

**Zoning Administrator Meeting of
January 27, 2020**

Agenda Item No. 1

REQUEST FOR ZONING ADMINISTRATOR ACTION

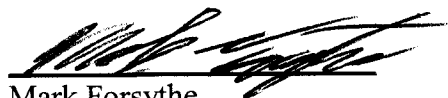
SUBJECT: The applicant is requesting approval of an Administrative Conditional Use Permit to conduct a Personal Instruction Service within the CC-C zone.

SUMMARY: **Olympus Fitness;** 7879 South 1530 West; Administrative Conditional Use Permit; CC-C zone; Henry Quijano (applicant) [Mark Forsythe #20316; parcel 21-34-201-027]

STAFF RECOMMENDATION: Staff recommends that the Zoning Administrator approve the Administrative Conditional Use Permit for Olympus Fitness, located at 7879 South 1530 West in a CC-C zoning district, with the Conditions of Approval listed on page 2 of this staff report.

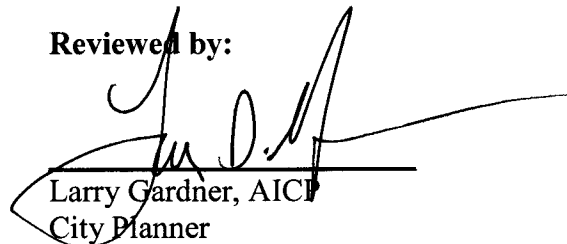
RECOMMENDED DECISION: "Based on the positive findings set forth in this staff report, it is recommended that the Zoning Administrator *approve* the Administrative Conditional Use Permit for Olympus Fitness, located at 7879 South 1530 West in a CC-C zoning district, with the Conditions of Approval listed on page 2 of this staff report."

Prepared by:



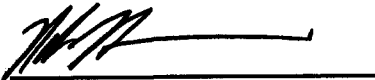
Mark Forsythe
Assistant Planner

Reviewed by:



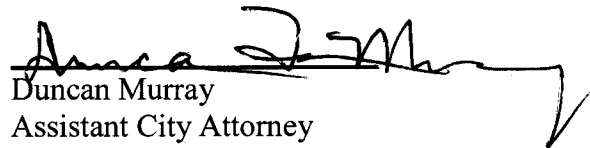
Larry Gardner, AICP
City Planner

Reviewed by:



Nate Nelson
City Engineer

Reviewed by:



Duncan Murray
Assistant City Attorney

I. CONDITIONS OF APPROVAL:

- 1. The business shall be consistent with the approved site plan, floor plan, letter of intent, and application. Deviations from these plans shall be reviewed by the City of West Jordan.*
- 2. Classes shall not overlap and shall be staggered to reduce parking demand.*
- 3. Class sizes, including instructors, shall not exceed 10 people in order to comply with occupancy limits.*
- 4. All equipment shall remain inside the building at all times.*
- 5. Obtain a permit for signage.*

II. BACKGROUND:

The proposed use will be located in a shopping center building that was first constructed in 1980. At that time, the area was part of a light industrial M-1 zone, but was changed to an SC-2 zone in 2001. At this time, most of the building was converted to a reception center. The zone was changed again in 2006 to a city center CC-C zone. In 2015, the Golden Imperial Reception Center was granted a Conditional Use Permit for a reception center. This permit was amended last year to expand the size of this reception center.

The lease space in which the proposed use will be conducted was formerly occupied by Pantera's Barber & Beauty. This business closed down within the last couple of years.

III. GENERAL INFORMATION & ANALYSIS

The subject property's surrounding zoning and land uses are as follows:

	Future Land Use	Zoning	Current Use
North	City Center/Neighborhood TSOD	CC-C	La Frontera (restaurant)
South	City Center/Neighborhood TSOD	C-M	BMC (construction materials storage yard)
East	City Center/Neighborhood TSOD Neighborhood Commercial	C-M	Sprinkler Supply Company (storage yard) BMC (construction materials storage yard)
West	City Center/Neighborhood TSOD	CC-C	Hertz (legal, non-conforming car rental)

The applicant wishes to operate a fitness training facility within the small lease space on the north end of the building at 7879 South 1530 West. Initially, this facility will host weight training classes every day during the evenings, but will eventually extend the hours of operation to mornings, afternoons and evenings. The applicant will be the only employee and class sizes will be 5-6 people per class.

