

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

June 13, 2012

The meeting was called to order at 4:01 p.m. by Chairman Brent Fuller at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Brent Fuller, Terri Mills, Phil Conder, Joe Garcia, Barbara Thomas, and Imaan Bilic

ABSENT

Harold Woodruff and Jack Matheson

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Jody Knapp, and Nichole Camac

AUDIENCE

Approximately five (5) people were in the audience

ZONE CHANGE APPLICATIONS

Z-3-2012

Russell Platt

1559 and 1605 West 3860 South

C-2, C-3, M and R-1-8 to RM

6.5 acres

Russell Platt has requested a zone change on three parcels totaling 6.5 acres at 1559 and 1605 West 3860 South from C-2 (general commercial), C-3 (transitional commercial), M (manufacturing) and R-1-8 (single family residential, minimum lot size 8,000 square feet) to RM (residential, multi-family). Surrounding zones include R-1-8 and C-2 to the south; C-2 to the west; R-1-8 to the east and C-2, M, and RM to the north. Surrounding uses include Stock Components (a truss manufacturer) and the Gates at Kingspointe condo/townhome development to the north; single family homes to the east; a church, senior apartments and car sales businesses to the south and two other car sales businesses to the west. The applicant has also submitted a conditional use permit to develop a commercial building on the west 0.73 acres of the western subject parcel.

Most of the subject property is designated as mixed use in the General Plan. At this location mixed use is defined as commercial and medium density residential, which anticipates 7 to 12 units/acre. The eastern 125' or so of the eastern most parcel is designated as low density residential (3 to 4 units/acre) in the General Plan. The General Plan also indicates the need for a neighborhood park, which typically range from 0.5 to 5 acres in size, in the area.

UTA operates two bus routes (217 and 218) along this portion of Redwood Road with service to Sandy on the south and downtown Salt Lake City on the north.

Development Proposal

The applicant has submitted a concept plan, which is attached, that shows four land uses – a new commercial building along Redwood Road, townhomes east of the commercial, an existing warehouse building built in 1978 on a separate 1 acre parcel and a City park. The proposed commercial building is on property already zoned C-2 and the warehouse building is on property already zoned M. Both of these uses are shown for context. This rezone application deals with the proposed townhome areas and the proposed City park property.

For the townhomes, there are 78 units proposed with a combination of 2 story, 3 bedroom units and 3 story, 4 bedroom units. The proposed 3 bedroom units are 1,400 square feet and the 4 bedroom units are 1,750 square feet. Each unit has a two car garage. The garages are accessed from the rear allowing the front of the townhome units to face a common green space. Renderings of the proposed townhome buildings are attached.

The proposed City park shown on the east end of the subject property was included at the request of City staff. The proposed park location is supported by the Parks Department. If the Planning Commission recommends approval of this application, staff suggestions that, for consideration of the park property dedication, the City allow the townhome density calculation to be based on the overall acreage including the park property. In other words, the density of the townhome development would be about 14 units/acre without the park property and 12 units/acre with the park property.

Issues

The owner of the subject property also owns the 1 acre parcel with the warehouse building. Placing townhomes on two sides of this warehouse building is a bit awkward; however, staff believes that with appropriate setbacks, fencing and landscaping, the impact of the warehouse use on the residential can be minimized. Ideally, the warehouse would be replaced with more townhomes.

The Fire Department requires a second point of access to serve more than 100 multi-family residential units. The Gates at Kingspointe development to the north has 84 units, so the proposed development would trigger the need for a second point of access. The concept plan does show an emergency access to the east connecting to Grasmere Lane. If this application is approved, the details of this emergency access will be set during the subdivision review process.

Only the east half of the south 150' or so of Grasmere Lane is developed. The City's Public Works Department will require the completion of the west half of Grasmere Lane as part of this development should the rezone be approved.

