

**WEST VALLEY CITY  
PLANNING COMMISSION  
MINUTES**

**April 11, 2007**

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

**WEST VALLEY CITY PLANNING COMMISSION MEMBERS**

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Karen Lang, Phil Conder and Dale Clayton

**ABSENT:** Mario Cisneros

**WEST VALLEY CITY PLANNING DIVISION STAFF**

John Janson, Steve Pastorik, Steve Lehman, Ron Weibel, Hannah Thiel and Lori Cannon

**WEST VALLEY ADMINISTRATIVE STAFF:**

Joseph Moore, CED Director  
Nicole Cottle, Asst. City Attorney

**AUDIENCE**

Approximately 14 people were in the audience.

**ZONE CHANGE APPLICATION:**

**Z-8-2007**

**Jim Jacketta**

**6041 West Parkway Blvd.**

**A-1 to A**

**7.6 acres**

Mr. Steve Pastorik presented the application.

Jim Jacketta has requested a zone change for a 7.6 acre parcel at approximately 6041 West Parkway Blvd. from A-1 (agriculture, minimum lot size of 1 acre) to A (agriculture, minimum lot size of ½ acre). Surrounding zones include A-1 to the north and west and R-1-10 (single family residential, minimum lot size of 10,000 square feet) to the south and east. Surrounding land uses include single family homes to the south, vacant land to the east, and agricultural property including 3 homes to the north and west. The subject property is designated as rural residential, which allows 1 to 2 units/acre, in the West Valley City General Plan.

**Development Proposal**

The concept plan submitted by Mr. Jacketta indicates a total of 10 lots that are at least ½ acre in size. Access for the proposal will be through the Foxwood Park Subdivision to the east, which has received preliminary approval.

**Development Agreement**

A development agreement is required for this project. Section 7-14-105 (3)(l)(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)(l)(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. Jacketta has provided a list of standards entitled “Development Agreement for Jacketta Acres Subdivision, Phase 4”, which is attached.

**Applicant:**

**Jim Jacketta**

**6041 W. Parkway Blvd.**

**Opposed:**

**Rob Martin**

**6400 W. 3880 South**

**Discussion:** Commissioner Matheson asked if one of the selling points of this development is to allow animals on the property. Mr. Jim Jacketta answered yes, the property owners would be allowed to have two horses.

Mr. Rob Martin was concerned about increased housing in this area, traffic congestion and narrow roads. He indicated it is becoming more difficult to ride horses in this area, and this development will not benefit the situation in any way. Commissioner Conder asked if there is a trail system proposed to go across Parkway which would accommodate equestrian use. Steve Pastorik replied there is a cross-town trail along the Riter Canal which is approximately 600 feet north of Parkway Blvd. He noted the cross-town trail east of this area does not anticipate equestrian use, but there should be the option for equestrian in the wetland areas. Steve mentioned this portion of the trail has not yet been developed, so it is yet to be determined if equestrian use would be allowed. Commissioner Mills was happy that the development agreement required points exceeding the City's ordinance, but she was disappointed that the homes would not be full brick. Chairman Woodruff asked what is planned for traffic improvements in this area. Steve replied the City's Major Street Plan calls for an 80-ft right-of-way, which will ultimately create a five-lane road on Parkway Blvd. He commented that the main reason for the wide road is the Mountain View Corridor which will be to the east of this property. There will be a partial interchange planned on Parkway, adding more traffic on the road. Commissioner Matheson stated the approval should be made subject to the final approval of Foxwood Park Subdivision. Steve reminded this application is only for zoning, and such conditions could be made during the preliminary plat phase.

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

**Motion:** Commissioner Clayton moved for approval, subject to the development agreement standards proposed by the applicant.

Commissioner Fuller seconded the motion.

**Roll call vote:**

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

**Unanimous – Z-8-2007 – approved**

## **ZONE TEXT CHANGE APPLICATION:**

### **ZT-1-2007**

#### **Zone Text Change Manufacturing Zone**

Ms. Hannah Thiel presented the application.

#### **Legal Authority**

7-6-1105 Manufacturing Zone Height Standards

#### **Background**

Staff is requesting a zone text change for the Manufacturing Zone Ordinance. This need for a zone text change came to staff's attention when an individual came into the City wondering about putting a hotel into the Manufacturing zone. He was looking to use the same height regulations as the C-2 or C-3 zone which allows a greater height at the setback line. It was speculated that the Manufacturing zone currently does not allow heights similar to the Commercial zones due to less aesthetically pleasing manufacturing uses. The Commercial Design Guideline standards should mitigate any problems with the initial reasons to limit the height of buildings and structures in the Manufacturing zone.

This text change would allow, under the Commercial Design Guidelines, a building or structure to be erected as high as it needed to be, at the minimum required setback for the zone (twenty five (25) feet from the street property line). It would remain in the ordinance that the maximum height for a building or structure would be twenty (20) feet tall with the addition of one foot in height for every additional foot the building or structure is set back from the property line if Commercial Design Guidelines are not used or met. In addition, the ordinance would still limit height and setbacks next to residential zones regardless of the use of Commercial Design Guidelines. The Planning Commission voiced concern about future residential uses that are not currently zoned residential in the Study Session on April 4, 2007. Height and setback regulations would only be limited to existing or proposed residential areas (see 7-6-1105(2)).

**Discussion:** Commissioner Conder wondered if there was a need for this ordinance change. He suggested to rezone the application rather than changing the entire zone for one type of use. Hannah Thiel explained it would not make sense to rezone one parcel in an area. Commissioner Fuller reminded hotels are already allowed in a manufacturing zone, so a hotel would not have to change the zone. Commissioner Mills noted hotels would be a conditional use which could have conditions added at a public hearing.

