

SOUTH SALT LAKE

PLANNING COMMISSION STAFF REPORT

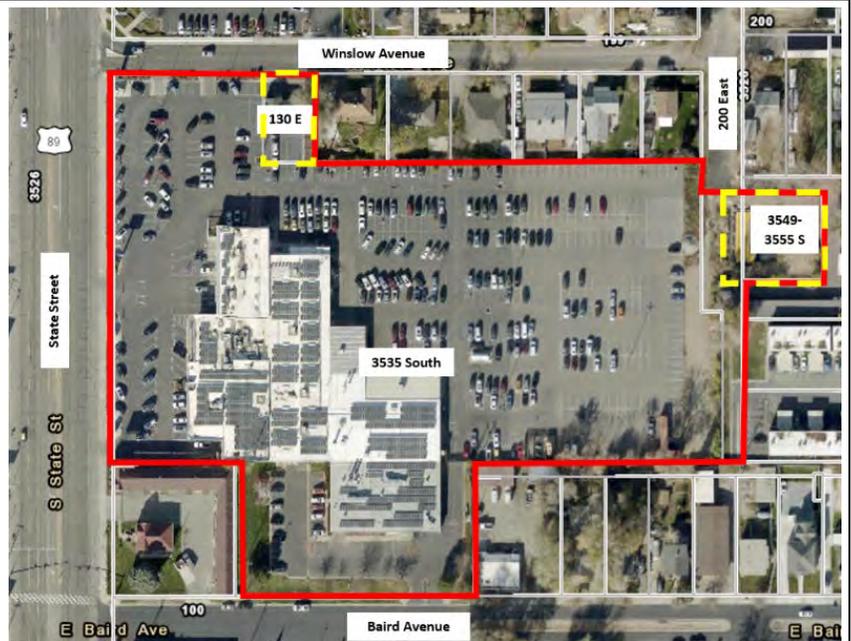
MEETING DATE: February 1, 2024
PROJECT NUMBER: C-19-031
REQUEST(S): An application for a Conditional Use Permit, to operate and expand an Auto Dealership, located at 3535 South State Street.
ADDRESS: 3535 South State Street
PARCEL NUMBERS: 16-31-103-020; 16-31-126-023; and 16-31-103-023
PROPERTY OWNER: Katmark Partners, LLC
APPLICANT: Katmark Partners, LLC
TYPE OF APPLICATION: Administrative – Conditional Use Permit

SYNOPSIS:

On June 25, 2021, Katmark Partners, LLC submitted a Conditional Use Permit (“CUP”) application, to operate an Auto Dealership.

The CUP is required as part of expansion of the site which is being done via a plat. Mark Miller Subaru is the existing dealership at this location. At this time, the only change is an expansion of the parking lot. The other applications they have submitted have included:

1. Rezone Application – This application was reviewed by the Planning Commission and City Council to change the zoning map from Residential Multiple (RM) to Commercial Corridor (CC) for the two parcels located at 130 East Winslow Avenue and 3549-3555 South 200 East. On February 8, 2023, the City Council approved the zone change.
2. A vacation of a portion of 200 East. This was reviewed and approved by the City Council on February 22, 2023.
3. Plat Application to consolidate parcels. They received Preliminary Plat approval on January 18, 2024.
4. Conditional Use Application for the operation of an Auto Dealership.



The Planning Commission is the land use authority over all Conditional Use Permits.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission approve a Conditional Use Permit, to operate an Auto Dealership, located at 3535 South State Street. Staff’s recommendation is based upon its analysis and findings included below.

EXISTING ZONING	EXISTING USE	SURROUNDING LAND USE DISTRICTS	SIZE OF PROPERTY
Commercial Corridor	Auto Dealership	North: Residential Multiple South: Commercial Corridor East: Residential Multiple West: Commercial Corridor	7.19 Acres (after consolidation)

GENERAL INFORMATION:

Location: 3535 South State Street
Surrounding Land Use Districts: North: Residential Multiple
 South: Commercial Corridor
 East: Residential Multiple
 West: Commercial Corridor

Figure 1: Existing Zoning Map



- Commercial Corridor
- Residential Multiple
- R1 – Single Family Residential
- Subject Properties

