

Planning Commission Staff Report

File # 5Z24 – DCA-000481-2024

**Public Hearing and Recommendation to the City Council
for a Zoning Map Amendment for the Property Located
at 4768 S. Redwood Rd. in Taylorsville, Utah.**



Department of Community Development

Date:	September 5, 2024
Meeting Date:	September 10, 2024
Agenda Item:	Public Hearing and Recommendation to the City Council for a Zoning Map Amendment for the Property Located at 4768 S. Redwood Rd. in Taylorsville, Utah.
Subject Property Address:	4768 S. Redwood Rd.
Applicant:	Elias Canas
Applicant Agent:	na
Author:	Terryne Bergeson, Planner I
Parcel #:	21101270250000
Applicable Ordinances:	Including, but not limited to Chapter 13.05
Agenda Item #:	3

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 Narrative
Exhibit G: Site Drawings
Exhibit H: Assessor Building Sketch
Exhibit I: Land Use Table Comparison
Exhibit J: Definitions

Summary

The property located at 4768 S Redwood Rd is a deep commercial lot with a small building that has been used for small retail (most recently Incredible Toy). The applicant, Elias Canas contacted the city to inquire about opening a used car dealership at this location. The property is zoned Community Commercial which prohibits this type of use. The applicant (potential tenant) has applied for a zoning map amendment with the permission of the property owner to request the property zoning designation be changed from Community Commercial to Boulevard Commercial, which would allow the operation of a used car dealership with the approval of a nonadministrative conditional use permit and business license.

Site Description

The subject property is a single parcel fronting Redwood Road and contains approximately 25,700 square feet. An existing 1,800 square foot building with an attached rear garage fronts on Redwood Road, 30 feet from the property line. The back half of the parcel is undeveloped and is an open lot screened by fencing. The front half of the lot is paved and striped, used in the past as parking for the retail use. Required improvements would be determined during a site plan review process.

North	South	East	West
Community Commercial (CC)- Abutting portions of Taylorsville Town Center	Boulevard Commercial (BC)- Adjacent to XX	Community Commercial (CC)- Abutting portions of Taylorsville Town Center	Open Space (OS)- Across Redwood Road from Taylorsville Park

Analysis

Zoning Code and Map

In 2002 the properties fronting on Redwood Road from 4700 South to 5000 South were zoned C-2 on the Taylorsville Zoning Map. The Land Development Code update in 2012 lead to the creation of new zoning districts and zoning map. Properties along this segment of Redwood Road were rezoned to Community Commercial, Boulevard Commercial and Mixed Use. The Land Development Code defines the districts relevant to this application as:

Current zone: **Community Commercial District (CC):** *This district is established to allow for retail businesses and related uses to be grouped together into well planned and designed planned commercial centers.*

Requested zone: **Boulevard Commercial District (BC):** *This district is established to provide guidelines for the development of properties fronting on Redwood Road between 4100 South and 5000 South. Regulations are intended to allow a selective variety of uses within planned commercial centers in a manner that will contribute to efficient traffic flow and architectural elements compatible with adjoining residential neighborhoods.*

The subject property is adjacent to a Boulevard Commercial (BC) zone and meets the location criteria in the definition. The BC district allows more intense retail/ service uses than in the Community Commercial (CC) zone, some of which are elevated to require nonadministrative conditional use review. An amendment to the zoning map for this property would allow for uses with potentially greater impact to operate at this location. Most require the approval of a conditional use permit (changes shown below, Exhibit I compares the entire Table of Uses for both designations).

Land Use Category	BC Boulevard Commercial	CC Community Commercial
Hotel alcohol license	PLC ⁷	N
Package agency license	AC/NC ⁷	P/AC ⁷
Auto, light trucks, RV, all-terrain vehicle dealerships (used) - sales and service agencies	NC	N
Automotive service and repair, major	NC	AC
Commercial, parking garage	P	P/AC
Crematory, embalming facility	NC	N
Glazing contractor	NC ^{1,10}	N
Hotel	AC	AC/NC
Office call center	AC	NC
Zoological gardens	P/N	N

Definitions for the uses above are included in the exhibits. Any application that requires a conditional use permit must be approved by the reviewing body if it complies with applicable standards in the Land Development Code and if conditions can be imposed to mitigate potential negative impacts of a use on the surrounding area. The nonadministrative conditional use review provides an opportunity for the Planning Commission to identify potential negative impacts on the surrounding area, particularly for parcels along Redwood Road that have high visibility on the regional corridor.

Section 13.05.030 states that the Planning Commission shall review the request and forward a recommendation to the City Council. Final approval of the request and amendment to the zoning map is subject to the discretion of the Taylorsville City Council.

General Plan Analysis

The applicant's request does not affect the General Plan designation. The subject property is currently designated as "Community Commercial" on the Proposed Land Use Map. The following statement describes the intent of the Low-Density Residential designation (pg 3-3):

“The Community Commercial (CC) classification includes uses intended to serve the needs of the community at large. Automobile service, retail, office, restaurant and similar types of uses are allowed under this designation. Generally, such developments will serve an area of approximately 2 to 5 miles in radius.”

Public Comment

A public notice was sent to all affected entities and residents within 300 feet of the property on April 28, 2024. A notice was posted on the city website on August 29, 2024.

As of September 5, 2024, no comments have been received.

Findings

1. The subject property is located at 4768 S Redwood Rd.
2. The property is designated as Community Commercial on the city’s Future Land Use Map.
3. The property is in the Community Commercial district.
4. The property is owned by Thang Pham, who has provided an owner affidavit granting permission for Elias Canas to apply for a zoning map amendment.
5. The applicant has submitted a complete application to request the zone for the property be changed to Boulevard Commercial.
6. Section 13.05.030 requires that the Planning Commission hold a public hearing and make a recommendation to the City Council.
7. The City Council is the decision-making authority for a Zoning Map amendment request and may adopt or reject the amendment as it deems appropriate pursuant to Section 13.05.030 and other applicable sections of the Taylorsville City Code.

