



**Planning Commission
Staff Report
Conditional Use Permit
Administrative Hearing Date:
October 3, 2018**

ITEM# 1 Sunbelt Rentals, Inc. request a Conditional Use Permit to operate an equipment rental business with outside storage, located at 1281 S Industrial Pkwy in the Heavy Manufacturing (M2) Zone. East Bay neighborhood Javin Weaver (801) 852-6413 PLCUP20180299

Applicant: Sunbelt Rentals, Inc.
Staff Coordinator: Javin Weaver
Property Owner: Zambrock & Zarbock
Parcel ID#: 22:050:0007
Current Zone: Heavy Manufacturing Zone (M2)
General Plan Designation: Industrial
Acreage: 1.93 acres (84,070.8 sq. ft.)
Number of Properties: 1
Number of Lots: 1
Total Building Square Feet: approx. 20,000 sq. ft.
Council Action Required: No.

Alternative Actions:

1. Continue to a future date to obtain additional information or to further consider information presented. *The next available meeting date is October 17, 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.*

Current Legal Use: Industrial building among other similar industrial/office buildings in the area.

Relevant History: The property was developed in the mid 1970's as an industrial building in the M2 zone.

Neighborhood Issues: No neighborhood concerns have been identified as of the time of staff drafting this report.

Summary of Key Issues:

- The proposed use is permitted with an approved Conditional Use Permit in the M2 Zone.

Staff Recommendation: Staff recommends the item be approved subject to the following conditions.

1. 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 planned development.
2. Restriping of parking stalls shall be done to clearly demarcate the required number of spaces.

OVERVIEW

The applicant is requesting a Conditional Use Permit (CUP) to an equipment rental business with outside storage (SLU #6394 and #6397) in a leased portion of a 20,000 square-foot building on the site. The applicant's business will operate standard business hours. The operation will consist of the following:

1. Equipment sales, rental, display, maintenance, warehousing inside and outside of such equipment and tools used generally with construction.
2. Landscaping tools and equipment, air compressors, generators, aerial work platforms, backhoe loaders, skid-steer loaders, fork lifts, floor and carpet care equipment would all be carried at the business.

The property is bounded on both the north and south industrial uses, and the east boundary by the rail road. The west boundary is Industrial Parkway. The nearest adjacent building is over 75 feet from the applicant's leased space.

FINDING OF FACTS

1. The subject property is zoned Heavy Industrial (M2).
2. The M2 Zone permits outside storage as a Conditional Use.
3. Equipment rentals, leasing services and automobile, truck or trailer rentals are Conditional Uses in the M2 Zone.
4. The leased tenant space is 20,000 square feet, but part of a larger 1.93-acre development.

STAFF ANALYSIS

1. Conditional Use Permits are subject to compliance with 14.02.040. Responses are in **bold**.

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.

As evidenced below, the proposed equipment rental business operation will not 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;

The proposed operation will not cause unreasonable risk 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;

The proposed use will not unreasonably interfere with the lawful use of surrounding property. The applicant's leased space will be sufficient for the operation and adequate off-street parking is provided.

(iii) if the proposed use will create a need for essential municipal services which cannot be reasonably met;

The proposed use will not create a need for essential municipal services which cannot be reasonably met. The applicable City departments have reviewed the application and have not indicated any concerns with municipal service need.

(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.

The proposed use will not be detrimental to the health, safety or general welfare of persons residing in the vicinity or injurious to property in the vicinity. The operation will be kept within the

structure other than the storage of equipment rentals outside in a designated location on the property.

(c) A change in the market value of real estate shall not be a basis for the denial of a proposed conditional use.

The proposed use will not likely affect the market value of real estate in the vicinity.

(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.

The proposed use is not contrary to the standards described herein.

The proposed equipment rental business 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 in the vicinity of the proposed use as noted above.

No new structures are associated with this request.

The parking requirement for the existing tenant space is 20 off-street parking stalls (1 space per 1,000 square feet; 20,000 square feet of total space).

RECOMMENDATION

Based on the foregoing Findings of Facts and Staff Analysis, staff recommends approval of the requested Conditional Use Permit for equipment rental business with the following conditions:

1. 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 planned development.
2. Restriping of parking stalls shall be done to clearly demarcate the required parking spaces.

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

Provo City



 Parcel



0 50 100 200 Feet

Author: Provo City

Date: 9/25/2018

This map is for graphical representation only and not for construction or defining feature locations.

SITE PLAN



Attachment 3 – Parking Plan