Figure 2: Existing Site Conditions

3535 S State St – Facing Northeast

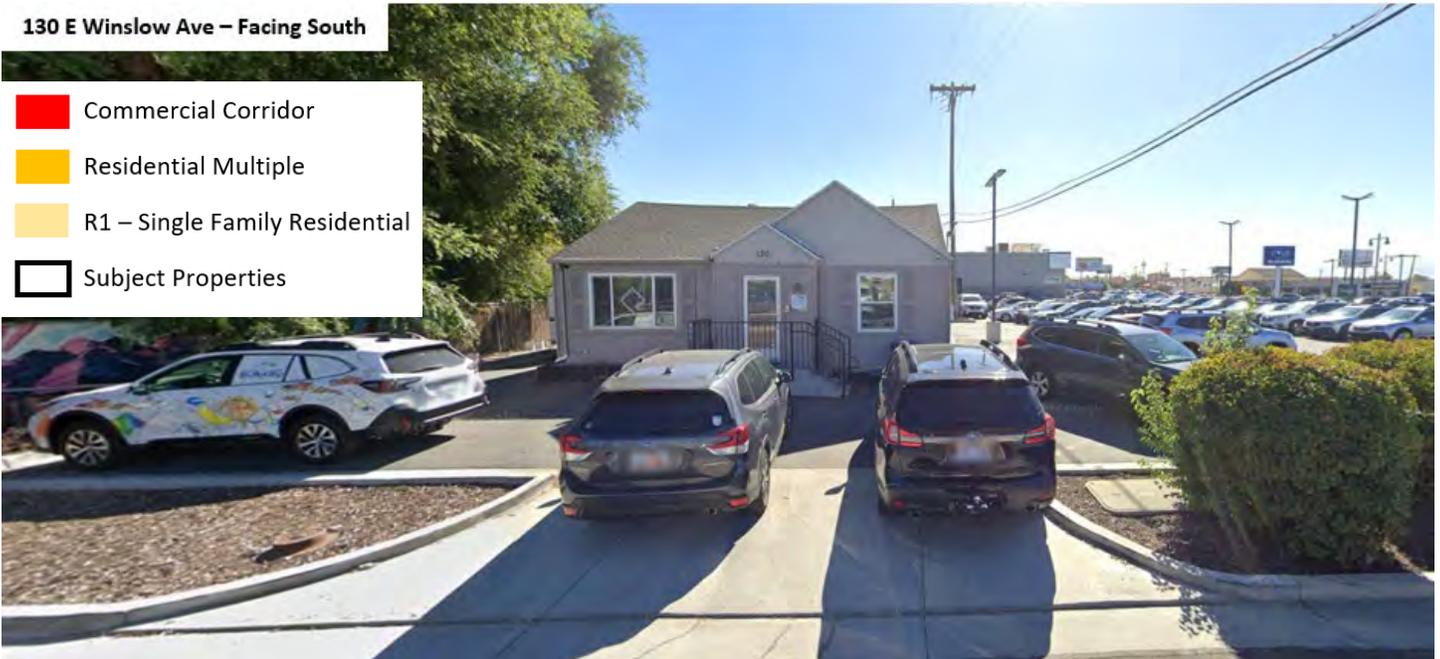


3535 S State St – Facing Southeast



130 E Winslow Ave – Facing South

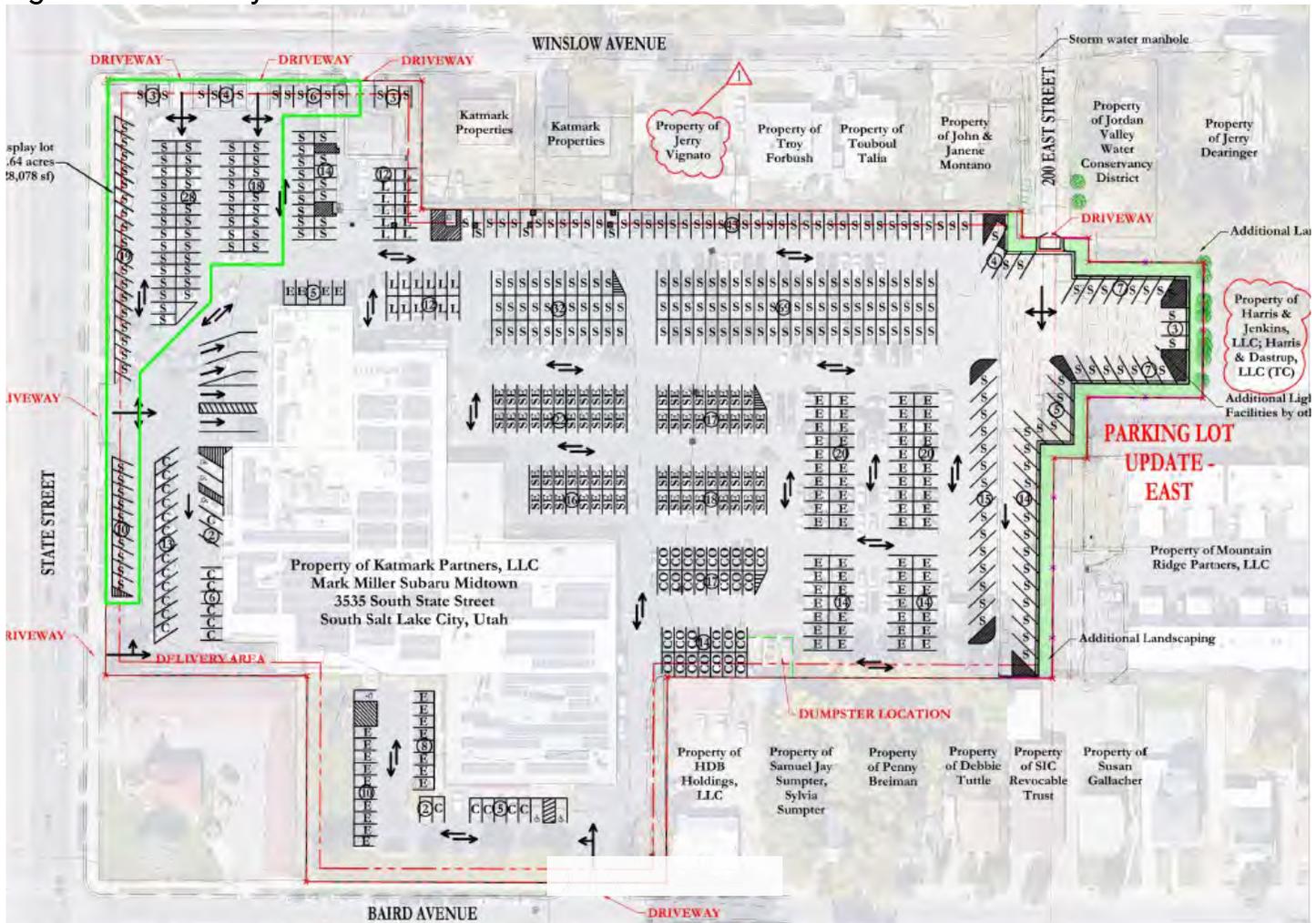
- Commercial Corridor
- Residential Multiple
- R1 – Single Family Residential
- Subject Properties



3549-3555 S 200 E – Facing South



Figure 4: Preliminary Site Plan



*SITE PLAN IS CONCEPTUAL – SUBJECT TO TECHNICAL REVIEW

Figure 5: Preliminary Site Plan for Service Bay Expansion

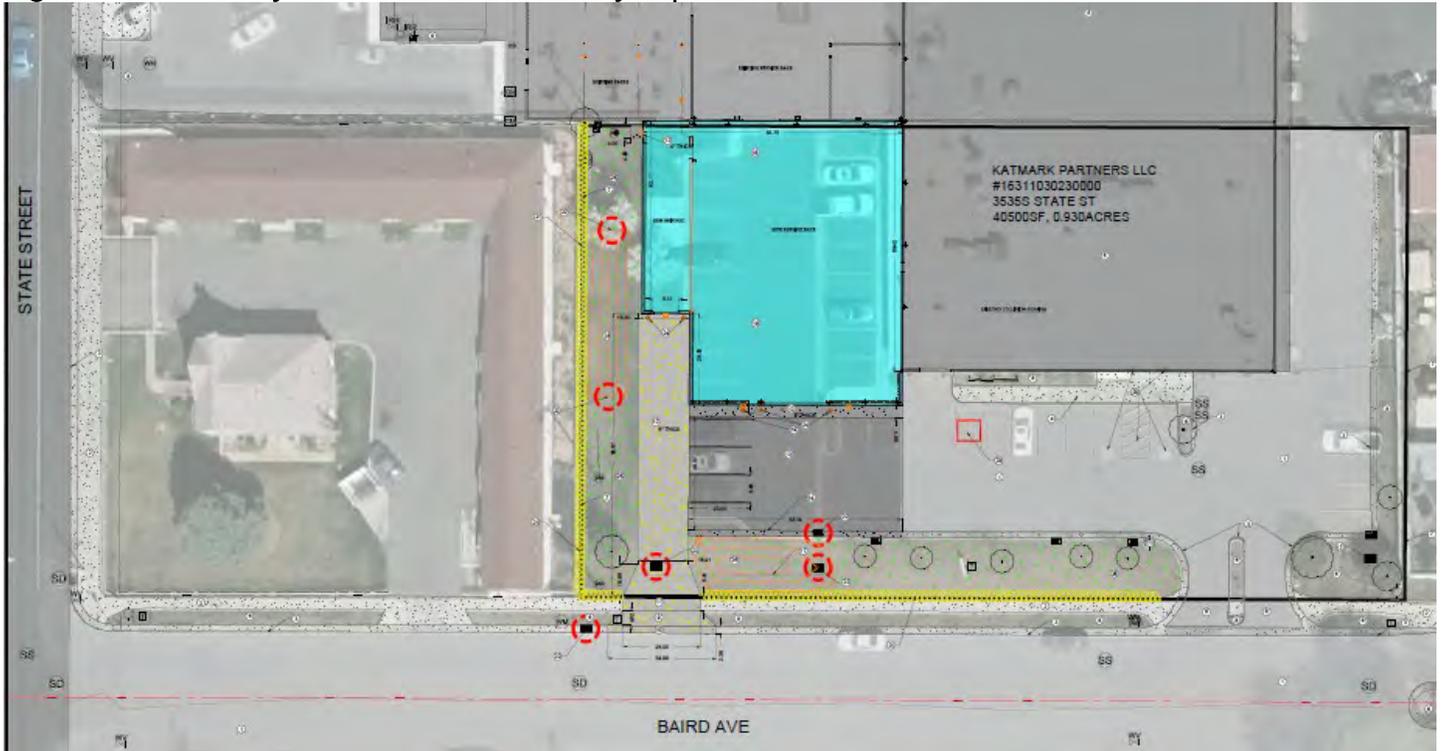


Figure 6: Preliminary Rendering of Service Bay Expansion



PLANNING COMMISSION AUTHORITY:

17.11.030. Land use authority designations.

Pursuant to state law, the following administrative land use authority designations are made:

- A. **Planning Commission.** The planning commission is the land use authority on issues of: subdivision and subdivision plat approval, vacating, altering, or amending a Subdivision Plat; **Conditional Use Permit Applications**; design review for Building Heights as established in this Title; design review for projects on Parcels where any portion of the Parcel abuts any residential district; and the issuance of a Building or demolition permit in a Historic and Landmark district.

CONDITIONAL USE REVIEW STANDARD:

Utah Code Ann. § 10-9a-507(2) sets forth the following standard of review for conditional uses by stating:

- (a)
 - (i) A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
 - (ii) The requirement described in Subsection (2)(a)(i) to reasonably mitigate anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effects.
- (b) If a land use authority proposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and reasonably relate to mitigating the anticipated detrimental effects of the proposed use.
- (c) If the 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 land use authority may deny the conditional use.