Staff Recommendation

Staff has a neutral position on the rezone request. The parcel is one of many in proximity to Taylorsville Park, senior center, and shopping and that has great visibility along Redwood Road. The City would benefit from beautification of this area, but there are no immediate plans, and the property is currently vacant. The property meets the location criteria for the Boulevard Commercial zone. If approved, the rezone is not an approval of any use, and further mitigation measures could be imposed during the review and approval of the required permits.

Potential Motions

Denial:

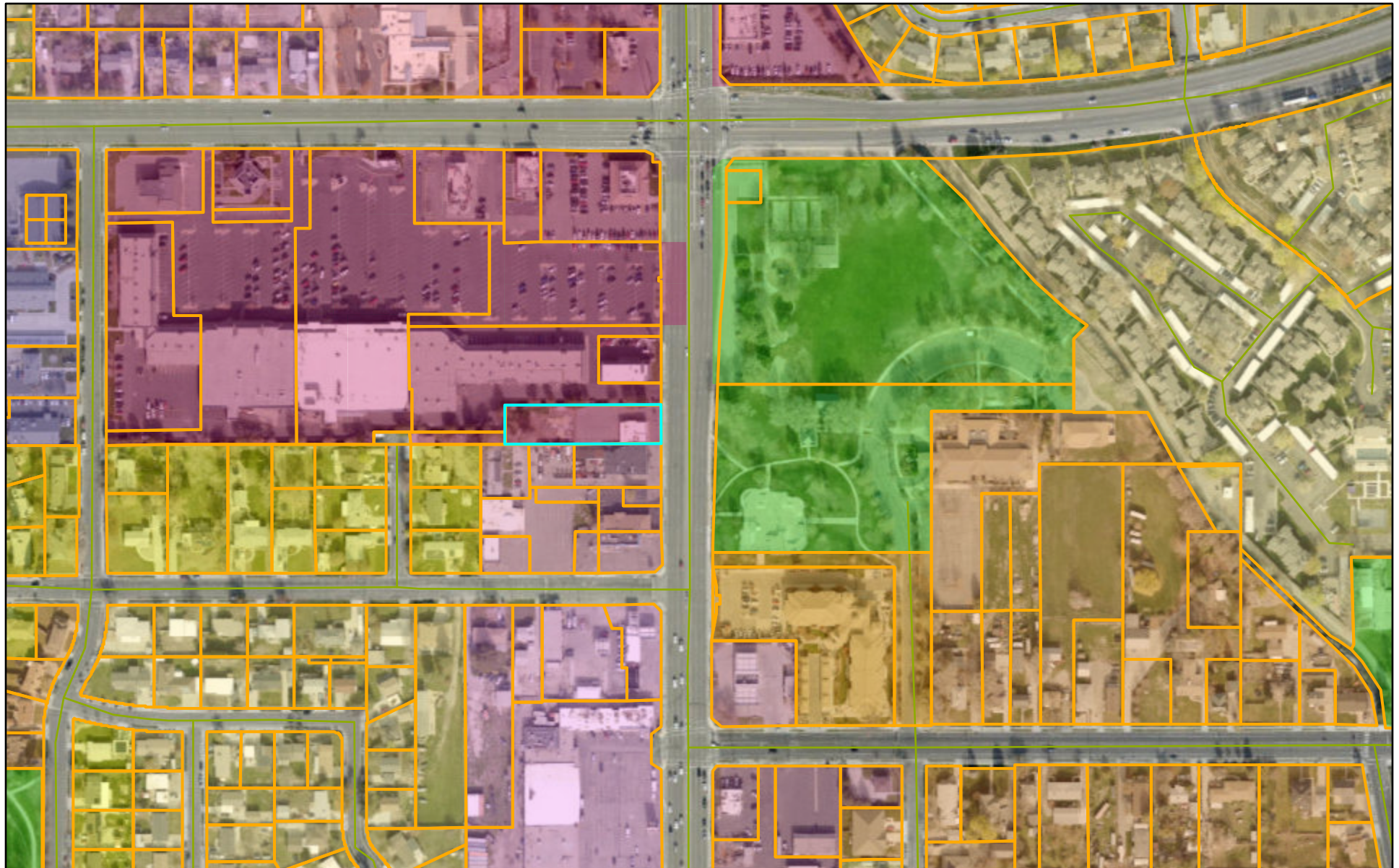
I move that we send a negative recommendation to the City Council for File #5Z24- DCA-000481-2024, a zoning map amendment for the property located at 4768 S. Redwood Rd. in Taylorsville, Utah, from Community Commercial to Boulevard Commercial, subject to the information and findings in this staff report.

Approval:

I move that we send a positive recommendation to the City Council for File #5Z24- DCA-000481-2024, a zoning map amendment for the property located at 4768 S. Redwood Rd. in

Taylorsville, Utah, from Community Commercial to Boulevard Commercial, subject to the information and findings in this staff report.

