

Planning Commission Staff Report

File #28C23

**Consideration of a Conditional Use Permit for a
Reception Center Located at 2596 W 4700 S**



Department of Community Development

Meeting Date:	August 8, 2023
Agenda Item:	Consideration of a Conditional Use Permit for a Reception Center at 2596 W 4700 S
Subject Property Address:	2596 W 4700 S
Applicant:	Marcela Ayala
Applicant Agent:	N/A
Author:	Terryne Bergeson, Planner I
Zoning Designation:	Community Commercial (CC)
General Plan Designation:	Community Commercial (CC)
Parcel #:	21044510270000
Applicable Ordinances:	13.08.020, 13.23.200, 13.33
Agenda item #:	4

Attachments:

Exhibit A: Zoning Map
Exhibit B: General Plan Map
Exhibit C: Subject Property
Exhibit D: Vicinity Map
Exhibit E: Owner Affidavit
Exhibit F: Applicant Email Correspondence
Exhibit G: Alcohol Server Certification
Exhibit H: Licensed Security Person

Exhibit I: Floor Plan
Exhibit J: Site Photos

Summary:

The applicant is requesting a Non-Administrative Conditional Use Permit (CUP) to operate a reception center in a tenant space 1,800 square feet in area in the Westwood Shopping Center. The applicant's CUP application includes the following request (exhibit F):

"Space to hold events such as wedding receptions, quinceaneras, social gatherings, corporate events, workshops."

Marcela Ayala is leasing space at 2596 W 4700 S in Westwood Shopping Center. She has applied for a business license to use the space to hold Zumba classes during daytime hours, and to operate a reception center in the evening hours. The property is in the Community Commercial (CC) zone. Per the Land Use Table (13.08.020) a Reception Center requires a Non-Administrative Conditional Use Permit granted by the Planning Commission. The applicant description and email that the hours available to rent the space will be Tuesday through Sunday from 2 pm to 12 am, depending on customer preference, holding events that are generally no longer than 5 hours (exhibit F).

Conditional Use Permits are governed by Utah State Code and must meet the provisions outlined in 10-9a-507. If the Planning Commission were to deny the CUP request it must be determined that *"reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied"*.

Adjacent Land Uses

North	South	East	West
Professional Office (PO) - Calvin Rampton Complex	Community Commercial (CC) - Check City	Community Commercial (CC) - Taylor's Landing Plaza	Community Commercial (CC) - Arby's

Public Comment

A public notice was mailed to property owners within 300 feet of the subject property on July 26, 2023. As of August 4, 2023, staff received no public comment.

Analysis

The parcel is zoned Community Commercial and has a General Plan designation of Community Commercial. The request is consistent with the General Plan and requires a non-administrative conditional use permit, which is being requested.

[Section 13.33.050](#) of the LDC states the following related to the City's authority to impose conditions of approval on a conditional use permit application:

In order to achieve compliance with the standards set forth herein, the city may impose conditions that address:

- A. Size, configuration, and location of the site and the proposed site plan layout.*
- B. Proposed site ingress and egress to existing and proposed roads and streets.*
- C. The adequacy, provision, relocation, or protection of public facilities and amenities, including roads and streets, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protections, and other utilities.*
- D. Design, location, and amount of off street parking, loading areas and solid waste disposal, and refuse collection areas.*
- E. Site circulation patterns for vehicular, pedestrian and other traffic.*
- F. Massing, size, number, location, design, exterior features, materials, and colors of buildings, structures, and other facilities.*
- G. The location and design of all site features, including proposed signage, lighting, and site furnishings.*
- H. The provision of usable open space, public features, and recreational amenities.*
- I. Fencing, screening and landscape treatments, and other features designed to increase the attractiveness and safety of the site and protect adjoining property owners from noise, visual, and other impacts.*
- J. Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to, noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.***
- K. Measures designed to protect the natural features of the site including wetlands and drainageways, groundwater protection, soils, wildlife, and plant life.*
- L. The regulation of operating hours for activities affecting normal schedules and functions.*
- M. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval.*
- N. Measures to ensure compliance with all conditions and requirements of approval, including, but not limited to, bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, and restrictive covenants.*
- O. Such other conditions determined reasonable and necessary by the city to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this code.*

HOURS OF OPERATION: The applicant has proposed that events end by 12 am. The location is not within 300 feet of a residential zone and hours are not in violation of any city ordinances. Conditions reflect the applicant's proposed hours with an adjustment to allow for cleanup time.

