

Planning Commission Staff Report

File #12C23

**Public Hearing and Consideration of a Preliminary
Nonadministrative Conditional Use Permit and Preliminary Site Plan
to Construct a New Carwash at 3621 W 5400 S, in Taylorsville,
Utah.**



Department of Community Development

Date:	August 4, 2023
Meeting Date:	August 8, 2023
Agenda Item:	Public Hearing and Consideration of a Preliminary Nonadministrative Conditional Use Permit and Site Plan for the Construction of a Car Wash at 3621 W 5400 S
Subject Property Address:	3621 W 5400 S
Applicant:	Lonestar Builders/ Elevate Engineering
Applicant Agent:	Danny Lange, Elevate Engineering, Russ Nelson & Hailey Peterson, Lonestar Builders
Author:	Terryne Bergeson, Planner I
Parcel #:	21171260250000
Applicable Ordinances:	Including, but not limited to Chapter 13.08; 13.23; 13.24; 13.25; 13.27; 13.28; 13.32; and 13.33
Agenda Item #:	3

Attachments:

Exhibit A: Zoning Map

Exhibit B: General Plan Map

Exhibit C: Subject Property Aerial Image

Exhibit D: Subject Property Vicinity Map

Exhibit E: Narrative

Exhibit F: Current Site Photos

Exhibit G: Proposed Improvements
Package

Exhibit H: Client-approved Concept Plan

Exhibit I: Sound Study

Exhibit J: Tree Survey

Exhibit K: Environmental Assessment,
Decommissioning Report

Summary:

Russ Nelson, Hailey Peterson (Lonestar Builders) and Danny Lange (Elevate Engineering) are requesting preliminary approval of a non-administrative conditional use permit and site plan for the construction and operation of a Quick Quack Carwash on the property located at 3621 W 5400 S, Taylorsville, Utah.

Site changes include closing the two driveways fronting 5400 South, construction of a 94-foot tunnel carwash with 14 vacuum stalls, and installation of new landscaping. The applicant submitted a narrative describing the use (Exhibit E).

Site Description

The subject property is a 34,412 square foot lot (.79 acre) lot on the southwest corner of 3600 West 5400 South. The existing structure, shed, and carwash building have been vacant (formerly the Speedway convenience store). Fuel tanks and gas pump canopies were removed by the property owner in 2022 and provided applicants with an environmental report showing no contamination (Exhibit K).



Existing site from current Whitewood Lane entrance.

Adjacent uses are listed below:

North	South	East	West
5400 South right-of-way and Community Commercial (CC)	Residential (R-1-5)	3600 West right-of-way and R-1-7 & 6 Residential	Community Commercial (CC)

Land Development Code Analysis

The property is in the Community Commercial (CC) zoning district and has General Plan Designation of Community Commercial. The request is consistent with both designations. [Section 13.08.020\(E\)](#) of the Taylorsville Land Development Code, lists a “car wash” land use as permitted with the approval of an administrative conditional use permit, or if within 250 feet of residential, permitted with approval non-administrative conditional use permit.

[Section 13.33.040](#) establishes the general review criteria for all conditional use permit requests:

Code Reference	Review Criteria	Compliant
13.33.040(A)(1)	The health, safety, and welfare of the city and its present and future inhabitants and businesses.	Yes
13.33.040(A)(2)	The prosperity of the city and its present and future inhabitants and businesses.	Yes
13.33.040(A)(3)	The morals, peace and good order, comfort, convenience, and aesthetics of the city and its present and future inhabitants and businesses.	(Discuss)
13.33.040(A)(4)	The tax base.	Yes
13.33.040(A)(5)	Economy in governmental expenditures.	Yes
13.33.040(A)(6)	The state's agricultural and other industries.	Yes
13.33.040(A)(7)	The urban and nonurban development.	Yes
13.33.040(A)(8)	Access to sunlight for solar energy devices.	Yes
13.33.040(A)(9)	Property values.	Yes
13.33.040(C)	The proposed conditional use shall promote and conform with the objectives of the general plan and shall not limit the effectiveness of land use controls, promote blight, or injure property values.	Yes

Given that the site is currently vacant, any development on the property will increase the traffic to this location. The plan illustrates site access from Whitewood Lane (3600 West), a local 50' wide street that is used to access several smaller residential streets from 5400 South and ends as a cul-de-sac/ dead end approximately .5 miles to the south. Access to the site will require customers entering from the south to turn left into the parking lot and right to enter queuing lanes. A vehicle entering from the north will be required to make a sharp right turn from Whitewood Lane to enter the queuing lanes. Eight stacking spaces are provided per city requirements. The potential negative impact staff could identify related to traffic is the potential for disruptions on Whitewood Lane if vehicle stacking for queuing lanes spills into the right-of-way. A traffic study was not requested as part of the application.