South Salt Lake Municipal Code §17.05 sets forth the following standard for review for conditional uses by stating:

- A. A person seeking approval of a Conditional Use must file a Complete Application, using the forms established by the Community Development Department, and include payment of all fees. For any Application to construct a Building or other improvement to property for a Use that is defined by this Code as allowed in the zoning district in which the Building is proposed, the Community Development Department and the City Engineer must review the Application to determine whether the proposal:
 - 1. Is allowed within the district where it is proposed;
 - 2. Is proposed for Development on a legally subdivided Lot;
 - 3. Can be adequately serviced by Dedicated roads, improved to City Standards and existing or proposed utility systems or lines;
 - 4. Complies with all applicable Development requirements of that district, including Building Height, Setbacks, and Lot Coverage;
 - 5. Meets the applicable Development Standards requirements;
 - 6. Conforms to the Design Guidelines and the design review process established for that district;
 - 7. Requires additional conditions of approval;
 - 8. Complies with the Construction Codes; and
 - 9. Pertains to land for which all tax assessments have been paid
- B. The Community Development Department staff shall notify the Applicant of any specific deficiencies in the proposal.

C. No permit or license issued shall be valid if any of the criteria listed in this Section have not been met.

GENERAL PLAN CONSIDERATIONS:

Economic Development Vision Statement: South Salt Lake is a community of opportunity for a variety of businesses with diverse ownership serving a diverse community. Quality of life in South Salt Lake is enhanced through sustainable businesses in a sustainable community. South Salt Lake encourages and supports businesses by helping them form, expand, and thrive in our community. We build on past success for our future.

Analysis: The Economic Development Vision Statement calls out encouraging and supporting businesses to expand and thrive in the community. As stated above Mark Miller Subaru has been at this location in the City since 1961. The CUP approval would allow a long existing, sustainable business, to expand its operations in order to comply with the manufacturer requirements, and continue to thrive in the City

Economic Development Goal #3: Continue to support existing and future businesses through the city's partnership with the South Salt Lake Chamber of Commerce and comprehensive business retention and recruitment program.

Analysis: Mark Miller Subaru has been operating at this location in South Salt Lake since 1961. They have been a good partner with the City over the years. The dealership has outgrown their space and in order to meet the requirements of the Subaru manufacturer need more room on their lot to store cars. This stall requirement comes directly from the manufacturer and can affect their franchise status, which is why they have applied for a CUP. A CUP is required because the business is expanding their operations.

Economic Development Strategy 5: Maintain and enhance neighborhood health, vitality, and integrity.

Analysis: The CUP process will put conditions in place that will mitigate any potential impacts from the use. The CUP will ensure that the surrounding neighborhood health, vitality, and integrity, is not impacted by the business.

ORDINANCE ANALYSIS:

South Salt Lake Municipal Code §17.05 sets forth the following standard for review for Conditional Use Permits.

Ordinance	Finding	Notes / Insufficiency
17.05.010 – Review Process and Requirements		
1. Is allowed within the district where it is proposed;	Auto Dealerships are a Conditional Use in the Commercial Corridor	
2. Is proposed for Development on a legally subdivided Lot;	The applicant is concurrently working on consolidating their three parcels into one lot via a plat application. They received Preliminary Plat approval on January 18, 2024 from the Planning Commission.	
3. Can be adequately serviced by Dedicated roads, improved to City Standards and existing or proposed utility systems or lines;	As part of the plat application, the applicant will dedicate 11.5 feet along Winslow Avenue. All other roads that service the property meet the City Standards.	
4. Complies with all applicable Development requirements of	The existing structures comply with all development requirements in the	

that district, including Building Height, Setbacks, and Lot Coverage;	Commercial Corridor. The proposed service bay expansion has been reviewed and it has been found to meet all development standards.	
5. Meets the applicable Development Standards requirements;	The existing structures comply with all development requirements in the Commercial Corridor. The western curb cut along Winslow Avenue will need to be closed off to meet the intersection spacing requirement. The proposed service bay expansion has been reviewed and it has been found to meet all development standards.	The western curb cut along Winslow Avenue will need to be closed off to meet the intersection spacing requirement.
6. 6.Conforms to the Design Guidelines and the design review process established for that district;	The existing structures comply with all development requirements in the Commercial Corridor. The design review for the proposed service bay expansion will coincide with CUP application review.	
7. Requires additional conditions of approval;	Staff has recommend the conditions listed for Planning Commission to approve.	
8. Complies with the Construction Codes;	A building permits review will be completed for the service bay expansion. All construction codes will need to be meet before any building permits are issued.	All construction codes will need to be meet before any building permits are issued.
9. Pertains to land for which all tax assessments have been paid.	All tax assessments have been paid.	
17.05.020 – General Conditional Use Standards		
A. Identifies the maximum intensity of the proposed Development and	The maximum intensity of the site will for an auto dealership, which is existing. The dealership will be expanding their operations onto two more parcels that are being consolidated via a plat.	
B. Complies with all provisions of the Code; and	The proposed expansion complies with all of the provision of the code, except for the following: <ul style="list-style-type: none"> • The landscape buffer, which will be added as the site is redeveloped; • Undergrounding the power, which will be completed as part of the building permitting process; • The western curb cut along Winslow Avenue is too close to the State Street and the next curb cut to the east. The curb cut will need to be closed and the landscaping and sidewalk 	The landscape buffer, shall be added as the site is redeveloped. The overhead utility lines shall be undergrounded, within a year of receiving Final Plat Approval. The western curb cut along Winslow Avenue is too close to the State Street and the next curb cut to the east. The curb cut will need to be closed and the landscaping and sidewalk will need to match the existing landscaping.

will need to match the existing landscaping.

17.05.020 (C) – General Conditional Use Standards

1. The size and location of the site.	The dealership is located at 3535 South State Street. The total acreage of the site is 7.6 acres.	
2. Traffic generation, timing, and nature of traffic impacts and the existing condition and capacity of the Streets in the area.	This additional lot space shouldn't cause any additional traffic in the area, however, it should ease congestion on State Street during new car deliveries as they will now occur off Winslow Avenue at the dead end to the new lot access on 200 E. It is the opinion of the Civil / Traffic Engineer that no additional traffic to and from the site will be generated nor will the capacity of the surrounding street be increased.	
3. Utility demand and available capacity, including storm water retention.	<p>A stormwater retention system was installed during the initial construction back in 2019. This system is currently exposed and can be seen in the exposed hole and appear as yellow pipes. There are no additional utility demands anticipated for this area at this time.</p> <p>There is no requirement for additional utility connections or additional use (additional volume usage) of existing utility connections. A dry parking lot will be constructed.</p> <p>Submitted separately are the calculations and storm water design for a 100-year storm event. The design presented is for 100% total storm water retention from all proposed new paved surface areas; the additional stormwater generated is due to the proposed parking area expansion plans. The storm water will be collected from the surface area of the improvements and routed to the new underground stormwater retention storage areas. The East collection area is 23,947 square feet with 100% retainage of the 100-year storm event with 1.35 hours to percolate all the storm water into the ground. The North collection area is 14,854 square feet with 100% retainage of the 100-year storm event with 3.53 hours to percolate all the storm water into the ground. Engineering has reviewed and approved these plans and numbers.</p>	

<p>4. Emergency vehicle access and anticipated average and peak day demand.</p>	<p>The lot access off 200 East and Winslow Avenue will be a fire lane and have full fire access to the rest of the lot. The emergency vehicle access to the site could be from the following streets:</p> <ul style="list-style-type: none"> i. State Street ii. Winslow Avenue iii. 200 East Street iv. Baird Avenue (3605 South) <p>The usage needs for emergency vehicles will not change since the area of improvements are only for storage of for sale vehicles.</p>	
<p>5. Location and amount of off-Street parking.</p>	<p>The parking lot expansion will add an anticipated 100 spaces of off street parking in addition to the spaces already on the lot. The number of parking stalls on-site are as follows (approximately):</p> <ul style="list-style-type: none"> - 6 Handicap Stalls - 38 Customer Stalls - 91 Employee Stalls (Average Daily) - 73 Service Queue Parking Stalls - 24 Loaner Parking Stalls - 31 Collision Parking Stalls - 303 Sales Parking Stalls <p>Totalling 566 Total Off-Street Parking Stalls</p>	
<p>6. Internal vehicular and pedestrian circulation system, including delivery vehicles, loading and unloading.</p>	<p>There is access from the following streets:</p> <ul style="list-style-type: none"> i. State Street ii. Winslow Avenue iii. 200 East Street iv. Baird Avenue (3605 South) <p>The primary entrance for customers will be along all of these access points, except for along 200 East. New car delivery will occur on 200 East, staff does not anticipate an impact and pending deliveries are during business hours.</p>	
<p>7. Fencing, Screening, and Landscaping to separate the Conditional Use from adjoining property and Uses.</p>	<p>A solid fence (8-foot high hardie board or similar) will be installed along the property line where the dealership is being expanded, separating the property from the adjoining property. There will also be a 10-foot landscape strip where the expanded parking lot abuts the Single-Family use and an 8-foot landscape strip where the expanded parking lot abuts a Non-Single-Family use.</p>	

