PUBLIC HEARING** – Petition No. 400-04-32, by KAS, L.L.C., requesting a zoning text amendment to allow car washes in the Downtown "D-2" zoning district. The proposal is to add car wash uses to Section 21A.30.050, "the table of permitted and conditional uses", within the "D-2" zoning district. This text change would allow the Applicant to construct a car wash at 628 South 300 West. (Staff – Everett Joyce at 535-7930)
 - b. **PUBLIC HEARING** – Petition No. 410-682, by Peterson Oil, requesting Planned Development approval to reconstruct the Chevron convenience store and car wash located at 2110 South 1300 East in the "CSHBD" Sugar House Business District. (Staff – Joel Paterson at 535-6141)
 - c. **PUBLIC HEARING** – Petition No. 400-04-14 & 400-04-15, by Garff Family L.L.C., requesting the street closures of Hamilton Place (extending north from 600 South between State Street and 200 East) and Hawthorne Avenue (extending west from 200 East between 500 and 600 South) to disclaim any interest the City or the public may have in these private streets. (Staff Jackie Gasparik at 535-6354)
6. **UNFINISHED BUSINESS**

Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

PLEASE TURN OFF CELL PHONES AND PAGERS BEFORE THE MEETING BEGINS. AT YOUR REQUEST A SECURITY ESCORT WILL BE PROVIDED TO ACCOMPANY YOU TO YOUR CAR AFTER THE MEETING. THANK YOU.

Petition No. 400-04-32, by KAS, L.L.C., requesting a zoning text amendment to allow car washes in the Downtown "D-2" zoning district. The proposal is to add car wash uses to Section 21A.30.050, "the table of permitted and conditional uses", within the "D-2" zoning district. This text change would allow the Applicant to construct a car wash at 628 South 300 West.

This item was heard at 6:11 p.m.

Principal Planner Everett Joyce presented the petition as written in the staff report. He stated that the request is to allow car washes within the Downtown "D-2" zoning district. Review of the zoning ordinance tables of permitted and conditional uses shows the following information related to car washes. A car wash is a permitted use in the "CC", "CG" and "CS" zoning districts. A car wash is a conditional use in the "GMU" zoning district. Car washes that are accessory to a gas station or convenience store are a permitted use in the "CB", "CC", "CS", "CSHBD" and "CG" zoning districts.

Mr. Joyce stated that based upon how car washes are allowed within the various zoning districts within the City; Staff determined that within the "D-2" zoning district it would be appropriate to permit car washes. Staff also identified that there may be potential impacts upon adjacent residential land uses from the operations of a car wash. Mr. Joyce stated in order to ensure that any potential impacts would be addressed; Staff has recommended that any proposed car wash within 165-feet of a residential use would be approved as a conditional use. Mr. Joyce stated that the 165-foot dimensional threshold for application of the conditional use process was selected due to the general parcel layout and development patterns in the "D-2" zoning district. He noted the typical small commercial lot depth is 165-feet. Several of the 10-acre blocks have mid block streets with residential uses. The 165-foot conditional use spacing distance combined with the typical lot depth would ensure that if there were any interior block residential uses a proposed car wash adjacent to these properties would be reviewed through the conditional use process.

Based on the findings of fact, staff recommends that the Planning Commission forward a favorable recommendation to the City Council to amend the Table of Permitted and Conditional Uses for the Downtown "D-2" zoning district to allow car washes as a permitted use, except when located within 165-feet of a residential use, then car washes would be permitted as a conditional use.

Commissioner De Lay asked why car wash uses were not originally allowed in the "D-2" zoning district.

Mr. Joyce replied that the "D-2" zoning district was created in 1995 during the zoning rewrite process. Mr. Joyce said that he is not aware why the proposed service was not included.

Commissioner De Lay noted that several states have adopted the concept of using recycled water for car washes, golf courses, and construction to conserve water. She asked if the proposal includes that concept as well.

Mr. Joyce stated that in a controlled car wash the Health Department will allow the water to be recycled. If the wash is an open bay there is no way to monitor what is going into

the drain in which case it can not be recycled. He said that the Applicant may want to respond to that.

Chair Muir said that he is dismayed that Staff forwarded the proposed staff report to various business groups, which did not respond. He said that he has sent a request to the Downtown Alliance that they communicate better with the City, and at least respond with "no comment" if that is the case.

Commissioner Seelig requested additional information as to why car wash uses were left out of the "D-2" zoning district with the zoning rewrite.