Based on a site visit conducted by staff back in May, there is some clean up needed on the property. The fence along the south property line has been tagged with graffiti and the warehouse property has some junk/debris along the eastern edge of the parking lot.

Development Agreement

If the Planning Commission recommends the approval of this application, staff suggests that the approval be accompanied by a development agreement. The following development agreement standards are recommended by staff to address development quality as well as the issues raised in this report:

1. The maximum number of townhome units shall be 78.
2. All townhome buildings shall be built substantially like the elevations submitted by the applicant with the exception that all of the requirements in Chapter 7-14 Part 3 of the Zoning Ordinance (multi-family design ordinance) shall apply. This means that the townhome elevations may need to be revised as part of the subdivision approval process to meet the ordinance standards.
3. Each townhome shall have a two car garage.
4. No solid fencing shall be installed along 3860 South.
5. This project shall include at least four amenities from the list of amenities in Section 7-14-313.
6. A 6' to 8' tall masonry wall shall be installed along both the east and west sides of the warehouse building located on parcel #1534402003. The walls shall extend from the south property line north to the north edge of the parking area for the existing warehouse building. A 6' to 8' tall masonry wall shall also be installed along the northern boundary of the parking area for the warehouse.
7. The exterior of the older western portion of the warehouse building shall be updated similar to the eastern portion of the building.
8. Enhanced landscaping shall be provided along the east, west and north sides of the warehouse building to help screen the building from the proposed residential use. The details of the landscaping shall be determined during the subdivision review process.

9. Given the limited amount of parking provided, the use of the existing warehouse building on parcel #1534402003 shall be limited to warehousing.
10. The graffiti on the wall along the south property line shall be removed. In addition, the debris/junk/trash along the east portion of the warehouse property shall be removed.
11. At least 1 acre of property shall be dedicated to the City for a future neighborhood park. In exchange for this dedication, the City is allowing the following:
 - a. The dedicated park space shall count toward the minimum open space required for a PUD.
 - b. The General Plan calls for medium density residential, which allows up to 12 units/acre. The City is allowing the dedicated park space to be included in the density calculation (townhome units/total acreage). If the park space was not included in the density calculation, the density would be approximately 14 units/acre.
 - c. No offsets to park impact fees shall be granted.
12. Along the east boundary of the property, the improvements to Grasmere Lane (1480 West) shall be completed and connect with 3875 South. The details of these improvements shall be determined during the subdivision review process.

Staff Alternatives:

-Approval, subject to a development agreement that includes the standards recommended by staff.

-Continuance, for reasons determined at the public hearing.

-Denial, given the location of the existing warehouse and the neighboring truss manufacturer, the zoning should not be changed.

Applicant:

Russell Platt

Opposed:

Steve Christiansen

Discussion: Steve Pastorik presented the application. Phil Conder asked if any other uses could go into the existing warehouse with the amount of parking. Steve replied that warehousing requires the least amount of parking so anything more than that wouldn't work. Commissioner Conder stated that he would like to limit the impact of the manufacturing zone in the area as much as possible. Steve replied that one of the conditions of approval would require that this site be used only for a warehouse.

Russell Platt, the applicant, stated that he would like to bring a nice development to the area. Barbara Thomas asked what has changed in the neighborhood that makes 'RM' a good use for this land. Mr. Platt replied that the south, east, and a portion of the north side are all residential and added that commercial wouldn't be successful so far off of Redwood Road. He indicated that he feels this is a big enough piece of ground to create a community of green space and the proposed park will be a great buffer for the neighborhood to the east. Mr. Platt stated that there are many planned sidewalks, picnic areas, playgrounds, and BBQ areas to help create a sense of community. Terri Mills stated that her greatest concern is the small pocket of

manufacturing. Mr. Platt replied that this is an existing use and the business does not generate a lot of noise. He stated that there will be landscaping and fencing to help mitigate any impacts and added that the building itself is not very large.

Commissioner Mills asked what type of trees will be used. Mr. Platt replied that likely evergreens will be used so that the building will be shielded year round.