ArcGIS Web Map



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 Taylorsville Parcels

Road Labels

Zoning Districts

BC

CC

LC

MI 1

05

PO

P 1 10

D 1 8

PO

P 1 10

D 1 8

1:4,514

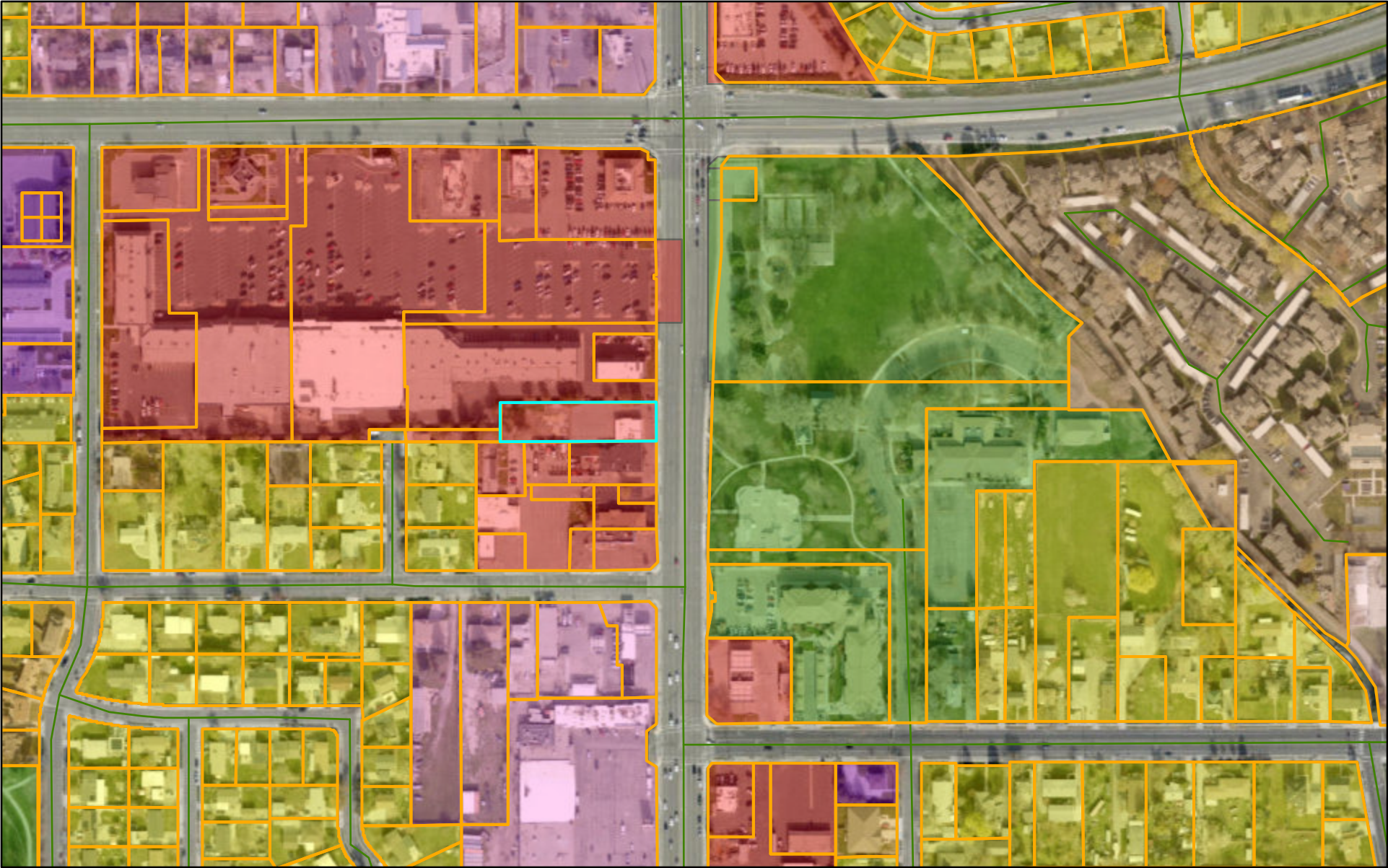
0 160 320 640 ft

0 45 90 180 m

Salt Lake County, Maxar

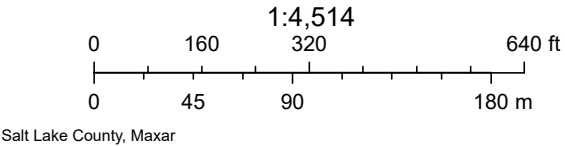
Web AppBuilder for ArcGIS

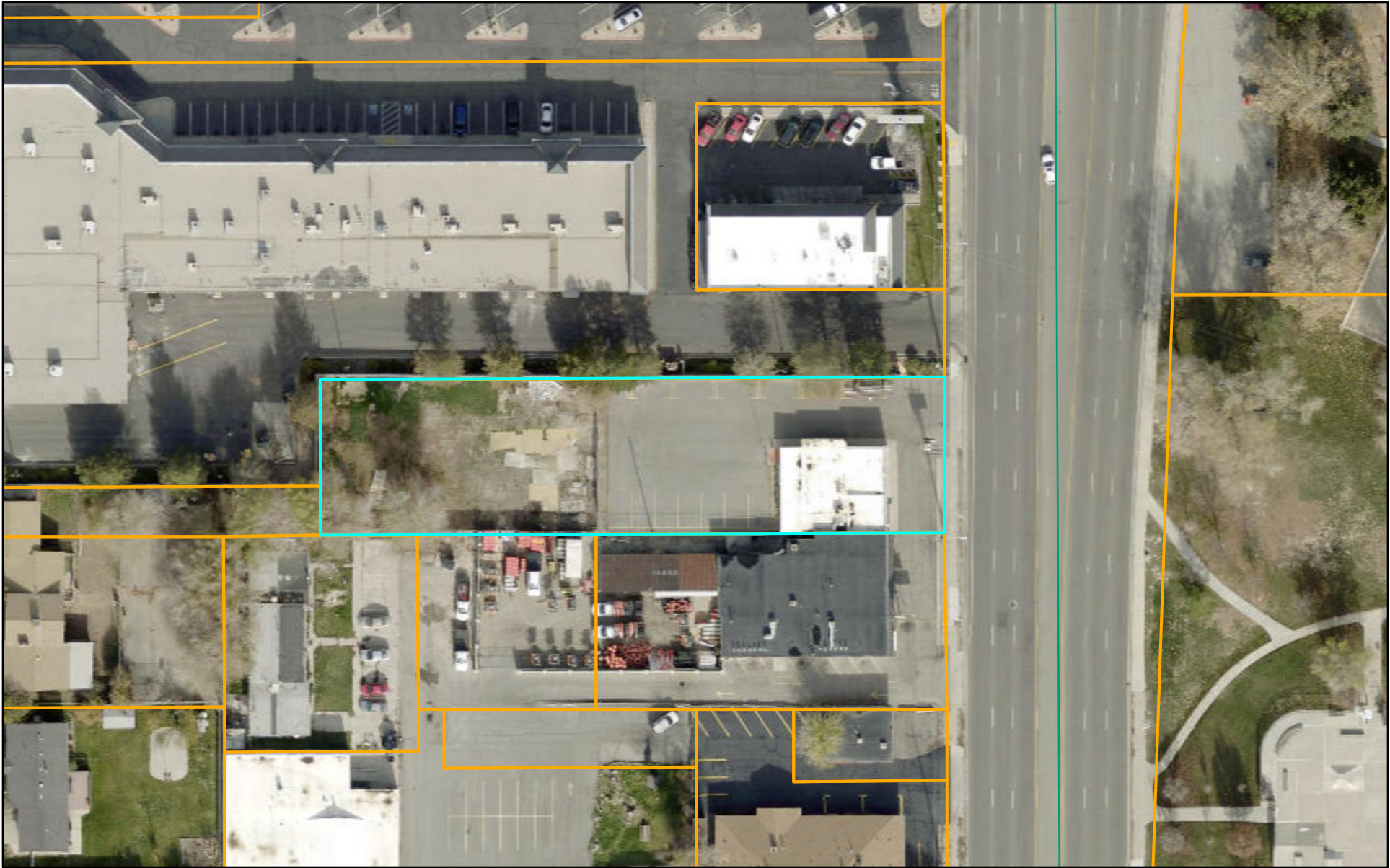
Salt Lake County, Maxar, Microsoft | Utah DEQ | AGRC, Nov 2018 |