Mr. Wilde replied that when the "D-2" zone was developed in 1995 it was quite restrictive in relation to the automobile uses. The City has since realized that the ordinance is too restrictive regarding automobile uses and has been liberalizing those uses through the fine-tuning of the ordinance. Mr. Wilde referred to the automobile dealerships saying that the proposed text change would help complete the package of permitted uses in the "D-2" zone.

Commissioner Seelig referred to the governing Central Community Master Plan. She indicated frustration that the Planning Commission is making future planning decisions based on a document which is over 30 years old.

Mr. Joyce noted that the governing Master Plan which was adopted in 1974, as well as the Draft Central Community Master Plan which awaits City Council review, both identify the "D-2" zoning district as a support commercial area for Downtown.

Commissioner Seelig referred to the City's attempt to stress alternative transportation. She indicated that it is contradictory to allow more automobile facilities in the City while trying to encourage alternative transportation.

Mr. Wilde replied that in 1995, automobile dealerships were not included in the "D-2" zone. Staff later realized that the dealerships are an appropriate use in the "D-2" zone. With the automobile dealerships comes the major and minor repair which usually includes a car wash. Mr. Wilde said that it does not make sense to allow the larger facilities with car wash uses but prohibit the small facilities.

Commissioner Seelig asked if car washes are permitted in the "D-1" zone. She also asked if there are any car dealerships in the "D-1" zone.

Mr. Wilde replied that car washes are not permitted in "D-1" and there are no dealerships in the "D-1" zone.

Commissioner Scott asked if the noise generated by car washes was part of the reason why they were not included in the "D-2" zone in 1995.

Mr. Wilde reiterated that Staff made a purposeful decision to not include car wash uses in 1995, and over time has realized that the "D-2" zone is too restrictive. He noted that there is a fairly well established automobile industry in the "D-2" zone.

Commissioner Chambless referred to requests for car washes to the Board of Adjustment in the 1990's. He recalled that there was great concern with the amount of

noise associated with car washes, and said that may have impacted the decision to exclude car washes in 1995.

Commissioner Chambless inquired as to the longevity of car washes.

Mr. Wilde replied that since the restrictions for a car wash are very strict, once a site is developed they usually stay there.

Mr. Robert Gempler, the Applicant, referred to Commissioner De Lay's comment regarding the use of "grey-water". He said that he agreed with Mr. Joyce's explanation and added that the automatic car wash water may be partially recycled. Mr. Gempler said that they plan to partially recycle the water used to wash the undercarriages and tires of cars.

Commissioner Scott asked Mr. Gempler regarding the number of bays for a profitable car wash.

Mr. Gempler replied in order to have a profitable facility one would need four wash bays.

Commissioner Seelig asked if the recycling efforts made by the Applicant are voluntary.

Mr. Gempler replied that they are voluntary and he is not aware of any regulation in place to require recycling measures.

Chair Muir opened the public hearing.

Mr. Thomas Mutter, Central City Neighborhood Council Chair, addressed the Commission. Mr. Mutter wondered why the "D-2" zoning is not looked at in a higher density. He stated that he is against all zone changes. Mr. Mutter said that he felt that decisions were made at one time by competent people to implement a certain zoning and he did not feel that the need to change the zoning could be so great within five or ten years of those decisions.

Chair Muir closed the public hearing.

Motion for Petition No. 400-04-32

Commissioner De Lay made a motion regarding Petition No. 400-04-32, based on the findings of fact, staff recommendation, public input, and the discussion this evening, that the Planning Commission forward a favorable recommendation to the City Council to amend the Table of Permitted and Conditional Uses for the Downtown "D-2" zoning district to allow car washes as a permitted use, except when located within 165-feet of a residential use, then car washes would be permitted as a conditional use.

Commissioner Daniels seconded the motion.

Commissioner Scott said that although she agrees that the site proposed by the Applicant is an acceptable location for a car wash, she indicated concern with approving car washes in other areas zoned "D-2". She particularly mentioned sites near parks and public land, which are prime locations for residential uses.

Commissioner Chambless echoed Commissioner Scott's comment saying that the future goal is to attract people Downtown. Commissioner Chambless stated that he is not expressing opposition to the petition, but rather corroboration with Commissioner Scott.

Mr. Joyce said that there is a hope for a real dynamic change from a dependency on automobiles, and through time that may happen. He said that if that happens then the car washes may be replaced with something else to meet the needs of the market.

Commissioner Galli said that he feels that the proposed distance requirement protects residential development.

Commissioner Noda agreed with Commissioner Galli and added that the proposed 165-foot buffer is appropriate.