OCCUPANCY: A floorplan and site photos can be seen in exhibits I and J. The entire space has a total of 1,800 square feet with fire sprinklers, fire extinguisher, two exits, one male bathroom, and one female bathroom. The applicant provides moveable tables and chairs and estimates that event attendance ranges from 20-80 people. The building department was consulted on an occupancy load and determined 150 as the limit. However, with two other reception centers in the plaza with similar operating hours, in consideration of parking, staff recommends that the occupancy be limited to 80 as stated by the applicant.

ALCOHOL: Department of Alcohol Beverage Services issues permits for serving and selling alcohol. "If you do not charge your guests for alcoholic beverages and do not charge for admission to an event where alcohol is provided such as a hosted bar, and your event is not open to the general public, then you will not need a permit from the DABS or from a local jurisdiction to serve liquor and beer at your event... If you hold your event in an unlicensed location, the location must not be open or accessible to the general public."

The location has no officially documented police reports or code violations. However, code enforcement has reported that attendees have been seen in the parking lot with alcohol. The applicant stated in the application that a security person will be present during the events. Conditions for options to monitor events and maintain compliance with state law and city ordinances have been proposed, intended to prevent the serving of alcohol to minors or alcohol use in the parking lot.

The applicant submitted a statement regarding alcohol use at the location (Exhibit F) and provided her certification that she completed and passed the Utah On-Premises Alcohol Seller-Server Training with a DABS- approved certified trainer, as well as provided documentation for the security person to be onsite (Exhibit G, H).

Findings

1. This application was initiated by Marcela Ayala.
2. Per 13.08.020 a Reception Center in the CC zone requires a Non-Administrative Conditional Use Permit granted by the Planning Commission.
3. The space will be available for customers to rent the space and host private events.
4. The applicant will allow customers renting the space to bring their own alcohol. Per DABS, permits are not required for this type of use. The event must be closed to the public. Tickets for entry cannot be sold and alcohol cannot be sold.
5. Applicant submitted documentation of alcohol-server course completion.
6. Applicant states she will remain onsite to serve alcohol.
7. Applicant provided a license for a security person hired to remain onsite during events.
8. Proposed hours of operation are Tuesday through Sunday until 12 am.
9. Conditional Use Permits are governed by Utah State Code and must meet the provisions outlined in 10-9a-507.
10. Staff has conducted an analysis of the site and received public input.
11. Staff has identified a list of proposed conditions to mitigate effects on the surrounding sites.

Staff Recommendation

Staff is recommending approval of the Reception Center with the conditions below:

Conditions of Approval

1. The applicant complies with requirements of all applicable reviewing agencies.
2. The Conditional Use Permit is subject to review and revocation upon substantiated complaint or citation.
3. Any changes to the structure will require a building permit.
4. The applicant shall remain compliant with all business licensing requirements.
5. The business must conform to Salt Lake County's noise ordinance.
6. The center may only be used for private events.
7. Event attendance shall be limited to eighty (80) people.
8. Alcohol use must be in compliance with DABS requirements and regulations.
9. Alcohol may only be served at private events by a person with active certification to serve alcohol.
10. Applicant must provide a licensed security guard(s) to remain onsite for the duration of an event during which alcohol is served.