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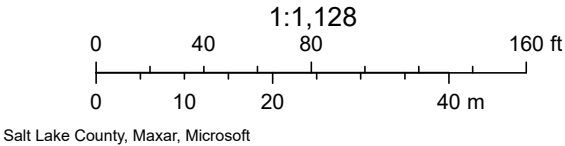
- | | | |
|---|---|--|
|  Taylorsville Parcels |  NEIGHBORHOOD COMMERCIAL |  MEDIUM DENSITY RESIDENTIAL |
|  Road Labels |  HIGH DENSITY MIXED USE |  HIGH DENSITY RESIDENTIAL |
|  General Plan Districts |  PROFESSIONAL OFFICE |  PARKS AND OPEN SPACE |
|  COMMUNITY COMMERCIAL |  LOW DENSITY RESIDENTIAL | |



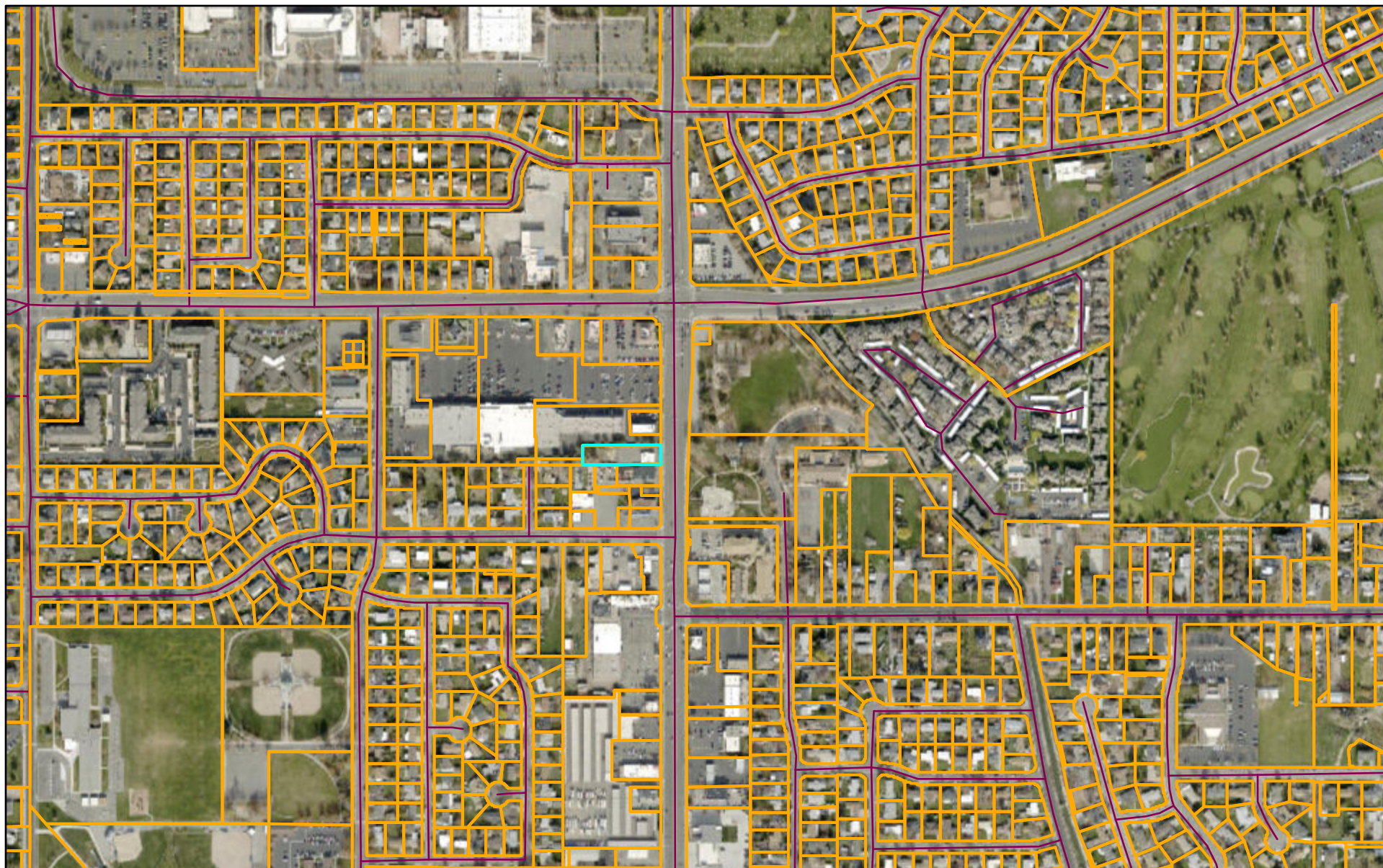


8/27/2024, 4:00:17 PM

-  Taylorsville Parcels
-  Road Labels



ArcGIS Web Map



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-  Taylorsville Parcels
-  Road Labels

