

ITEM 1 Arman Avanesyan requests a Conditional Use Permit for a wedding reception space (SLU Code 6299) in the CG (General Commercial) Zone, located at 480 North 900 East. Foothills Neighborhood. Mary Barnes (801) 852-6408 mabarnes@provo.org
PLCUP20240119

OVERVIEW

Arman Avenesyan has requested Conditional Use Permit approval for a wedding reception center located at 480 N 900 E, within the General Commercial (CG) zone. The CG zone designates wedding chapels and reception centers as conditional uses. SLU#6299 is limited to wedding reception centers. This is NOT approved for use as a dance hall (SLU#7396).

The most common issues with this type of use are noise and parking. The applicant is proposing to occupy a portion of a strip mall that has two other uses. These uses have their individual parking requirements, and all three uses share a parking lot. The property owner has provided a parking plan (shown in exhibit 3) that will restripe the parking lot and install necessary improvements. After minor project plan approval for the parking lot remodel, the parking lot will have sufficient parking to meet the combined total minimum parking requirements, as shown in staff analysis. A condition stating that no events may be held until the parking lot is finished has been added. For noise, Provo’s noise code in 9.06.030 provides required decibel levels and requirements that every commercial business must follow. Additionally, a business license must be obtained prior to opening.

FINDINGS OF FACT

- The subject property is in the General Commercial (CG) zone.
- The subject property is .62 acres owned by Peay Investments
- Wedding reception centers are a conditional use in this zone.
- Sufficient parking will be provided for the proposed use and the two other existing uses within the building when the parking plan is implemented. Staff is working with the property owner for minor project approval.
- Tatev Events will not serve alcohol within their tenant space.
- The kitchen space will only be used for food warming.
- The event center may be open from 9 PM – 12 PM.

STAFF ANALYSIS

Parking

The three tenants have different equivalent uses as outlined in 14.37.060. The property owner will be restriping the parking lot as shown in the parking plan in exhibit 3. With that re-striping, the number of parking stalls shared by these uses will be 224.

Business	Equivalent Requirement	Provided	Compliant?
Improv Broadway	Club/event center: 1 space per 100 sq ft of floor area	2,682 sq ft/100=27 parking spaces	Yes
Tatev Events	Dance Hall: 1 space per 4 persons based on occupancy	378/4= 95 required parking spaces	Yes
Vasa Fitness	Health club: 1 space per 4 persons based on occupancy	After speaking with the property owner, the max occupancy of Vasa is unknown. However, the property owner spoke with the Vasa manager, who stated that there has never been more than 100 people within the gym at one time. On average, the occupancy is lower than that.	According to the property owner, yes.

27+95+100= 222 parking spaces for all three uses. Additionally, the property owner expressed that Improv Broadway is currently contracted for only 8 parking spaces. However, as that use could change, it is important to ensure that the required 27 stalls are still provided. The property owner stated that Tatevi Events and Vasa Fitness can use the remainder parking required by code for Improv Broadway if needed.

Compliance with 14.02.040

This ordinance, in part, is as follows **with staff responses in bold**:

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; **The applicant and property owner have shown how the parking will work for all three uses with the implementation of the new parking plan. Therefore, staff does not believe there is an unreasonable risk to the public. If the applicant does not maintain compliance with the requirements of the Code, the CUP may be revoked.***
 - ii. *if the proposed use will unreasonably interfere with the lawful use of surrounding property; **The proposed use is situated between two existing commercial uses on 900 E, which is a major street in Provo City. It's surrounded by student housing and other commercial uses. This is a good location for the proposed use, and the parking will not interfere with the two existing uses of the strip mall.***
 - iii. *if the proposed use will create a need for essential municipal services which cannot be reasonably met; **The site will be able to accommodate the proposed use. No issues with services have been identified by CRC staff.***
 - 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 applicant is responsible for complying with City Codes that govern noise and parking to help ensure general welfare is maintained, and any additional conditions that the Planning Commission places on this CUP.***
 - c. *A change in the market value of real estate shall not be a basis for the denial of a proposed conditional use.*
3. *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.*