Hannah reminded there are permitted uses in the manufacturing zone which may be conditional in other commercial zones, that if permitted, would not go before the Planning Commission. Chairman Woodruff inquired if England Trucking was located in an industrial zone, and was told they are in a manufacturing zone. He asked if it would be allowed for someone to build an attractive four-story metal office building. Commissioner Mills said that should not be allowed since it is a conditional use within the manufacturing zone. Commissioner Conder indicated there may be many uses that are not anticipated, and this application will change the entire zone. He believes there may be other ways to accomplish what is needed. Commissioner Lang did not have a problem with the height as long as the design standards are adhered to. She perceived this would work well in the outskirts of manufacturing areas. Commissioner Lang suggested a hotel might be desired adjacent to a trucking business. Chairman Woodruff mentioned the City is encouraging people to build a nicer product, and questioned if a 40-story or a 75-story building placed 25-feet off the street in an industrial area would matter. Commissioner Clayton was concerned that an unlimited height restriction might result in a loss of continuity of development. An overly tall building in the middle of a manufacturing sector may not be visually attractive. Chairman Woodruff reminded a 75-foot batch plant is currently allowed under the City's zoning. He asked if the Commission would be opposed to a 75-foot tall building that follows the City's design standards. Hannah explained the set-back requirements. Commissioner Clayton suggested the application be continued to discuss other issues that may arise.

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

**Motion:** Commissioner Clayton moved for a continuance to allow further discussion.

Commissioner Conder seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	No
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Majority – ZT-1-2007 – continued**

**SUBDIVISION APPLICATIONS:**

**S-21-2006**  
**Sunset Hills Subdivision – Final Plat – Phase 1**  
**6600 South U-111**  
**R-1-10 Zone**  
**159 Lots**  
**47 Acres**

Mr. Steve Lehman presented the application.

**BACKGROUND:**

Christian Gardner, is requesting final plat approval for the first phase of the Sunset Hills Subdivision. The subject property was rezoned in May 2006 from the A-1 zone to the R-1-10 zone and received preliminary approval in August 2006.

A development agreement was reviewed and approved by the Planning Commission and City Council which sets forth the development standards to be used in this subdivision. To assist the Planning Commission, staff has attached a copy of the design elements for this project.

**STAFF/AGENCY COMMENTS:**

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modification to existing ditches or irrigation systems.
- Follow recommendations outlined in the soils report.
- Concerns regarding Grading on north side of development.
- UDOT approval required for access on U-111 and other needed improvements.
- Private roads to have a minimum asphalt width of 26 feet.
- Revisions to plat required.

- Contact Salt Lake County for approval regarding street names and subdivision name.

Building Division:

- Follow recommendations outlined in the soils report.

Utility Companies:

- Standard Utility Easements required.
- Coordinate Power Corridor issues.

Kearns Improvement District:

- Developer will need to coordinate all matters regarding water and sewer services.
- Water is available, but continued coordination with sewer is still needed.

Parks Department:

- Dedication of park property to be done by deed.
- Collection of park impact fees will be required.

Fire Department:

- Project to meet all fire codes relating to this type of development.
- Hydrants to be shown on plat.
- Gated access to be reviewed by the Fire Department.

**ISSUES:**

The final plat consists of 159 lots on 47 acres. This equates to an overall density of 3.3 units per acre. The average lot size in the private community is approximately 6,321 square feet in size. The first phase is intended to encompass the entire gated community.

The subdivision is located in an area that had not been reviewed for residential development until the preliminary plat process. Although residential development is

presently occurring west of U-111 in West Jordan, this area in West Valley City has been relatively absent of any residential planning.

**Subdivision Design:**

The first phase of the overall subdivision is intended to be a courtyard development with a private street system. The private community will be located east of the main 66-foot collector street. A trail system will be incorporated into the development as well as other open spaces.

During the rezoning process, the Planning Commission and City Council reviewed and approved a development agreement for this subdivision. Due to the many issues facing development at this location, the development agreement was rather extensive. In order to assist the Planning Commission regarding housing standards etc., staff will attach the design standards for your review.

Staff believes that these standards will provide the basis for a solid community. During the rezone process, the developer suggested that housing in this development would substantially exceed the current housing requirements of the City. Although the development agreement requires housing standards to exceed current City requirements, staff believes that the rezone, more particularly, the gated community, was based on the product type being touted by the applicant. Staff is concerned that if the applicant is not going to be the builder, the character in the gated portion of the subdivision may be compromised.

**Access:**

Access to the subdivision will be gained from 6600 South at U-111, and from a stub street in the Wood Hollow Estates Subdivision to the north. UDOT has informed the City that access to U-111 will only be available at 6200 South and 6600 South. For this reason, the connection with Wood Hollow has been planned as a 66-foot right-of-way.

Streets within the subdivision will be private. The minimum pavement width will be 26 feet for all private rights-of-way. Pedestrian movement will be provided by sidewalks throughout the community. It is intended that these walks connect with internal and external trails. The community does become quite walkable with just under 1 mile of walking trails not counting formal sidewalks.

Various right-of-way widths will be used to access the subdivision. The developer will be dedicating and improving 6600 South as a 40-foot half width for an eventual 80-foot right-of-way. Oquirrh Mesa Drive will be dedicated and improved as a 66-foot road. The parkstrip along 6600 South will consist of stamped concrete and tree wells. Oquirrh



Mesa Drive will have a 10-foot landscaped parkstrip on the west side of the street. The east side will provide a wide landscaped buffer between the courtyard area and Oquirrh Mesa Drive.

### **Grading/Drainage:**

This phase of the project is challenging because of the existing topography. Staff is most concerned with the north boundary of the subdivision. Courtyard homes on the north side of Dusky Drive will likely require some type of retaining wall. Staff will recommend that the developer coordinate this issue with the City Engineering Division to incorporate methods in order to ensure slope stability.

The City Engineering Department is concerned about the storm water generated from this subdivision. The developer is proposing a large retention basin in the gated community to handle the majority of water generated by the development.