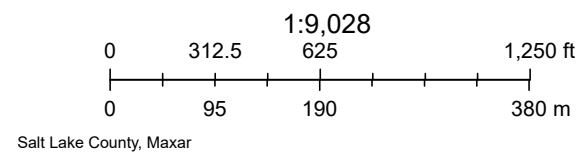


EXHIBIT E - OWNER AFFIDAVIT

Property Owner's Affidavit

I (we) _____, 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 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.

Owner's Signature

Owner's Signature (co-owner if applicable)

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

Residing in _____

My commission expires: _____

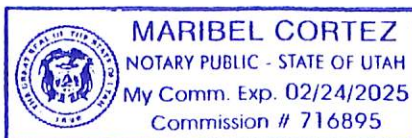
Agent Authorization

I (we), Truong Pham, the owner(s) of the real property located at 4768 S. Redwood Rd., Taylorsville, Utah, do hereby appoint Elias Coñas 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 Elias Coñas to appear on my (our) behalf before any City Board or Commission considering this application.

Owner's Signature

Owner's Signature (co-owner if applicable)

On the 15th day of August, 2024, personally appeared before me Truong Pham the signer(s) of the above Agent Authorization who duly acknowledged to me that they executed the same.



Residing in Salt Lake Notary Public

My commission expires: 2/24/2025

EXHIBIT F - APPLICANT NARRATIVE

To: City of Taylorsville
From: Spartan Auto sales

The purpose of this letter is to consult with Taylorsville representatives our intention to modify the map at the address 4768 S Redwood rd changing the zone from Community Commercial to Boulevard Commercial in order to open a new dealership business, getting this space conditioned and operative after a long time of being inactive, providing the best service to our Community and turning this place into a good looking business worth being in Taylorsville City

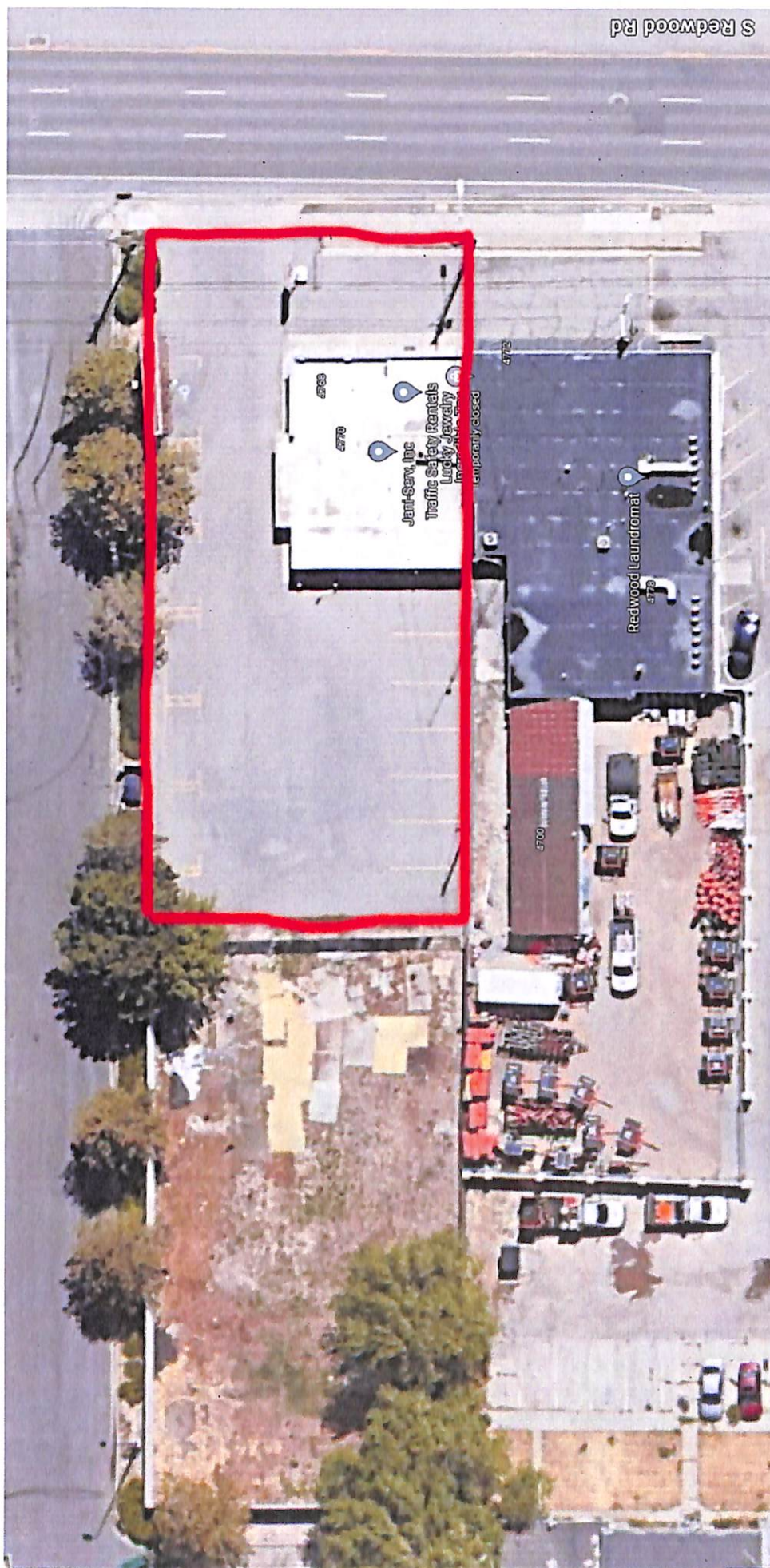
We appreciate your time.