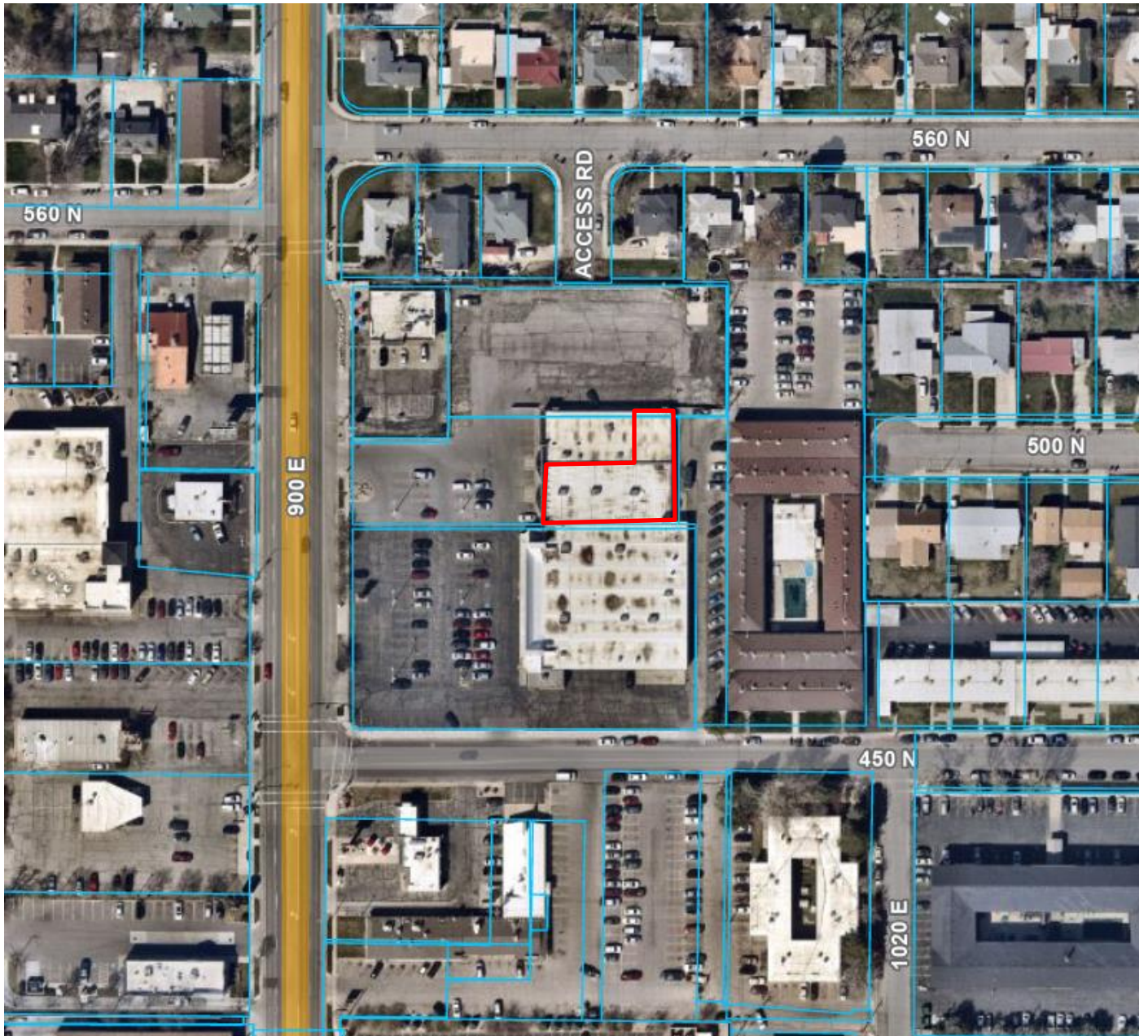
CONCLUSIONS

Staff have reviewed the proposal against the requirements outlined in the city code and have found that this use will not damage the health, safety, and general welfare of properties in the vicinity. Additionally, the new parking plan will allow for sufficient parking for all three uses. A condition has been added to ensure that no events are held by Tatev Events until the parking lot has been fixed, pursuant to a Minor Project Plan.