Commissioner Conder asked if anything has been discussed in the event that the warehouse eventually goes away. Mr. Platt replied discussions have been had about a possible community center or more residential buildings. Commissioner Mills asked what type of material will be used for the development. Mr. Platt replied hardy-board, stone, and stucco. Joe Garcia asked if there is solid fencing along 3860 South. Mr. Platt replied no and stated that there will be landscaping and a sidewalk to create a neighborhood feel. Steve added that staff felt a fence would make the community feel isolated.

Steve Christiansen, a resident to the east, stated that the street that is being proposed to go through had a lot of congestion until the City put a sign up indicating that the street ends. He stated that the area has a lot of kids and he is concerned that finishing the street will bring a lot of traffic through. Mr. Christiansen stated that he would prefer a cul-de-sac be built instead of a through street. Brent Fuller asked if the Fire Department would have a problem with a cul-de-sac. Steve replied that this hasn't been discussed and added that options haven't really been explored at this stage. He indicated that once Public Works has utility information during the subdivision process more can be determined. Commissioner Thomas stated that she feels from a planning point of view it makes sense to have this road opened up since it was always intended to be that way.

Commissioner Conder stated that he doesn't like the residential next to the industrial use but stated that he understands how it evolved and how residential would bring cohesiveness to the neighborhood. Barbara Thomas agreed and stated that this is a unique situation. Commissioner Mills stated that she still has the same concerns regarding the manufacturing use since this could open the door for different businesses that may not be desirable for surrounding residential. Steve replied that the development agreement would limit the use to warehouse which would not allow any fabrication of items within the building. Commissioner Conder stated that he is not comfortable limiting this by parking. Commissioner Mills stated that she doesn't like the vibrant colors in the area as much as the earth tones. Commissioner Garcia asked if there will be a gate to block off the warehouse property. Steve replied that the entire parcel will be fenced off with a gate at the entrance. Commissioner Thomas stated that she feels it's important for the street on the east side of the development to be built through.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Conder moved for approval of the 12 items listed by staff striking item number 12 and modifying number 9 to state: "The use of parcel #1534402003 shall be limited to warehousing."

Commissioner Bilic seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Mills	No
Commissioner Thomas	Yes
Chairman Fuller	Yes

Majority -Z-3-2012- Approved

SUBDIVISION APPLICATIONS

S-7-2012

This Item has been WITHDRAWN from the agenda.

CONDITIONAL USE APPLICATIONS

C-20-2012

Azteca Indoor Bazaar Ph III (Jose Ortega)

3946 West 3500 South

C-2 (9.7 Acres)

The applicant, Mr. Ortega, is requesting a conditional use amendment for an expansion to an indoor retail bazaar in an existing retail shopping center located at 3946 West 3500 South. The area is zoned C-2 and the West Valley City General Plan anticipates general commercial uses in this area.

Azteca Indoor Bazaar operates as an indoor swap meet where a variety of businesses rent booth spaces to sell new merchandise. The space also includes a grocery/meat market, bakery, tortilla shop and a food court. These uses were approved with application C-47-2004 and C-22-2008. However, since that time several interior changes have been made which include the addition of a stage area as well as an indoor soccer arena. Therefore, the Building Inspection and Fire Department have requested that an updated floor plan be submitted and these changes require a conditional use amendment as well.

The stage area is located in the north end of the building within the food court area. This space is primarily used in conjunction with the retail businesses for small talent performances or fashion show type activities and is not to be used as a reception center or dance hall. The applicant, Mr. Ortega, has indicated that they would like to use the stage area on Fridays and Saturdays from 6:00 p.m. – 8:00 p.m. and Sundays from 6:00 p.m. – 10:30 p.m. This site is located within 500' of residential property so the use must stop at 10:00 p.m. per 7-6-1012 of the West Valley City Code.