Sincerely

Richard Canas
Elias Canas
David Canas

08/14/2024

EXHIBIT G - SITE DRAWINGS



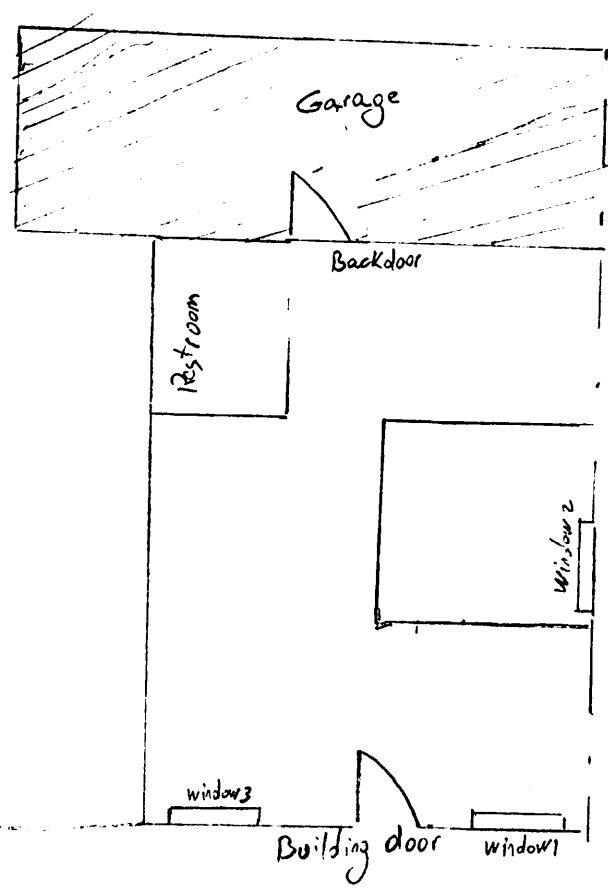
New Dealership Plan.

4768 S Redwood rd
Paysonville Utah
84123

4770 S Redwood Rd

4770 S Redwood rd

Parking Lot



sidewalk

Redwood rd

entrance

EXHIBIT H - ASSESSOR BUILDING
SKETCH

Assessor

SLCo > Assessor > Parcel Search > Parcel 21101270250000

Parcel Details

<< Back

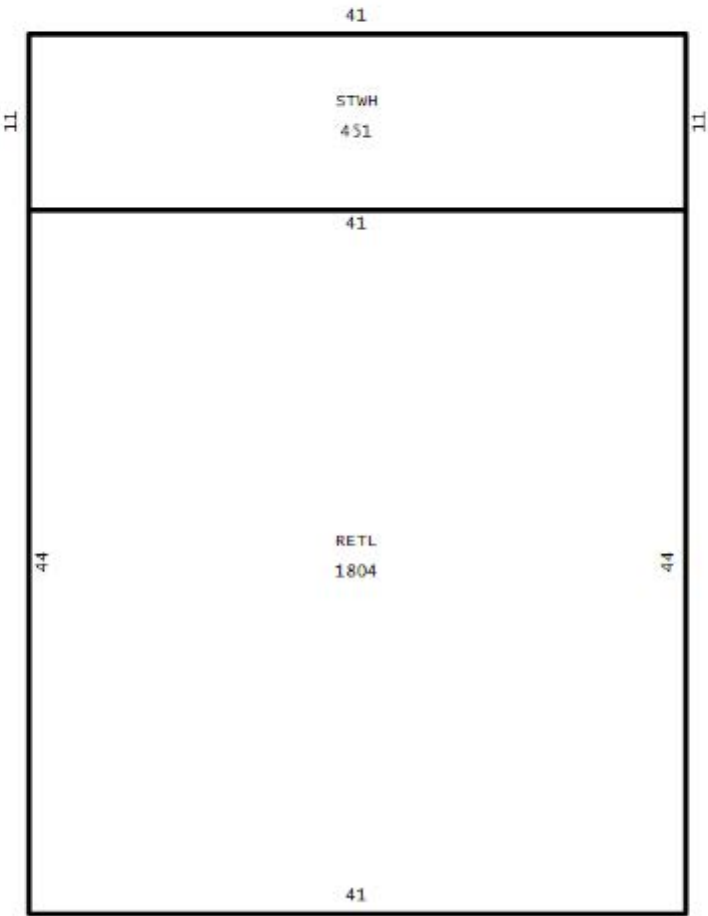


EXHIBIT I - LAND USE TABLE COMPARISON

13.08.020: PERMITTED LAND USE TABLE BY THE COMMERCIAL, OFFICE, INDUSTRIAL, MIXED USE, TRANSIT CORRIDOR, AND RESEARCH AND DEVELOPMENT DISTRICTS:

A. Table Explanation: The table below identifies permitting types within the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts:

- P = Permitted
- AC = Administrative conditional
- NC = Nonadministrative conditional
- N = Not permitted
- PLC = Permitted with local consent

For those letters which are followed by a slash “/”, the second letter shall indicate those location restrictions for uses located within two hundred fifty feet (250') of a Residential District(unless bisected by a principal arterial road as determined by the City Engineer or as identified in the transportation element of the City general plan).

For those land uses marked with a superscript number(i. e., AC¹), refer to the notes following the table for explanation.

B. Categorizing: The land uses outlined in this title are intended to categorize uses and are not intended to be exhaustive or mutually exclusive descriptions of all possible land uses.

