



**SOUTH  
SALT LAKE**  
CITY COUNCIL STAFF REPORT

MEETING DATE:	January 25, 2023
PROJECT NUMBER:	Z-19-002
REQUEST(S):	A petition to amend the zoning map for four parcels from Residential Multiple (RM) to Commercial Corridor (CC).
ADDRESS:	130 E, 140 E, 148 E Winslow Avenue and 3549-3555 South 200 East
PROPERTY OWNER:	Katmark Partners, LLC
APPLICANT:	Katmark Partners, LLC

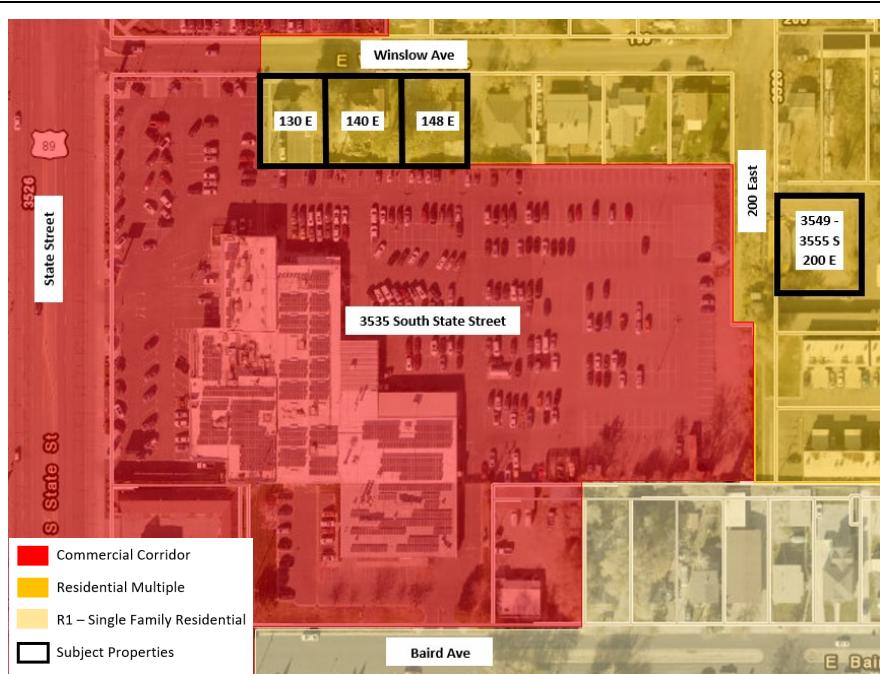
#### SYNOPSIS:

Katmark Partners, LLC is petitioning to amend the zoning map for four parcels from Residential Multiple (RM) to Commercial Corridor (CC). These properties are located at 130 E, 140 E, 148 E Winslow Avenue and 3549-3555 South 200 East (see figure). The applicant is also requesting the City Council approve the proposed vacation, which is a separate application.

The subject properties along Winslow Avenue have single-family homes. Two of these will be demolished to expand their dealership parking lot and the other will be converted into a marketing office for the dealership. The subject property at 3549-3555 S 200 E has been vacant land since late 2019.

The first two steps of the proposed project is this petition to vacate the public right of way and change the zoning of some of their parcels along Winslow. The right of way vacation is part of a separate staff report. If the petition to vacate is granted and the zone change is approved, Katmark Partners, LLC would move to step three and submit a subdivision application to consolidate all subject parcels via subdivision plat.

The Planning Commission is the recommending body for all zoning map amendments and the City Council is the final land use authority.



EXISTING ZONING	EXISTING USE	SURROUNDING LAND USE DISTRICTS	PROPOSED USES
Residential Multiple	Vacant / Single Family Homes / Office	North: Residential Multiple South: Commercial Corridor East: Residential Multiple West: Commercial Corridor	Auto, Light Truck, RV, Boat, Trailer Dealership – an expansion of the existing dealership

#### PLANNING COMMISSION RECOMMENDATION:

On January 19, 2023, the Planning Commission held a public hearing and reviewed the application for the proposed zone change. There was a unanimous vote to recommend a denial on to amend the zoning for the subject parcels. There were public comments made during the hearing. The main comment was about the dislike of losing single-family homes to a parking lot.