11. Events must be finished by 12 am. Event hosts may remain onsite until 1 am to allow time to clean up after event.

Recommended Motion

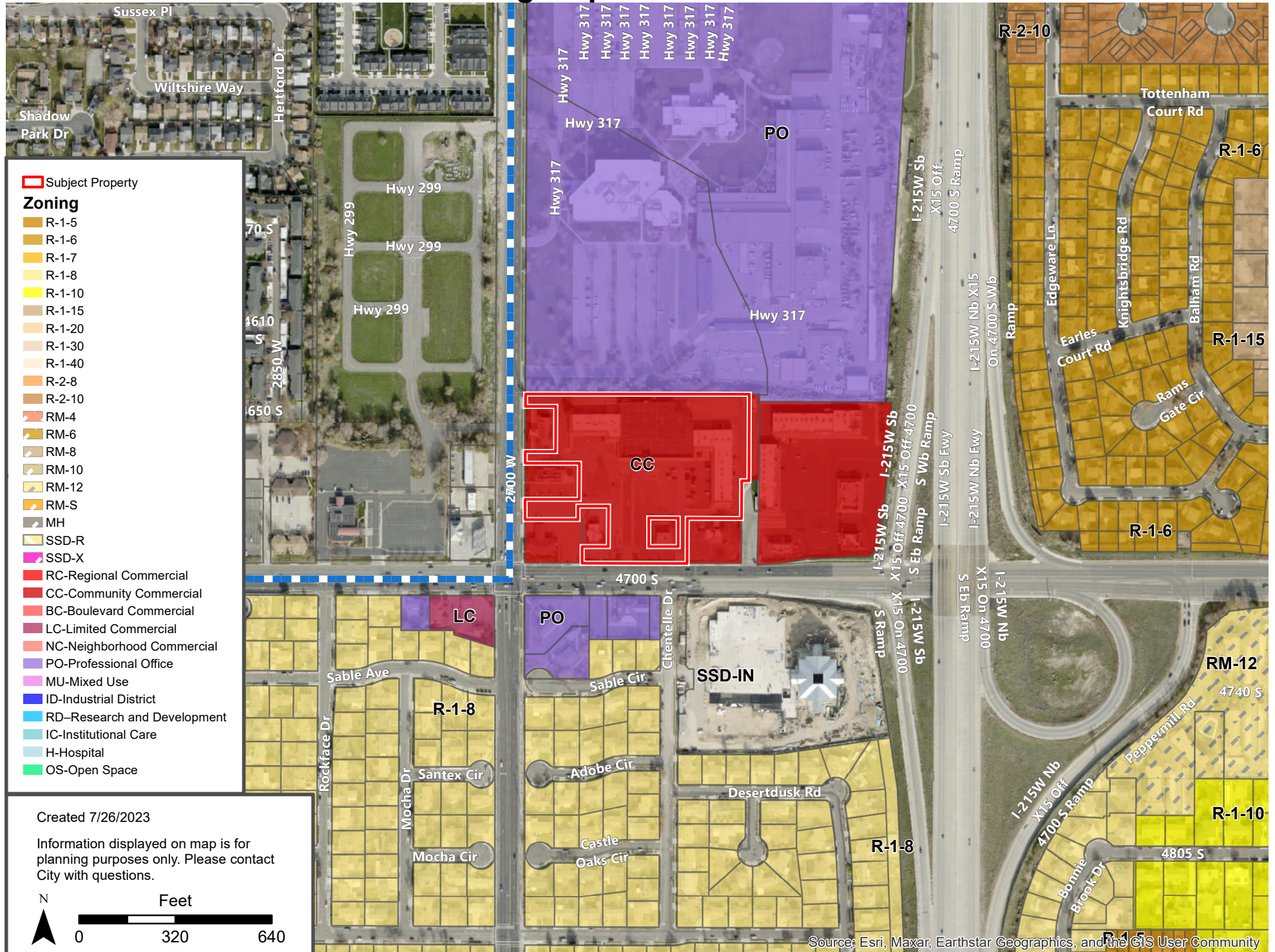
I move that we approve File #28C23 for a request for a Conditional Use Permit to operate a Reception Center at 2596 W 4700 S.