Commissioner Scott referred to the area on the east side of the "D-2" zone, saying that there are several empty parcels which are locations that could be used for car washes.

Commissioner De Lay did not feel that was a possibility due to the price of the real-estate in that area. She said that she did not think that there will be a proliferation of car washes in the area.

Commissioner Galli noted that in reviewing areas that are currently blighted, one of the goals is to encourage businesses to increase the activity in an area. He said that he feels that a car wash is an appropriate business to allow in a blighted area to help improve it.

Chair Muir called for the question.

Commissioner Chambless, Commissioner Daniels, Commissioner De Lay, Commissioner Galli, and Commissioner Noda voted "Aye". Commissioner Scott and Commissioner Seelig voted "Nay". Prescott Muir as Chair did not vote. Five Commissioners voted in favor, and two Commissioners voted against, and therefore the motion passed.

DATE: September 3, 2004
TO: Salt Lake City Planning Commission
FROM: Everett L. Joyce, AICP
RE: **STAFF REPORT FOR THE SEPTEMBER 8, 2004 MEETING**

CASE #: Petition 400-04-32 Zoning Text Amendment

APPLICANT: Robert Gempeler, a property owner in the D-2 zoning district representing KAS, LLC.

STATUS OF APPLICANT: Property Owner

PROJECT LOCATION: The text amendment will affect all areas zoned Downtown D-2. (See Exhibit 1)

COUNCIL DISTRICT: District 4, 5

REQUESTED ACTION: The applicant is requesting a text amendment to permit car washes in the D-2 zoning district.

APPLICABLE LAND USE REGULATIONS: Section 21A.30 Downtown Districts and Section 21A.50.050 Standards for general amendments.

MASTER PLAN SPECIFICATIONS: The Central Community Development Plan supports limited and intensive commercial services in the D-2 area.

PROJECT DISCRIPTION: The proposal is to add car wash uses to the Table of Permitted and Conditional Uses within the Downtown D-2 zoning district.

COMENTS, ANALYSIS AND FINDINGS:

COMMENTS

City department comments.

Transportation – The Transportation Division sees no undo impact to the transportation corridor system by allowing car washes subject to standard site development issues for traffic access, staging, stacking, and parking as needed.

Public Utilities - Salt Lake Public Utilities has identified that they have no objection with the proposed text amendment.

Fire Department – The Fire Department noted approval for the text amendment request.

Public Services – The Public Services Department had no comments regarding the petition request.

Police Department - The Police Department had no concerns in reference to the particular request of KAS, LLC. From a CPTED, perspective a car wash could present a concern depending upon the openness and visibility with their design. The bays should be open and face the street frontage without any obscured outbuildings.

Building Services – The permits counter staff recognized the text amendment as an appropriate and positive step. They recommended the language be similar to the commercial zoning text “car wash, with or without gasoline sales”.

Community Council(s) – Notice regarding the text amendment was mailed on August 2, 2004 to the People’s Freeway, Rio Grande and Central City Community Councils. The People’s Freeway Community Council desired to have a presentation at their monthly community meeting. The other community councils did not respond with comments. On September 1, 2004 the petition proposal was presented to the People’s Freeway Community Council. They passed a unanimous motion supporting the text amendment.

Business Organizations – Notice regarding the text amendment was mailed on August 13, 2004 to the Vest Pocket Business Association, Downtown Alliance, Downtown Retail Association, Chamber of Commerce, and the Hispanic Chamber of Commerce. These organizations did not respond with comments.

ANALYSIS AND FINDINGS

Proposed Text Change

The petition request is to allow car washes within the Downtown D-2 zoning district. Review of the zoning ordinance tables of permitted and conditional uses shows the following information related to car washes. A car wash is a permitted use in the CC, CG and CS zoning districts. A car wash is a conditional use in the GMU zoning district. Car washes that are accessory to a gas station or convenience store are a permitted use in the CB, CC, CS, CSHBD and CG zoning districts.

Review of the D-2 zoning district show that there are two car washes existing within the district. These were permitted prior to the establishment of the Downtown D-2 zoning district in 1995.

Based upon how car washes are allowed within the various zoning districts within the City, Staff determined that within the D-2 zoning district it would be appropriate to permit car washes. Staff also identified that there may be potential impacts upon adjacent residential land uses from the operations of a car wash.