#### STAFF RECOMMENDATION:

Staff recommends the City Council approve an amendment to the zoning map for four existing parcels from Residential Multiple to Commercial Corridor. Staff's recommendation is based upon its analysis and findings included below.

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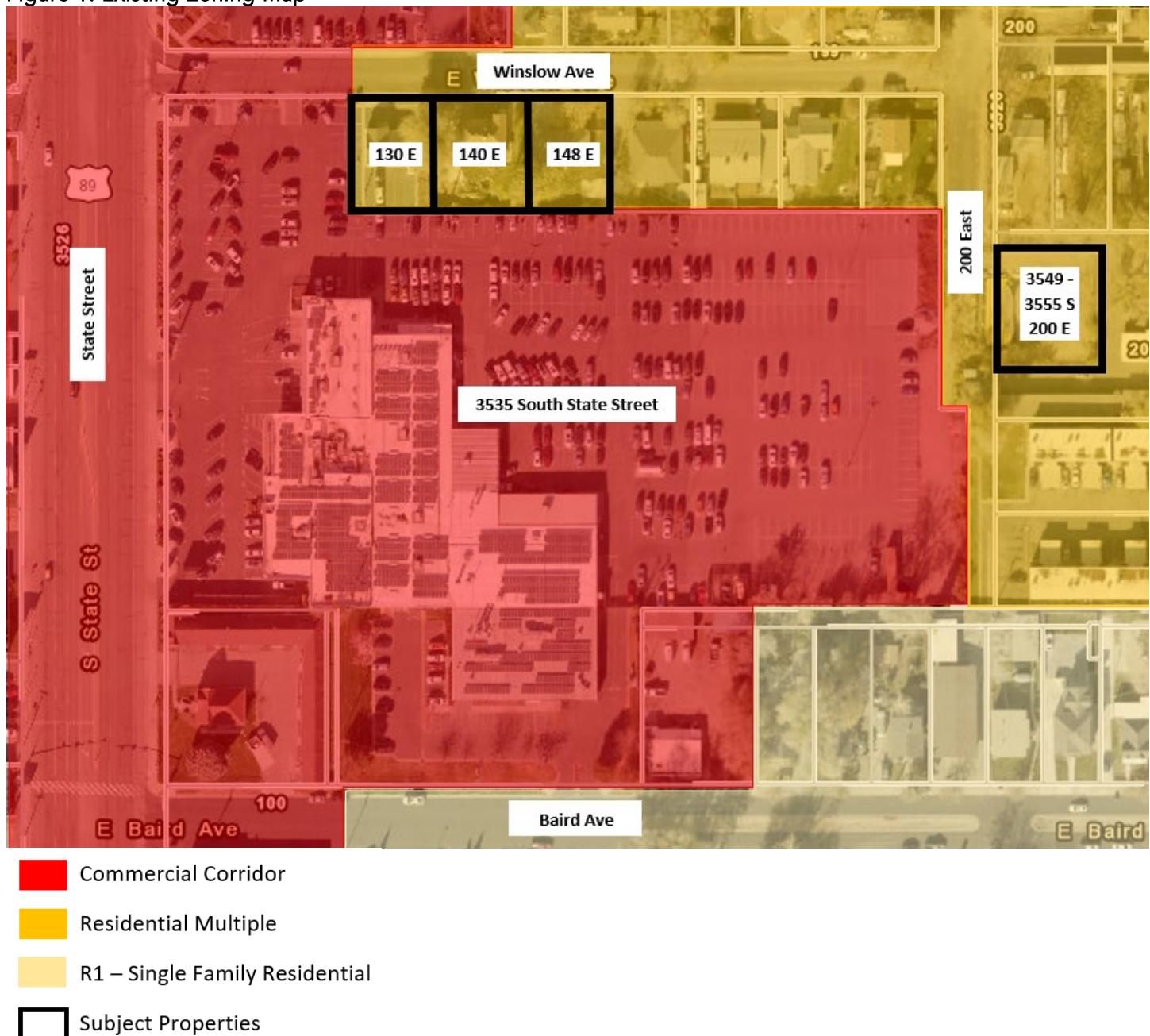
CITY COUNCIL STAFF REPORT