Reviewed By:

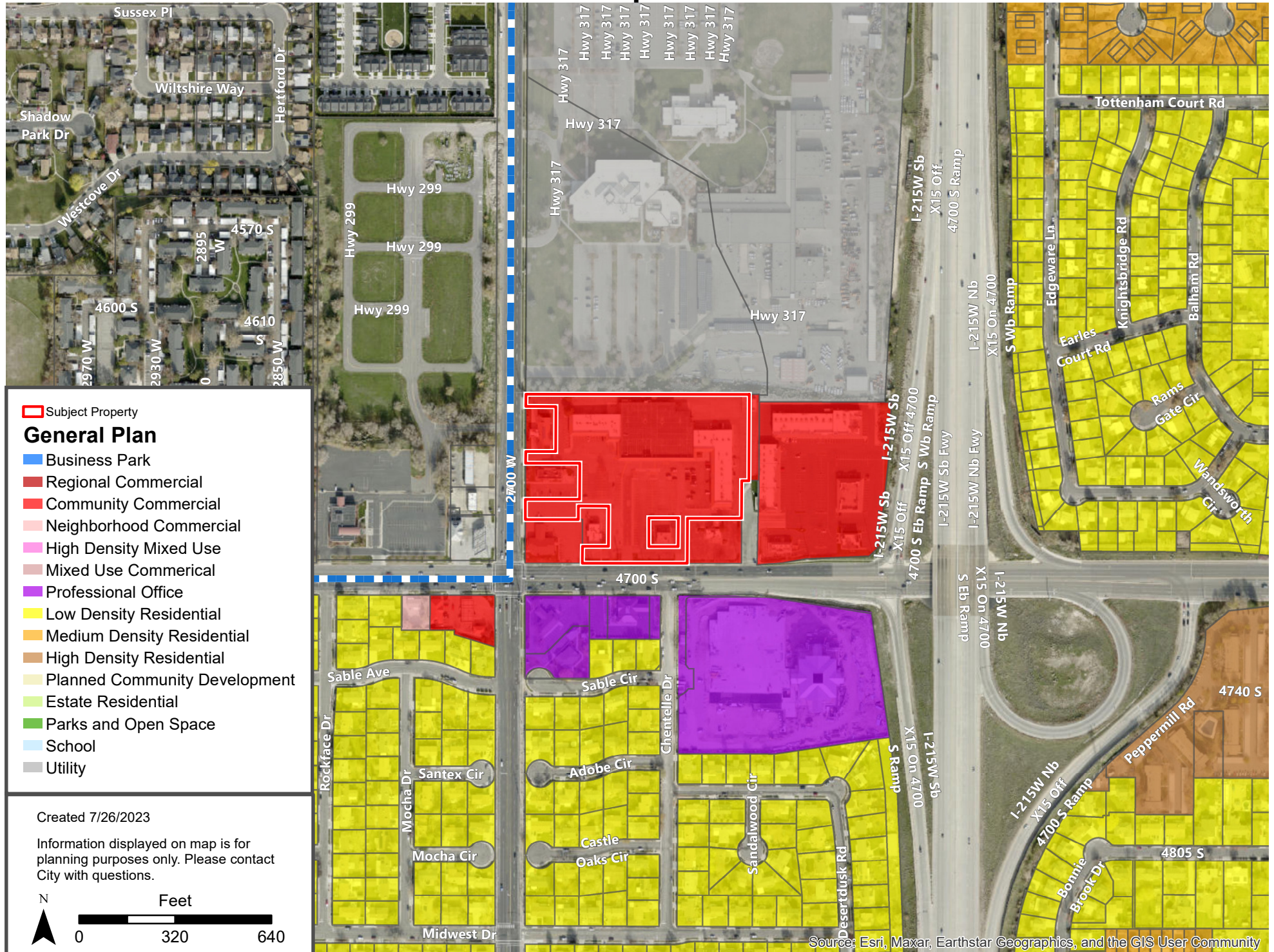
Department Director

Exhibit A

Zoning Map: 2596 W 4700 S



General Plan Map: 2596 W 4700 S



Site Map: 2596 W 4700 S

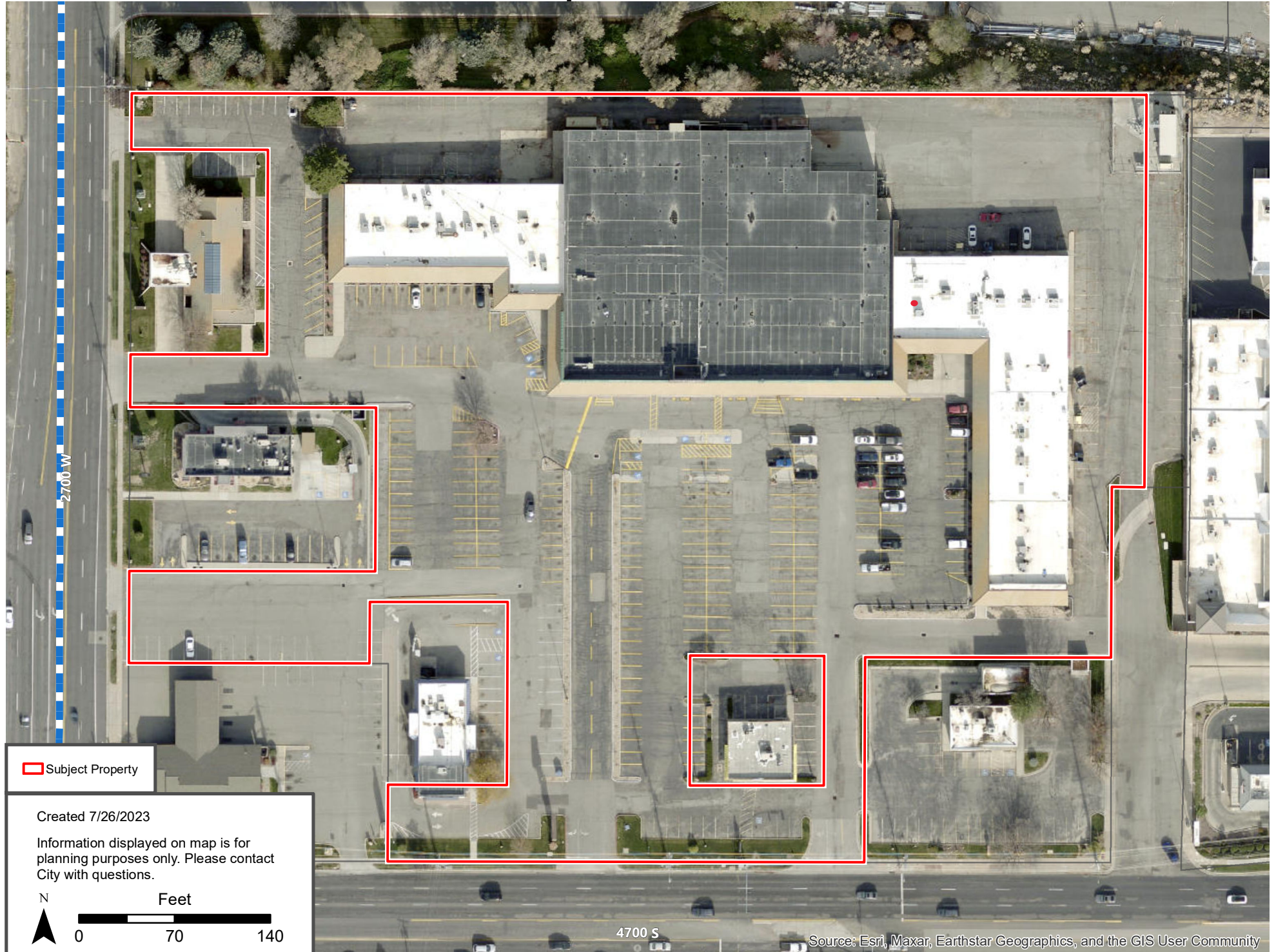


Exhibit D

Vicinity Map: 2596 W 4700 S

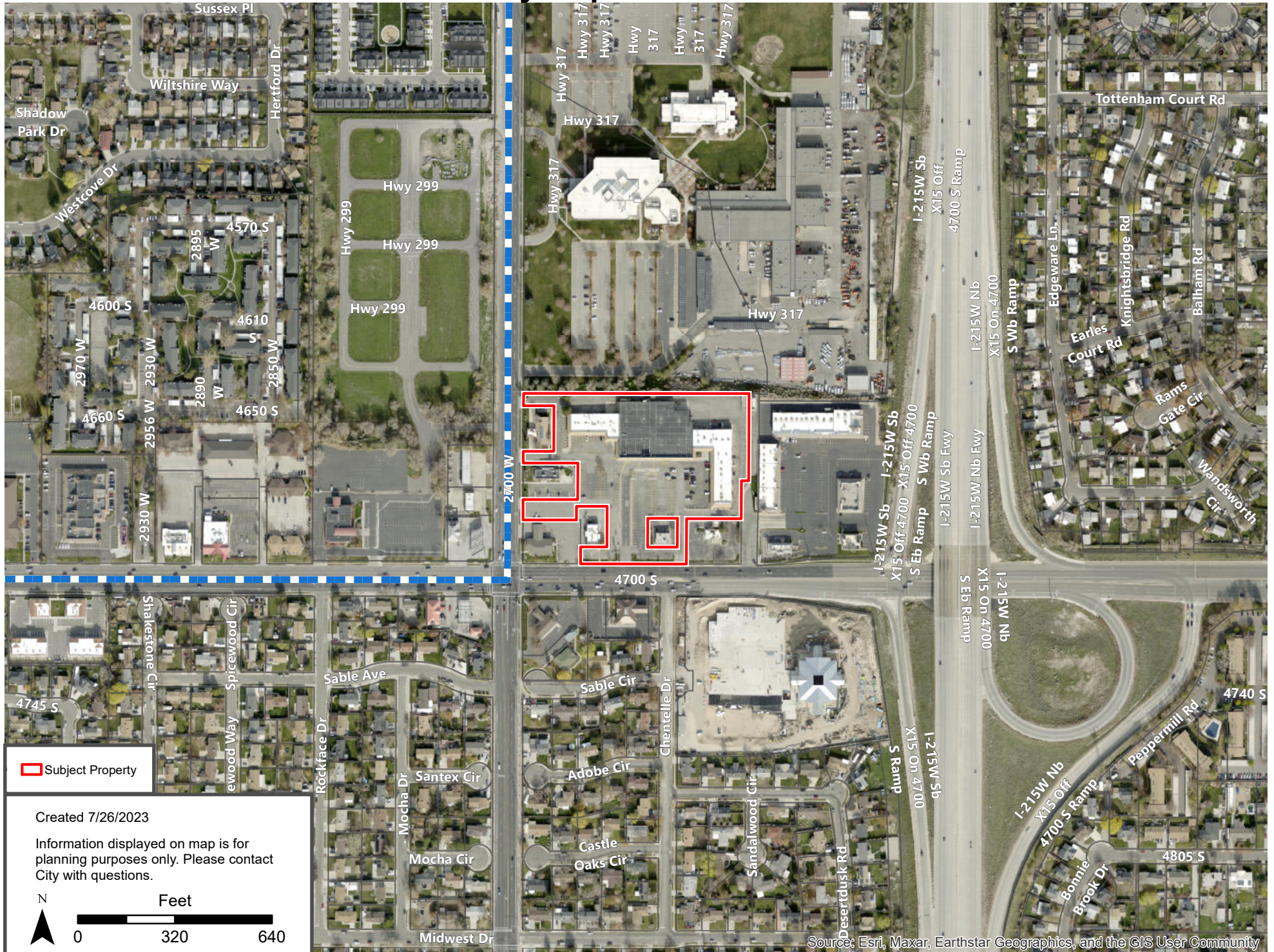


Exhibit E

Property Owner's Affidavit

I (we) Westwood Property, L.L.C., being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read ~~the application and~~ NA attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

L.A. Miller
Owner's Signature

Owner's Signature (co-owner if applicable)

Subscribed and sworn to before me this 18th day of July, 2023.