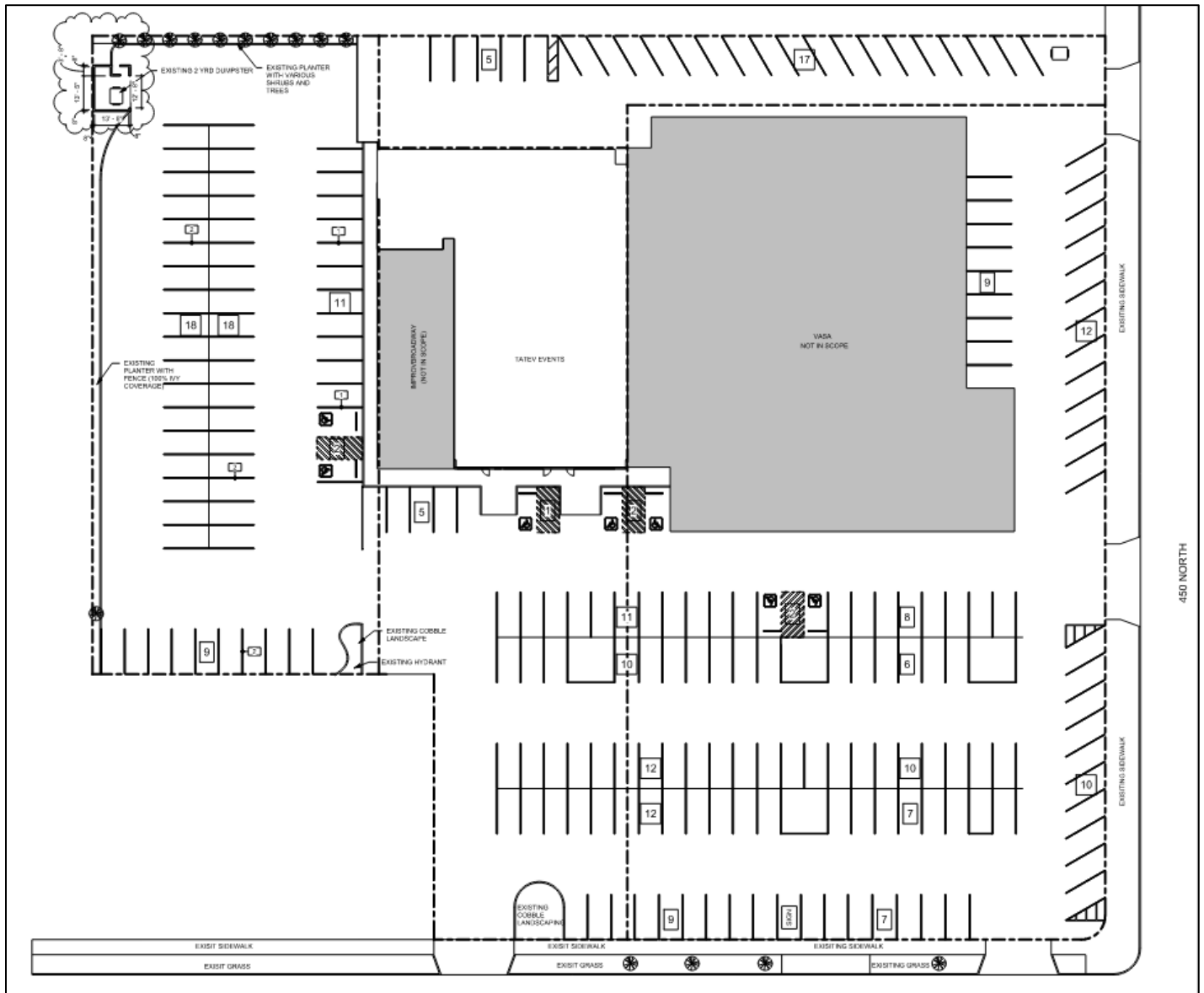
ATTACHMENTS

1. Area map
2. Site plan
3. Parking plan from property owner
4. Floor Plan
5. Elevations
6. Business description

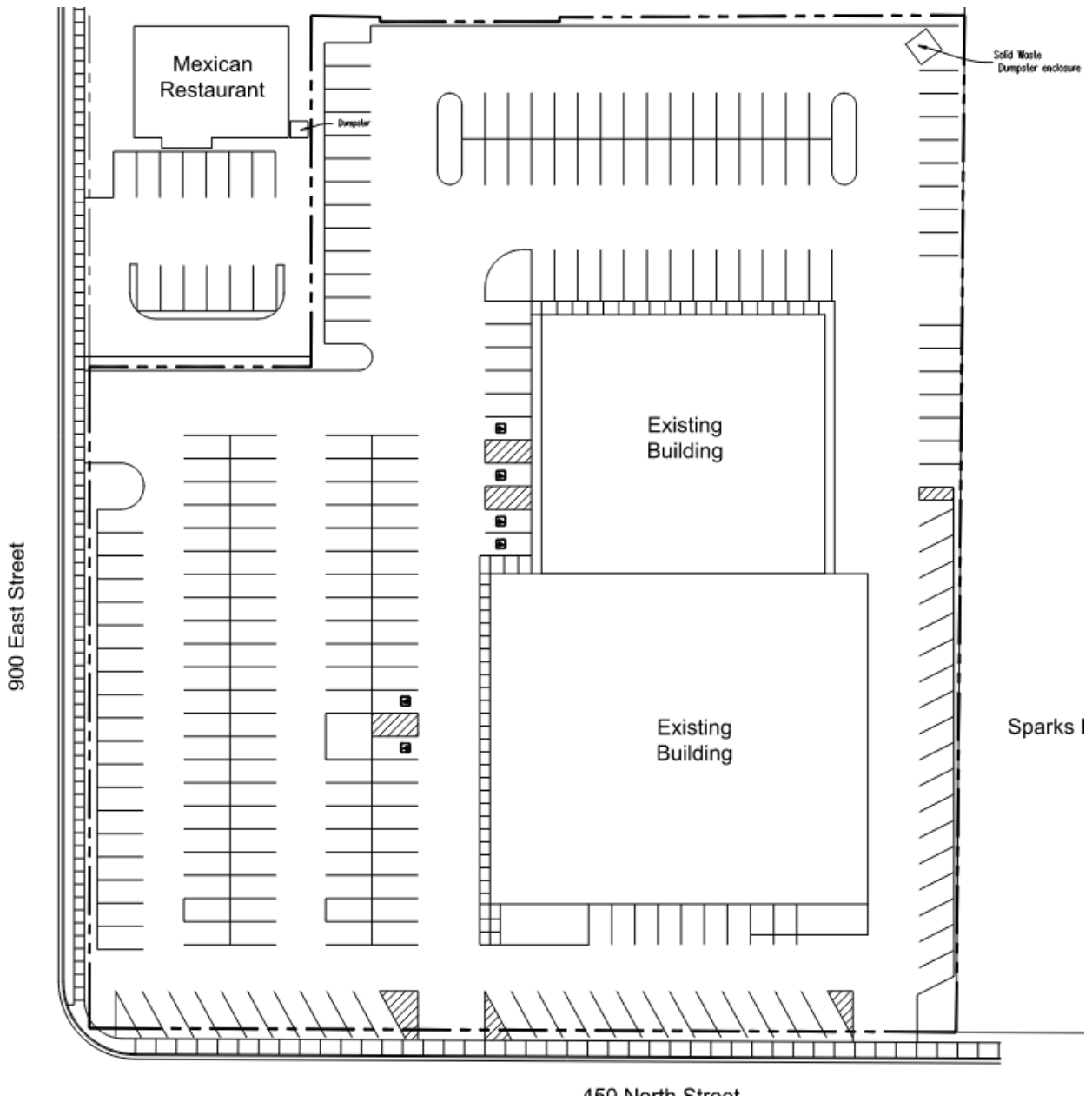
ATTACHMENT 1 – AREA MAP