8. Building mass, bulk, design, and orientation, and the location of Buildings on the site including orientation to Buildings on adjoining Lots or Parcels.	At this time, there will not be any buildings built on this additional property. There is a proposed expansion of the service bay area, which is accessed off Baird Avenue. There will also be some improvements along the eastern portion of the property. This will include a parking lot expansion.	
9. Usable open space.	Not Applicable	
10. Signs and lighting.	There will not be any signage or additional lighting on the property addition. All existing lighting on the site will comply with the Auto Dealership standards.	
11. Physical design and Compatibility with surrounding structures in terms of mass, Scale, style, design, and architectural detailing.	There is a proposed expansion of the service bay area, which is accessed off Baird Avenue. This building has undergone a preliminary review. A full technical review will be completed when a building permit application is received. There will also be some improvements along the eastern portion of the property. This will include a parking lot expansion. The improvement work will be stormwater improvements, curbs, gutters, concrete driveway approaches, bituminous asphalt surface paving extending to the new adjusted property lines. The western most curb cut along Winslow Avenue will also be closed and it will match the existing landscaping in place.	
12. Noise, vibration, odors, steam, or other factors that might adversely affect people and property off-site.	The only noise that will occur in this area is the locking and unlocking of new cars. The proposed surface improvement work will be completed during the normal daily construction hours (8 am to 5pm).	The applicant shall not use the panic button to find cars on the lot.
13. Control of delivery and service vehicles, loading and unloading zones.	New car delivery will occur on 200 East. The trucks will access the lot on 200 East via 3300 South. These deliveries will typically occur during business hours 9:00AM-6:00PM, Monday-Friday. There are rare occasions where deliveries will occur after 6:00PM. The applicant does not anticipate it affecting any traffic or neighbors.	
14. Generation and Screening of waste.	All trash generated on-site is managed daily with daily removal as required, from the site. The trash generated is collected and housed within a gated	Due to the location of the waste containers, the trash may not be collected

	concrete dumpster enclosure, with several large containers having lids. See the site plan for the location. Once the trash and recycling compactors are in place, they will be emptied every three to four weeks, during business hours.	between the hours of 10:00PM and 7:00AM.
15. Recycling program and pickup areas.	The applicant is working to implement a cardboard compactor to the current location of trash and cardboard disposal on the lot. This change, while an additional cost, will result in fewer pickups and reduced noise for the surrounding neighbors. As of now, all recyclable trash generated on-site is managed daily with daily removal as required, from the site. Once trash compactors are installed, the trash and recycling will be picked up during business hours, tentatively once every three to four weeks. The recyclable trash generated is housed within a gated dumpster enclosure with several large containers having lids.	
16. The potential adverse impacts arising from the conduct of patrons, guests, employees, occupants, or their affiliates.	<p>The business will be open the following times:</p> <ul style="list-style-type: none"> - Sales Offices - Monday through Saturday 8:00AM to 8:00PM - Service & Parts - Monday through Friday 7:00AM to 6:00PM and Saturday 8:00AM to 6:00PM - Sunday Closed <p>There should not be any adverse impact from normal business activity noise during business hours. Additionally, the lights in the lot shall be turned off at 10:00PM. A security light may remain on after 10:00PM for CPTED purposes.</p> <p>The expanded area will be no different from the rest of the lot. During the construction improvements, there will be no impacts to patrons, guests, employees, occupants, or the affiliates. These individuals will be assisted from the main building and should not be anywhere near the construction areas.</p>	Outside speakers, lighting, deliveries, and other maintenance such as emptying of waste containers shall not occur before 7:00AM or after 10:00PM. There may be a security light left on after 10:00PM for CPTED purposes
17. The impacts of the Use on public property and environmentally sensitive lands.	It is the opinion of the Consulting Engineering Team that there are no environmentally sensitive lands involved. All property adjacent and involved with the proposed	

	improvements are presently developed.	
18. Hours of operation, delivery, and activity.	This area will be utilized during normal business hours Monday through Saturday. The following are the hours of operation, delivery, and use: <ul style="list-style-type: none"> - Sales Offices - Monday through Saturday 8:00AM to 8:00PM - Service & Parts - Monday through Friday 7:00AM to 6:00PM and Saturday 8:00AM to 6:00PM - Sunday Closed 	
19. Special hazards arising from the Use or from its reasonably anticipated secondary effects, including its potential to attract criminal behavior.	The solid wall that is being installed will help mitigate any direct concerns; additional security cameras will also be placed to help monitor this area.	
20. Demand for public infrastructure or services.	Not Applicable	
17.05.040 (E) –Conditional Uses with Specific Standards – Auto, Light Truck, RV, Boat, Trailer Dealerships (Sale, Lease, or Rent). In addition to being subject to the Design Review process, all instances of this Use (including change of a prior instance of this Use) shall comply with the following criteria:		
1. Landscaping shall be required along any Street Frontage and shall be subject to the Development Standards of Chapter 17.06 of this Code.	There is existing landscaping along State Street, Winslow Avenue, and Baird Avenue.	
2. Buildings must meet the minimum Setback requirements of their respective districts.	The setbacks are approximately the following: <ul style="list-style-type: none"> • Main Dealership Building <ul style="list-style-type: none"> o Frontage: 85' o North Side: 242' o South Side: 71' o Rear Yard: 447' • Marketing Building: <ul style="list-style-type: none"> o Frontage: 176' o North Side: 23' o South Side: 538' o Rear Yard: 11' All setbacks comply with the Commercial Corridor standards.	
3. Designated customer parking must be provided at a ratio of one (1) space for every twenty (20) vehicles displayed, with a maximum of fifteen (15) spaces required. A minimum of three employee Parking Stalls must be provided. Off-Street customer and employee Parking Stalls must be identified.	There will be 38 designated customer-parking stalls in the front of the dealership directly off State Street. As well as 91 on-site parking stalls for the employees. There are 566 on-site parking stalls.	

