ITEM 1  Bear River Storage LLC requests a Conditional Use Permit for Used Car Sales (SLU# 5511), located at 1952 W 820 N in the Light Manufacturing (M-1) Zone.  

**Grandview South Neighborhood.** Robert Mills (801) 852-6407  PLCUP20180045

| Applicant: Bear River Storage (Riley Sorensen) | Current Legal Use: Self-storage facility with office and manager dwelling. |
| Staff Coordinator: Robert Mills | Relevant History: The property was approved to be developed with the current self-storage facility in 2012 and construction was completed shortly afterward. |
| Property Owner: Same as Applicant | Neighborhood Issues: No neighborhood concerns have been identified as of the time of staff drafting this report. |
| Parcel ID#: 356210001 | Summary of Key Issues: |
| Current Zone: M1 Light Manufacturing | - The proposed use is permitted with an approved Conditional Use Permit in the M1 Zone. |
| General Plan Designation: Industrial | - The proposed use is associated with an established use on the site and will further utilize the existing site. |
| Acreage: 5.14 acres | - The site is located between the existing railroad and FrontRunner tracks and is fronted by 820 North, making the likelihood of negative impacts on surrounding land uses minimal. |
| Number of Properties: 1 | - The existing off-street parking is sufficient for both the self-storage facility and the proposed used car lot. |
| Number of Lots: 1 |  
| Total Building Square Feet: approx. 250 sq. ft. office within the existing office building on the site. | Staff Recommendation: Staff recommends the item be approved subject to the following conditions. |
| Council Action Required: No. | 1. Vehicle Display Area shall not encroach into the required front yard area. |

**Alternative Actions:**
1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is May 2, 2018, 5:00 p.m.*

2. **Deny** the requested Conditional Use Permit. *This action would be inconsistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

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OVERVIEW

The applicant is requesting a Conditional Use Permit (CUP) to allow used car sales on the Southeast portion of the subject site. The Bear River Storage facility is existing on the site and consists of an office building with an attached manager’s residence and several hundred individual self-storage units.

The proposed car lot area consists of approximately 4,500 square feet and the applicant will utilize an office area in the existing office building consisting of approximately 250 square feet. The applicant has not indicated that any new structures will be associated with the proposed car lot.

FINDING OF FACTS

1. Conditional Use Permits are subject to compliance with 14.02.040.
   The ordinance, in part, is as follows:
   (1) The Planning Commission may, subject to the procedures and standards set forth in this Chapter, grant, conditionally grant, or deny an application for a Conditional Use Permit for uses allowed by the chapter for the applicable zone. The purpose of a Conditional Use Permit is to allow proper integration of uses into the community which may only be suitable in specific locations and may have potentially detrimental characteristics if not properly designed, located, and conditioned.

   (2) The following standards shall apply to any request for a Conditional Use Permit:
       (a) A proposed conditional use shall be granted unless the subject use will be detrimental to the health, safety, or general welfare of persons residing in the vicinity or injurious to property in the vicinity.
       (b) A proposed conditional use shall be detrimental to the health, safety, or general welfare of persons residing in the vicinity or injurious to property in the vicinity:
           (i) if the proposed use will cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes;
           (ii) if the proposed use will unreasonably interfere with the lawful use of surrounding property;
           (iii) if the proposed use will create a need for essential municipal services which cannot be reasonably met;
           (iv) if the proposed use will in any other way be detrimental to the health, safety or general welfare of persons residing in the vicinity or injurious to property in the vicinity.
       (c) A change in the market value of real estate shall not be a basis for the denial of a proposed conditional use.
(d) If a part of a proposed conditional use is found to be contrary to the standards described in this section, the applicant may propose or consent to curative measures which will make the proposed use not contrary to the standards described in this section.

2. The property consists of 5.14 acres in the M1 Light Manufacturing zone.

3. The property is bounded on both the east and west side by rail lines.

4. The proposed location of the car lot on the site is over 165 feet from the nearest residential use.

5. Surrounding uses include additional self-storage facilities to the west and south as well as other light industrial uses. Interstate 15 is located the west and north of the site.

6. Used car sales is a conditional use in the M1 Light Manufacturing zone.

7. The existing use on the site requires seven (7) off-street parking stalls and ten (10) off-street parking stalls are already provided.

STAFF ANALYSIS

The proposed used car sales use is consistent with the surrounding uses in the area. The use will not be detrimental to the health safety or general welfare to people residing in the vicinity of the proposed use and is compliant with the other provisions of Section 14.02.040 referenced above.

Joint use of the site for both the existing self-storage facility and the proposed used car sales will not create increased negative impacts on the surrounding uses. The used car sales area will be in a non-utilized section of the property and will use existing office space within the existing office building. No new structures are associated with this request.

The parking requirement for the existing self-storage facility is seven (7) stalls and there are ten (10) existing stalls on the site. The parking requirement for automobile sales is 1 space per 800 square feet of gross floor area. The office space for the used car sales will be within the existing structure. The parking requirement for the existing self-storage facility already accounts for the office space at 1 space per 250 square feet. So, if the 250 square feet for the proposed used car sales office is subtracted from the required seven (7) stalls for the self-storage the total would six (6) required stalls and then an additional stall is required for the used car sales office at 1 space per 800 square feet, the total required stalls remains
the same at seven (7). The existing site contains ten (10) stalls which exceeds the required parking for the uses.

RECOMMENDATION

Based on the foregoing Findings of Facts and Staff Analysis, staff recommends approval of the requested Conditional Use Permit for used car sales with the following conditions:

1. Vehicle Display Area shall not encroach into the required front yard area.
2. Any lighting associated with the vehicle display area shall be shielded and directed so that it does not shine on any surrounding properties or roadways.
3. Any associated signage shall conform to the requirements of Chapter 14.38 of the Provo City Code and shall be consistent with existing signage for the self-storage facility.

APPLICANT AGREEMENT TO CONDITIONS

Pursuant to Section 14.04.050 of the Provo City Code, relating to Staff Action on Planning Commission Matters, by signing below, the applicant agrees to the recommended conditions. If the applicant does not agree to the recommended conditions, the applicant may request to have the item heard by the Planning Commission.

(x) __________________________ Date __________________________
Attachment 1 – Location Map
Attachment 2 – Site Plan

SITE PLAN / PARKING PLAN
FEBRUARY 22, 2018