To ensure that any potential impacts would be addressed, Staff has recommended that any proposed car wash within 165 feet of a residential use would be approved as a conditional use. The 165 foot dimensional threshold for application of the conditional use process was selected due to the general parcel layout and development patterns in the D-2 zoning district. The typical small commercial lot depth is 165 feet. Several of the 10 acre blocks have mid block streets with residential uses. The 165 foot conditional use spacing distance combined with the typical lot depth would ensure that if there were any interior block residential uses a proposed car wash adjacent to these properties would be reviewed through the conditional use process.

ZONING AMENDMENT CODE CRITERIA / DISCUSSION / FINDING OF FACT

In reviewing this application, the Planning Commission is required to use the following zoning amendment standards:

Section 21A.50.050 Standards for General Amendments.

A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

Discussion: The Central Community Development Plan supports both limited and intensive commercial services in the area that is zoned Downtown D-2. The plan identifies that, the D-2 area can become a valuable service and distribution center and provide intensive services such as heavy duty laundries and warehouses. The area is well located to provide services for nearby visitor oriented downtown areas to the north.

The purpose statement for the D-2 Downtown Commercial Support District is to accommodate commercial uses and associated activities that relate to and support the Central Business District. The proposed text amendment will permit car washes within the D-2 zoning district. Car washes are commercial services.

Findings: The proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City

B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

Discussion: This text amendment does not deal with specific or physical attributes of a particular facility or property. A car wash is a functional element that contributes to the overall character of general commercial neighborhoods. The CC, CG, and CS zoning districts permit car washes. The GMU zoning district permits car washes as a conditional use. The D-2 zoning district allows major automotive repair facilities, automotive sales/rental and services facilities. There are presently, two car wash facilities operating in the D-2 zoning district. They are located at 672 S. West Temple Street and 777 S. 300 West Street. These car washes existed prior to 1995 when the Downtown D-2 zoning was established and set in place.

Any proposed use and related structures would have to meet all of the local, State and Federal environmental requirements. The proposed zoning text clarifies that conditional use approval is required if a proposed car wash is located within 165 feet of a residential use.

Findings: The proposed text amendment permits car washes but provides a protective aspect for adjacent land uses in that a car wash located within 165 feet of a residential use is a conditional use. The conditional use process provides opportunity to review and consider mitigation of any potential impacts. The proposed text amendment structure assures that car washes in the D-2 zone will be harmonious with existing development in the immediate vicinity.

C. The extent to which the proposed amendment will adversely affect adjacent properties.

Discussion: The proposed text amendment does not deal with any specific site. A proposed car wash in the D-2 zone will allowed as a permitted use unless it is near a residential use, which will require conditional use approval. Review of permitted uses is through the building permit process and subject to local, State and Federal requirements. Review of conditional uses will specifically address mitigation of potential adverse impacts on adjacent properties through the Planning Commission public hearing process.

Findings: Conditional use approval for car washes in the D-2 zoning district when located within 165 feet of a residential use, will give the Planning Commission the opportunity to review and comment on critical aspects of specific site conditions to mitigate potential adverse impacts.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts, which may impose additional standards.

Discussion: A portion of the D-2 zoning district lies within the South State Street Overlay District. The specific additional zoning standards that apply within this overlay district affects only properties that are zoned Commercial Corridor, CC and do not affect the D-2 zoning district properties.

Findings: The standards of the South State Street Overlay District are not applicable to properties located within the Downtown D-2 zoning district.

- E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.**

Discussion: The proposed text amendment is not site specific. Review for consistency with adequacy of public facilities and services would occur as individual site applications are submitted for building permit or conditional use approval.