<p>4. All Buildings other than sales offices only must provide additional designated Parking Stalls at a ratio of one (1) space per five hundred (500) square feet of floor space.</p>	<p>There is adequate parking on site for the building that faces Winslow Avenue.</p>	
<p>5. All businesses adjacent to residential districts shall require design review approval from the Planning Commission.</p>	<p>There is a proposed expansion of the service bay area, which is accessed off Baird Avenue. The building will be reviewed as part of the CUP process.</p>	<p>Any expansion or new construction structure on the site in the future would require a design review approval from the Planning Commission.</p>
<p>6. Where any business is adjacent to a Residential Use, a Buffer between the Residential Use and the business shall be required. Walls, Landscaping, special Setbacks, other elements, or a combination of these items must be used, as appropriate, to mitigate the impact upon the adjacent Residential Use. The City shall consider the visual appearance of the site, the traffic flows, noise, light and the size and purpose of adjacent Streets or Alleys, the extent of the business operations, and other factors in determining the Buffer sufficiency.</p>	<p>Along the East property line a solid wall (8-foot Hardie board fence) will be installed as a buffer between commercial and residential. A landscaping strip (10-foot wide) will also be in place on the west side of this fence as an additional buffer.</p>	
<p>7. Outside loudspeakers, lighting which intrudes into adjacent properties, deliveries before 7:00 a.m. or after 10:00 p.m., the use of Public Streets for loading and unloading, repair work outside of a Building, and any other public nuisance conduct shall be prohibited.</p>	<p>The business hours are from 7:00AM and 8:00PM. Car deliveries will typically occur during business hours 9:00AM-6:00PM, Monday-Friday. There are rare occasions where deliveries will occur after 6:00PM. A security light may remain on after 10:00PM for CPTED purposes.</p>	<p>Outside speakers, lighting, deliveries, and other maintenance such as emptying of waste containers shall not occur before 7:00AM or after 10:00PM. There may be a security light left on after 10:00PM for CPTED purposes.</p>
<p>8. For the purposes of maintaining safe access and to promote uncluttered and attractive displays, all outdoor Auto, Light Truck, RV, Boat, and Trailer displays must be done in a manner consistent with Parking Lot requirements and such that all individual units can be relocated without the necessity of first relocating others.</p>	<p>There is no double stacking of cars in the display lot.</p>	<p>Double stacking of cars in the display lot is prohibited.</p>
<p>9. All Auto, Light Trucks, RVs, Boats, and Trailers displayed shall meet</p>	<p>All of the cars on the lot are operating and in good condition.</p>	<p>All cars on the lot shall meet all requirements of</p>

<p>all requirements of law at all times, shall be in operating condition, shall not have flat tires or broken windows, and shall be capable of being licensed and registered without additional repair or alteration.</p>		<p>law at all times, shall be in operating condition, shall not have flat tires or broken windows, and shall be capable of being licensed and registered without additional repair or alteration</p>
<p>10. The minimum outdoor display lot area, not including any Buildings, for any Auto, Light Truck, RV, Boat, Trailer Dealerships (Sale, Lease, or Rent) Use shall be one (1) acre. The one (1) acre of required display lot area shall be located in the front and side yard areas. All vehicle display areas shall be Hard-Surfaced as established in the City's parking, access, and circulation requirements.</p>	<p>The display lot is approximately 0.64 acres. This is an existing dealership, so they are not required to meet the 1-acre display lot minimum. The display lot meets all of the standards in place, with the acreage being the only exception.</p>	<p>The display lot as outlined in the site plan not may not be reduced.</p>
<p>11. The Frontage of Corner Lots shall be determined by the Street on which the property is addressed.</p>	<p>The dealership fronts State Street and its address comes from State Street, not any other street that the property abuts.</p>	
<p>12. Auto Dealerships Uses are exempt from the minimum outdoor display lot area and Lot Frontage requirements of this Section if all inventory is stored and displayed indoors. Indoor-only Auto, Light Truck, RV, Boat, Trailer Dealerships (Sale, Lease, or Rent) Uses are subject to all other applicable requirements of this Section, and the following additional standards listed in 1705.040(E).</p>	<p>Not Applicable. There is an outdoor display lot.</p>	
<p>17.06.140(C) - Commercial Parking Lot design criteria – Parking Area Lighting. When an existing Parking Area is proposed for redeveloped, or for additional lighting, an Applicant must submit proposed lighting plans to the City and a photometric study showing the following items:</p>		
<p>1. A schedule providing for the reduction of on-site lighting during the hours when the facility is not in operation while still providing for levels necessary for security purposes.</p>	<p>The provided photometric study and lighting plan show that all standards are met.</p>	
<p>2. All new and replacement lighting shall have directional shields or control devices to reflect light trespass away from adjacent Uses and roadways.</p>	<p>Some of the existing lights will be adjusted to reduce light trespass onto adjacent Uses and roadways.</p>	

3. To control light trespass, when measured at the Property Line at a height of five feet and facing the light fixture(s), shall be no greater than 0.5 foot-candles.	The provided photometric study and lighting plan show that all standards are met.	The maximum illumination, when measured at the Property Line at a height of five feet and facing the light fixture(s), shall be no greater than 0.5 foot-candles.
4. All Parking Lot lighting shall use a down lit fixture in order to encourage the practice of "dark sky" friendly practices.	All lights are down lit.	

STAFF RECOMMENDATION:

Staff recommends the Planning Commission approve a Conditional Use Permit, for Mark Miller Subaru, an Auto Dealership, located at 3535 South State Street, with the following conditions:

Findings of Fact:

1. On June 25, 2021, Katmark Partners, LLC, submitted a Conditional Use Permit application, in order to expand the existing Auto Dealership on site.
2. The subject property is located at 3535 South State Street, 130 East Winslow Avenue, and 3549-3555 South 200 East.
3. The applicant applied for a subdivision application on June 25, 2021, to consolidate the subject properties by plat to comply with South Salt Lake Municipal Code. The preliminary subdivision plat was approved by the Planning Commission on January 18, 2024;
4. The site is approximately 7.19 acres.
5. All three parcels are located in the Commercial Corridor land use district.
6. The business will have access from State Street, Winslow Avenue, Baird Avenue, and 200 East.
7. The photometric study is compliant with the standards listed in 17.06.140(C)(5).
8. Section 17.03.010 of the City Code classifies Auto, Light Truck, RV, Boat, Trailer Dealerships (Sale, Lease, or Rent) as Conditional Uses subject to Planning Commission approval.

Conclusions of Law:

1. The use, as specifically conditioned below, is consistent with the South Salt Lake City General Plan.
2. The use, as specifically conditioned below, is compatible in use, scale, and design with allowed uses in the Commercial Corridor land use district.
3. The use, as specifically conditioned below, does not compromise the health, safety, or welfare of: Persons employed within or using the proposed development; Those residing or working in the vicinity of the proposed use or development; or Property or improvements in the vicinity of the proposed use or development.

4. As there are no environmentally sensitive lands on site, no impact to environmentally sensitive lands is expected to occur as part of the business.
5. The use, as specifically conditioned below does not impose disproportionate burdens on the citizens of the city.
6. The use, as specifically conditioned below, meets the standards found in Section 17.05.010, 17.05.020, 17.05.030, 17.05.040, 17.05.050, and 17.05.060, as outlined above.
7. No specific hazards or adverse impacts are expected due to the proposed use.

Conditions of Approval:

1. The applicant shall comply with all of the conditions of approval below and within the Conditional Use Permit prior to the release of a South Salt Lake building permit;
2. The Auto Dealership shall meet all requirements of the South Salt Lake Community Development Department, South Salt Lake Fire Marshal, the South Salt Lake Building Official, and the South Salt Lake Engineering department;
3. The applicant shall comply with all federal, state, and local laws, including the development standards.
4. The applicant shall maintain a minimum of 15 vehicle display stalls and a minimum of three (3) employee parking stalls on-site;
5. The applicant shall maintain the 8-foot fencing where the dealership is expanding;
6. The applicant shall maintain the landscape buffers where the dealership is expanding;
7. Any new expansion or realignment of the parking lot, shall require the business to meet the landscaping and fencing standards at the time;
8. The applicant shall remove any trash and solid waste that builds up on the property;
9. The applicant shall not use the panic button to find cars on the lot;
10. Outside speakers, lighting, deliveries, and other maintenance such as emptying of waste containers shall not occur before 7:00AM or after 10:00PM. There may be a security light left on after 10:00PM for CPTED purposes;
11. Any expansion or new construction to the building or site in the future would require a design review approval from the Planning Commission;
12. Double stacking of cars in the display lot is prohibited;
13. All cars on the lot shall meet all requirements of the law at all times, shall be in operating condition, shall not have flat tires or broken windows, and shall be capable of being licensed and registered without additional repair or alteration;
14. The display lot as outlined in the site plan may not be reduced;
15. The western curb cut along Winslow Avenue will need to be closed off. The remaining curb cut shall be a minimum of 100 feet from State Street.

16. The maximum illumination, when measured at the Property Line at a height of five feet and facing the light fixture(s), shall be no greater than 0.5 foot-candles; and
17. All items of the staff report.

PLANNING COMMISSION OPTIONS:

Option 1: Approval

Move to approve the application submitted for a Conditional Use Permit, C-19-031, to expand the existing Auto Dealership, located at 3535 South State Street, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the staff report and enumerated on the record.