The soccer arena is located in the northeast side of the building. Mr. Ortega has indicated that the fields are used for practices as well as games Monday – Friday from 4:00 p.m. – 11:00 p.m. and Saturdays and Sundays from 10:00 a.m. – 8:00 p.m. As was previously mentioned,

this site is located within 500' of residential property so this use must also stop at 10:00 p.m. per 7-6-1012 of the West Valley City Code.

Complaints about noise, garbage and traffic have been received regarding this portion of the business. It appears that the main entrance and parking areas for the fields is located along the north side of the building directly adjacent to the residential properties. This space has historically been used as loading areas with limited employee parking and has not been striped or improved for patron parking or access. If the applicant wishes to utilize this area for the public a plan must be submitted that delineates the parking spaces and any interior fences or gates must be removed so the area can function properly. This would also include no parking in the posted fire lanes. Lighting shall also be installed in this area in accordance with the guidelines in section of the West Valley City Code (7-9-114) and not negatively impact the adjacent residential property.

The site must be properly maintained, including existing perimeter fencing. The site should be free of weeds, litter and graffiti. Also, trash receptacles on site must be stored properly in a designated area. Staff suggests that a masonry enclosure be constructed around the dumpsters and that they maintain a 20' setback from adjacent residential properties to help mitigate the trash impacts on adjacent properties.

Landscaping on site is existing and has been installed along 3500 South per the conditions placed on Phase I of the development (C-47-2004). However, the landscaping in the park strip along the north side of the site is in need of maintenance. There will not be any exterior changes to the façade of the building as part of this application.

The applicant is also requesting permission to operate an outdoor summer sale in the parking lot on the weekends throughout the summer. This has historically been operated here under a temporary use, however recent changes to this section of Code no longer permit him to operate this sale every weekend throughout the summer. The proposal would be to provide a space in the parking lot so the businesses that are located within the Azteca Bazaar could display and sell their merchandise outside to attract customers to the site. The use would operate Fri-Sun, for no more than 20 vendors from May – September of every year. Any larger type event would require a separate temporary use permit.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. The interior portions of the building shall be constructed per the approved plans in accordance with the West Valley City Code.
2. The stage area located in the food court shall not be used for receptions, concerts or as a dance hall. The stage shall not be used after 10:00 p.m. per 7-6-1012 of the West Valley City Code.
3. Use of the indoor soccer fields shall not be conducted after 10:00 p.m. per 7-6-1012 of the West Valley City Code.

4. If a customer entrance and parking are to be located on the north side of the building a parking plan must be submitted and approved and the area must be properly improved for this use. This would include the following:
 - Striped parking stalls and proper drive aisles
 - Lighting per section 7-9-114 of the West Valley City Code
 - Removal of interior fences for proper circulation
 - No parking in designated Fire Lanes
5. Existing perimeter fencing on site shall be properly maintained and repaired or replaced where damaged.
6. Landscaping on site shall be maintained including the park strip area along the north side of the site.
7. A 6' tall masonry enclosure must be provided for the dumpsters located on site. This enclosure must be located at least 20' from any adjacent residential property.
8. All requirements of affected departments and agencies must be met including but not limited to West Valley City Public Works, Fire and Building Inspection Departments.
9. Outdoor sales shall be permitted Friday-Sunday from 8:00 a.m. to 9:00 p.m from May – September. There shall be no more than 20 vendors in the space and all of the vendors must be currently operating a space inside of the Bazaar and have a valid West Valley City Business license.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

N/A

Discussion: Barbara Thomas requested that this item be continued in order to allow the Planning Commission further time to look at the site. Joe Garcia agreed and added that he would also like to see a parking plan.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Thomas moved for continuance.

