

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

February 14, 2007

The meeting was called to order at _____ p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah.

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Terri Mills, Karen Lang, and Dale Clayton

ABSENT: Jack Matheson, Phil Conder and Mario Cisneros

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Steve Pastorik, Steve Lehman, Jody Knapp and Lori Cannon

WEST VALLEY ADMINISTRATIVE STAFF:

Claire Gillmore, Asst. City Attorney

AUDIENCE

Approximately _____ people were in the audience.

ZONE CHANGE APPLICATIONS:

ZONE CHANGE APPLICATION:

Z-2-2007

Jean Dixon

3315 South 6400 West

A to R-1-7

1.23 acres

Mr. Steve Pastorik presented the application.

Jean Dixon has requested a zone change for a 1.23 acre parcel at 3315 South 6400 West from A (agriculture, minimum lot size of ½ acre) to R-1-7 (single family residential, minimum lot size 7,000 square feet). Surrounding zones include R-1-7 to the south and east, R-1-8 to the north, and A to the west. Surrounding land uses include agriculture to the west and single family homes on all other sides. The subject property is designated as low density residential, which allows 3 to 4 units/acre, in the West Valley City General Plan.

Development Proposal

The conceptual subdivision layout submitted by Mrs. Dixon indicates a total of 4 lots for single family detached homes accessed by a private street. The applicant plans to demolish the existing home, which was built in 1942, on the west portion of the property. The resulting density is 3.25 units/acre.

Attached to this report is a letter sent via e-mail from Mrs. Dixon that explains why she has requested the R-1-7 Zone. Although R-1-7 zoning is requested, the lots would average 9,000 square feet. Since the lots are accessed from a private street and will face the back of neighboring lots, staff considers the 4 proposed lots as flag lots. Flag lots must be 1.25 times the size of the minimum lot size required in the zone, which in the R-1-7 Zone would mean a minimum flag lot size of 8,750 square feet.

Staff recommended R-1-7 zoning to the applicant because going with a larger lot zone would only increase the width of the lots and not the depth given the limited depth of the property. With 4 lots, the average width of the lots would be 97'. With R-1-8 zoning the minimum flag lot size is 10,000 square feet, which would result in 3 lots with an average width of 130'.

Development Agreement

A development agreement is required for this project. Section 7-14-105 (3)(1)(x) of the West Valley City Zoning Ordinance states: "All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(1)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 1,600 square feet."

To address the need for a development agreement Mrs. Dixon offered the following standards in her e-mail:

1. All new homes shall abide by the standards in Section 7-14-105(3)(1) of the West Valley City Zoning Ordinance.
2. The minimum size for all new homes shall be 1,600 square feet, except as provided in item 3 below.
3. The minimum size for a rambler with a 100% masonry exterior may be reduced to 1,400 square feet.
4. The average house size shall be 1,600 square feet.

Applicant:

Jean Dixon

6183 South 2375 East

Discussion: Commissioner Mills asked how the lots are recorded. Steve Pastorik explained the actual size is listed on the subdivision plat. He reminded this proposal will have lots larger than 'R-1-7' because they are accessed from a private street, and must be 1 ¼ larger than the lot size. Commissioner Mills asked if there would be any way the developer could make the lots smaller than what is zoned. Steve answered only with a PUD could the lots be made smaller.

Ms. Jean Dixon indicated she would like to develop this property in accordance with the City's Master Plan. She noted the lots would be larger than what the Master Plan is requiring, being almost 9,000 sq. ft. Ms. Dixon said wider lot could be accomplished with an 'R-1-8', but they would not be deeper lots which are more desirable.

Commissioner Mills asked if grading would be required to make the site level with adjacent property. Ms. Dixon replied the grade level is very similar. Commissioner Mills questioned if fencing would be placed, stating there are some chain link fences separating other nearby properties. Ms. Dixon answered yes, fencing will be placed on the south side. Steve Pastorik reminded that the City has no requirements for fencing with this

development, but acknowledged fencing could be placed adjacent to the private street. Steve Lehman informed that the Western Flats Subdivision required fencing along double frontage lots. Steve said fencing could be required along the south end of the development.

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

Motion: Commissioner Fuller moved for approval of the zone change from 'A' to 'R-1-7' subject to the development agreement proposed by the applicant. In addition, fencing will be required along the south side of the property.

Commissioner Lang seconded the motion.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Clayton	Yes
Commissioner Conder	Absent
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	Absent
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – Z-2-2007 – approved

Z-4-2007

William Bustos

3965 and 3981 South 6000 West

A to R-1-8

0.92 acres

Mr. Steve Pastorik presented the application.

William Bustos is requesting a zone change for two parcels totaling 0.92 acres at 3965 and 3981 South 6000 West from A (agriculture, minimum lot size of ½ acre) to R-1-8 (single family residential, minimum lot size 8,000 square feet). On January 24, 2007, the Planning Commission recommended approval to the City Council for a zone change from A to R-1-8 for property to the north, east and south. Zoning to the west is R-1-8. Surrounding land uses include single family homes to the west, south and north and agriculture to the east. The subject property is designated as low density residential, which allows 3 to 4 units/acre, in the West Valley City General Plan.