Option 2: Denial

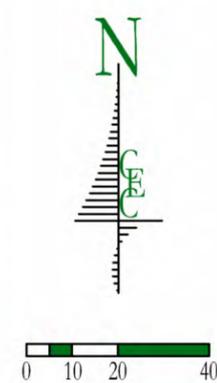
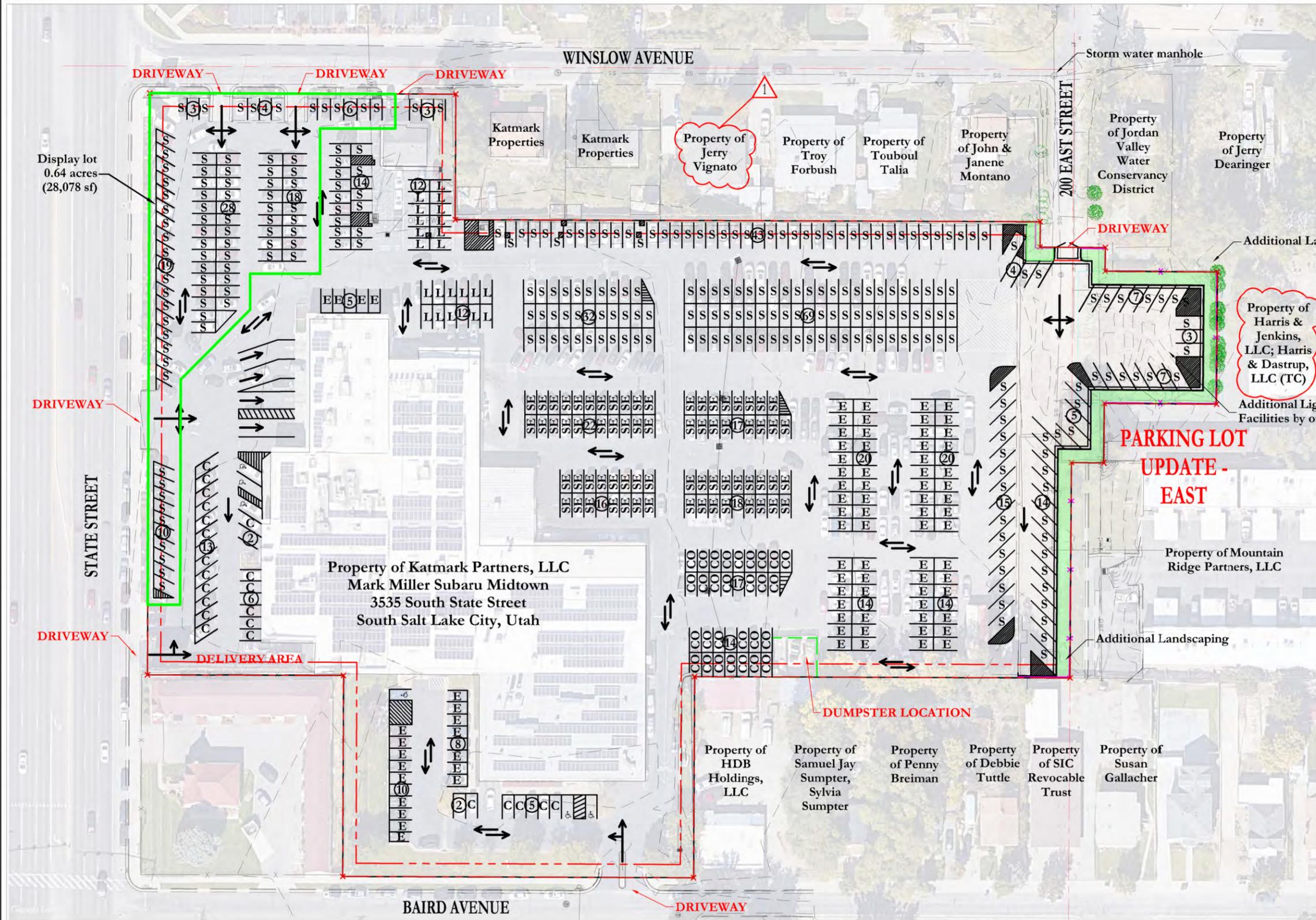
Move to deny the application submitted for a Conditional Use Permit, C-19-031, to expand the existing Auto Dealership, located at 3535 South State Street, based on the reasoning set forth in the record.

Option 3: Continuance

Move to table the decision on the application submitted for a Conditional Use Permit, C-19-031, to expand the existing Auto Dealership, located at 3535 South State Street, to a date certain to allow the Applicant and Staff time to respond to specific inquiries or concerns raised by the Planning Commission, or to allow the Planning Commission more time to consider the proposal.

Attachments:

1. Proposed Site Plan
2. Proposed Building Elevations and Renderings
3. Photometric Study
4. Conditional Use Permit: C-19-031



C	Customer Parking Stalls	28	L	Loaner Parking Stalls	24
CO	Collision Parking Stalls	31	S	Sales Parking Stalls	304
E	Employee Parking Stalls	91	SE	Service Que Parking Stalls	73
♿	Handicap Parking Stalls	6			
Total Parking Stalls					557



CIVIL ENGINEERING
CONSULTANTS, PLLC.
5141 SOUTH 1500 WEST
RIVERDALE, UT 84405
801.866.0550

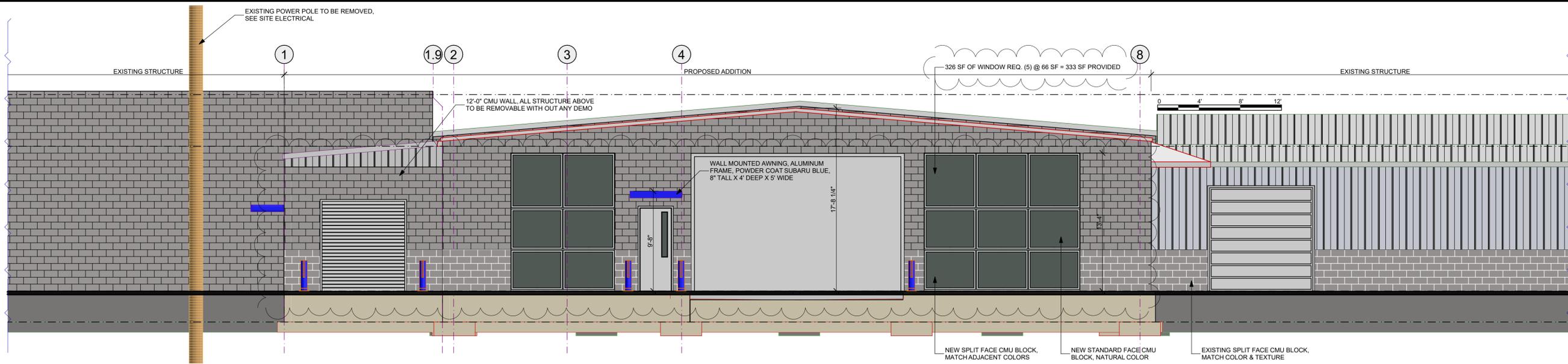
NO.	DATE	BY	REVISIONS
1	1/5/2023	RTF	Parcel name update