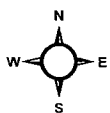
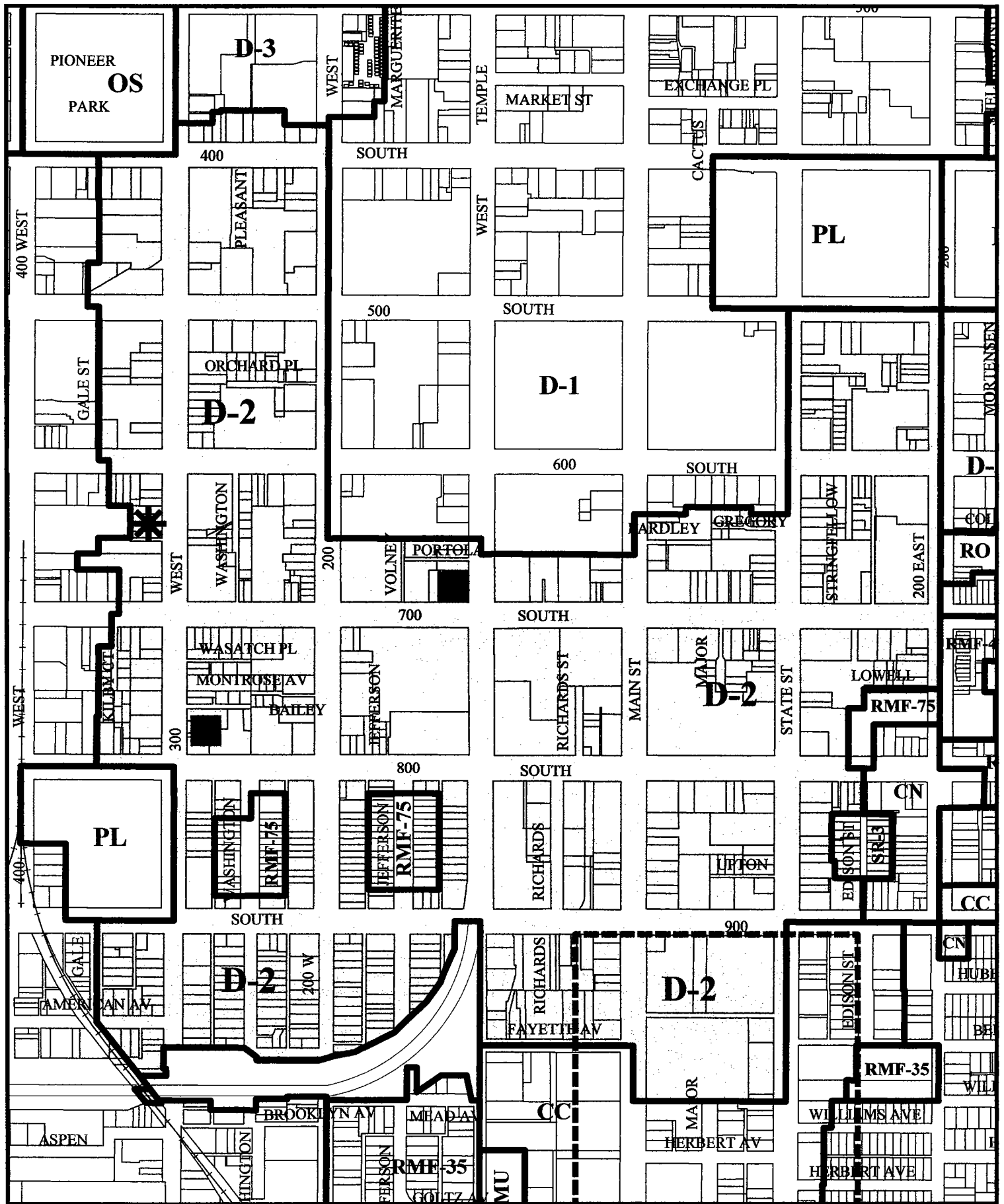
Findings: The adequacy of public facilities and services criteria does not directly relate to the proposed text amendment and is not applicable.


RECOMMENDATION:

Based on the findings of fact, staff recommends that the Planning Commission forward a favorable recommendation to the City Council to amend the Table of Permitted and Conditional Uses for the Downtown D-2 zoning district to allow car washes as a permitted use, except when located within 165 feet of a residential use, then car washes would be permitted as a conditional use.

- Exhibits**
- Exhibit 1: D-2 Zoning Area Map
 - Exhibit 2: Department Comments
 - Exhibit 3: Proposed Text Amendment

Exhibit 1
D-2 Zoning Area Map



 D-2 Zoning District
 South State Street Corridor Overlay District



 Petitioner's Property
 Existing Car Washes

Exhibit 2
Department Comments

Joyce, Everett

From: Smith, JR
Sent: Thursday, August 05, 2004 2:31 PM
To: Joyce, Everett
Subject: Petition # 400-04-32 Permitted/Conditional Uses in Downtown Zones

Categories: Confidential

Everett,

I do not see any Police Dept concerns in reference to the particular request of KAS, LLC in reference to 624 South 300 West. In reference to general car wash locations within downtown there have not been any particular concerns that I am aware of. From a CPTED perspective a new car wash within downtown could present a concern depending upon the openness and visibility with their design. In most cases the bays tend to be open and face the street frontage without any obscured outbuildings, however, if a design was to be setback and have the longitudinal walls face the street I would have more concern from a safety perspective.