### **Utilities:**

The developer will be responsible to coordinate the availability of all utilities for the subdivision. With regards to water and sewer, Kearns Improvement District has informed staff that water connections are readily available for this development. Sewer easements however, continue to be coordinated between the developer and Property Reserve Inc.

### **Fencing:**

The developer is proposing to install a decorative pre-cast masonry wall along the entire perimeter of the gated community. The same pre-cast wall will be installed on the west side of the main collector road and along the north side of 6600 South.

### **Open Space:**

Approximately 12.5 acres of open space are planned for this phase of the Sunset Hills development. The gated area will have a neighborhood park and a trail system that will provide approximately one mile of walking ability. The northwest corner of the subdivision will be deeded to West Valley City for use as a community park. The City will collect park impact fees for all lots which will assist in the construction of the park improvements.

The developer is proposing that residents from the traditional subdivision will have access to the private park system. The developer is also suggesting that a private association will be established to maintain the open space and trail system along the

main collector street and areas outside of the masonry wall. This will include the parkstrip along 6600 South. Staff will coordinate this matter with the developer to ensure that the association is functional prior to the subdivision being 80% complete.

The project is located just west of U-111 which is a state road. The City has yet to see a letter from UDOT regarding what, if any, improvements will be required along this right-of-way. Because this road is a State Highway, City ordinance requires that a sound wall be installed. This wall will need to meet UDOT specifications for this area and will need to be shown as part of the improvement drawings. Staff would suggest that UDOT evaluate the use of the pre-cast wall to maintain a consistent look along the perimeter of the subdivision.

**Applicant:**

**Chris Drent**

**45 West 10000 South**

**Discussion:** Commissioner Matheson asked if a soundwall would be required by UDOT or the City. Steve Lehman replied the City requires a soundwall, as U-111 qualifies, but this must be coordinated with UDOT. He said the City wants the wall to be consistent with the adjacent subdivision's eight-foot wall, which is usually a masonry product.

Mr. Chris Drent told the Commission he has reviewed and is in approval of staff's recommendations. He informed they would build some homes in the subdivision, and the rest would be sold to another developer. Mr. Drent assured the development agreement would cover any issues, noting they will be approximately one-third over the City's point system. He explained they have been working with UDOT, but UDOT will not issue a permit until this application is approved by the Planning Commission. Even then, the letter of approval will be given to the contractor. Mr. Drent noted they have entered the final stages in discussions with Kearns Improvement for on-site sewer and water. The offsite sewer has been approved, and they are very close to having the off-site water. He noted a letter e-mailed to Steve Lehman from Carl Erickson of Kearns Improvement District assuring they feel comfortable with what the applicant is doing. A public bidding process is required for the off-site sewer, which should be completed next week. Chairman Woodruff asked if there were issues regarding getting gas to the site. Mr. Drent reported they have met with Ron Gipson, the Vice President of Questar, who is appointing someone to handle this project specifically. This issue will be on the fast track and should be resolved by this fall. Commissioner Matheson asked if all the streets and lots have been vacated. Steve replied yes, but Staff is postponing going to the City Council until the plat is ready to be finalized. He assured it would be vacated by ordinance. Commissioner Lang inquired if the wall on the north side would be changed.

Steve indicated Mr. Drent would like another fence type to be considered, noting the entire perimeter must be fenced per the development agreement. Mr. Drent suggested a three-rail fence giving the area a more open feeling. He has the landscaping plan for submittal to Staff and the Commission. Commissioner Lang perceived a concrete wall surrounding a gated community makes it more of a private community. Mr. Drent explained they wanted more continuity between the two communities, opening up the area to all residents. He indicated the first HOA draft is complete, requiring everyone join for a nominal fee. This will keep the entire subdivision under guidelines to keep everything consistent. Commissioner Lang was concerned the development on the east side has much smaller lots than the development to the west, therefore deserving more of their own private space. Steve said there is nothing in the development agreement for the development to be gated. He noted it is an isolated area, with no access from the north, east or south. There will be a large city park and a substantial trail system. Commissioner Conder asked if there were any plans to alleviate congestion at the intersection. Mr. Drent explained this issue will be handled by UDOT, and will most likely be addressed once the adjacent properties are developed.

Steve Lehman noted the development agreement requires a precast wall around the entire subdivision. He mentioned although the Planning Commission would be fine with a vinyl fence, it would need to be approved by the City Council to amend that agreement.

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

**Motion:** Commissioner Matheson moved to grant final plat approval for the first phase of the Sunset Hills Subdivision subject to the following conditions:

1. That the subdivision be guided by the recorded development agreement.
2. That the developer contact the Salt Lake County Auditor's Office regarding the subdivision name and all street names associated with the development.
3. That compliance be made with the Kearns Improvement District i.e., water line extensions, connections, water rights and fire protection. The developer shall resolve all matters regarding sewer connections as well.
4. That the developer coordinate all matters associated with any irrigation or open ditch systems with the City Engineering Division. The developer

shall coordinate with any water users and the City Public Works Department as part of this recommendation.

5. That 6600 South be dedicated to a 40-foot half width and constructed in accordance with plans and profiles approved by the City Engineering Division. All private streets shall be constructed in accordance with Public Works standards.
6. That the developer install fencing as outlined in the development agreement. In addition, the developer shall coordinate the sound wall along U-111 with UDOT. Staff recommends that UDOT evaluate the use of the pre-cast wall to fulfill this requirement.
7. That all recommendations outlined in the soils report be followed. No groundwater was encountered to a depth of 15.5 feet.
8. That the developer continue to coordinate grading and drainage issues with the City Engineering Division. Said grading plan shall identify areas of concern with regards to existing slopes. The grading plan will need to illustrate how the site will be contoured and what retaining methods if any, will be used to ensure slope stability. Measures shall be taken early on to eliminate potential grading problems between lots.
9. That the original plat and streets in the Salt Lake View Addition Subdivision be vacated by ordinance.
10. That the developer coordinate access from U-111 with UDOT. UDOT shall also approve the intersection design.
11. That the developer coordinate the open space dedication with the Parks Department. Impact fees will be collected when building permits are issued.
12. That the developer establish a Home Owners Association. Said Association shall be in place and functional prior to the subdivision being 80% complete.

