

**ITEM # 1** Jerry Olivera requests a Conditional Use Permit for auto repair services (SLU 6411) in the PIC (Planned Industrial Commercial) Zone, located at 2103 S Tracy Hall Parkway. Spring Creek Neighborhood. Nancy Robison (801) 852-6417 nrobison@provo.org PLCUP20240053

## **OVERVIEW**

The applicant is working with a franchised collision center to establish a Direct Repair Program Shop. They will work with customers and insurance agencies to repair vehicles. There will be approximately 10 employees at the facility. The vehicles that are being repaired will be kept in the shop. Only parking for employees is needed.

## **RELEVANT HISTORY**

The business is proposed to go into a new warehouse built in 2023 and which is now ready for tenants to rent out space.

## **FINDINGS OF FACT**

1. The subject property is zoned Planned Industrial Commercial (PIC).
2. Auto repair services are a permitted use in the PIC Zone (SLU 6411).
3. The applicant will be required to obtain a business license.
4. There are 28 parking spaces provided on the property.
5. The proposed use would require 16 spaces (Section 14.37, Provo City Code).

## **STAFF ANALYSIS**

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 Auto Repair Shop Fix Auto Provo 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.**

*(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 property is sufficient for the operation. The property is surrounded by industrial uses on the north and south and has appropriate buffering from the residence to the east.**

*(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.**

*(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.**

## **CONCLUSIONS**

Based on the foregoing Findings of Facts and Staff Analysis, staff recommends approval of the requested Conditional Use Permit for Fix Auto Provo with the following conditions:

- That the applicant obtains the correct business license prior to operating.

## **ATTACHMENTS**

1. Site Plan
2. Parking Photos
3. Property Photos

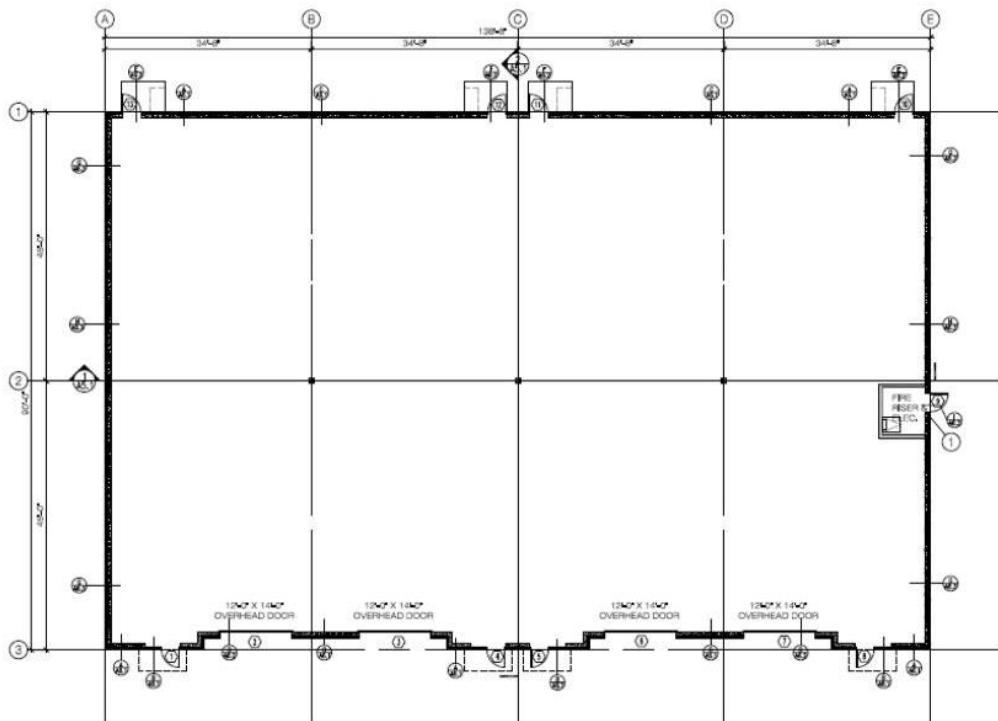
**APPLICANT AGREEMENT TO CONDITIONS**

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.