C. Uses Not Listed: Any land use type not listed or included in the table of uses is prohibited unless the Director determines that the use is of the same character and intensity as another permitted or conditional use so listed. The Director may allow the establishment of the said use subject to a determination of the following criteria:

1. The establishment of the use will be in accordance with the purposes of the district in which that use is proposed.
2. The use will be an appropriate addition to the zone because it has the same basic characteristics as the other uses permitted in the district.
3. The use will not be detrimental to the public health, safety, or welfare.
4. The use shall not adversely affect the character of that district in which it is proposed to be established.
5. The use will not create more traffic, odor, dust, dirt, smoke, noise, vibration, illumination, glare, unsightliness, or any other objectionable influence than the amount normally created by any of the uses listed as uses in that district.

EXHIBIT I - LAND USE TABLE COMPARISON

D. Uses Not Similar: Where a use not listed is found by the Director to not be similar to any other permitted or conditional use, the use shall be permitted only following a text amendment to this title.

E. Table Of Uses: The table below classifies land uses, zoning districts and permitting types within the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts:

Land Use Category	BC Boulevard Commercial	CC Community Commercial
Accessory dwelling unit (ADU), internal	N	N
Accessory structure (unless otherwise specified)	N	N
Agriculture	N	N
Alcoholic beverage:		
Bar establishment license	NC/N7	NC/N7
Hotel alcohol license	PLC7	N
Off premises beer retailer license	PLC7	PLC7
On premises banquet and catering license	PLC7	PLC7
On premises beer retailer/tavern license	NC/N7	NC/N7
Package agency license	AC/NC7	P/AC7
Reception center license	PLC7	PLC7
Restaurant - beer only	PLC7	PLC7
Restaurant - full service	P/AC7	P/AC7
Restaurant - limited service	PLC7	PLC7
Single event permit	PLC7	PLC7
Special use permit	PLC7	PLC7
State liquor store	P7	P7
Temporary beer event permit	PLC7	PLC7
Ancillary commercial	P	P
Animal hospital, veterinary office	P	P
Animal kennel, commercial	AC/NC	AC/NC
Animals (farm)	N	N
Aquarium	P	P
Arcade	P/AC	P/AC
Art gallery	P	P

EXHIBIT I - LAND USE TABLE COMPARISON

Athletic, tennis, health club	P	P
Assisted living facility - large capacity (must comply with development standards for that zone, i.e., setback, height, bulk, minimum/maximum square footage)	N	N
Assisted living facility - limited capacity (must comply with development standards for that zone, i.e., setback, height, bulk, minimum/maximum square footage)	N	N
Auto, light trucks, RV, all-terrain vehicle dealerships (new) - sales and service agencies	NC	NC
Auto, light trucks, RV, all-terrain vehicle dealerships (used) - sales and service agencies	NC	N
Auto, truck, RV, equipment storage	N	N
Automobile rental facility	AC	AC
Automotive self-service station	P/AC	P/AC
Automotive service and repair, major	NC	AC
Automotive service and repair, minor	AC	AC
Automotive service station	AC/NC	AC/NC
Automotive service station, nonmechanical	AC	AC
Bed and breakfast facility	N	N
Boarding house	N	N
Botanical gardens	P	P
Business or financial services	P	P
Car wash	AC/NC	AC/NC
Cemetery, columbarium, mausoleum	N	N
Commercial, heavy	N	N
Commercial, parking garage	P	P/AC
Commercial repair services	P	P
Commercial retail sales and services	P	P
Community correctional facility	N	N
Conference, exposition, and convention facilities	NC	NC

EXHIBIT I - LAND USE TABLE COMPARISON

Congregate care facility	N	N
Correctional facility	N	N
Cosmetic services	P	P
Crematory, embalming facility	NC	N
Dance hall	NC/N	NC/N
Daycare, adult	P	P
Daycare, elderly	P	P
Daycare, group	P/AC	P/AC
Drive-through, accessory	P2	P2
Dwelling, duplex	N	N
Dwelling, multiple-unit	N	N
Dwelling, single-family	N	N
Earth station	NC10,12	NC10,12
Educational facility with housing	N	N
Equestrian facilities	N	N
Equipment sales and services	P	P
Flea market	NC	NC
Food trucks	P	P
Fraternity or sorority house	N	N
Garage sales (residential)	N	N
Glazing contractor	NC1,10	N
Half pipe ramps	N	N
Healthcare facility	P	AC
Home occupation	N	N
Homeless shelter	N	N
Hospital	NC	NC
Hotel	AC	AC/NC
Industry, heavy	N	N
Industry, light	N	N
Industry, medium	N	N
Jail	N	N
Juvenile detention or security facility	N	N
Library	P	P
Manufactured homes	N	N
Massage therapy (soft tissue and physical therapy)	P	P

EXHIBIT I - LAND USE TABLE COMPARISON

Medical and healthcare offices	P	P
Mixed use structure	NC14	NC14
Mobile home park	N	N
Mobile homes	N	N
Mortuary, funeral home	P	P
Motel	AC	AC
Nondepository institutions	NC	NC
Nursing home, convalescent home, and rest home (must comply with development standards for that zone, i.e., setback, height, bulk, minimum/maximum square footage)	N	N
Office call center	AC	NC
Office professional	P	P
Park and ride facilities	AC	AC
Parking, structure/terrace	P/AC	AC/NC
Parking, underground	P	P
Parks, public and private	P	P
Pawnshop	N	N
Permanent makeup	P	P
Plant nursery	P/AC	P/AC
Prison	N	N
Protective housing facility	N	N
Public service	P	P
Public utility station	NC	NC
Reception center	NC	NC
Recreation center	P/AC	P/AC
Recreation, indoor	P	P
Recreation, outdoor	N	N
Recreational vehicle park	N	N
Recycling materials collection/drop off facility	AC	AC
Rehabilitation/treatment facility	NC	NC
Reiki	NC	NC
Religious or cultural activity	AC	AC
Research and development facility	N	N