Commissioner Conder seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	No
Chairman Woodruff	Yes

**Majority – S-21-2006 – approved**

**PUD-1-2007**

**The Edge at Decker Lake – Planned Community**

**3000 South Decker Lake Drive**

**RM Zone**

**320 Units**

**17.4 Acres**

**18 U/A**

Mr. Steve Lehman presented the application.

**BACKGROUND:**

This application was reviewed by the Planning Commission during the March 28, 2007 Planning Commission meeting. The application was continued because of concerns regarding parking, bedroom ratios, density and access/wetland issues.

For the purposes of this report, staff will address the concerns outlined by the Planning Commission. For background purposes, the original staff report has been provided as well.

**Parking:**

The parking requirement for all residential development in the City is 2 spaces per unit. City ordinance does contain a provision that allows the Planning Commission an option to reduce these numbers if doing so would not be detrimental to the development. Reductions allowed are 1.5 spaces for 1 bedroom

units and 1.75 spaces for 2 bedroom units. The developer has applied these numbers to obtain a total of 520 spaces for the project where 640 spaces would otherwise be required.

As directed by the Planning Commission, staff has researched parking standards used for multi-family development. Our research includes other comparable communities in Salt Lake County, as well as national publications regarding parking standards and transit development. The following table reflects how other communities handle off street parking.

Two of these communities, Murray City and West Jordan City have recently adopted TOD parking regulations. These regulations were not discussed during the study session, but have been provided in the following table.

Murray	1.5 spaces for 2 bedrooms or less – 1.85 spaces for residential units having more than 2 bedrooms.
West Jordan	1 space for each dwelling unit plus .5 spaces for each additional bedroom. A maximum of 1.5 spaces is permitted for each multi-family unit.
Sandy City	1.5 spaces for each 1 bedroom – 2 spaces for each 2 bedroom
St. George	2 spaces required for each unit. May consider a reduction of 1.5 spaces for 1 bedroom units.
Boise Id	2 spaces required for each unit. May consider a reduction of 1.5 spaces for 1 bedroom units.

Based on the above table the following parking numbers would be required for this project:

Murray: 536 spaces required  
 West Jordan: 480 spaces required  
 Sandy City: 560 spaces required  
 St. George: 560 spaces required  
 Boise: 560 spaces required

The Urban Land Institute suggests that parking ratios for multi-family projects in transit districts can be reduced from conventional requirements by one-half to one space per unit, if adequate visitor parking is provided on the street or in off-street parking areas shared with other land uses.

Planning Advisory Services (PAS) suggests that each community needs to make distinctions between single family and multi-family developments. Further distinctions need to be made based on the number of bedrooms, the location of the project, and whom the units will serve. PAS did provide parking standards from various communities which is consistent with the information provided in the table above.

Additional information was gathered from the 2000 Census regarding owner occupied households and the numbers of vehicles for each household. Staff evaluated a Census block not far from the development site. This was done in order to compare actual parking numbers from the Census to proposed parking numbers for the new development. Of 358 owner occupied homes, 34.1% own 1 vehicle while 53.6% own 2 vehicles. Although these numbers show that nearly 1/3 of owners have one car, the key will be to understand the demographics of who will buy these condominiums...information which staff does not have.

Staff has discussed in length the parking concerns of the Planning Commission. The developer will bring a traffic engineer to the meeting to further discuss the parking requirements and possible reductions based on the developments location to light rail options.

#### **Bedroom Ratios:**

During the Planning Commission meeting, a concern was expressed that the number of one and two bedroom units seemed odd for owner occupied housing. The applicant explained that flex space was provided in all units for office and/or additional bedroom space.

During the study session, a floor plan was handed out which better described the living space of each unit type. The floor plan included square footage of what would be flex space and or an additional bedroom. After reviewing the floor plans, these units could certainly be considered two and three bedroom units. Although this may satisfy the concern regarding one and two bedroom ratios, it has the potential of raising greater concerns regarding parking.

#### **Density:**

As mentioned in the original staff report, this property was rezoned from the Manufacturing zone to the RM zone. During that process, a conceptual plan was reviewed, but was not thoroughly evaluated as it related to all development standards. A designation of high density was attached to this property through that process. High density means residential units ranging from between 10 and

20 units an acre. The proposed density for this application is 18 units per acre.

Although high density was granted for this property, the allowable units per acre should be weighed in relation to all other requirements of development, i.e., open space, parking etc.

**Access/wetlands:**

The Edge at Decker Lake is a preliminary application. Staff understands the Planning Commissions concerns as it relates to unresolved development issues and tries to make sure that as many open-ended questions are answered before bringing the application to you. In this case, there are two issues that will take a little longer to resolve.

Access: The development site has limited access from Decker Lake Drive through an easement that was anticipated to serve as overflow parking for the E-Center. As a result, this project will require involvement between the City, Rocky Mountain Power and developer. The City's position will be to allow access through the corridor to serve both the residential and commercial development in this area. The resolution regarding the use of this easement will be the responsibility of both the residential and commercial property owners. The access road and all agreements will need to be coordinated with Rocky Mountain Power and secured prior to any final plat application.

Wetlands: The project site is encumbered with approximately 5 acres of wetlands. The applicant is able to disturb one tenth of an acre for development. Additional development options exist through a nationwide permit. This permit would allow development on a half acre of wetlands. The developer is coordinating these matters with the Corps of Engineers and will be required to obtain a 404 permit before any construction takes place in the wetlands.

Although there are many development aspects to consider with this application, the above items created the most concern for the Planning Commission. The following conditions of approval have incorporated requirements that were reviewed and discussed during the original hearing. These have been underlined for easier review. Staff will purposefully leave blank the parking numbers which will need to be determined by the Planning Commission.