## **GENERAL INFORMATION:**

**Location:** 130 East Winslow Avenue  
140 East Winslow Avenue  
148 East Winslow Avenue  
3549-3555 South 200 East

**Surrounding Land Use Districts:** North: Residential Multiple  
South: Commercial Corridor  
East: Residential Multiple  
West: Commercial Corridor

**Figure 1: Existing Zoning Map**



**Figure 2: Proposed Zoning Map Changes**

The proposed change is from Residential Multiple (RM) to Commercial Corridor (CC). The proposed automotive dealership expansion requires the parcels to be consolidated to one parcel. Each parcel must have the one common zoning designation. The Commercial Corridor land use district allows Automotive Dealerships as a conditional use.

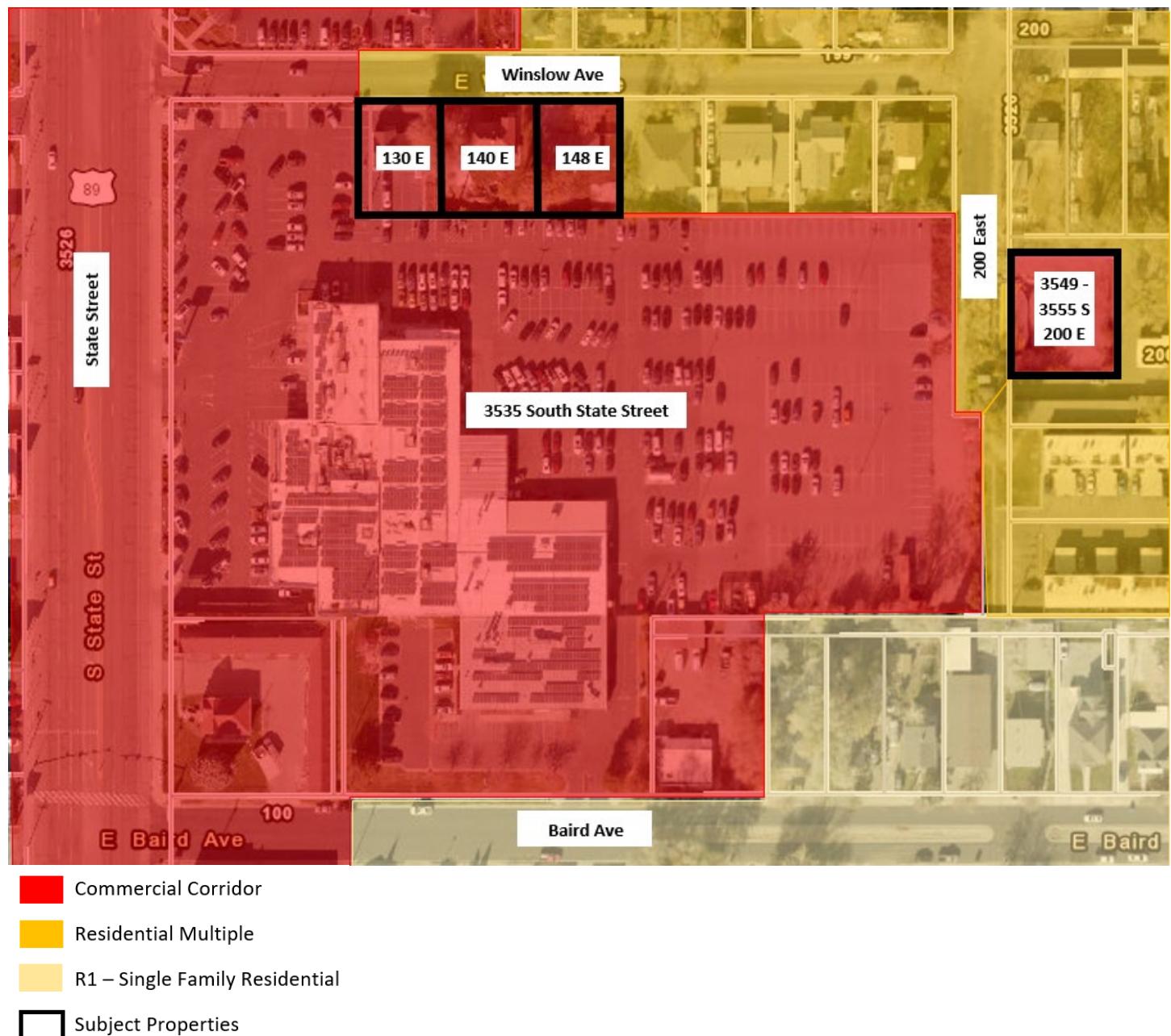
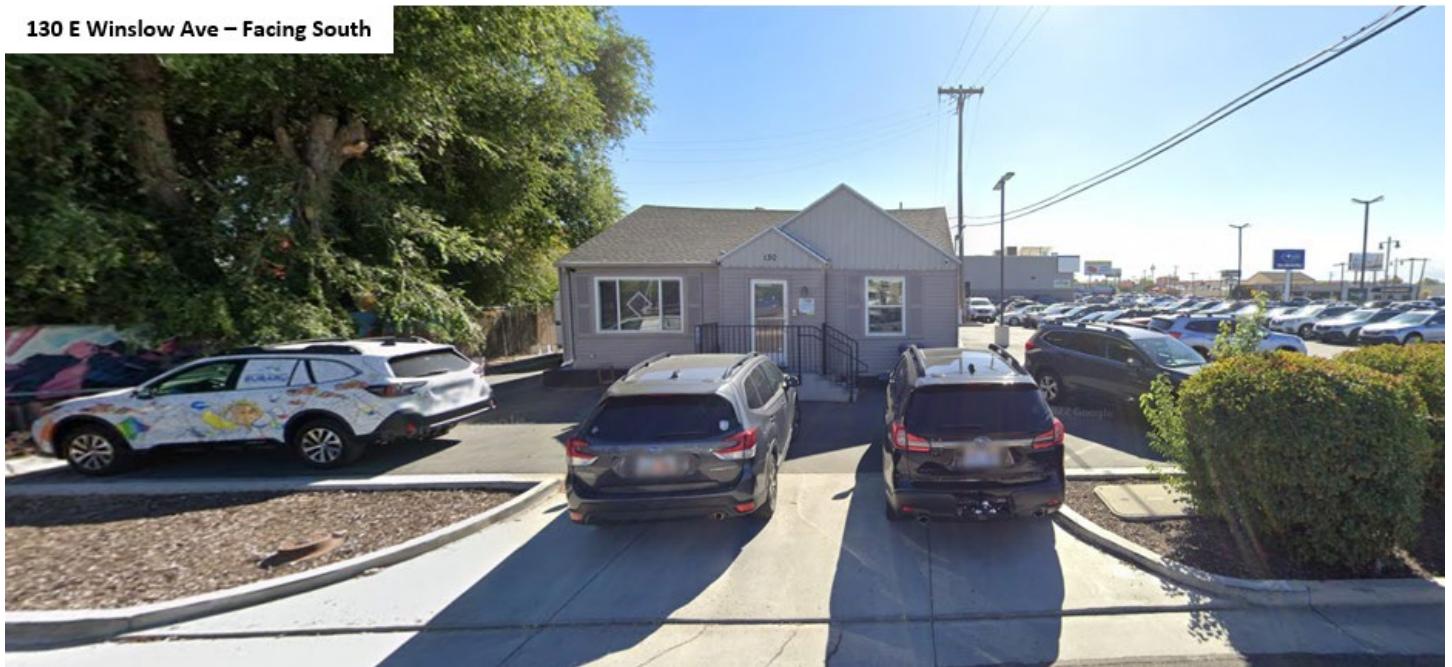