Chris Wyatt
Residing in Salt Lake Notary Public

My commission expires: 8/16/25

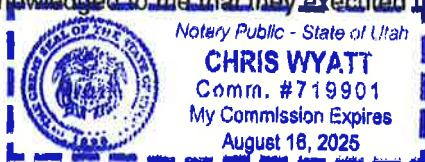
Agent Authorization

I (we), Westwood Property, L.L.C., the owner(s) of the real property located at 2596 West 4700 South, Taylorsville, Utah, do hereby appoint Marcela Ayala as my (our) agent to represent me (us) with regard to this application affecting the above described real property located in the City of Taylorsville, and authorize Marcela Ayala to appear on my (our) behalf before any City Board or Commission considering this application.

L.A. Miller
Owner's Signature

Owner's Signature (co-owner if applicable)

On the 18th day of July, 2023, personally appeared before me L.A. Miller the signer(s) of the above Agent Authorization who duly acknowledged to me that they executed the same.



Chris Wyatt
Residing in Salt Lake Notary Public

My commission expires: 8/16/25

Exhibit F

Event center Munequitos

Space to hold events such as

Wedding receptions

Quinceaneras

Social Gatherings

Corporate events

Workshops

The event center has 1800 sf that includes

2 restrooms

1 space with a table and service sink

1 utility room with heater and utility sink for mops and brooms

Main access door

Back exit door

Dropped ceiling with sprinklers

1 certified fire extinguisher

No smoking in premises

Hours of operation will go on average

There will be a security person for every event for the length of the event

Events will be held from 20 to 80 people max which will have the number of tables and chairs needed for it

Tuesdays , Wednesdays , Thursday, Fridays, Saturdays and Sundays from 3pm to 11:30pm depending on customer needs to start their event , holding events on average for no more than 5 hours .

Exhibit F

Re: City of Taylorsville | Reception Center Conditional Use Permit

marcela idalid ayala puga <marce.sakbo@hotmail.com>

Tue 8/1/2023 2:10 PM

To: Terryne Bergeson <tbergeson@taylorsvilleut.gov>

Cc: Maribel Cortez <mcortez@taylorsvilleut.gov>

Hi Terryne. Generally the parties start between 4 and 5 pm and end at 11 pm, however, there are people who decide to start their parties earlier, like 2 pm and end at 10 pm or the other way around, start at 6 pm and end at 12 am. But if we have to set a time without taking into account when the client's event begins and ends, the hours of operation of the salon would be from 2 pm to 12 am

Sent from my Boost Samsung Galaxy A13 5G

Obtener [Outlook para Android](#)

From: Terryne Bergeson <tbergeson@taylorsvilleut.gov>

Sent: Tuesday, August 1, 2023 2:00:58 PM

To: marcela idalid ayala puga <marce.sakbo@hotmail.com>

Cc: Maribel Cortez <mcortez@taylorsvilleut.gov>

Subject: Re: City of Taylorsville | Reception Center Conditional Use Permit

Hi Marcela- I'm working on the staff report and your description for hours says "*Hours of operation will go on average*"

Can you please give me specifics on the hours of operation? Thank you.

Terryne Bergeson | Planner I

385-308-0534

~~**From:** marcela idalid ayala puga <marce.sakbo@hotmail.com>~~

~~**Sent:** Thursday, July 27, 2023 10:44 AM~~

~~**To:** Terryne Bergeson <tbergeson@taylorsvilleut.gov>~~

~~**Cc:** Maribel Cortez <mcortez@taylorsvilleut.gov>~~

~~**Subject:** Re: City of Taylorsville | Reception Center Conditional Use Permit~~

Hi Terryne, good morning. There are no movements yet in the portal...any progress?