**Applicant:**  
**Tim Soffe**  
**5151 S. 900 E., #200**

**Favored:**  
**Troy Sanders**  
**5151 S. 900 E., #200**

**Favored:**  
**Joe Perrin, PhD**  
**Salt Lake City**



**Favored:**

**Jay Minnick**  
**5640 S. Riley Ln.**

**Discussion:** Commissioner Clayton asked if there was any distinction between “for rent or for sale” units in the parking statistics. Steve Lehman replied he did not have that information because the research was based on the number of unit bedrooms.

Mr. Tim Soffe displayed a PowerPoint presentation. He discussed the precast wall around the substation stating the wall around the West Jordan substation was controversial and had to be approved. Mr. Soffe indicated a semi-transparent vinyl wall would be allowed.

Mr. Troy Sanders reminded of the trax station proposed for this area which will be within walking distance, promoting ridership. He said the site plan meets the City’s architectural standards, required open space, and the City’s ‘RM’ zone. Mr. Sanders reported on demographic information from a sister project located in Salt Lake named ‘Town Gate’.

Mr. Joe Perrin of A-Trans Engineering thought this was a good opportunity to create a development that will encourage transit in TOD areas. He said limiting the amount of parking spaces will encourage residents to use transit. Mr. Perrin suggested 20% of the trips would be reduced with residents utilizing the TOD areas. The information from Town Gate indicated 44.38% of the residents would be single persons, and 52.51% married, averaging a 1.54 parking ratio.

Commissioner Matheson commented this area is not the same as in Salt Lake. He mentioned buses run more regularly in Salt Lake, but on 3500 South, a bus runs only every half hour. Commissioner Matheson did not think a 20-25% reduction in trips could be assumed. He suggested it would be closer to a 10% reduction in trips due to the demographic differences with spread out locations like West Valley City. Commissioner Matheson noted the development in Salt Lake is closer to Main Street and State Street with frequently running buses. Mr. Perrin mentioned commuters are the main riders of trax, and there are many businesses near this location in West Valley.

Commissioner Fuller asked how many units located by TOD are rentals or owner occupied. Mr. Perrin was not able to break down the difference between rental units and owner occupied units. He noted units near TOD are considered a higher class product, and the market is usually better for them. Mr. Perrin stated rental units typically have fewer vehicles than owner occupied units, and this type of unit is directed to single professionals who want to buy a unit.

Commissioner Mills asked if visitor parking should be of concern. Mr. Perrin noted

parking is not assigned, so the parking ratios are the total numbers. Mr. Soffe indicated one carport would be assigned to each unit. He mentioned a similar complex in Sandy required a high amount of parking spaces, but the parking lot is not filling up.

Commissioner Matheson discussed density reminding the original plan was for 17 acres, and now the project consists of 12.7 acres due to the unusable wetlands. He said the number of units have not been reduced, creating 26.5 units per acre if the wetlands are discounted. Commissioner Matheson did not like the product, stating the buildings are all the same height with no vertical relief, making it look like a row of buildings. He mentioned the penthouse unit would look out onto another building across the street.

Mr. Soffe mentioned if there were no wetland issues, they would have three-story buildings spread out across the entire site. He commented they cannot get 20-units per acre with the City's standards. Mr. Soffe indicated the wetlands will be made more beautiful with preserved open space, water running into it, and intense landscaping.

Mr. Jay Minnick will be the owner of this development, and he hoped the Commissioners will consider if the standards of TOD have been met. He said this type of development is not new to him, and others are very successful. Mr. Minnick reminded the City Council has been concerned about bringing rooftops to this area, and he wants to make sure the concept of TOD is understood.

Commissioner Matheson asked if the unit planned for the wetland area would take way the required open space percentage. Mr. Soffe replied no, they would still meet the open space requirement. Chairman Woodruff asked how staff came up with a 10% reduction in trips when proposing the City Center and TOD. Steve Pastorik explained when the ordinance was researched, staff was looking for a number that was not giving the maximum percentage possible in terms of TOD. Staff had heard that with transit usage, it was closer to 10% on a typical development being more conservative than 20%. Mr. Soffe noted the 10% applies to a reduction of 1.5 and 1.75, so if applied, this application would still be within the envelope at 1.63.

Commissioner Lang said the Commission is not looking at these units as one and two bedroom, but are looking at them as two and three bedroom units. Mr. Soffe said at that ratio starting with 600 spaces total, and then taking the 10%, there would be 520 spaces. Steve Pastorik said another reason staff determined to use 10% was in consideration of the City Center area, and the ordinance that allows a reduction for mixed uses. The 10% was on top of mixed uses, so staff did not want to give too much of a reduction. He said the mixed use reduction is City wide, but the 10% is unique to the City Center. Steve noted with a mixed use project, cross easements are anticipated that people could actually use. In this case, there isn't sharing of office or hotel parking spaces. Commissioner Conder reminded it is the Planning Commission's job to make sure this is right, and the

Commission has different things to look at than what the developer is looking at.

Commissioner Lang did not have a problem with the four-story walk up units. She indicated parking is the issue, and she suggested 1.75 parking spaces per unit would be a good compromise. Commissioner Lang noted this would lessen the density, but would work regarding space. She reminded this could be the City's problem once the developer sells it off. Chairman Woodruff confirmed this would equate to 560 spaces instead of 520. Commissioner Lang acknowledged some units would need to be eliminated. Commissioner Conder perceived families would purchase the units. Commissioner Lang added that families could also take advantage of mass transit. Commissioner Matheson said 522 parking spaces could be allowed, but a reduction of units is needed. Commissioner Conder commented the project is too dense, stating he did not want similar problems with high density and the demographics are not the same as advertised.