Noise from vacuums and tunnels is another concern with the adjacent residential zone. The applicant has submitted a sound study that demonstrates the levels for residential will not exceed the established 100 dBA maximum, based on the most recently submitted concept plan. The submitted sound study indicates that the adjacent commercial use may be subject to noise levels exceeding 65 decibels and that one residential property may experience sound levels between 55-60 decibels. The commercial building to the west is built on the property line (Exhibit D) site plans do show landscaping and a tree proposed near the parking lot of the neighboring use, with no room to plant significant buffering between the tunnel exit lane and the neighboring building.

Fencing separating the proposed use and residential rear yards is an existing solid masonry wall that meets city requirements. That is in compliance material and height standards in [Section 13.23.070](#) for commercial development adjacent to residential, as seen below:



Applicants have submitted multiple revisions to meet key city requirements such as 15' front and 10' landscape buffers in [Section 13.25.020\(A\) & \(B\)](#), as well as space for stacking of 4 vehicles per lane required in [Section 13.23.170](#). The most recently submitted layout can be seen in Exhibit G. The location of the queuing lanes does not meet the requirements in [Section 13.23.170\(B\)\(2\)\(b\)](#) *"Queuing lanes shall not be located between the building and the street unless there is no alternative for location of the building and queuing lane(s) on the site."*

Configuring the tunnel so that vehicles travel through east to west results in a layout that does not meet city standards. Staff provided the applicant with feedback that locating the queuing lanes along the west property line would meet city requirements. The applicant responded:

"After discussing with engineering and city, it has been determined that there are no other options available, because the only way to move the queuing lanes from the current location would cause a right-hand turn going into the car wash tunnel. For reasons of safety, customer and car wash property damage, and liability Quick Quack does not approve of right-hand turns going into the car wash tunnel. A right-hand turn causes our employees to constantly cross back and forth over the queuing lanes to get to the driver's side of vehicle for check-in. Right-hand turns also greatly reduce the visibility of the driver when navigating the site. Across the hundreds of car washes currently owned by Quick Quack, a left turn has proven to significantly decrease the probability of these risks from occurring. For these reasons the queuing lanes and left-turn into the car wash tunnel, as presented in the provided site plan, are our only option for this site."

As part of this review, the Planning Commission will decide if the applicant's response demonstrates that there is "no other alternative location" than what is proposed on the site plans.

A tree survey was submitted that shows there are several trees ranging from 16" to 30" in diameter that are in acceptable condition, which could help with noise buffering and maintaining a mature tree canopy in the city. However, all trees at the location are marked as conflicting location and slated to be removed or in poor condition (Exhibit J). The submitted landscape plans show replacement of the same number of trees, but as 2" caliper. Staff recommends the Planning Commission require the two trees which have been identified as "acceptable" and "retain if possible" be retained as well as additional trees in

the park strip be installed as required in [Section 13.25.020\(3\)](#) which requires “*two inch (2”) minimum caliper street trees shall be planted in the front park strip area*”.

It should also be noted that this staff report review was conducted based on documents submitted July 26, 2023. Exhibit H was submitted August 3 and is the most recent client-approved site plan. Updated landscape plans will be required. The sound study was conducted based on this update. The change places an escape lane in the north front setback area. With the addition of the lane, landscape plans will need to demonstrate compliance with [Section 13.25.020\(C\)](#) which states that “*landscaping within parking and driveway areas shall comprise a minimum five percent (5%) of the total square footage of those areas...*”

As provided in [Section 13.33.030](#)(D) and (E), the Planning Commission is authorized to grant preliminary nonadministrative conditional use approval. Final review and decision of approval is granted by the Director, unless otherwise directed by the Planning Commission.

Construction activity is not permitted on-site until final conditional use and site plan approval have been granted, and all applicable permits have been issued by the City.