Figure 3: Existing Site Conditions

**130 E Winslow Ave – Facing South**



**140 E Winslow Ave – Facing South**



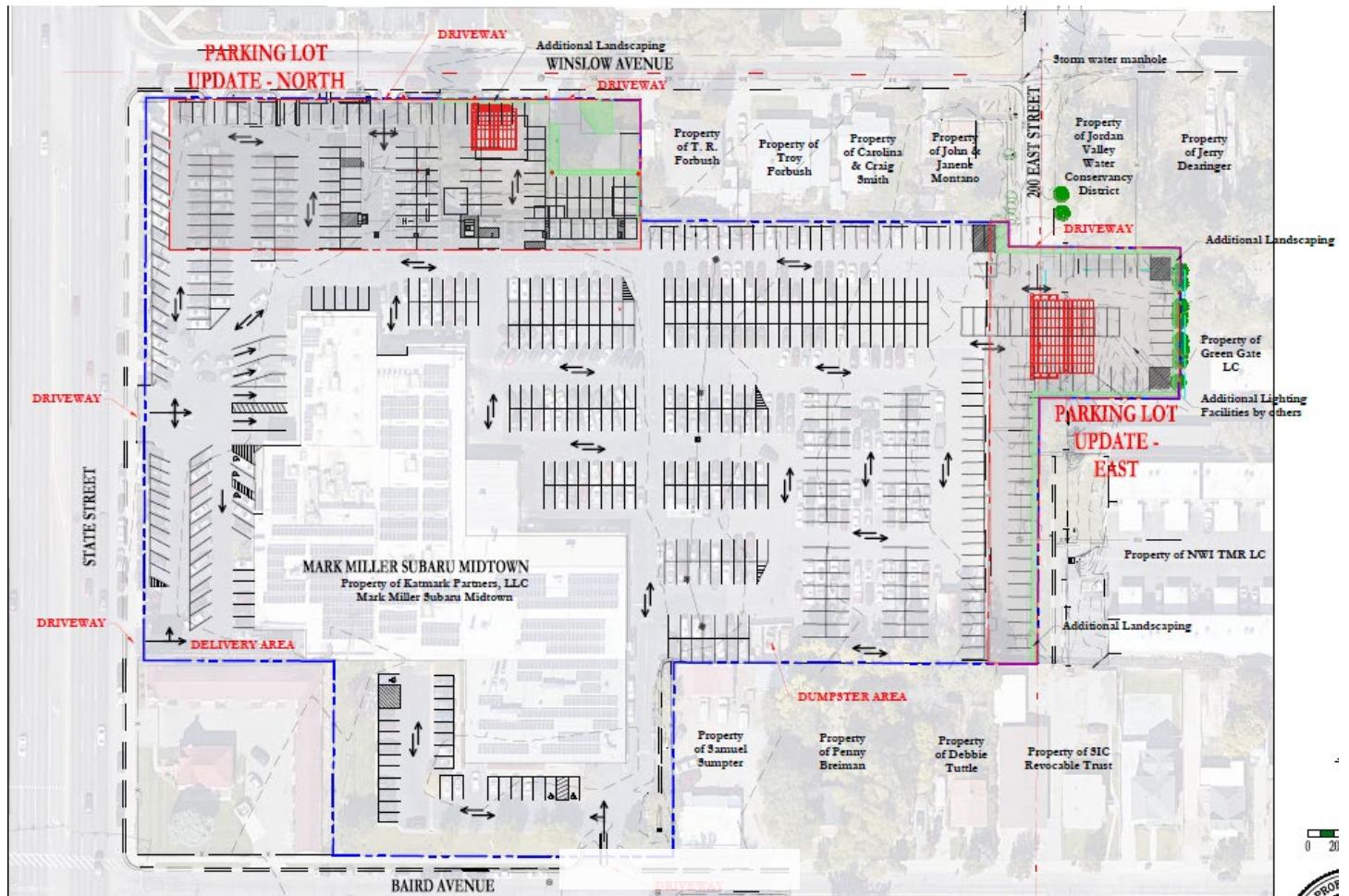
**148 E Winslow Ave – Facing South**



**3549-3555 S 200 E – Facing South**



Figure 4: Preliminary Site Plan



\*SITE PLAN IS CONCEPTUAL – SUBJECT TO TECHNICAL REVIEW

#### PLANNING COMMISSION AUTHORITY:

##### 17.11.010. Establishment and Duties of Planning Commission.

- K. Responsibilities.
  - A. The Planning Commission makes recommendations to the City Council for:
    - a. The general plan and amendments to the general plan;
    - b. The Land Use Map, and amendments to the Land Use Map;
    - c. Amendments to land use ordinances;
    - d. Proposed Application processes and the delegation of power under the land use ordinance.