Commissioner Clayton did not think this was a bad project, as the wetlands will be enhanced, and the road issues are being worked out. He said the City needs to support TOD, and this parking issue is a new trend that is coming to Salt Lake Valley. Commissioner Clayton was not sure a better project could be developed due to economics. He asked if the City would rather have a for-rent product, or for-sale units that better maintain the property. Commissioner Mills asked if the Commission was concerned that transit would not come to this area. Commissioner Fuller perceived the type of residents this would bring to the City, being next to TOD, would be renters. He was concerned there would be a high turnover and the appearance of the units would suffer. Mr. Parrin compared this development with the City's census. It showed owner occupied households with 1.61 vehicles on block 31. He believes these units will be owner occupied. Commissioner Conder was concerned the units would be a majority of rentals. Mr. Softe reminded of provisions in the development agreement stating more than one unit could not be vested by one buyer. Commissioner Conder asked who would enforce this. Mr. Minnick replied the home owners association could enforce it, evicting residents if needed. He believes residents will want to protect their investment.

**Chairman Woodruff closed the hearing to public input at 5:50 p.m.**

Steve Lehman reminded that the City's ordinance regarding condominium units state 20% of the units could be rented. He agreed the HOA has the ability to monitor this. Steve was not sure if the development could restrict rentals 100%. He reminded of the developer's advertising the units and receiving interest from a majority of single individuals. Although some seniors inquired, this is not a retirement product, but would provide service for young professionals. Statistics show people in condos stay approximately three to five years. Commissioner Fuller noted the Commission has been critical of parking and open space with other developments near 5600 West.

Chairman Woodruff clarified there is 15% useable open space, and asked if the remaining open space would be considered unusable. Steve explained open space is not necessarily defined in the ordinance. He mentioned the five acres of wetlands will be enhanced, have a gazebo and a trail system. Staff was comfortable considering this area as open space since nothing can be built on it. Steve assured there is still another 15% of useable open space with the development.

Chairman Woodruff was in favor of 1.75 parking spaces per unit. Commissioner Lang asked if there would be a clubhouse, and was told yes, there would be a fitness center and pool. She asked if the wetlands could be built on in ten-years. Steve informed the wetlands can never be built on, as it is considered part of the 50% open space requirement for the project

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

**Motion:** Commissioner Lang moved to grant preliminary approval for the Edge at Decker Lake subject to the following conditions:

1. That the developer resolve all staff and agency concerns.
2. That the Planned Unit Development be subject to the multiple family design standards outlined in the City ordinance.
3. That a soils report be submitted and reviewed by the Building Official and City Engineer prior to final plat review.
4. That the developer provide a landscape plan to be reviewed during the final plat process. Said landscaping plan shall provide measures to ensure water conservation techniques will be used in accordance with City ordinances.
5. That all provisions of the West Valley City Fire Department be satisfied including recommendations regarding the access road in the power corridor.
6. That the developer resolve any issues regarding irrigation ditches and irrigation water that may be in use.
7. That compliance be made with Granger Hunter Improvement District, i.e., water line extensions, connections, water rights and fire protection.

8. That the subdivision name and street names be approved by the Salt Lake County Auditor's Office.
9. That proposed building setbacks be in accordance with the site plan reviewed during the March 28, 2007 Planning Commission meeting. Slight modifications can be made to this plan if needed and approved by staff.
10. That specialty lighting be provided throughout the entire development. A lighting plan and type will be required at final plat review.
11. That the developer coordinate access on to Decker Lake Drive with the City Public Works Department and with UTA regarding the light rail station.
12. That the north side of the development be fenced with a solid vinyl fence. Fence type and specification shall be reviewed at final plat.
13. That the developer coordinate fencing the GHID lift station at the northwest corner of the project. Said fencing materials shall match the north wall if approved by GHID.
14. That the north and west side of the Rocky Mountain sub station be fenced with a vinyl fence. However, the developer shall also inquire with Rocky Mountain about the possibility of using a pre-cast fence. A letter from Rocky Mountain stating their disposition will be required prior to final plat review.
15. That site amenities proposed for this project as illustrated on the site plan and accompanying booklet be made part of this development application.
16. That the developer coordinate all wetland issues with the Army Corps of Engineers. This shall include the nationwide permit for the northeast building and 404 permits for any modification and improvements to the existing wetlands.
17. That all issues regarding the proposed access road in the power corridor be resolved prior to final plat review. This shall include width requirements, road improvements, easement purchase and other agreements as determined by the West Valley City Attorney.

18. That the dumpster on the north side of the club house be relocated to a more obscure location.
19. That the developer be permitted to landscape the I-215 right-of-way as it relates to this project. A landscape plan will need to be submitted along with the final plat.
20. That the applicant coordinate all storm water issues with the City Engineering Division. This includes taking the eastern portion into the wetland area.
21. That a trail be installed from the northwest corner of the development site to the existing Decker Lake trail. This matter will need to be coordinated as it relates to trail construction, easement acquisition and yearly assessment.
22. That proposed parking for this project be determined by the Planning Commission. Required parking spaces shall be 1.75 spaces for each 1-2 bedroom units and 1.75 spaces for each 2-3 bedroom units.

Commissioner Fuller seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Yes
Commissioner Conder	No
Commissioner Fuller	No
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	No
Chairman Woodruff	Yes

**Majority – PUD-1-2007 – approved**

**CONDITIONAL USE APPLICATIONS:**

**C-9-2007**

**Application #C-9-2007 by Jason Davison was pulled by the applicant.**

**C-10-2007**

**Laurence Reiser, Kennel License  
7010 West Parkway Boulevard  
Agricultural Zone, 2.3 acres**

Ms. Hannah Thiel presented the application.

**Legal Authority**

7-6-203(9) Agricultural Zones Conditional Uses

**Background**

Laurence Reiser is requesting a conditional use approval for a kennel license to keep 30 small breed dogs located at 7010 West Parkway Boulevard. He previously applied for a kennel license at a different address in West Valley City and was granted approval for a maximum of 16 small breed dogs at that location (please see attached minutes for C-32-2006). He is requesting a new conditional use permit for a new location as he did not purchase the previously approved property.

Dr. Reiser is not currently the owner of this property located at 7010 West Parkway Boulevard and plans to purchase the property if this conditional use is granted. A kennel license is a conditional use in an agricultural zone and requires one acre of property. Livestock limitations for the Agricultural zone allow 200 animal points per acre. As the property has 2.3 acres, Dr Reiser could have 460 points. If these small breed dogs were considered small sized livestock (less than 20 inches in height at the top of shoulders), he could have a total of 460 small dogs and/or birds. Dr. Reiser is requesting a conditional use for thirty (30) Poodles and Pomeranians. This number would allow the applicant to have traveling show troops of poodles. He currently has four (4) parrots, six (6) peacocks, thirteen (13) toy Poodles, and two (2) Pomeranians. The dogs range in size between 3 and 10 pounds.

There is currently an accessory building located on the property that Dr. Reiser wishes to divide into three (3) sections. He also wishes to use three (3) portable dog sheds, each 49 square feet. These sections and dog sheds would be enclosed in fenced dog runs, surrounded by a perimeter fence around the property. The dogs would be kept in these sheds and accessory building.

The property on the south, west, and east sides of 7010 West Parkway Boulevard is zoned Agricultural. The property to the north of this property is zoned RMH and is the site of Copperview Mobile Home Park. The property on the west and east sides of the property has larger animal livestock on their property. A neighbor located at 6910 W Parkway

Boulevard has received a kennel permit for seven (7) Bulldogs. As the surrounding uses are mostly Agricultural, staff does not see this use adversely affecting neighbors or neighboring zones as long. The animals would need to be kept close to the house and not at the north side of the lot right next to the RMH zone (the site plan reflects this).

**Applicant:**  
**Laurence Rieser**  
**1367 Golden Circle**

**Favored**  
**Kathleen Bailey**  
**7010 West Parkway Blvd.**

**Discussion:** Commissioner Conder asked for the definition of “livestock”. Hannah Thiel answered the City’s definition is less than 20-inches in height at the top of shoulder. Commissioner Conder asked if someone could have 460 alligators. Commissioner Mills explained livestock is an animal that is raised for the product it creates, such as milk or eggs or to be slaughtered. She said it is not a dog.

Mr. Laurence Rieser told the Commission he likes animals. He said he would like to own Japanese Chins and Papillions to have along with his Toy Poodles and Pomeranians. Mr. Rieser also reported he has parrots and peacocks. He may also want to have cats, but has no plans for livestock. He has searched for property where there would be no complaints, and this property is larger than the first one in West Valley that he requested a zone change on. Mr. Rieser reported there is a pet farm on one side of this property, and on the other side, the owner has eight to ten horses. Chairman Woodruff asked how the applicant would find time to take care of all the animals. Commissioner Mills reported with the average work day, and the number of anticipated dogs, Mr. Rieser would only be able to spend eight minutes per dog per day. Mr. Rieser assured he would be able to care for the dogs, suggesting he may rent a room out to someone who could help take care of the dogs. He explained the dogs do not receive much individual time, but are mainly dealt with in groups. Mr. Rieser noted he was asking for 30-dogs so that he would not have to apply for another conditional use if he wanted more dogs. He indicated the dogs are housed in three tough sheds with dog runs. Commissioner Mills suggested the dog droppings be removed completely from the site rather than placed in a self-contained container. She commented other cities were surprised about our City’s leniency with kennel licenses. She informed that West Jordan has discontinued issuing new kennel licenses. Commissioner Mills was concerned we may be dealing with something without having much knowledge about it. She perceived animal groups would be concerned with this number of animals left alone during the day.

Ms. Kathleen Bailey is the owner of the property. She reminded that the property adjacent to hers was granted a permit for an animal farm. Ms. Bailey perceived the dogs would do well with eight minutes of attention. She believes the applicant is skilled with dogs and the dogs would not be as loud as the neighboring animals.



Commissioner Matheson noted this is a large amount of property, better than the last property the applicant was interested in. Commissioner Mills asked about puppies, suggesting the number of dogs be limited. Chairman Woodruff asked if the applicant would lower the number of dogs he is requesting. Mr. Rieser replied did not believe he would ever go over 30 animals, and the property is large enough to accommodate 30 animals.

Chairman Woodruff asked what was involved with approval from West Valley's Animal Services. Mr. Rieser answered that once his property is set-up with warm buildings during the winter, a health and space inspection will be performed. Chairman Woodruff asked if Salt Lake County would perform periodic evaluations. Mr. Rieser did not know about this. Commissioner Fuller suggested 30-dogs with the puppies included would be all right. Mr. Rieser indicated he plans to perform designer breeding of dogs no larger than ten pounds, and he has no problem with 30 dogs including puppies. Commissioner Mills asked if this conditional use approval would run with the land and was told yes.

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

**Motion:** Commissioner Conder moved for approval subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. That the applicant receives approval from animal services as soon as the site is set up.
2. That the applicant receives approval from Salt Lake Valley Health Department for a dog boarding and breeding kennel.
3. That the applicant obtains all necessary permits for traveling dog shows (to be obtained with in the city visiting).
4. That if any time, the applicant wishes to build another accessory structure larger than 120 square feet, he obtain a building permit to do so.
5. That no more than 30 dogs, including puppies, be kept on the property at any time.
6. That no dog shall weigh greater than 10 lbs.
7. That the site be kept clean and relatively noise free (as required with animal services approval), so as not to disturb neighboring properties.
8. That all outdoor areas used by the dogs shall be completely fenced.
9. That the dogs and birds be kept as close to the house as possible to prevent any objections from the RMH zone on the north side of the property.
10. That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
11. Dog waste shall be removed from the site and disposed of properly.

Commissioner Fuller seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Mills	No
Chairman Woodruff	Yes

**Majority – C-10-2007 – approved**

**C-11-2007**

**Ready Made Concrete Batch Plant  
2635 Constitution Blvd.  
M Zone 3.57 Acres**

Mr. Ron Weibel presented the application.