IV. FINDINGS OF FACT

Section 13-7E-8: Conditional Use Criteria.

Prior to approving any application for an administrative conditional use, the Zoning Administrator shall find that the use meets the following criteria:

Criteria 1: *The proposed use is consistent with the intent of the goals and policies of the General Plan and the purpose of the zone district in which the site is located.*

Discussion: The proposed use will be located within an area designated for City Center/Transit Oriented Development, as shown on the Future Land Use Map. The General Plan does not specifically address fitness centers, but does address the goals and purpose of the City Center. This section encourages a variety of commercial uses and to encourage businesses that operate both during and outside of normal business hours. There are no other fitness training centers in the vicinity, which should increase the variety of uses offered in this area. The business will also operate during evening hours, which will provide vitality to this area during both daytime and nighttime hours.

The property is located within the CC-C (*City Center – Core*) zone and the Transit Station Overlay District. The purpose of this zone and overlay district is to accommodate a variety of compatible commercial and residential uses in a compact and pedestrian-oriented setting. The fitness training facility will consist of an adaptive reuse of a small existing lease space, and is compatible with current and future commercial uses. This facility is geared more toward fitness training classes, rather than a public gym. As such, it is defined as a “Personal Instruction Service” under the definitions in the zoning ordinance and requires an Administrative Conditional Use Permit.

Finding: The proposed use is consistent with the intent of the goals and policies of the General Plan and the purpose of the zone district in which the site is located.

Criteria 2: *The proposed use will not be materially detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the City as a whole as a result of the type of use or hours of operation.*

Discussion: The subject site is equipped to handle the proposed evening classes. The parking spaces are adjacent to the building and patrons will likely not need to cross any drive aisles to access the building. This situation is ideal, since lighting is not particularly strong in this area of the complex. The building is also handicap accessible, with a concrete ramp located directly in front of the main entrance. The Building Official inspected the lease space on January 17th and found no building code violations.

Classes will initially be held in the evenings from 5:00 PM to 10:00 PM, but may change to 8:00 AM through 10:00 PM. Daytime hours should have no impact on the surrounding businesses, but the evening hours could slightly intensify the higher parking demands and traffic that are already being generated by the PX Palace and Golden Imperial reception centers next door. To mitigate these issues, the applicant has agreed to maintain a 10-minute break between each class session in order to keep the parking and traffic limited to each class size, which is 6 people.

Finding: The proposed use will not be materially detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the City as a whole as a result of the type of use or hours of operation.

Criteria 3: *The proposed site is adequate in size and shape to accommodate the proposed use and that all requirements for the zone district, including, but not limited to, setbacks, parking, on site circulation, screening, buffering and landscaping, are being met.*

Discussion: The Olympus Fitness lease space is 19 feet wide by 58 feet deep, which is rather small for a fitness center. However, the size of this space is appropriate, considering that classes will be primarily devoted to weight training. These activities require much less space than other forms of physical training, and will not require any expansions. The layout of the space consists of one large area, with a small restroom and storage closet on the side. The space originally contained a small room, but this has been removed to make room for the fitness classes.

The site was developed 40 years ago, and met the setback, screening and landscaping standards at that time. No dumpsters will be added or needed, and the landscaping has been maintained in adequate condition. The business will not generate any excessive lighting, noise, dust or other nuisances, and no buffering is necessary or required.

Finding: The proposed site is adequate in size and shape to accommodate the proposed use and all requirements for the zone district, including but not limited to setbacks, walls, landscaping, and buffer yards, are met.

Criteria 4: *The proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use and on site circulation is adequate to permit driveways, parking and loading requirements in a manner which is safe and efficient.*

Discussion: The site is situated behind the La Frontera building and has 2 vehicle accesses onto 7800 South. These entrances open into a large shared parking lot that has good traffic circulation. The proposed use will not interfere with traffic flow nor create substantial increases in traffic.

In regards to parking, personal instruction services are required to have at least 1 parking space for every 200 square feet of gross floor area. The lease space in which the proposed use will be conducted contains 1,102 square feet of floor area, which requires at least 6 parking stalls. When combined with the other businesses within the same building, a total of 165 parking stalls are needed. There are 116 parking stalls within 300 feet of the business, of which roughly 32 may be shared with the La Frontera restaurant. There are 51 additional parking stalls in the shared parking lot that is 400 feet away from the proposed use, which can be used to meet the minimum requirements. It is likely that the patrons of the proposed business will use the 7 parking stalls directly in front of the lease space. Since class sizes will be limited to 6 people and because these parking spaces will be continuously occupied by patrons of the business rather than those of the reception center or restaurant, the proposed parking situation should be adequate.

Finding: The proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use and on site circulation is adequate to permit driveways, parking and loading requirements in a manner which is safe and efficient.

Criteria 5: *The proposed use will ensure compatibility with surrounding uses and will use building materials that are in harmony with the area.*

Discussion: The proposed fitness center will complement the surrounding restaurant and reception center with evening uses that add vitality and an appropriate mix of uses to the area in a manner that will keep parking and traffic demand to a minimum. Many of the other adjacent businesses are either outdoor storage yards or businesses that operate only during daytime business hours, and will not be affected by small weight training classes that operate in the evenings.

Olympus Fitness will occupy a small lease space in an existing building. No architectural changes to the building are proposed or required. The Building Official has inspected the lease space and has found no issues with the building.

Finding: The proposed use will ensure compatibility with surrounding uses and will use building materials that are in harmony with the area.

Criteria 6: *Adequate conditions or stipulations have been incorporated into the approval of the (Administrative) Conditional Use Permit to ensure that any anticipated detrimental effects can be mitigated.*

Discussion: Conditions of approval are included on page 2 of this report. These requirements will control the hours of operation in a manner that allows flexibility for the owner, but keeps the overall parking and traffic levels of the complex to a reasonable level. These conditions will also maintain occupancy levels, prevent outdoor storage and operations, and ensure proper sign administration.

Finding: Adequate conditions or stipulations have been incorporated into the approval of the Administrative Conditional Use Permit to ensure that any anticipated detrimental impacts are mitigated.

Criteria 7: *Notice of the proposed development and signature approval of such development has been given to and obtained from the city water and sewer utility administrators.*

Discussion: The building has been tied in to the public water and sewer systems since it was first developed. A single restroom facility is located within the lease space and will not require any expansion of utility lines. The City Engineer has reviewed the proposal and has determined that no detrimental impacts to public utility services will occur because of this business.

Finding: Notice of the proposed development and signature approval of such development is not required to be given to, or to be obtained from, the city water and sewer utility administrators.

V. CONCLUSION:

The proposed fitness training center meets all zoning requirements provided that the Conditions of Approval, as listed on page 2 of this report, are met.

VI. ATTACHMENTS:

- Exhibit A – Aerial Map
- Exhibit B – Zoning & Future Land Use Map
- Exhibit C – Site Plan
- Exhibit D – Floor Plan
- Exhibit E – Letter of Intent