Assuming the City Council approves the first rezone application submitted by Mr. Bustos, the two subject parcels would be included in the property from the first rezone to create a larger subdivision.

Development Agreement

For the development agreement, Mr. Bustos is proposing the standards from the first rezone to these 2 parcels as well. These standards are:

1. All new homes shall abide by the standards in Section 7-14-105 (3)(1) of the West Valley City Zoning Ordinance.
2. The minimum house size for all new homes shall be 1,600 square feet, except as provided in item 3 below.
3. The minimum size for a rambler with a 100% masonry exterior may be reduced to 1,400 square feet.
4. The average house size shall be at least 1,600 square feet.
5. Based on the concept plans submitted by the applicant, the density of the development will not exceed 3.5 units/acre. If during the subdivision review process the layout is amended to result in a density greater than 3.5 units/acre, the appropriate number of development credits shall be provided as required in Chapter 7-26 of the West Valley City Code.

Applicant:

William Bustos

7070 South Union Park Ave., Suite 100

Discussion: Mr. Bustos reminded the Commission that the majority of his development was approved at a past public hearing. He has since been able to purchase two additional lots which will clean up the subdivision lines. Commissioner Conder asked if the applicant plans to bring any other lots into this subdivision site. Mr. Bustos replied he has not had luck cultivating other properties, so he will work on developing this property.

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

Motion: Commissioner Lang moved for approval subject to the development agreement proposed by the applicant.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Clayton	Yes
Commissioner Conder	Absent
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	Absent
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – Z-4-2007 – approved

Z-5-2007

Gary Nielson

1751 West 3100 South

A to R-1-4

0.60 acres

Mr. Steve Pastorik presented the application.

Gary Nielson has requested a zone change for a 0.60 acre parcel at 1751 West 3100 South from A (agriculture, minimum lot size of ½ acre) to R-1-4 (single family residential, minimum lot size 4,000 square feet). Surrounding zones include RMH (residential, mobile homes) to the north, C-2 (general commercial) to the east, C-2 and RMH to the south, and A and RMH to the west. Surrounding land uses include the American Heritage Mobile Home Park to the north, single family homes and the Redwood Village Mobile Home Park to the west and south, and an abandoned single family home and mobile home to the east. The subject property is designated as medium density residential, which allows 6 to 10 units/acre, in the West Valley City General Plan.

Development Proposal

The conceptual subdivision layout submitted by Mr. Nielson indicates a total of 3 lots for single family detached homes. The south two parcels would be flag lots. Excluding the access driveway, each lot would be about 6,000 sq. ft.

Development Agreement

A development agreement is required for this project. Section 7-14-105 (3)(1)(x) of the West Valley City Zoning Ordinance states: “All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(1)(iii) shall be used as a minimum in all development

agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 1,600 square feet.”

To address the need for a development agreement Mr. Nielson has committed to the following standards:

1. All new homes shall abide by the standards in Section 7-14-105(3)(1) of the West Valley City Zoning Ordinance.
2. The minimum size for all new homes shall be 1,600 square feet, except as provided in item 3 below.
3. The minimum size for a rambler with a 100% masonry exterior may be reduced to 1,400 square feet.
4. The average house size shall be 1,600 square feet.

During the study session the Planning Commission expressed concerns over having two driveways (one for the north lot and the other for the southern two lots) close together on 3100 South. Staff recommends that the development agreement include a requirement that the north lot share the 24’ access.

Applicant:

**Gary Nielson
295 Eagle Ridge Dr.**

Discussion: Mr. Gary Nielson summarized his plans for this property, stating he would like to build eight-units per acre which would be zoned ‘R-1-4’. Steve told the Commission that because they are flag lots, they would be closer to 6,000 sq. ft. in size. He assured the homes will follow the City’s new design standards. Mr. Nielson indicated the units would have a masonry exterior and would be 1,400 sq. ft. in size. Chairman Woodruff asked about access. Steve said instead of having a 24-foot driveway, all lots would access the driveway on the north side of the property. Mr. Nielson agreed to this suggestion.

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

Motion: Commissioner Mills moved for approval of the zone change from ‘A’ to ‘R-1-4’ subject to the development agreement proposed by the applicant. Also, a requirement that the north lot’s driveway would access the shared 24’ driveway instead of 3100 South directly.

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Cisneros	Absent
Commissioner Clayton	Yes
Commissioner Conder	Absent
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	Absent
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – Z-5-2007 – approved

PLANNING COMISSION BUSINESS

Approval of minutes from January 24, 2007 (Regular Meeting)
Approval of minutes from February 14, 2007 (Regular Meeting)
Approval of minutes from February 21, 2007 (Study Session)

There being no further business, the meeting adjourned at _____ p.m.

Respectfully submitted,

Lori Cannon, Administrative Assistant