Public Comment

A public notice was sent to all affected entities and residents within 300 feet of the property on July 26, 2023. As of August 4, 2023, staff has not received public comment regarding this application.

Findings

1. This application was initiated by Russ Nelson, on behalf of Quick Quack Carwash.
2. The subject property is one lot with an area of approximately .79 acres.
3. The subject property is in the Community Commercial (CC) zoning district.
4. The subject property is in the “Community Commercial” designation in the City’s General Plan.
5. This conditional use permit request is consistent with current zoning and General Plan designations.
6. The applicant is requesting approval to construct a new tunnel carwash facility owned and operated by Quick Quack Carwash.
7. The site layout places queuing between the building and Whitewood Lane.
8. Staff has identified potential spillover into Whitewood Lane as a potential negative impact.
9. The Planning Commission has the authority to decide that there is no alternative location.
10. The proposed use includes tunnel carwash air driers and vacuum facilities, which may increase noise levels.
11. Sound study demonstrates acceptable noise levels per SLCO sound ordinance for residential properties.
12. To mitigate potential noise impacts on adjacent commercial properties, staff recommend that landscaping be designed in a way that can help mitigate noise levels.
13. Tree survey and landscape plans have been submitted that show nearly all existing trees will be removed.
14. Staff recommends requiring that the applicant preserve certain mature trees and incorporate additional trees in landscape plans.

15. Exhibit G has been reviewed by City departments and review agencies and has been determined to be in general compliance with City standards. Any outstanding review comments will be addressed prior to final approval.
16. Staff and review agencies have identified conditions of approval (listed below) to be considered by the Planning Commission prior to preliminary approval.
17. The Planning Commission is the decision-making authority for preliminary nonadministrative conditional use permit review. Final review authority is granted to the Director, unless otherwise directed by the Planning Commission.

Conditions of Approval

Staff recommends approval of the request, subject to the following conditions:

1. The Director is authorized to conduct the final nonadministrative conditional use and site plan review.
2. The Planning Commission determines that the location of the queuing lanes is acceptable per [Section 13.23.170\(B\)\(2\)\(b\)](#).
3. Trees designated in tree study as “retain if possible” be retained and any other mature trees be preserved if possible.
4. Updated landscape plans shall include trees in park strips.
5. All outstanding city department and review agency comments be resolved and subsequent revisions comply with applicable city ordinances, codes, and standards prior to issuance of final nonadministrative conditional use permit and site plan approval.