J.R. Smith
CAT Dist 4/5

Joyce, Everett

From: Larson, Bradley
Sent: Thursday, August 12, 2004 9:15 AM
To: Joyce, Everett
Subject: Petition 400-04-32

Everett,

Please accept this note as Fire Department approval for the above named petition.

Feel free to contact me should you have any questions or need further assistance.

Thank you.

*Brad Larson
Deputy Fire Marshal*

8/25/2004

Joyce, Everett

From: Walsh, Barry
Sent: Thursday, August 05, 2004 5:01 PM
To: Joyce, Everett
Cc: Smith, Craig; Larson, Bradley; Stewart, Brad
Subject: Pet 400-04-32
Categories: Program/Policy

August 5, 2004

Everett Joyce

Re: Petition 400-04-32 Zoning text Amendment for table of permitted and conditional uses in downtown Zones. To add Car Wash to the D-2 Zoning district table.

We see no undo impact to the transportation corridor system by allowing this use subject to standard site development transportation issues for traffic access, staging, stacking, and parking as needed.

Sincerely,

Barry Walsh.

Joyce, Everett

From: Michelsen, Alan
Sent: Tuesday, August 17, 2004 11:18 AM
To: Joyce, Everett
Cc: Butcher, Larry
Subject: Car Wash/Petition 400-04-32
Categories: Program/Policy

Everett,

I have discussed your petition to allow carwashes in the D-2 zone with other staff members at the permits counter and we feel the text amendment is an appropriate and positive step. We would recommend however, that the language in the table of permitted and conditional uses is consistent with the language for other zones, i.e. "carwash, with or without gasoline sales". If you have any questions, please call me at 535-7142.

Exhibit 3
Proposed Text Amendment

21A.30.050 Table Of Permitted And Conditional Uses For The Downtown Districts:

| LEGEND | PERMITTED AND CONDITIONAL USES, BY DISTRICT DOWNTOWN DISTRICTS | | | |
|--|--|----------------|-----|-----|
| | D-1 | D-2 | D-3 | D-4 |
| C = Conditional Use P = Permitted Use | | | | |
| Use | | | | |
| Residential | | | | |
| Dwelling units, including multiple-family dwellings above or below first story office, retail and commercial uses or on first story, as defined in the uniform building code, where the unit is not located adjacent to the street frontage | P | P | P | P |
| Group home, large (see section 21A.36.070 of this title) | | C | C | |
| Group home, small (see section 21A.36.070 of this title) above or below first story office, retail and commercial use or on the first story, as defined in the uniform building code where the unit is not located adjacent to the street frontage | P | P | P | P |
| Homeless shelter | | | C | |
| Multiple-family dwellings | C | C | P | C |
| Residential substance abuse treatment home, large (see section 21A.36.100 of this title) | | C | C | |
| Residential substance abuse treatment home, small (see section 21A.36.100 of this title) | | C | C | |
| Transitional treatment home, large (see section 21A.36.090 of this title) | | C | C | |
| Transitional treatment home, small (see section 21A.36.090 of this title) | | C | C | |
| Transitional victim home, large (see section 21A.36.080 of this title) | | C | C | |
| Transitional victim home, small (see section 21A.36.080 of this title) | | C | C | |
| Office And Related Uses | | | | |
| Adult daycare centers | P | P | P | P |
| Child daycare centers | P | P | P | P |
| Financial institutions, with drive-through facilities | P | P | C | P |
| Financial institutions, without drive-through facilities | P | P | P | P |
| Medical and dental clinics | P | P | P | P |
| Offices | P | P | P | P |
| Veterinary office, operating entirely within an enclosed building and keeping animals overnight only for treatment purposes | | P | P | |
| Retail Sales And Services | | | | |
| Automobile sales/rental and service | C | C | | |
| Car Wash | | P ⁴ | | |
| Conventional department store | P ³ | | | |
| Fashion oriented department store | P ³ | | | |