DATE: DECEMBER 2023
DRAWN: JEO
CHECKED: RTF

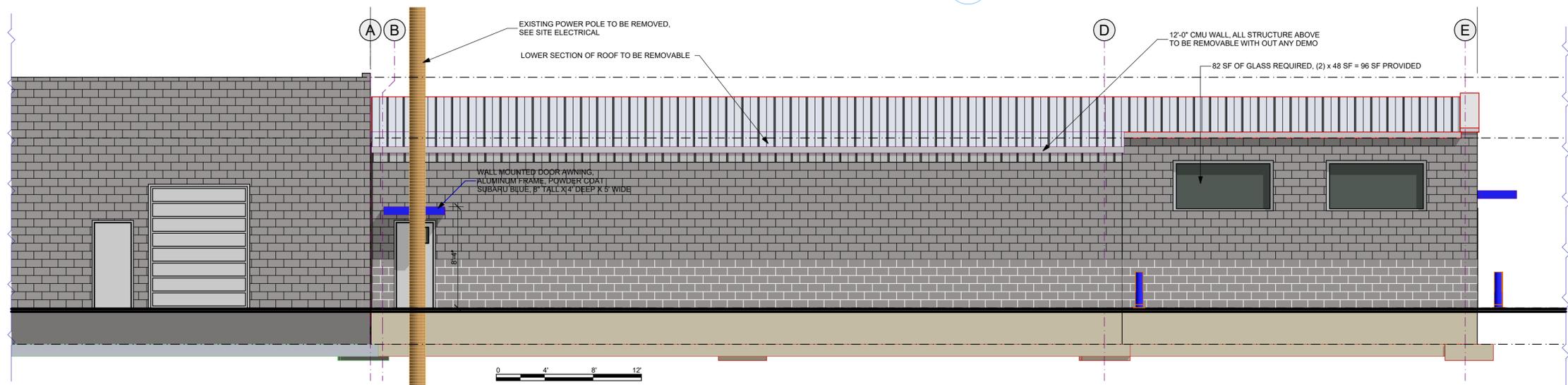
PROJECT / LOCATION:
KATMARK SUBDIVISION IMPROVEMENT
3535 SOUTH STATE STREET
SOUTH SALT LAKE, UTAH
TITLE:
PARKING & VEHICLE CIRCULATION

CLIENT:
ARCHSTONE GROUP
PROJECT NUMBER:
ARCH19002
FILE:
~arch18001.dwg
SHEET:
1 of 1

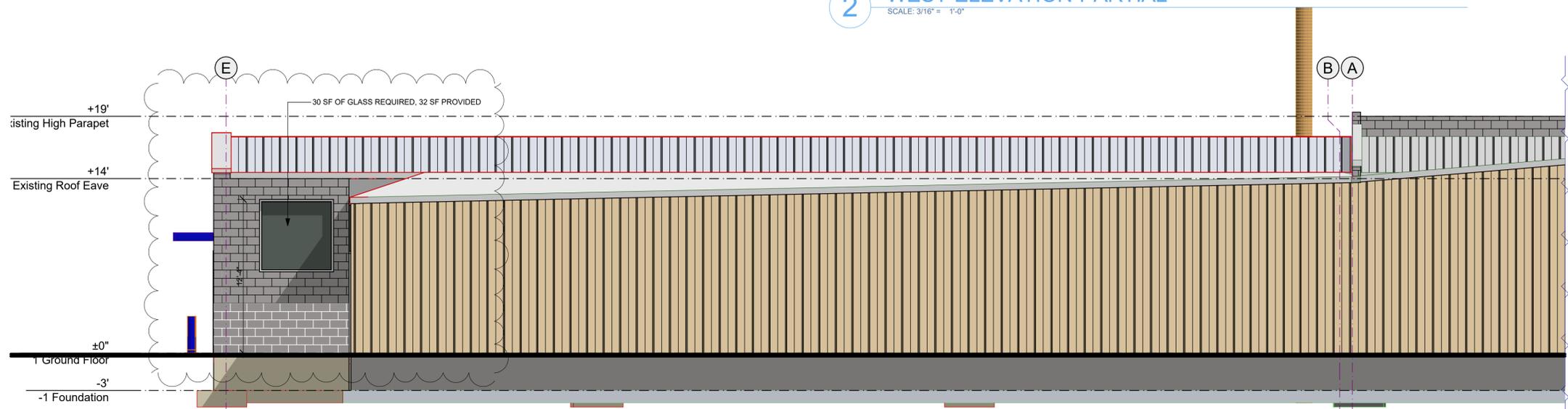
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1 SOUTH ELEVATION-PARTIAL
SCALE: 3/16" = 1'-0"

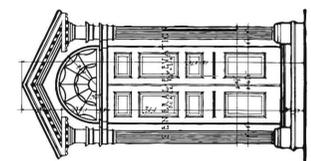


2 WEST ELEVATION-PARTIAL
SCALE: 3/16" = 1'-0"



3 EAST ELEVATION-PARTIAL
SCALE: 3/16" = 1'-0"

Nielson Architecture Planning, Inc.
Kelly Nielson, Architect
1333 South 2375 West
Syracuse, Utah 84075
nielarch@gmail.com
801-564-7200 m



Professional Stamp
Professional Seal
Not valid with out Original Signature

MARK MILLER MIDTOWN SUBARU SERVICE BAY EXPANSION

3535 STATE STREET,
SOUTH SALT LAKE, UTAH 84



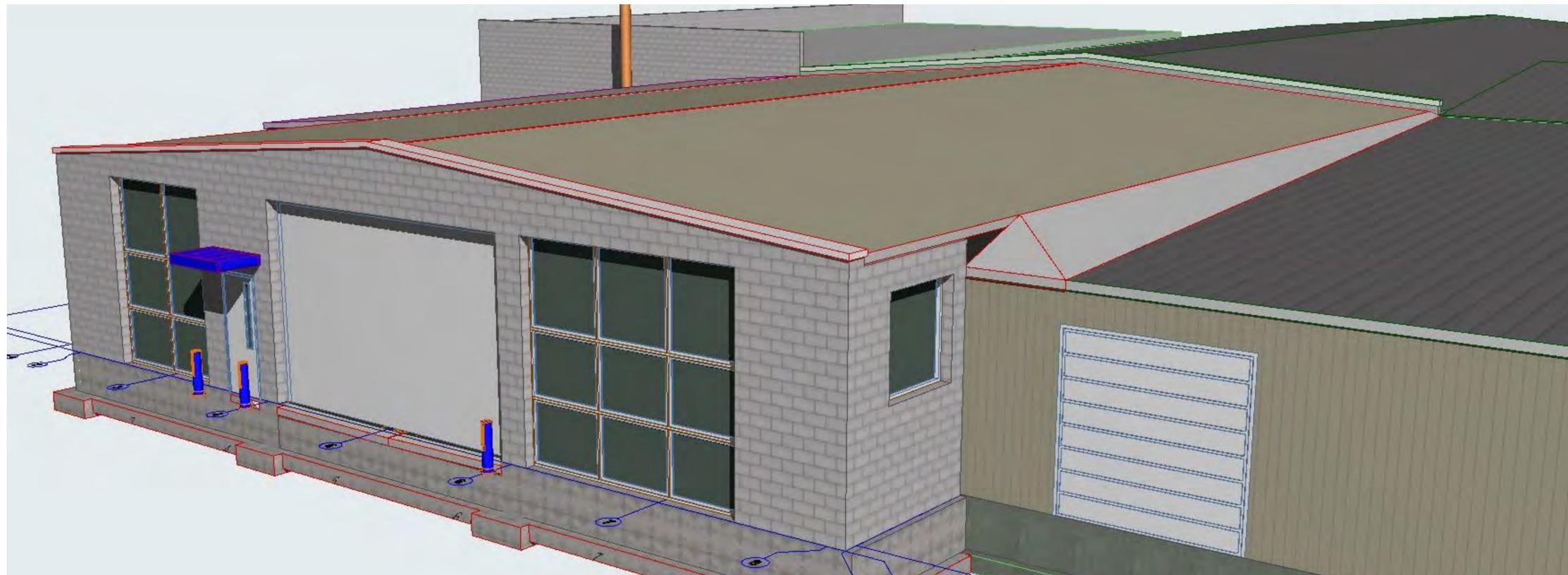
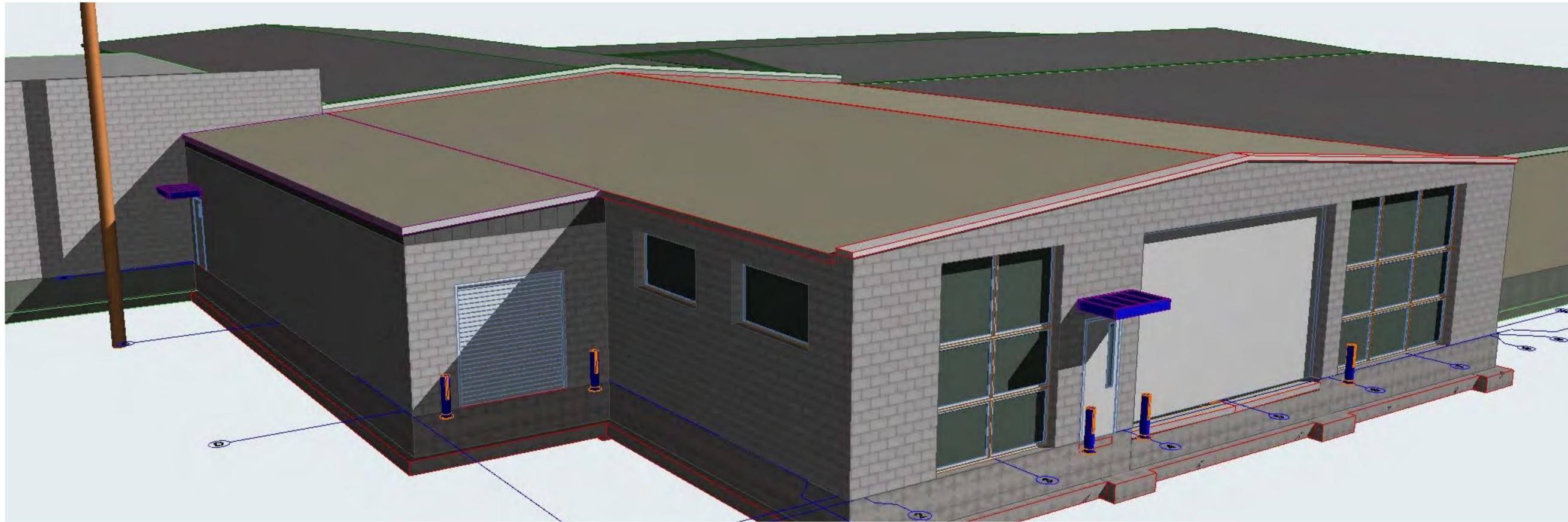
ARCHSTONE GROUP
Kyle Lane, G.C., 801-528-1952,
Kyle@asgiut.com