Aerial Map

Exhibit A

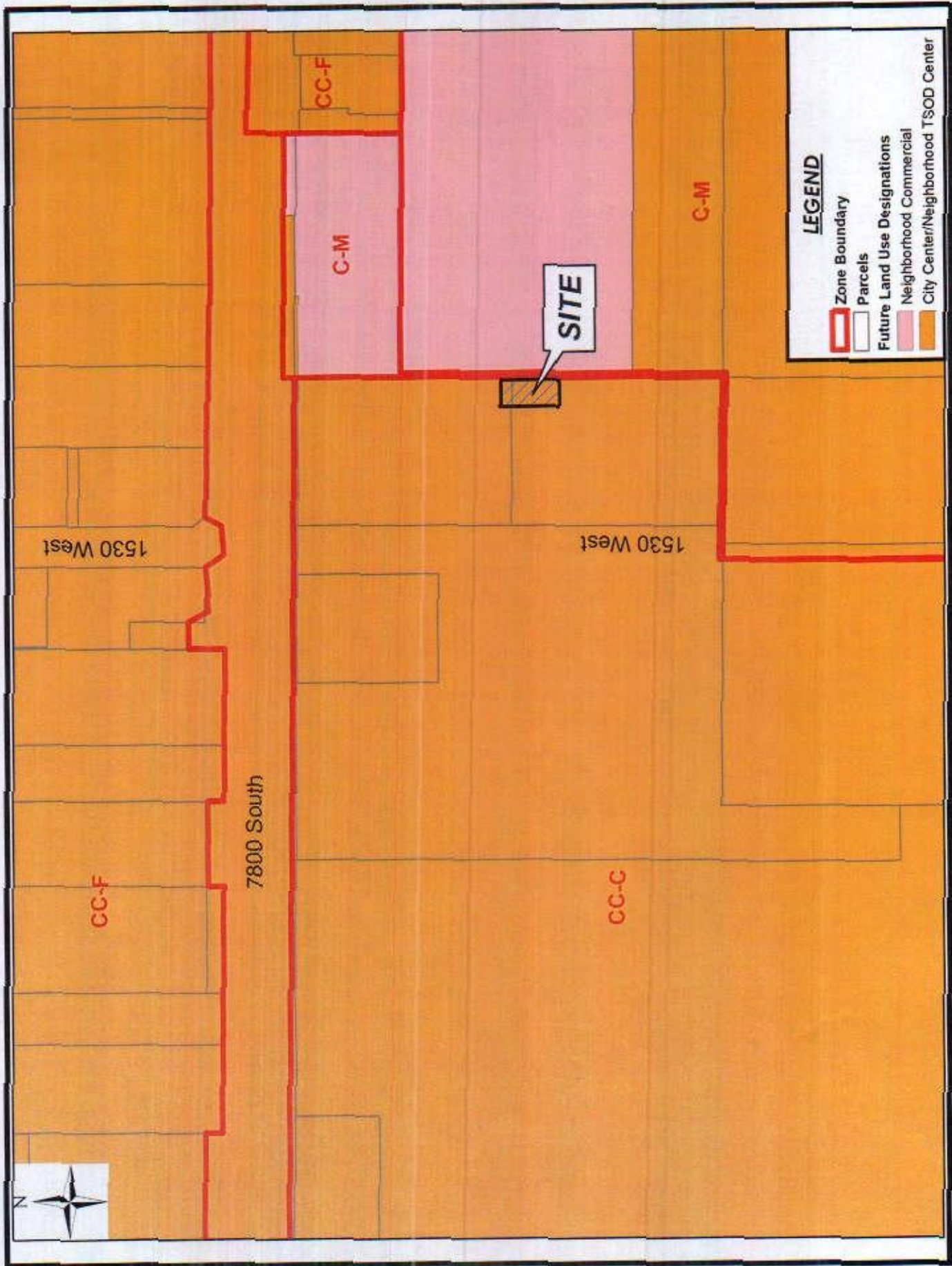


Exhibit B Zoning & Future Land Use Map



1/13/2020 West Jordan, Utah - Google Maps

West Jordan, Utah



Google

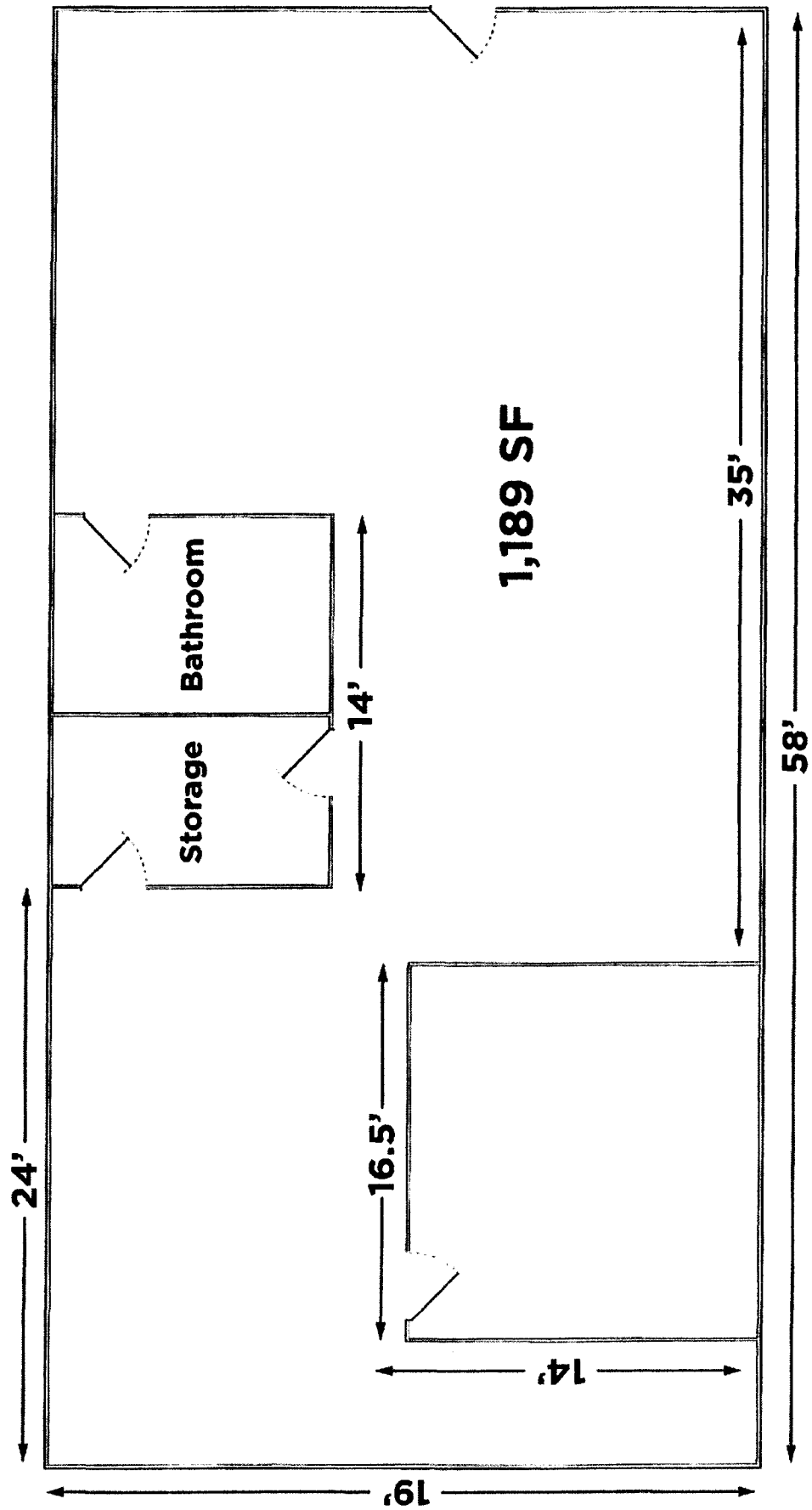
Image capture: Jun 2018 © 2020 Google

Site Plan

Exhibit C

Exhibit A
7879 South 1530 West, Suite 100
West Jordan, Utah

Floorplan



Floor Plan

Exhibit D

Letter of intent

Henry Quijano

6349 W 3860 S

West Valley City UT, 84128

West Jordan planning and Zoning Department

8000 South Redwood Rd

West Jordan UT 84088

Dear West Jordan,

I plan opening a small gym in your city center where I'll be teaching fitness classes which will include various exercises with free weights and barbells on a power rack. I will have groups of 5 to 6 people per session of one hour. For now it will only be one trainer which will be me due to the size of the building 1189 sq ft. My business hours will be 5 pm to 10 pm which adds up to 5 sessions per day and will be open Monday through Sunday. It eventually turn to 8 am to 10 pm when I leave my current job.

The Condition of the building looks okay to me and I have taken down some non-structural walls. I have 7 parking spaces that are right in front of my building. I will make my classes 50 minutes long so my clients that just finished their session can leave before my next clients arrive. If all else fails I will have to make parking arrangements with the reception center owner.

Sincerely,

Henry Quijano

Letter of Intent

Exhibit E