| | | | | |
|--|----------------|---|---|---|
| Furniture repair shop | P | P | P | P |
| Gas station, may include accessory retail sales and/or minor repair, as defined in part VI, chapter 21A.62 of this title | C | P | C | C |
| Health and fitness facility | P | P | P | P |
| Liquor store | C | C | C | C |
| Mass merchandising store | P ³ | | | |
| Merchandise display rooms | P | P | P | P |
| Pawnshop | C | P | | |
| Restaurants, with drive-through facilities | P | P | P | P |
| Restaurants, without drive-through facilities | P | P | P | P |
| Retail goods establishments | P | P | P | P |
| Retail laundries, linen service and dry cleaning | P | P | P | P |
| Retail services establishments | P | P | P | P |
| Specialty fashion department store | P ³ | | | |
| Specialty store | P ³ | | | |
| Upholstery shop | | P | P | |
| Institutional Uses (Sites <<<< 4 Acres) | | | | |
| Colleges and universities | P | P | P | P |
| Community and recreation centers, public and private, on lots less than 4 acres in size | P | P | P | P |
| Government facilities (excluding those of an industrial nature and prisons) | | | P | P |
| Libraries | | | P | P |
| Museum | | | P | P |
| Music conservatory | | | P | P |
| Places of worship | P | P | P | P |
| Schools, K-12 private | | | P | P |
| Schools, K-12 public | | | P | P |
| Schools, professional/vocational | P | P | P | P |
| Seminaries and religious institutes | | | P | P |
| Recreation, Cultural And Entertainment | | | | |
| Art galleries | P | P | P | P |
| Artists' lofts and studios | P | P | P | P |
| Brew pub (indoor) | P | P | P | P |
| Brew pub (outdoor) | P | P | C | P |
| Commercial indoor recreation | P | P | P | P |
| Commercial video arcade | P | P | P | P |
| Motion picture theaters | P | P | P | P |
| Natural open space and conservation areas on lots less than 4 acres in size | C | C | C | C |
| Parks and playgrounds on lots less than 4 acres in size | P | P | P | P |
| Pedestrian pathways, trails, and greenways | C | C | C | C |
| Performance arts facilities | P | P | P | P |
| Private club (indoor) | P | P | P | P |

| | | | | |
|--|---|---|----------------|---|
| Private club (outdoor) | P | P | C | P |
| Squares and plazas on lots less than 4 acres in size | C | C | C | C |
| Tavern/lounge (indoor) | P | P | P | P |
| Tavern/lounge (outdoor) | P | P | C | P |
| Miscellaneous | | | | |
| Accessory uses, except those that are otherwise specifically regulated in this chapter, or elsewhere in this title | P | P | P | P |
| Automobile repair, major | C | P | C | C |
| Automobile repair, minor | C | P | C | C |
| Bed and breakfast | P | P | P | P |
| Bed and breakfast inn | P | P | P | P |
| Bed and breakfast manor | P | P | P | P |
| Blood donation center, commercial and not accessory to a hospital or medical clinic | | P | | |
| Bus line terminal | | P | | |
| Bus line yards and repair facilities | | P | | |
| Commercial laundry, linen service, and commercial dry cleaning establishments | C | P | C | C |
| Commercial parking garage, lot or deck | C | P | C | C |
| Communication towers | P | P | P | P |
| Communication towers, exceeding the maximum building height | C | C | C | C |
| Food product processing/manufacturing | | P | | |
| Graphic/design business | P | P | P | P |
| Heliports, accessory | C | C | | |
| Homeless shelter | | | C | |
| Hotels and motels | P | P | P | P |
| Industrial assembly | | C | C | |
| Limousine service | | P | | |
| Microbreweries | | C | | |
| Miniwarehouse | | P | P | |
| Off site parking | P | P | P | P |
| Outdoor sales and display | C | P | P | C |
| Precision equipment repair shops | | P | C | |
| Public/private utility buildings and structures | C | C | C | C |
| Public/private utility transmission wires, lines, pipes and poles ¹ | P | P | P | P |
| Publishing company | P | P | P | P |
| Radio stations | P | P | P ² | P |
| Railroad passenger station | P | P | P | P |
| Social service missions and charity dining halls | | P | P | |
| Street vendors (see chapter 5.64 of this code) | | | | |
| TV stations | P | P | | P |
| Temporary labor hiring office | | P | C | |
| Vending carts on private property as per chapter 5.65 of this code | P | P | P | P |

| | | | | |
|--|---|---|---|---|
| Warehouse | | P | P | |
| Warehouse, accessory | P | P | P | P |
| Wholesale distribution | | P | P | |
| Wireless telecommunications facilities (see table 21A.40.090E of this title) | | | | |

Qualifying Provisions:

1. See subsection 21A.02.050B of this title for utility regulations.
2. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
3. Uses allowed only within the boundaries and subject to the provisions of the downtown Main Street core overlay district (section 21A.34.110 of this title).
- 4. Any car wash located within 165 feet (including streets) of a residential use shall only be permitted as a conditional use.**

