



**Planning Commission  
Staff Report  
Conditional Use Permit  
Administrative Hearing Date:  
December 7, 2016**

**ITEM 1** Seth Wright, representing White Shanty Events, requests approval of a Conditional Use Permit for SLU# 6219 (Reception & Events) located at 502 South 300 West in the Interim Transit Oriented Development (ITOD) Zone and for off-site parking for the same address. **Franklin Neighborhood.** 16-0013CUP, Aaron Ardmore, 801-852-6404

**Applicant:** White Shanty, Seth Wright

**Staff Coordinator:** Aaron Ardmore

**Property Owner:** Pamela Field

**Parcel ID#:** 04:004:0014, 04:004:0013

**Current Zone:** ITOD

**Proposed Zone:** ITOD

**General Plan Designation:** TOD

**Acreage:** 0.60

**Number of Properties:** 2

**Number of Lots:** 2

**Total Building Square Feet:** 12,030

**Council Action Required:** No

**Alternative Actions:**

1. **Approve** the requested Conditional Use Permit, **with conditions.** *Staff has provided recommended conditions of approval in the event that the Planning Commission approves the CUP; the applicant's agreement to these conditions does not, however, change Staff's recommendation for Denial of the CUP. The Planning Commission should state new findings.*

2. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is December 21, 2016, 5:00 P.M.*

**Current Legal Use:** Commercial property for manufacturing industrial furniture and showroom.

**Relevant History:** Previous use of the property was a welding and fabrication shop that closed in 2015. The applicant renovated the building and site during the summer of 2016 *without* approval from Provo City. The current business license was obtained in July 2016. The applicant applied for a Conditional Use Permit for receptions and events August 3<sup>rd</sup>, 2016. A zoning complaint was submitted on August 16, 2016 citing concerns over safety standards. The item was continued from the October 5<sup>th</sup> Administrative Hearing because the applicant was not ready. Since that time, there has been no progress.

**Neighborhood Issues:** There has been some concern among neighbors over safety. The neighborhood chair met with the applicants and has stated there does not seem to be concern over the location for receptions and events.

**Summary of Key Issues:**

- Applicant has not completed the Coordinator Review process with City Staff.
- Initial plans submitted were lacking sufficient parking and landscaping details.
- No new plans have been submitted since August 17, 2016

**Staff Recommendation:** That the conditional use permit should be denied.

## **OVERVIEW**

The applicant, Seth Wright, is requesting a Conditional Use Permit for a reception center at 502 South 300 West. He currently runs a furniture machine shop and showroom at the same address. Mr. Wright started this business in July of 2016, around which time he made improvements to the façade and grounds of the building and property.

The applicant applied for this Conditional Use Permit in order to allow groups to rent his space for receptions and gatherings during non-business hours. The application for the conditional use permit was reviewed by staff and review comments stating changes required were sent to the applicant's email on August 24<sup>th</sup>, 2016. As of the date of this report, those comments have not been addressed. Without complete and detailed plans for review, staff is recommending a continuation of the public hearing.

At the October 5<sup>th</sup>, 2016 Administrative Hearing, this item was continued so the applicant could determine his best path forward after some discussion of what is needed with staff. Since that time, staff has not received anything new from the applicant, but there have been continued events held without an approved conditional use permit. Staff emailed the applicant in November to remind him that events are not allowed without a permit and that his application is still on hold. Applicant stated he will get in revised plans and asked to be put on the next Administrative Hearing agenda. Staff has still not received any new, revised plans at the time of this report.

## **PLANNING REVIEW**

Planning staff has requested more detailed parking and landscape plans in order to analyze the proposed use for any concerns (detailed in attachment #1).

## **BUILDING INSPECTION REVIEW**

Building inspection staff has requested changes to show accessible parking spaces and entrances.

## **OTHER CITY DEPARTMENTS**

Other concerns include fire safety and on-street parking.

## **CONCLUSIONS**

At this time, staff does not have enough information to evaluate this land use for health, safety, and welfare concerns. Due to the fact that this application has gone on for nearly four months without any progress made, staff is recommending denial.

**RECOMMENDATION**

Staff recommends that this item be denied due to inaction of the applicant and no new progress being made.

**ATTACHMENTS**

1. Coordinator Review Committee Analysis – August 24, 2016

## ATTACHMENT #1 – CRC REVIEW COMMENTS

### Provo City Coordinator Application Review

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Opened: 8/11/2016  
Report Date: 8/24/2016

Project Name: White Shanty Events  
Address: 502 South 300 West  
Casefile: 16-0013CUP  
Application Type: Conditional Use Permit

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**Submission Deadline:** In order to have a submission placed on the next available review agenda, all documents must be submitted to the Planning Coordinator by **12pm on Wednesday**.

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#### Coordinator Summary\*

Energy: Final Approval  
Engineering: Final Approval  
Fire: Preliminary Approval  
Parks: Final Approval  
Planning: Changes Required  
Sanitation: Final Approval  
Storm Water: Final Approval  
Water: Final Approval  
Bldg Insp: Preliminary Approval

#### Application Expiration:

This application will expire on August 10, 2017. For exceptions to this rule see Section 15.01.040 Provo City Code.

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#### Project Review

Building Inspection: Skip Tandy / Commercial Plan Examiner eMail: [standy@provo.utah.gov](mailto:standy@provo.utah.gov) Phone: 801-852-6411  
Preliminary Approval:  
8/17/2016 - Skip Tandy:

> I look forward to reviewing plans for this project. Please be aware that if the remodeling area is 3,000 square feet or greater the plans must be drawn by a Utah Licensed Architect as per Utah State Law. The parking plan did not depict any "Accessible Parking Spaces" nor is any "Accessible Entrance" shown and these are minimum requirements per the 2015 IBC. Please provide these changes in future drawings.

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Energy: Randy Barney / Utility Planner Supervisor eMail: rbarney@provo.utah.gov Phone: 801-852-6831

Final Approval:

8/16/2016 - Randy Barney:

No concerns at this time.

8/16/2016 - Randy Barney:

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Fire Department: Kevin Paxton / Fire Marshall eMail: kpaxton@provo.org@provo.utah.gov Phone: 801-852-6333

Preliminary Approval:

8/23/2016 - Kevin Paxton:

Depending on occupant load, you would possibly need two exits, sprinkler system and an alarm system. If you would like we can always meet and discuss your project. thanks.

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Parks & Recreation: Thomas McKenna / Project Coordinator eMail: tmckenna@provo.org@provo.utah.gov Phone: 801-852-6643

Final Approval:

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Planning:

Changes Required:

8/24/2016 - Aaron Ardmore: Please comply with the following:

1. Provide a detailed parking plan that complies with Section 14.37.080, Provo City Code.
2. All parking shall be paved with asphalt, per Section 14.37.090 and designed to meet requirements of Section 14.37.100.
3. Parking lot landscaping shall comply with Section 15.20.090 and 15.20.100.

We have scheduled your public hearing for the September 21 Administrative Hearing, please let us

know if you would prefer a different date.

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Engineering: Jonathan Saluone / Engineering Technician eMail: jsaluone@provo.utah.gov Phone: 801-852-7773

Final Approval:

8/24/2016 - Jonathan Saluone:

300 West parking is public parking.

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Sanitation: Jonathan Saluone / Engineering Technician eMail: jsaluone@provo.utah.gov Phone: 801-852-7773

Final Approval:

8/24/2016 - Jonathan Saluone:

No concerns at this time.

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Storm Water: Jonathan Saluone / Engineering Technician eMail: jsaluone@provo.utah.gov Phone: 801-852-7773

Final Approval:

8/24/2016 - Jonathan Saluone:

No concerns at this time.

8/24/2016 - Jonathan Saluone:

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Water Resources: Jonathan Saluone / Engineering Technician eMail: jsaluone@provo.utah.gov Phone: 801-852-7773

Final Approval:

8/24/2016 - Jonathan Saluone:

No concerns at this time.

8/24/2016 - Jonathan Saluone:

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