The applicant is requesting conditional use approval for a small concrete batch plant at 2635 Constitution Blvd. on 3.57 acres. The zone is M (manufacturing) and the West Valley City General Plan designates this area light manufacturing. Zoning of the adjacent properties to the north, east and west is M and to the south across Parkway Blvd. is RMH (residential mobile home).

The business has its existing office in West Valley City and its batch plant currently in Midvale and wants to consolidate the operation to this site. This concrete batch plants caters to a niche market with typically much smaller load requirements than the average concrete customer. There would be no customer pick-up of concrete from this business. All concrete is delivered in the applicants trucks. The new batch plant would have cleaner and quieter technology than older units and would be partially enclosed in a building. This structure would be in the northeast corner of the property, away from both Constitution Blvd. and Parkway Blvd. The maximum height of the batch plant equipment is approximately fifty-three (53) feet.

Storage of materials for the concrete (sand and rock) would be on the east end of the property. There is currently a chain link fence on the east property line and the owner would like to build an eight (8) foot high masonry wall. This would serve as the back of the material storage area. The material is delivered daily with approximately four (4) loads of rock and four (4) loads of sand a day. The sand that is delivered is concrete sand that is pre-washed and coarser than regular sand and does not have the dust problem that is typically associated with sand.

The business has fifteen (15) trucks, with approximately half of them being the smaller single rear axle type. The business delivers between 100 and 200 yards of concrete a day and typically they schedule about four trips a day per truck. The applicant has said that the trucks do have back-up alarms installed but the distance and number of times they back up is limited. The batch plant has also been situated so that the rear of the truck, where most of the noise comes from, is facing west during loading and backing. In any case, the applicant will be prepared to address this issue at the public hearing. There is minimal noise associated with the batch plant, and even that noise will be muted to a certain extent by the building enclosing most of the plant. There will be partial screening to the south from the elevation of Parkway Blvd. as it crosses I-215.

The hours of operation for the plant will typically be 6:00 a.m. to 5:00 p.m. Monday through Friday and 6:00 a.m. to 1:00 p.m. on Saturday, with deliveries starting at 7:00 a.m. There is a possibility of later deliveries throughout the week, but this is a rare occurrence.

Additional landscaping will be added to what is existing on the site to bring the property into compliance with the current landscaping ordinance. This will include formal landscaping with trees along the south property line adjacent to Parkway Blvd. and additional landscaping in the parking area near the southwest corner of the property that will provide additional screening of the site from Constitution Blvd.

The existing building on the site consists of a concrete tilt-up warehouse portion with a masonry office area on the west side of the building. The warehouse portion will be used for truck maintenance and possibly inside storage of equipment.

**Applicant:**  
**Paul Phillips**  
**2635 South Constitution Blvd.**

**Discussion:** Mr. Paul Phillips has existing businesses in other locations that he wants to combine to this location. He said his business is about half the size of other similar businesses. Mr. Phillips reported his business services homeowners, completes smaller contracts and COD's. He described the smaller trucks that are utilized with this business.

Ron Weibel asked about the truck alarm when with trucks back-up. Mr. Phillips explained the batch plant would be placed on the far east and north portion of the property to keep traffic and noise from the trailer court. The trucks would enter off of 2700 West to load at the rear of the building, then back out towards the west and north, directing back-up alarms away from the trailer park. Mr. Phillips indicated there were very few complaints about back up alarms at their site in Midvale. He said they plan to purchase new equipment and their new brand-name plant will be designed to deal with noise and dust. Mr. Phillips informed there may be some noise due to aggregate falling on steel bins, but this will be enclosed with a building. The silo has yet to be designed, so he was unsure if the building would actually be 53 feet high. He suggested it should be comparable in height with surrounding buildings. Commissioner Lang asked what happens with the extra concrete when it's washed out. Mr. Phillips explained the trucks back up to the concrete recycler which uses water to discharge the excess concrete into a pan filled with water, washing out the particles. Those particles are then used to create roadbase sold as fill material. He said sludge is hauled to the land fill. Commissioner Matheson asked if the settling ponds ever dry up. Mr. Phillips replied they are always wet and constantly moving. He acknowledged a certain amount of dust with this type of business, but they have sweepers and the road will be paved. Ron asked about dust from the sand, but was told concrete is coarse, and the gravel pits wash out any fine dust. Commissioner Matheson asked if the State inspects this type of business. Mr. Phillips answered yes, but as long as the ponds are concrete lined and nothing gets into the ground water, the permit process is simple. Commissioner Mills asked where the sand and gravel is purchased. Mr. Phillips replied from the south end of the valley, but he will probably start purchasing from Tooele.

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

**Motion:** Commissioner Lang moved for approval subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. The batch plant shall be new construction of the type indicated to staff by the applicant and shall be substantially enclosed in a building.
2. Storage of rock and sand for the concrete operation shall be on the east end of the property and shall be contained in bins created by an 8' high masonry fence on that property line and dividers to separate material. All dust from the site shall be controlled.
3. Landscaping as required by ordinance shall be installed as indicated in the landscaping plan submitted with this application. This shall include the landscape strip separating the parking stalls in the southwest area of the property.

4. Noise from the site shall be monitored and minimized as much as possible. Particular attention should be paid to back-up alarms on the trucks as the sound from these can have a long range and piercing tone.
5. Requirements of all other affected departments and agencies shall be met.

Commissioner Clayton seconded the motion.

**Roll call vote:**

Commissioner Cisneros	Absent
Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	No
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Majority – C-11-2007 – approved**

**PLANNING COMISSION BUSINESS**

Approval of minutes from March 28, 2007 (Regular Meeting) **Approved**  
Approval of minutes from April 4, 2007 (Study Session) **Approved**

There being no further business, the meeting adjourned at 6:55 p.m.

Respectfully submitted,

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Lori Cannon, Administrative Assistant