Staff Conclusion

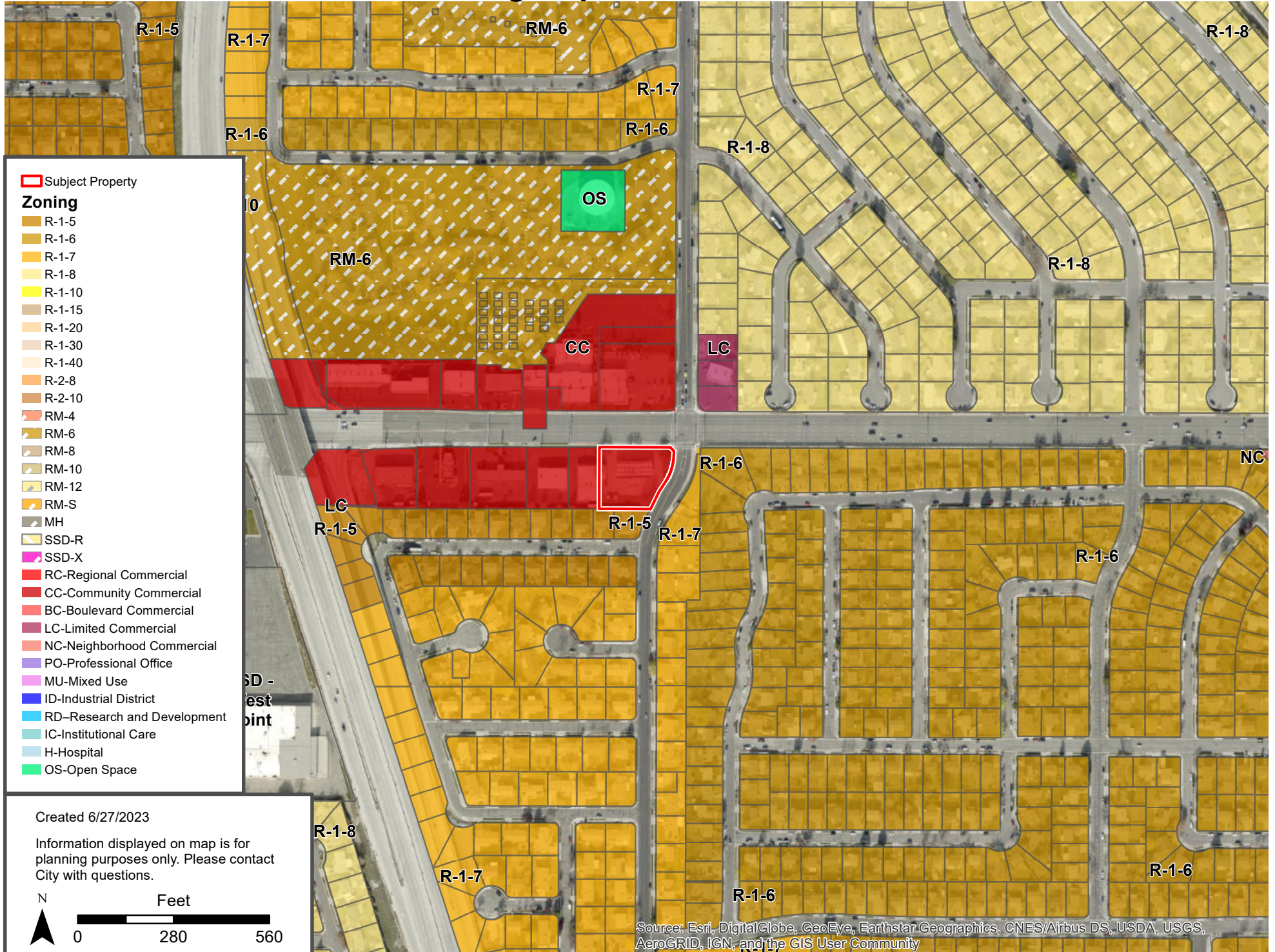
Staff has reviewed the application and submitted documents and provided the findings listed in this staff report. As provided in [Section 13.33.030](#)(D) and (E), the Planning Commission is authorized to grant preliminary nonadministrative conditional use approval. Final review and decision of approval is granted by the Director, unless otherwise directed by the Planning Commission.

Potential Motions

I move that we approve File #12C23, a preliminary nonadministrative conditional use permit and site plan to construct a new carwash facility at 3621 W 5400 S, in Taylorsville, Utah, subject to the findings outlined in this Staff Report.

I move that we table File#12C23, a preliminary nonadministrative conditional use permit and site plan to construct a new carwash facility at 3621 W 5400 S, in Taylorsville, Utah and review upon submission of a complete updated plan package, including, (items determined by Planning Commission).

Zoning Map: 3621 S. 5400 W.



General Plan Map: 3621 S. 5400 W.



Site Map: 3621 S. 5400 W.



Vicinity Map: 3621 S. 5400 W.

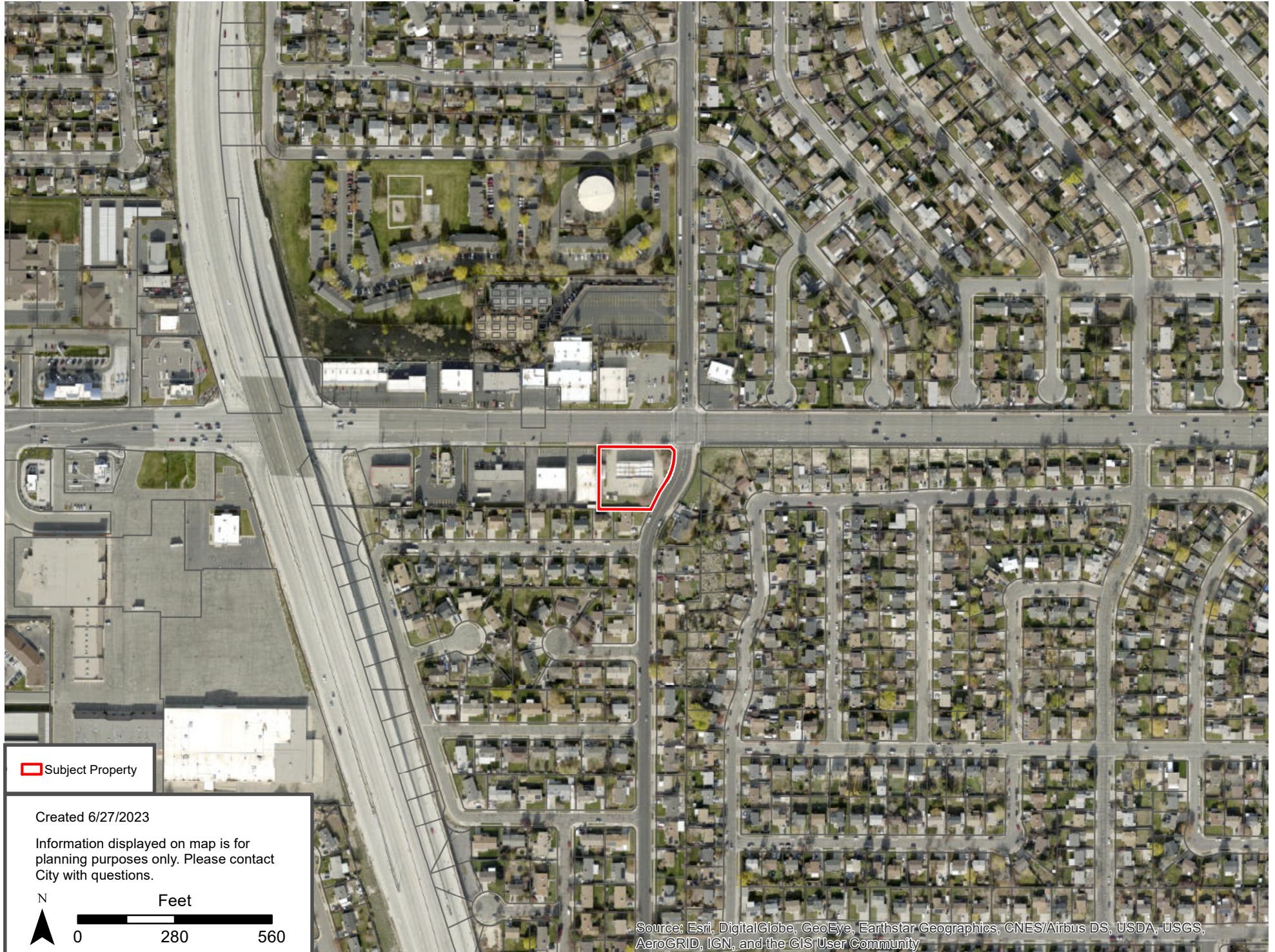


EXHIBIT E

Re: CUP-000323-2023 Quick Quack Resubmittal

Hayden Schnell <hayden@lonestarbrowsersinc.com>

Fri 8/4/2023 11:01 AM

To: Terryne Bergeson <tbergeson@taylorsvilleut.gov>

Cc: Danny Lange <danny@elevateng.com>; Joseph Earnest <joseph@lonestarbrowsersinc.com>; Hailey Peterson <hailey@lonestarbrowsersinc.com>; Russ Nelson <russ.nelson@lonestarbrowsersinc.com>

 1 attachments (408 KB)

About QQ - Taylorsville.pdf;

Hey Terryne,

Please see below for a Quick Quack introduction letter that you can include in your staff memo.

Let me know if anything else comes up!

Thanks,

Hayden Schnell

Lonestar Builders

2208 W 700 S, Springville UT 84663

M: 503.819.1154

E: hayden@lonestarbrowsersinc.com

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On Aug 4, 2023, at 10:43 AM, Hayden Schnell <hayden@lonestarbrowsersinc.com> wrote:

Hi Terryne,

Thank you for the update! I will attach the approved site plan to this email so you can include that in your report. I expect the revised sound study to be back today as well. I will send that over to you as soon as I receive it.

Our landscape architect said the landscape plan will be ready on Monday. I will get that to you ASAP so you can include it in your presentation. We want to make sure that plan is bulletproof!

Russ, can you please provide the brief operational description that Terryne is requesting below? I figured you would be best to give her this!

Thank you again, Terryne. We appreciate all of your help throughout this entire process! You have been a rockstar!

Ex F



Southwest facing



Northeast facing

Ex F



West Facing



South facing