5. Original Petition

PETITION CHECKLIST

| <u>Date</u> | <u>Initials</u> | <u>Action Required</u> |
|----------------------|-----------------|---|
| <u>7/28/04</u> | <u>WH.</u> | Petition delivered to Planning |
| <u>7/28/04</u> | <u>WH.</u> | Petition assigned to: <u>Everett Joyce</u> |
| <u>9/8/04</u> | <u>EHJ</u> | Planning Staff or Planning Commission Action Date |
| <u>10/1/04</u> | <u>EHJ</u> | Return Original Letter and Yellow Petition Cover |
| <u>9/21/04</u> | <u>EHJ</u> | Chronology |
| _____ | <u>N/A</u> | Property Description (marked with a post it note) |
| _____ | <u>N/A</u> | Affected Sidwell Numbers Included |
| <u>9/21/04</u> | <u>EHJ</u> | Mailing List for Petition, include appropriate Community Councils |
| <u>9/21/04</u> | <u>EHJ</u> | Mailing Postmark Date Verification |
| _____ | _____ | Planning Commission Minutes |
| <u>9/21/04</u> | <u>EHJ</u> | Planning Staff Report |
| <u>10/1/04</u> | <u>EHJ</u> | Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending. |
| <u>10/4/04</u> | <u>EHJ</u> | Ordinance Prepared by the Attorney's Office |
| _____ | <u>N/A</u> | Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney. |
| <u>Everett Joyce</u> | _____ | Planner responsible for taking calls on the Petition |
| _____ | _____ | Date Set for City Council Action _____ |
| _____ | _____ | Petition filed with City Recorder's Office |



Zoning Amendment

Petition No. 400-04-32
 Receipt No. _____ Amount \$ 500
 Date Received 7-26-2004
 Reviewed by DLW

SALT LAKE CITY PLANNING

Address of Subject Property 628-634-636 South 300 West, Salt Lake City, UT
Name of Applicant KAS, LLC Phone (801) 531-4200
Address of Applicant 624 South 300 West, Salt Lake City, UT 84101
E-mail address of Applicant b.gempeler@comcast.net Cell / Fax (801) 694-1201
Applicant's Interest in Subject Property Owner
Name of Property Owner KAS, LLC Phone (801) 531-4200
County Tax Parcel # (Sidwell #) 15-01-454-010/15-01-454+011 Zoning of Property D2
Existing Use of Property & 15-01-454-012 Vacant Lot

Amend the text of the Zoning Ordinance by amending Section: (attach map or legal description).
 Amend the Zoning Map by reclassifying the following property: _____
 From a _____ classification to a _____ classification.

Please include with the application:

1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
 2. A complete description of the proposed use of the property where appropriate.
 3. Reasons why the present zoning may not be appropriate for the area.
 4. The names and addresses of all property owners within four-hundred fifty (450) feet of the subject parcel. The name, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
 5. Legal description of the property.
 6. Ten (10) copies of site plans drawn to scale.
 7. A signed statement that the petitioner has met with and explained the proposal to the appropriate Community Council.
 8. Related materials or data supporting the application as may be determined by the Zoning Administrator.
- Filing fee of \$500.00 plus \$100 for each acre over one acre is due at the time of application.**

If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition.

Sidwell maps and names of property owners are available at:

Salt Lake County Recorder
 2001 South State Street, Room N1600
 Salt Lake City, UT 84190-1051
 Telephone: (801) 468-3391

500⁰⁰

File the complete application at:

Salt Lake City Planning
 451 South State Street, Room 406
 Salt Lake City, UT 84111
 Telephone: (801) 535-7757

Signature of Applicant
 or authorized agent Robert Gempeler
Title of agent

Ken's Automotive Service, Inc and KAS, LLC would like to expand our current business to include a drive through state inspection and I/M bay along with a new self serve car wash. The new car wash would include 1 automatic unit along with 4 wand bays. The new building would be adjacent to our current location.

The D-2 zoning has omitted car washes and we feel this was just an oversight made when the D-2 zone was implemented. There are car washes in our area currently operating.

We would request the addition of car washes as a permitted use in the D-2 zone or as an accessory to our current permitted automotive service.

Thank you for your prompt attention to this application.

Robert D. Gempeler President
Ken's Automotive Service, Inc.

Robert D. Gempeler Managing Partner
KAS, LLC

624 South 300 West
Salt Lake City, Utah 84101
531-4200

REMARKS

Petition No. 400-04-32

By KAS, LLC

Is requesting a Zoning Text Amendment
for the property located at 628-636
South 300 West.

Date Filed _____

Address _____