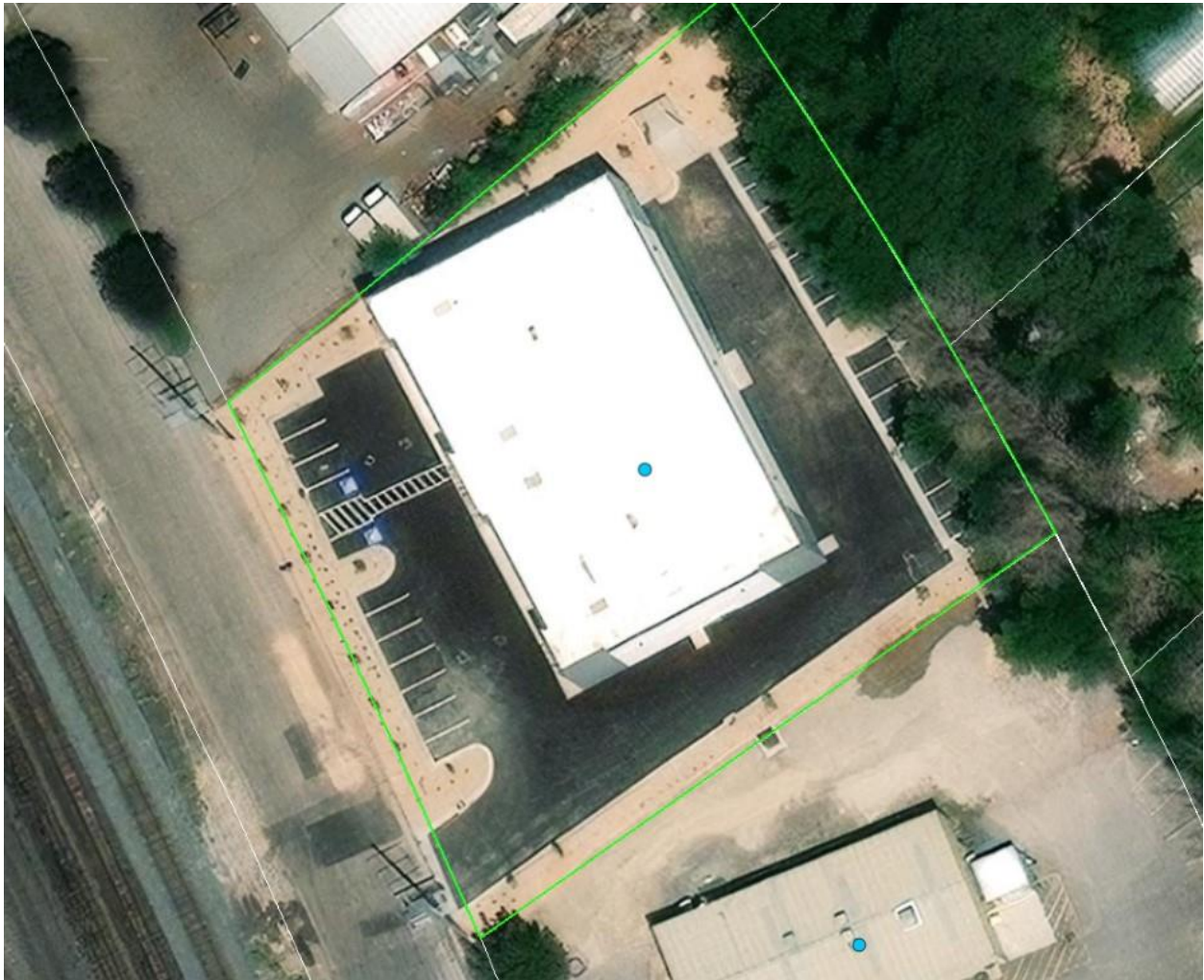
(x) \_\_\_\_\_ Date \_\_\_\_\_

**ATTACHMENT 1 – SITE PLAN**

**EXHIBIT B  
DEPICTION OF LEASED PREMISES**



**ATTACHMENT 2 – PARKING PHOTOS**





**APPLICANT 3 – PROPERTY PHOTOS**