#### CITY COUNCIL AUTHORITY:

##### 2.08.60. Powers and Duties

- C. The City Council shall have the power to pass resolutions and ordinance concerning matters such as:
  - 5. Zoning and building regulations.

#### GENERAL PLAN CONSIDERATIONS:

**Land Use & Neighborhood Strategy 8:** Appropriately seek the redevelopment of legal non-conforming uses, properties, and structures to be more conforming over the long term.

**Analysis:** This proposed zone change would make 130 E Winslow Avenue no longer a non-conforming use. This single family home has been converted and is currently being used as an office and has been for many years. The office use is not permitted in the Residential Multiple land use district.

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

**Analysis:** One of the actions for this strategy is "encourage incremental development where appropriate to avoid vacant and underutilized parcels". Currently one of the four parcels is vacant land due to the building being demolished in 2019. Two of the properties currently are vacant single-family homes that are not currently being utilized. This proposed zone change would utilize these properties and they would no longer be vacant.

**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 in 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 there space and are need more room on their lot to store cars, which is why they are petitioning for this zone change. If they do not have room to grow, they may need to leave the City for a bigger space.

**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:** Mark Miller Subaru is petitioning the City Council for a rezone on the four properties in order to expand their business. The Economic Development Vision Statement calls out encouraging and supporting businesses to expand and thrive in the community. If the rezone is not approved, the dealership will not be able to expand and there is a chance they would need to move out of the community. If the rezone is not approved, they also will not be able to thrive to their full potential.

#### **STAFF RECOMMENDATION:**

Staff recommends the City Council approve an amendment to the zoning map for four existing parcels from Residential Multiple to Commercial Corridor, with the following findings of fact and conditions:

Findings of Fact:

1. The subject properties, located at 130 E, 140 E, 148 E Winslow Avenue, and 3549-3555 South 200 East, consist of four separate lots.
2. All four lots are located in the Residential Multiple (RM) land use district.
3. The proposed zone change will change the land use designation of all four lots to the Commercial Corridor land use district.
4. The neighboring automotive dealership is proposing to expand their operations onto these four lots.
5. The Auto, Light Truck, RV, Boat, Trailer Dealership use is a conditional use in the Commercial Corridor.
6. The subject property located at 3549-3555 S 200 E has been vacant since 2019.
7. Two properties along Winslow Avenue, 140 E and 148 E, are vacant single family homes.
8. The property located at 130 E Winslow Avenue is currently being used the applicant as an office.
9. The office use in the Residential land use district is not permitted.

Conditioned upon the following:

1. If approved, the petition for the zoning map amendment will not take effect until such time that the South Salt Lake Planning Commission grants the final plat approval of the subdivision plat, and said plat is recorded with the office of the Salt Lake County Recorder.
2. If approved and the applicant fails to record a final subdivision plat within 180 days of final subdivision plat approval, the zoning map amendment petition approval is void.

#### **CITY COUNCIL OPTIONS:**

### **Option 1: Approval**

Move to approve of the application by Katmark Partners, LLC to amend the zoning map for four existing parcels from Residential Multiple to Commercial Corridor located at 130 E, 140 E, 148 E Winslow Avenue, and 3549-3555 South 200 East, based on the analysis and findings set forth in the staff report, with the following conditions:

1. If approved, the petition for the zoning map amendment will not take effect until such time that the South Salt Lake Planning Commission grants the final plat approval of the subdivision plat, and said plat is recorded with the office of the Salt Lake County Recorder.
2. If approved and the applicant fails to record a final subdivision plat within 180 days of final subdivision plat approval, the zoning map amendment petition approval is void.

### **Option 2: Denial**

Move to deny the application by Katmark Partners, LLC to amend the zoning map for four existing parcels from Residential Multiple to Commercial Corridor located at 130 E, 140 E, 148 E Winslow Avenue and 3549-3555 South 200 East, based on the findings discussed on the record.

### **Option 3: Continuance**

Move to table the decision on the application by Katmark Partners, LLC to amend the zoning map for four existing parcels from Residential Multiple to Commercial Corridor located at 130 E, 140 E, 148 E Winslow Avenue and 3549-3555 South 200 East, to a date certain to allow the Applicant and Staff time to respond to specific inquires or concerns raised by the City Council, or to allow the City Council more time to consider the proposal.