PROJECT NO: 2244
DATE: 29 November 2023
DRAWN BY: KMN
CHK'D BY: KMN
COPYRIGHT: Nielson Architecture/Planning, Inc. permit SET

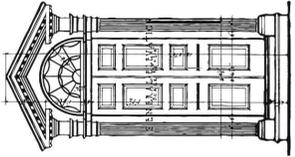
SHEET TITLE
ADDITION EXTERIOR ELEVATIONS

A-4
SHEET 16 OF

REVISED 5 JANUARY 2024



**Nielson
Architecture
Planning, Inc.**
Kelly Nielson, Architect
1333 South 2375 West
Syracuse, Utah 84075
nielarch@gmail.com
801-564-7200



Professional Stamp

Kelly M. Nielson
KELLY M. NIELSON
131476
29 November 2023
LICENSED ARCHITECT

Not valid with out
Original Signature

**MARK MILLER MIDTOWN SUBARU
SERVICE BAY EXPANSION**

3535 STATE STREET,
SOUTH SALT LAKE, UTAH 84



ARCHSTONE GROUP
Kyle Lane, G.C., 801-528-1952,
Kyle@asgiut.com

PROJECT NO: 2244
DATE: 29 November 2023
DRAWN BY: KMN
CHK'D BY: KMN
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permit SET

SHEET TITLE
BUILDING PERSPECTIVES

REVISED 5 JANUARY 2024

A-7

SHEET 19 OF

WHEN RECORDED PLEASE RETURN TO:

SOUTH SALT LAKE CITY
220 E. MORRIS AVE SUITE 200 SOUTH
SALT LAKE CITY, UT 84115

CONDITIONAL USE PERMIT

Location: 3535 South State Street
Use: Auto Dealership
Zone: Commercial Corridor
APN:
Legal Description: Lot 1 of Katmark Subdivision
Fee Title Owner: Katmark Partners, LLC
File Number: C-19-013
Date: February 1, 2024

Permit Issued to: Katmark Partners, LLC
3535 South State Street
SSL, Utah 84115

Findings of Fact:

1. On June 25, 2021, Katmark Partners, LLC, submitted a Conditional Use Permit application, in order to expand the existing Auto Dealership on site.
2. The subject property is located at 3535 South State Street, 130 East Winslow Avenue, and 3549-3555 South 200 East.
3. The applicant applied for a subdivision application on June 25, 2021, to consolidate the subject properties by plat to comply with South Salt Lake Municipal Code. The preliminary subdivision plat was approved by the Planning Commission on January 18, 2024;
4. The site is approximately 7.19 acres.
5. All three parcels are located in the Commercial Corridor land use district.
6. The business will have access from State Street, Winslow Avenue, Baird Avenue, and 200 East.
7. The photometric study is compliant with the standards listed in 17.06.140(C)(5).
8. Section 17.03.010 of the City Code classifies Auto, Light Truck, RV, Boat, Trailer Dealerships (Sale, Lease, or Rent) as Conditional Uses subject to Planning Commission approval.

Conclusions of Law:

1. The use, as specifically conditioned below, is consistent with the South Salt Lake City General Plan.
2. The use, as specifically conditioned below, is compatible in use, scale, and design with allowed uses in the Commercial Corridor land use district.

3. The use, as specifically conditioned below, does not compromise the health, safety, or welfare of: Persons employed within or using the proposed development; Those residing or working in the vicinity of the proposed use or development; or Property or improvements in the vicinity of the proposed use or development.
4. As there are no environmentally sensitive lands on site, no impact to environmentally sensitive lands is expected to occur as part of the business.
5. The use, as specifically conditioned below does not impose disproportionate burdens on the citizens of the city.
6. The use, as specifically conditioned below, meets the standards found in Section 17.05.010, 17.05.020, 17.05.030, 17.05.040, 17.05.050, and 17.05.060, as outlined above.
7. No specific hazards or adverse impacts are expected due to the proposed use.

Conditions of Approval:

1. The applicant shall comply with all of the conditions of approval below and within the Conditional Use Permit prior to the release of a South Salt Lake building permit;
2. The Auto Dealership shall meet all requirements of the South Salt Lake Community Development Department, South Salt Lake Fire Marshal, the South Salt Lake Building Official, and the South Salt Lake Engineering department;
3. The applicant shall comply with all federal, state, and local laws, including the development standards.
4. The applicant shall maintain a minimum of 15 vehicle display stalls and a minimum of three (3) employee parking stalls on-site;
5. The applicant shall maintain the 8-foot fencing where the dealership is expanding;
6. The applicant shall maintain the landscape buffers where the dealership is expanding;
7. Any new expansion or realignment of the parking lot, shall require the business to meet the landscaping and fencing standards at the time;
8. The applicant shall remove any trash and solid waste that builds up on the property;
9. The applicant shall not use the panic button to find cars on the lot;
10. Outside speakers, lighting, deliveries, and other maintenance such as emptying of waste containers shall not occur before 7:00AM or after 10:00PM. There may be a security light left on after 10:00PM for CPTED purposes;
11. Any expansion or new construction to the building or site in the future would require a design review approval from the Planning Commission;
12. Double stacking of cars in the display lot is prohibited;

13. All cars on the lot shall meet all requirements of the law at all times, shall be in operating condition, shall not have flat tires or broken windows, and shall be capable of being licensed and registered without additional repair or alteration;
14. The display lot as outlined in the site plan may not be reduced;
15. The western curb cut along Winslow Avenue will need to be closed off. The remaining curb cut shall be a minimum of 100 feet from State Street.
16. The maximum illumination, when measured at the Property Line at a height of five feet and facing the light fixture(s), shall be no greater than 0.5 foot-candles; and
17. All items of the staff report.

Exhibits (available on file with South Salt Lake City Community Development Department):

- EXHIBIT A: Site Plan
- EXHIBIT B: Staff Report
- EXHIBIT C: Photometric Study

FOR SOUTH SALT LAKE CITY:

Planning Commission Chair

Community Development

FOR THE OWNER/APPLICANT:

Mark Miller Subaru / Katmark Partners, LLC