EXHIBIT I - LAND USE TABLE COMPARISON

Residential facility for elderly persons (must comply with development standards for that zone, i.e., setback, height, bulk, minimum/maximum square footage)	AC/NC	AC/NC
Residential facility for persons with a disability (must comply with development standards for that zone, i.e., setback, height, bulk, minimum/maximum square footage)	AC/NC	AC/NC
Residential healthcare facility, residential care facility	NC	NC
Restaurant	P	P
School, charter	N	N
School, commercial	P	P
School, commercial (low impact)	P	P
School, private or quasi-public	N	N
School, public	N	N
Secondhand goods store	NC	NC
Sexually oriented business (escort agencies, outcall service agencies and seminude dancing agencies)	N	N
Social center	P	P
Social detoxification facility	N	N
Solar equipment	P12	P12
Tattoo parlor	N	N
Theater	P/AC	P/AC
Tobacco specialty business	NC7	NC7
Transitional care development	N	N
Twin home	N	N
Warehouse	N	N
Wind conversion	P6,12	P6,12
Wireless telecommunications facility	P6,12	P6,12
Zoological gardens	P/N	N

Notes:

EXHIBIT I - LAND USE TABLE COMPARISON

1. The use is not permitted if any part of the proposed/existing building containing the use is within 100 feet of a dwelling or probable location of a dwelling on existing residentially zoned property.
2. Drive-through facilities shall comply with the standards in Section 13.23.170.
3. Reserved.
4. This use is not permitted if any part of the proposed/existing building containing the use is within 1,000 feet of any school, public park, library, or religious or cultural activity; within 500 feet of any other sexually oriented business, escort agency, outcall service agency, or seminude dancing agency; within 600 feet of an agricultural or residential use or residential zoning boundary, beginning at the property line of such use.
5. Facility storage may not be used to conduct commercial business on site. A ministorage facility may include a caretaker's residence and areas for the outdoor storage of recreational vehicles (RVs) within a ministorage building project according to the following restrictions and standards:
 - a. Outdoor storage areas are for recreational vehicle storage only, e.g., boats, campers, trailers, jet skis, snowmobiles, automobiles.
 - b. Outdoor vehicle storage areas shall be located only at the rear of the project where vehicles will not be visible from any public streets.
 - c. Outdoor vehicle storage areas shall be designed so as not to block any driveways, accessways, or parking aisles within the project.
 - d. Outdoor vehicle storage areas must be surrounded by a 6 foot high masonry wall on the exterior boundaries of the ministorage project.
6. May require staff or Planning Commission review and approval. (See wireless telecommunication facilities section of this Code.)
7. This use is not permitted if it does not meet the required distances from public or private schools, churches, public libraries, public playgrounds, or public parks as set forth in section 13.23.160 of this title. This land use must meet the provisions as outlined in the Utah Alcoholic Beverage Control Act and the provisions as set forth in section 13.23.160.
8. Reserved.
9. The use is permitted only on properties comprising at least 4 contiguous acres and having access off a collector or arterial roadway. The use is not permitted if any part of the proposed/existing building is within 75 feet of any residential zoning boundary.
10. The use is not permitted if any opening (door, window, etc.) of the proposed/existing building containing the use is within 100 feet of a dwelling or probable location of a dwelling on existing residentially zoned property.
11. The use is permitted when constructed in conjunction with an approved master plan by the Planning and Zoning Commission. Master plan shall identify permitted

EXHIBIT I - LAND USE TABLE COMPARISON

residential densities and establish strategies to assure harmonious integration into the surrounding community.

12. Subject to the standards in Chapter 13.11: Special Use Standards.

13. Permitted in Historic Resources Overlay Zone.

14. Commercial land uses in a mixed-use structure shall only be allowed as permitted otherwise in the zone. Residential density shall be permitted as determined by the Planning Commission in the non-administrative conditional use process.

(Ord. 18-26, 10-17-2018; amd. Ord. 20-15, 7-1-2020; Ord. 21-10, 5-19-2021; Ord. 21-13, 9-15-2021; Ord. 23-02, 2-15-2023)

Exhibit J – Definitions of Uses Subject to Change w/ Rezone

From [Chapter 13.36 Definitions](#)

Hotel Alcohol License: A license that allows a hotel to have three (3) or more "sublicenses" within its premises boundaries.

Package Agency License: A license to operate a liquor store that offers a modest selection of products. They may be located in hotels, in a winery, distillery, or brewery, or in other limited situations as permitted by the State. These businesses operate on a contract basis with the Department of Alcoholic Beverage Control.

AUTO, TRUCK, RECREATIONAL VEHICLE, AND EQUIPMENT SALES OR RENTAL: Sales or rental of both new and used motor vehicles and equipment from indoor or outdoor areas, but not to include nonserviceable or junk vehicles or equipment.

AUTOMOTIVE SERVICE AND REPAIR, MAJOR: An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment, including paint, body and fender, and major engine and engine parts provided it is conducted within a completely enclosed building.

COMMERCIAL PARKING GARAGE: A building, other than a private garage, used for the temporary parking of vehicles with or without a fee.

CREMATORY, EMBALMING FACILITY: Building(s) used for the cremation and/or embalming of the dead but not including facilities for burial, interment, body viewing, or funeral services

GLAZING CONTRACTOR: An establishment primarily engaged in installing glass panes in prepared openings (i.e., glazing work) and other glasswork for buildings and produces a minimum of noise, vibration, or other potentially disturbing effects.

HOTEL: An establishment providing, for a fee, sleeping accommodations and customary lodging services including maid service, the furnishing and upkeep of furniture and bed linens, telephone and desk service. Related ancillary uses may include, but not be limited to, conference and meeting rooms, restaurants, lounge, retail, and recreational facilities.

OFFICE CALL CENTER: A concentrated and centralized office space used for receiving or transmitting a large volume of inbound and/or outbound telephone calls.

ZOOLOGICAL GARDENS: An area, building, or structure(s) which contain wild animals on exhibition for viewing by the public.