Sent from my Boost Samsung Galaxy A13 5G

Obtener [Outlook para Android](#)

From: marcela idalid ayala puga <marce.sakbo@hotmail.com>

Sent: Tuesday, July 25, 2023 11:47:39 AM

To: Terryne Bergeson <tbergeson@taylorsvilleut.gov>

Cc: Maribel Cortez <mcortez@taylorsvilleut.gov>

Subject: Re: City of Taylorsville | Reception Center Conditional Use Permit

Okay, thank you!

Exhibit F

Re: City of Taylorsville | Reception Center Conditional Use Permit

marcela idalid ayala puga <marce.sakbo@hotmail.com>

Fri 8/4/2023 8:08 AM

To:Terryne Bergeson <tbergeson@taylorsvilleut.gov>

Cc:Maribel Cortez <mcortez@taylorsvilleut.gov>

 2 attachments (579 KB)

learn2serve_utah_on_premises_alcohol_seller_server (1).pdf; Screenshot_20230804_075342_Chrome.jpg;

good morning Terrine... originally I had planned not to allow alcoholic beverages at events, but currently I believe that this measure will lead to the early failure of the business so I am sending you the plan of actions that we will take on this issue.

Let me know if there is any other information that needs to be added

The purpose of our event hall is the rental of space for private parties of our clients, not the sale of alcohol to the attendees, however, event organizers will be allowed to bring their own alcoholic beverages as long as they are in containers canned To maintain control of the drinks during the event, I will be present during it, acting as a bartender (alcohol driving license attached). In addition to this, every event will have a duly authorized security person (information attached) whose objective will be ..

-Resolve any problem or conflict that may arise during the event.

- Ensure compliance with local laws and regulations during the event.

-Maintain order during the event.

Sent from my Boost Samsung Galaxy A13 5G

Obtener [Outlook para Android](#)

From: marcela idalid ayala puga <marce.sakbo@hotmail.com>

Sent: Tuesday, August 1, 2023 2:10:42 PM

To: Terryne Bergeson <tbergeson@taylorsvilleut.gov>

Cc: Maribel Cortez <mcortez@taylorsvilleut.gov>

Subject: Re: City of Taylorsville | Reception Center Conditional Use Permit

Hi Terryne. Generally the parties start between 4 and 5 pm and end at 11 pm, however, there are people who decide to start their parties earlier, like 2 pm and end at 10 pm or the other way around, start at 6 pm and end at 12 am. But if we have to set a time without taking into account when the client's event begins and ends, the hours of operation of the salon would be from 2 pm to 12 am

Sent from my Boost Samsung Galaxy A13 5G

Obtener [Outlook para Android](#)



LEARN 2 SERVE™

CERTIFICATE OF COMPLETION

This certifies that

Marcela Ayala

is awarded this certificate for

Utah On-Premise Alcohol Seller-Server Training



Completion Date
07/28/2023



Expiration Date
07/27/2026



Certificate #
UT-ON-02047314

A handwritten signature in black ink, appearing to read 'Sue H. Ford', written over a horizontal line.

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

Details for David Antonio Lara

Exhibit H

License Information

Name:	David Antonio Lara
City, State, Zip, Country:	Salt Lake City UT 84116 United States
Profession:	Security Companies & Guards
License Type:	Armed Private Security Officer
License Number:	12538207-6302
Obtained By:	Application
License Status:	Active
Original Issue Date:	07/28/2023
Expiration Date:	11/30/2024
Agency and Disciplinary Action*:	NO DISCIPLINARY ACTIONS WITHIN THE TIME FRAME ESTABLISHED IN UTAH CODE 63G-4-106 AND 107**
Docket and Citation Number(s):	N/A
E-Prescriber:	

Education:

School Name	Major	Graduation Date	Degree
Defencify (Online)	Basic Education	2023-03-30	Certificate of Completion
CBI	Basic Education	2023-07-14	Certificate of Completion

Exhibit I

BACK DOOR EXIT



TOTAL SPACE
OF 1800 SQF



ENTRANCE



Exhibit J



Galaxy A13 5G

Exhibit J

Galaxy A13 5G