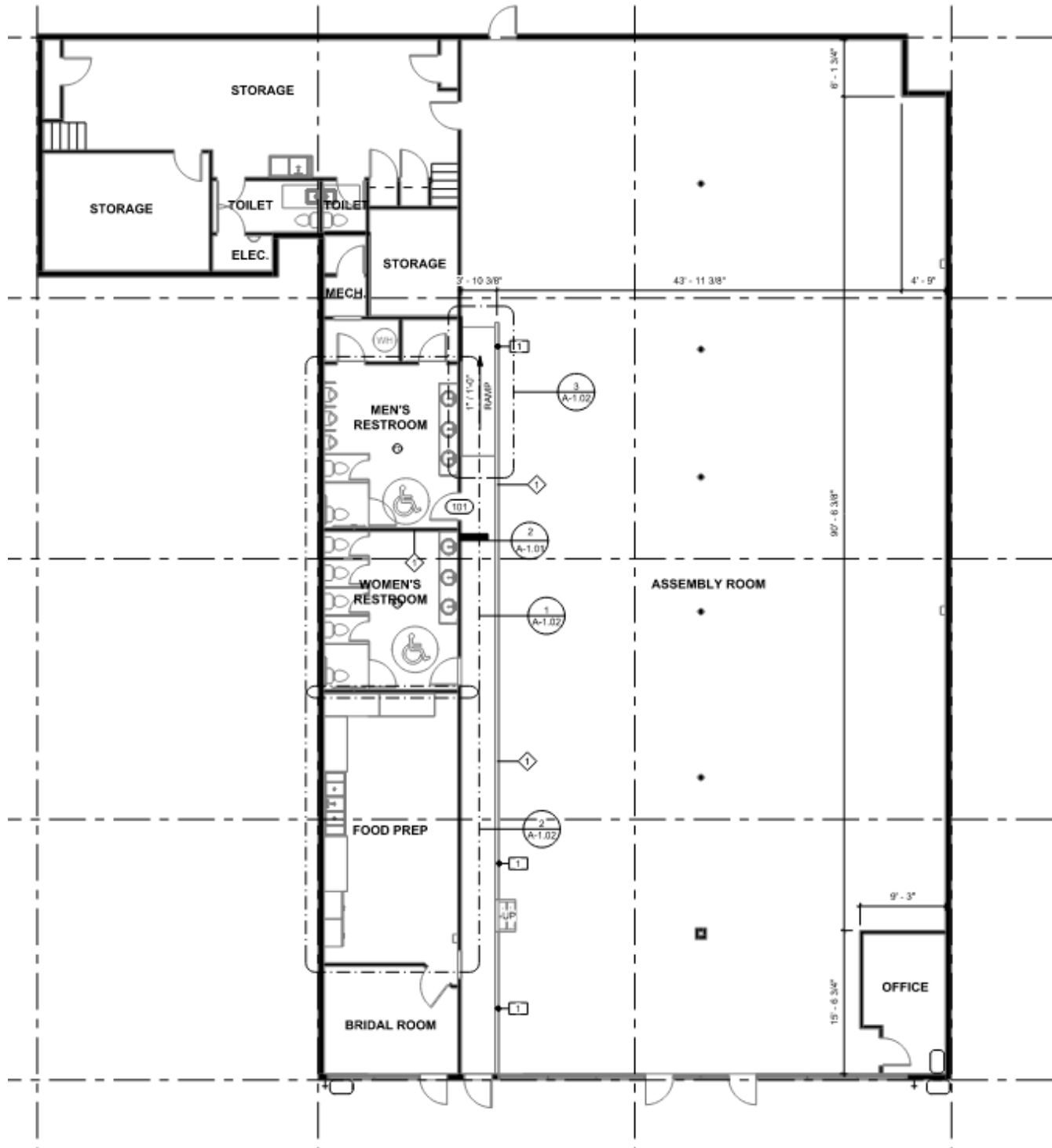
ATTACHMENT 2 – SITE PLAN (Note: please see attachment 3 for the parking plan)



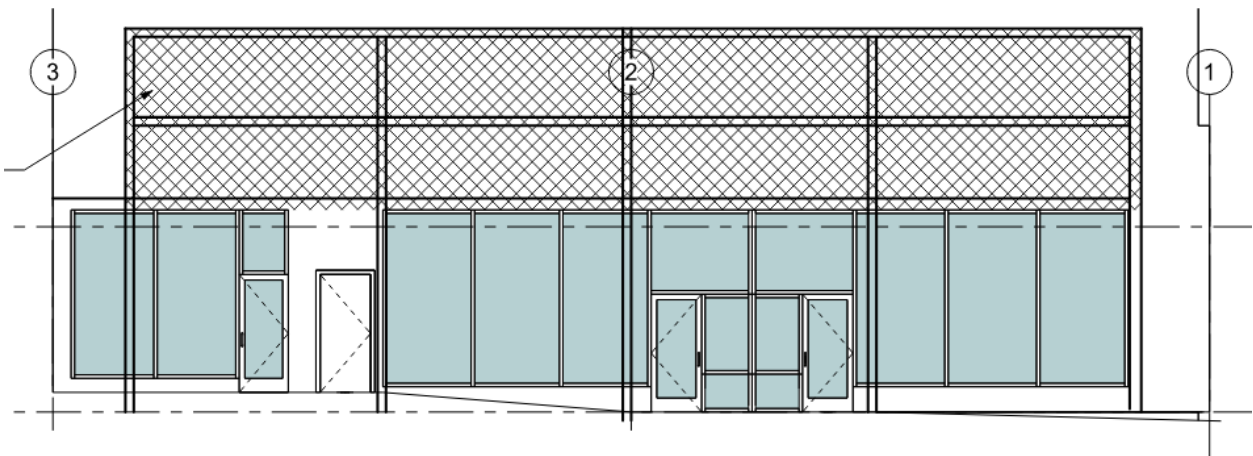
ATTACHMENT 3 – PARKING PLAN



ATTACHMENT 4 – FLOOR PLAN



ATTACHMENT 5: ELEVATIONS



ATTACHMENT 6: BUSINESS DESCRIPTION

Tatev Events

The space will be used for wedding receptions and similar gatherings. Hours of operation 9am-11.59pm.

Arman Avanesyan

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