Commissioner Garcia seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	Yes

Commissioner Mills	Yes
Commissioner Thomas	Yes
Chairman Fuller	Yes

Unanimous- C-20-2012- Continued

C-21-2012

Glen's Tires (Michael Russon)

3368 S. Redwood Road

C-2 Zone (1.4 Acres)

The applicant, Michael Russon, is requesting a conditional use amendment for a warehouse addition on the site of an existing tire business located at 3368 S. Redwood Road. The zoning for this area is C-2, General Commercial. The West Valley City General Plan anticipates General Commercial uses for this area. The surrounding zones include C-2 to the north and east, C-3 to the south, R-1-6 to the west. The surrounding uses include a storage unit facility to the north, the Westerner Bar to the south and single family residential to the west.

On October 13, 2010 the Planning Commission approved a conditional use amendment for this site to be redeveloped. The site was completely scraped and a brand new 11,875 square foot building was constructed. At that time, the west side of the site was left undeveloped. Mr. Russon is now ready to develop the remaining portion of the site and has proposed to construct a 9,000 square foot warehouse for tire storage.

The building is located in the far southwest corner of the site and is not visible from the road. Therefore, the applicant is not required to meet the Commercial Design Standards and has proposed to construct a metal structure that will be painted to match the existing building on site.

The remaining areas of the site will be hard-surfaced maneuvering areas and landscaping. The areas directly south and east of the building will be gravel and the required shrubs for this space will be relocated to other areas on the site. There will be no outside storage of tires on site and tire display must be setback at least 20' from the front property line and out of the landscaped areas.

The applicant had initially proposed a dumpster and masonry enclosure on site and later indicated that a dumpster was not necessary so the enclosure was not constructed. A dumpster is now located on the site so an enclosure must be constructed at this time as indicated on the site plan. Staff also suggests that the relocated landscaping be concentrated around this structure which will also help screen and enhance the front of the warehouse building.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. Must comply with all conditions set forth in the previous conditional use approval (C-26-2010).
2. The warehouse building and site shall be constructed per the approved plans in accordance with the West Valley City Code.
3. The warehouse building is not required to meet the Commercial Design Standards however, it shall be painted to match the existing building on site.
4. Outdoor merchandise display is not permitted in landscaped areas and must be set back at least 20' from the front property line.
5. A 6' tall masonry enclosure must be provided for the dumpster located on site as indicated on the site plan and landscaping shall be added around the enclosure to provide additional screening.
6. Outside storage shall not be permitted on site.
7. All requirements of affected departments and agencies must be met including West Valley City Public Works, Fire and Building Inspection Departments.
8. Any exterior lighting must be installed so that it does not negatively impact the adjacent residential property and in accordance with the guidelines in the Lighting section of the West Valley City Code (7-9-114).

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Michael Russon

Discussion: Jody Knapp presented the application. Barbara Thomas asked if there are homes that will be backing the new proposed building. Jody replied that there are homes but they will be buffered with a wall and landscaping. Terri Mills asked why shrubs are being eliminated. Jody replied that they are too low to be seen.

Michael Russon, the applicant, stated that his business would benefit greatly by having a building to shelter tires on the property. Commissioner Thomas asked if there will be aisles in the building for fire access in the event of an emergency. Mr. Russon replied yes and indicated that there will be sprinklers as well. He added that there is usually a lot of turnover with the tires so the building will have a lot of movement every day. Joe Garcia asked if Mr. Russon was involved with the art project on the rear wall. Mr. Russon replied no and added that this occurred prior to him owning the property. Phil Conder asked if the addition of the warehouse will eliminate all the outside storage. Mr. Russon replied yes except for the displays. Imaan Bilic asked if the dumpster will be removed or enclosed. Mr. Russon replied that he is still working this out but indicated that he will likely build an enclosure for it.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Garcia moved for approval subject to the 8 staff conditions.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Chairman Fuller	Yes

Unanimous- C-21-2012- Approved

PLANNING COMISSION BUSINESS

Approval of minutes from May 9, 2012 (Regular Meeting) **Approved**
Approval of minutes from June 6, 2012 (Study Session) **Approved**

There being no further business, the meeting adjourned at 4:58 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant