

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

June 13, 2007

The meeting was called to order at 4:03 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Jack Matheson, Terri Mills, and Phil Conder

ABSENT: Karen Lang, Brent Fuller and Dale Clayton

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Steve Lehman, Hannah Thiel and Lori Cannon

WEST VALLEY ADMINISTRATIVE STAFF:

Nicole Cottle, Asst. City Attorney
Marshall Henderson – Intern for the City’s Atty. Office

AUDIENCE

Approximately ten (10) people were in the audience.

ZONE TEXT CHANGE APPLICATION:

ZT-2-2007

Zone Text Change Sign Ordinance

Staff Presentation by Hannah Thiel, Planner I

Ms. Hannah Thiel presented the application.

Legal Authority

Title 11 Sign Ordinance

Background

Staff is requesting a zone text change for the Sign Ordinance. This text change would add a section regarding Electronic Message Signs to the Sign Ordinance, and would clean up the existing ordinance regarding freeway-oriented pole signs, number of pole signs allowed per frontage, as well as monument signs on corner lots. The existing ordinance minimally refers to electronic message signs, which creates some confusion as to the City's standards. Furthermore, the freeway-oriented signs section is not as clear as it could be regarding the height exception. The height exception allows the signs to go 65 feet tall at the minimum front yard setback of 30 feet (derived from the maximum setback for the maximum height in the Manufacturing zone). This rule has been in practice by staff, but is not very clear in writing. Pole signs are regulated in terms of distance to each other, but staff feels that only one pole sign is needed per frontage with the exception of free-way oriented properties. Finally, monument signs are permitted as one per 200 feet of frontage. It has been in staff's practice that if a business is on a corner lot, that business owner may have one sign per side with street frontage, which is currently not very clear in the ordinance.

This text change would allow electronic message signs in the C-2, C-3, and M zones. The signs would have restrictions on brightness during the day and the night, percentage of monument, wall or pole sign the electronic message sign may use, distance to a residential property line, and so on (see proposed ordinance). The text change would also allow electronic message signs in the RB, B/RP, and C-1 zones, with slightly more strict regulations as these zones often border residential properties. The signs would have restrictions on brightness during the day and would have to be turned off at night. They would also be restricted by the percentage of monument, wall or pole sign the electronic message sign may use, distance to a residential property line, and so on (see proposed ordinance). The term for brightness is also added to the definitions section, and the definition for animation is updated. Finally, the electronic message signs are referenced in the zones for which they apply in the Sign Ordinance.

The Planning Commission brought up several concerns in the Study Session held on April 18, 2007. The concerns were as follows:

1. The size and electronic message coverage on the E-Center Sign
2. The sign distance required from residential properties may not be necessary if the electronic message sign is located on a monument and is blocked by a building.
3. The term 'message' could be understood to mean picture or text. Where perhaps text should meet the 30% coverage standard, the picture may not have to...the meaning of 'message' may need to be defined.
4. Locations of existing electronic message signs Planning Commission could look at.
5. Electronic message signs may not be appropriate in certain zones, including the City Center.
6. It may be better to limit the maximum height an electronic message sign could occupy rather than limit the coverage of the sign by a percentage of the sign.
7. Maximum wattage may be a better way to limit the illumination of signs than the percent brightness.
8. It may be wise to limit the minimum distance between electronic message signs.

After this application was continued from the Planning Commission Public Hearing on April 25, 2007, staff met with sign companies and businesses in West Valley City on May 7, 2007. This meeting brought new light to the following issues with the proposed ordinance:

1. The definition for Brightness included watts when it should include lumens as a more measurable form of the display of light.
2. The maximum percentage of 30% may not be sufficient for all signs. To promote the possibility of smaller signs while making an electronic message sign readable, the percentage for the electronic message sign on a monument sign was limited to 50% of the sign area. As pole signs do not use a base like a monument sign, but they could still have a stationary heading for their business name, it seemed appropriate to allow pole signs to use 75% of the sign for an electronic message sign. As billboards really couldn't function, and look aesthetically decent as a sign that did not use the entire sign area, it made sense to allow off premise signs (billboards) to use the entire sign face for an electronic message sign. If an electronic message sign was incorporated into a billboard, it would cut down on aesthetic wear and tear to the sign. Finally, as wall signs are already regulated according to the percentage of the building elevation on which they are located, it seemed appropriate to allow a wall sign to use the entire wall sign for an electronic message sign.
3. As electronic message signs really can't stay in the control of the sign companies, the piece in the proposed ordinance that would require an access code for the sign company's use was removed. Instead, a requirement for certification of brightness at the time a building permit is reviewed was added.

4. The proposed ordinance only allowed one electronic message center per parcel of property. As some properties are very large and spaced out, the limitation to one electronic message sign was removed and the spacing for electronic message signs will meet the requirements for spacing for the sign on which they are located. However, pole signs would have to be spaced at least 200 feet apart.
5. It came up that perhaps the city could cut down on the number of electronic message signs if two properties could share one on the property line, so this was added to the proposed ordinance.
6. As the definition for animation was not quite up to date for electronic message signs, the definition was updated so that it covered the aspects of electronic message signs.

The proposed sign ordinance was then drafted again after the meeting with the sign companies and business owners. After concerns arose in the Planning Commission Study Session on May 16, 2007, staff reviewed the proposed ordinance further in a meeting. Planning Commission voiced concerns in the study session including the potential overwhelming end electronic message signs could place on the City, the need to update the entire sign ordinance, the distance a sign could be from a residential zone dependent on the orientation the sign faces, and the conformance of the E-Center sign. After staff met on May 17, 2007, the following issues were addressed and changed in the proposed ordinance:

1. The percentage allowed for different signs may have been proposed too lax. The regulations currently proposed allow pole signs to use 30% of the sign face for electronic message signs. If a pole sign is built to its maximum size, it could be 200 square feet, which would allow the electronic message sign to be 60 square feet. To encourage smaller monument signs, 50% of a 5 foot tall monument sign could still be used for an electronic message sign. However, 30% would be the maximum for a 10 foot tall monument sign. This would allow 25-30 square feet of electronic message sign area for any sign size, the percentage being on a scale dependant on the sign height. Furthermore, wall signs and billboards continue to allow 100% coverage on the sign face. Of course, wall signs would be restricted to 10% maximum building front elevation regardless of whether the property has a pole sign or not (properties with out a pole sign are allowed to have a front wall sign that is a maximum of 15% of the building elevation for wall signs that are not electronic message signs).
2. The definition for Animated Animation allowed a minimum of two seconds for the display of messages; this seemed much too short and could be distracting, so the minimum display time is proposed at ten seconds with fade duration of three seconds. Freeway oriented signs would only have to have a message displayed for a minimum of three seconds, as they can be seen from greater distances.
3. The need to require a masonry base for all monument signs became evident. Although there are guidelines if a party uses a masonry base, there is currently no requirement for a base.

4. Currently, there is no limitation for the number of pole sign that are allowed per frontage in the sign ordinance. This proposed ordinance would limit the number of poles signs to one sign per frontage, unless the property is free-way oriented.
5. Staff voiced concern about the distraction of scrolling signs, although scrolling signs are still permitted in the proposed ordinance.

Matters of Concern

Sign companies have had concerns with the proposed electronic message sign ordinance. A letter regarding some of their concerns is attached. Sign companies have had the following concerns regarding the electronic message signs:

1. 11-5-107(1)(a) and (2)(a) regulate the percentage of a sign's face. It is desired for the maximum to be at least 50% coverage for all monument signs regardless of size.
2. The restriction to 10% rather than allowing 15% coverage for front wall signs that do not have a pole sign should be removed.

The Planning Commission brought up several concerns in the Study Session held on June 6, 2007. The concerns were as follows:

1. As proposed, no electronic message signs would be permitted in the City Center Zone.
2. The scrolling speed for electronic message signs may need to be regulated in some way, so as not to cause too great of a distraction while driving.
3. The overlay zones in the city may need to be treated differently in terms of electronic message signs as these are sometimes gateway districts into the city.
4. Billboards that are freeway oriented are okay to have 100% coverage of the sign for the electronic message signs. However, in-city billboards, especially when next to residential zones don't seem appropriate to have 100% of the billboard covered with electronic message signs.
5. Some electronic message signs seem very cluttered and distracting when more than one message is displayed at once, where more than one 'piece' of the sign is illuminated.

Concerned:
Tye Dato
1148 S. 300 W.

Concerned:
Deann Leatherman
1148 S. 300 W.

Discussion: Commissioner Matheson asked why the signs were not allowed to show their full brightness in full sun. Hannah Thiel replied the manufacturer's default is 70% to 75%, as full brightness would be too bright. Chairman Woodruff confirmed that

billboards would also be turned off between midnight and 6:00 a.m., and was told this was correct. Commissioner Conder asked if properties smaller than 200-feet would still be able to have a sign. Hannah replied yes. Commissioner Mills asked about the height of billboards. Hannah said they could be 35-feet unless placed on the freeway, and then billboards could be 65-feet. Commissioner Mills asked if a corner lot would have special exceptions for signage. Hannah explained if the lot has two frontages of at least 200-feet, the lot would be allowed to have two signs.

Mr. Tye Dato of Young Electric Signs was concerned about the limitation of 30% for electronics messages on signs. He suggested 30% is too small to advertise properly, limiting the ability people have when reading the sign. Mr. Dato indicated most of the incoming business is from traffic flow and customers in vehicles. He noted the smaller the sign is, the more difficult it is to view. Mr. Dato said it would be difficult to see the signs of companies with smaller frontages and smaller signs who want a message center. Commissioner Matheson mentioned monument signs should be easily viewed because they are closer to the road. He acknowledged smaller electronic message signs could be a problem if on pole signs because of their distance from the road. Mr. Dato suggested electronic message signs be allowed to have 50% or 75% sign coverage. Commissioner Conder reminded that the 30% is only for the electronic portion of the sign. He said the business owners will still be able to utilize the remaining amount of the sign.

Ms. Deann Leatherman of Young Electric Signs informed that adoptions for Salt Lake County's Humane Society increased 25% after the placement of their electronic sign. She asked if West Valley wants to limit a businesses ability to utilize this valuable tool. Chairman Woodruff verified that the Humane Society's electronic animation sign is approximately three-quarters the size of the entire sign. Ms. Leatherman explained viewing angles were determined so that it can be viewed by both angles on the freeway. She indicated that if half a sign was used for a message center, and the other half was the traditional sign, the electronic message portion would use less electricity than the rest of the sign.

Commissioner Matheson wondered if it is advantageous to leave the signs on between midnight and 6:00 a.m., considering the limited amount of viewers. Ms. Leatherman acknowledged many electronic centers are turned off at night, but there is still an advantage to having the sign, even if turned off at night. Commissioner Matheson asked about dimming the signs in the evening. Mr. Dato explained when the signs come from the factory, they are set at 70-75%. Dimming is done for the longevity of the sign, making the sign last longer. Also, the signs are too eye piercing when on full brightness, creating a distraction even during the day. He acknowledged the signs at 100% could be dangerous during the night, blinding drivers. Mr. Dato said they are placed on a timer to automatically dim. Commissioner Matheson asked if they dim when it begins to get dark rather than at a set time. Mr. Dato explained there are two ways the signs can be set, one

is by sensor, similar to photo eye sensors that turn lights on and off. The second way utilizes software which coordinates with the computer's time zone. Commissioner Mills asked if some colors are discouraged, as certain colors are very piercing to the eye. Tye assured they like to have it as readable as possible, grabbing people's attention by being attractive rather than being obnoxious. Two dark colors together do not work, and two light colors together do not work because you will not be able to see the wording. They try to keep a reasonable level of mellowness, making a good effort to advertise appropriately.

Commissioner Conder asked which type of dimming the City would use. Hannah said in the 'RB', 'C-1', and 'B/RP' zones, the automatic dimmer should work well. In the 'C-2', 'C-3', and 'M' zones, it would make more sense to set a time due to those areas being more commercial uses and the activity occurring during winter and summer months. Chairman Woodruff discussed the Humane Society sign, asking where a similar sign might be located in West Valley City. Hannah replied along I-215 or I-201 which are zoned for manufacturing and 'C-2'.

Commissioner Matheson did not want to limit business in West Valley, but noted some municipalities do not even allow electronic signs. He wants to encourage business in West Valley, suggesting more electronic coverage could be allowed for pole signs, such as 50% of the sign. He did not believe monument signs would need an increase in coverage. Commissioner Mills was concerned about billboard and pole signs near residents, noting this type of sign has a greater impact on the community. She suggested the sign sizes may need to be redrafted. Commissioner Mills perceived some signs may be very intrusive on residents, even if shut off in the evening. She asked if some billboard signs could be relocated to be freeway oriented if electronic, removed from residential areas. Commissioner Matheson was not sure midnight is early enough for signs to be turned off near residents, as they would still be very intrusive. He mentioned the noise ordinance is at 11:00 p.m., and he wondered if the light ordinance should be past that time. Chairman Woodruff questioned if the signs could be adjusted to turn off at sunset. Hannah perceived this could be done, and would be most appropriate in the 'C-1', the 'B/RP' and 'RB' zones. She noted that the signs would be turned off very early during the winter, as it gets dark sooner. She asked if a delay could be placed on the sign for approximately one-hour. Mr. Dato assured this could be done, as there is software which works with time zones. He said it changes in the winter, and can be dimmed down, and they can program it to shut off at a specific time. Mr. Dato commented that dimming after sunset would be a mechanical function, requiring an engineer to make the sign shut off, similar to a time-clock situation. Chairman Woodruff confirmed that signs could be turned off two hours after sundown. Mr. Dato assured this could be done, as it is only a simple setting on a software program. Commissioner Conder asked if the signs could be turned on and off depending on the time of year, or if they might turn off when very cloudy and dark during the day. Mr. Dato replied yes, this could be done, as they

have independent functions. Chairman Woodruff suggested the signs be turned off around 10:00 p.m. if near residents. Hannah reminded that signs in the 'C-2', 'C-3', and 'M' zones will be dimmed and not shut off. Commissioner Mills thought the allowed size for these signs is too large. She acknowledged signage is important for businesses, but residents and businesses must be able to interact well together. She was concerned that regardless of the frontage, businesses receive almost the same treatment as far as being allowed to have a ten-foot pole sign. Commissioner Mills believes the size of the frontage should play a part with the size of the permitted signage. She wondered about staggering setbacks, and had concerns about the distance light travels adjacent to residents. Commissioner Mills did not believe the electronic portion needs to be as large as possible. Hannah perceived the message boards on surrounding bank signs were approximately 25% of the sign's size. Commissioner Mills believes there are more issues that need to be addressed. Commissioner Matheson stated anytime signs are near a residential zone, the sign should be smaller and toned down. Commissioner Mills reminded that some residents live in a 'C-1' zone, and some billboards are very close to homes. Chairman Woodruff asked if it would be better to determine the distance from a residential use rather than a zone. Commissioner Mills noted this was previously discussed with the 100-foot limitation, but light travels more than 100-feet. On 3500 South, there is a sign that is very intrusive, even during the daylight, and may be 150-feet from the closest residents. Chairman Woodruff confirmed that the existing signs that do not meet this ordinance would be considered non-conforming. Hannah assured this is correct. Commissioner Mills asked if the existing signs that do not conform would be required to adhere to the standards of brightness, or would they be allowed to continue as-is. Hannah suggested something might be possible through business licensing. Commissioner Conder suggested that lots on a corner be required to have a specific distance, such as 200-foot total frontage, to be allowed two signs. If a business on a corner lot has more than 200-feet of total frontage, then that business would be allowed to have two signs. Currently, if on a corner, a business can have two signs regardless of the amount of frontage. Commissioner Matheson wanted this ordinance discussed by the Planning Commission as a full body.

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

Motion: Commissioner Mills moved for a continuance to allow the Commission more time to research the Electronic Sign Ordinance.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Clayton	Absent
Commissioner Conder	Yes

Commissioner Fuller	Absent
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – ZT-2-2007 – continued

SUBDIVISION APPLICATIONS:

S-12-2007
Westview Estates Subdivision – Preliminary Plat
William Bustos
R-1-8 Zone
61 Lots
17.6 Acres
3.46 U/A

Mr. Steve Lehman presented the application.

BACKGROUND

Mr. William Bustos is requesting preliminary approval for the Westview Estates Subdivision. The subject property was rezoned a few months ago from the A zone to the R-1-8 zone. A development agreement was reviewed and approved as part of the rezone process.

The subdivision is located in an area that is likely to be impacted by the future Mountain View Corridor. The attached map shows how UDOT's preferred alignment for this corridor could impact this property. The developer is aware of this corridor and is aware of staff's recommendation to coordinate this subdivision with UDOT.

STAFF/AGENCY COMMENTS:

Public Works Department:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.

- Concerns regarding ground water investigation as it relates to surface water and shallow ground water. A soils report will be required and a review will need to be done by the City prior to a final plat.
- Will need to coordinate storm water issues.
- Contact Salt Lake County Auditor's Office for approval of street names and subdivision names.
- Revisions to plat required.
- Street cross sections to be approved by the City Engineer.
- Developer will need to coordinate improvements and grading for the new intersection of 4030 South with 6000 West. Concerns regarding slope and visibility will need to be addressed.

Building Division:

- Developer will need to submit a soils report.

Utility Companies:

- Standard Utility Easements required.

Granger Hunter Improvement District:

- Project is subject to all GHID requirements and design standards.

Fire Department:

- Proposed fire hydrant locations need to be shown on subdivision plat.
- Project shall meet all provisions of Fire Code relating to this type of development.

ISSUES:

The Westview Estates Subdivision consists of 61 lots on approximately 17.6 acres. This equates to an overall density of 3.4 units per acre. Lot sizes range from 8,000 square feet to 21,660 square feet. The average lot size has been calculated at approximately 9,810 square feet. A number of lots fronting 6000 West contain existing single family dwellings. These homes will remain as part of the new subdivision.

There are a number of lots in the subdivision that do not meet the 80-foot frontage requirement. For these lots, the developer is applying a provision in the ordinance that allows up to 25% of the total lots to have a reduction of the frontage requirement of up to 15%. For these lots, dwellings will need to be 200 square feet larger than the size specified in the development agreement. In addition, these dwellings will be 100% masonry as required by City ordinance.

The subdivision is being proposed with two flag lots. These lots have been created from properties fronting 6000 West. Although a little bit unique in their location, they do exceed the required 10,000 square foot minimum lot size.

As mentioned previously, the City and developer negotiated a development agreement to address construction standards for the subdivision. Staff will provide the executive summary of these standards for the Planning Commission's review.

Access to the subdivision will be gained from 6000 West and from a stub street in the Larsen Estates Subdivision to the north. The developer will also be providing a stub street to the Robinson property in the event this property develops residentially in the future. Staff will recommend that a conceptual layout of the property to the north be provided to ensure that the location of the stub street is in the most appropriate location.

During the study session, a concern was raised regarding the elevation difference at the intersection of 4030 South and 6000 West. Staff raised this concern with the City Engineering Division and learned that the developer would be required to raise 4030 South to the existing elevation of 6000 West. A maximum slope of 2% would be allowed in a distance of 35-50 feet east of 6000 West before the vertical curve begins. There are obvious concerns with raising the elevation of the subdivision in relation to adjacent properties. The developer will need to coordinate this matter not only with the City Engineering Division, but with those property owners who may be impacted by this increased elevation.

The east portion of this subdivision is located in an area that has been established as the preferred alignment for the Mountain View Corridor. Staff has informed UDOT of this application and its pending review by the Planning Commission. Should this property be purchased by UDOT at some point in the future, the subdivision plat would need to be amended.

The southern boundary of the subdivision is adjacent to the Utah Salt Lake Canal. Staff has been made aware that the proposed subdivision boundary extends beyond the existing canal fence. The developer is proposing to deed this small area to the canal company to ensure that needed access for the canal is maintained. This is a small distance of 3-4 feet

and will not substantially affect the layout of the subdivision.

The proposed access of 4030 South will create an oddly shaped lot 1. The Planning Commission expressed concern that this lot might be challenging to maintain because of its elongated shape. Staff agrees with that assessment, but is also aware of properties that have similar characteristics that are being maintained in other City subdivisions. There are a number of ways that the applicant can approach this concern. The following are some ideas that could work:

1. A portion of this lot could be incorporated into the right-of-way somewhat similar to the Sunnyvale Cove Subdivision at 3600 South 4400 West.
2. A portion of this lot could be used as a formal entry feature into the subdivision. Landscaping and/or maintenance of this feature would need to be tied to lot 1.
3. A portion of this lot could be set aside for entrance into the Utah Salt Lake Canal for an eventual trail connection.

All of these options could work, but at this point, a definitive plan has yet to be proposed. Staff will recommend that the developer explore each of these options and propose a final plan prior to final plat review.

City ordinance requires that the developer fence the canal. The canal company is recommending that the fence be a 6-foot non-climbable chain link fence. Although other subdivisions adjacent to the canal have installed vinyl fencing, the canal company believes that chain link would be less problematic for graffiti and general maintenance. Staff will recommend that this fence be black vinyl coated.

Applicant:

Wayne Bustos

7070 South Union Park Ave., #100

Concerned:

Jay Duke

5901 Dixie Dr.

Discussion: Commissioner Matheson confirmed that the three lots along 6000 West that are zoned agricultural would need to be fenced per the ordinance. Steve Lehman replied yes, there will be a solid vinyl fence for that area. Commissioner Matheson asked about the improvements along the east side of the road. Steve noted the improvements are there, and if there is any damage to those improvements due to construction, the developer would be responsible. Commissioner Mills asked if lot #8 was included when calculating the average lot size. Steve replied the calculations were based on the applicant's engineer. He assured he could include lot #8 and the other lots along 6000 West, but it would only increase the average square footage by a couple hundred feet. Commissioner Mills mentioned the majority of the lots are closer to 8,000 sq. ft., but the average is reported near 10,000 sq. ft. Steve said the larger lots are on the east side because of the corridor. Commissioner Mills asked if grey stamped concrete could be

used for the parkstrip rather than the red stamped concrete. Steve assured this could be negotiated with the developer.

Mr. Wayne Bustos discussed modifications and distributed a handout for the Commission to review. He addressed concerns regarding UDOT and the Mountain View Corridor. He said he has been in regular contact with Greg Fox of UDOT. Mr. Bustos mentioned an e-mail from Mr. Fox stating the only parcel that would be affected if the corridor was an issue would be the bottom lots to the east. It will be over one year before all the inspections and evaluations will be completed. He discussed the issue of visibility on 6000 West. Mr. Bustos reported that visibility will not be a factor, and he will work with the City on any needed requirements. He mentioned lot number 1 was an issue, and it now has a wider opening and the depth was also adjusted. Mr. Bustos met with Nelson of the Salt Lake Canal Company, stating they would like to dedicate property to the Salt Lake Canal Company. They will accept it, but the property line overlaps into his right-of-way easement. This will be corrected by moving all lots further north to allow the property lines to meet exactly on the easement. In addition, Nelson requests something be placed on the plat preventing homeowners from creating access from their back yards onto the canal or along that roadway. A non-climbable fence will be placed. Mr. Bustos discussed lots 50 and 61 which could possibly have an access. He said this would not work due to the road across the street not lining up, creating a liability. Mr. Bustos is in the process of resolving other issues with Ms. Hall and a handicap access along the southwest corner of the property. He noted a parcel that would have a separate tax ID number would be dedicated to the Salt Lake Utah Canal Company. He commented there would be a monument in addition to post office boxes for the entire neighborhood. If the Commission wants more locations, that desire can be expressed to the post office. He assured the mail boxes will not obstruct traffic, and will accommodate two vehicles. Mr. Bustos mentioned if the 3,200 sq. ft. cement area in the front of the development is an issue with the Commission, other options can be reviewed. He believes it will be clean looking, attractive and easy to maintain. Steve Lehman said a letter will be needed to identify Salt Lake Canal Company's commitment for maintenance. Commissioner Mills liked the idea of keeping the trees and the walk along the canal. Commissioner Matheson asked about the plans for basements even though a soils report has not yet been received. Mr. Bustos said research has been conducted, and they feel confident that the water table will not be an issue.

Mr. Jay Duke told the Commission that existing traffic is so bad, he has difficulty getting out of his subdivision. He believes this new subdivision will be an asset to the area. Mr. Duke mentioned two crosswalks going to nearby schools, and he suggested traffic calming devices, such as a traffic light placed to help regulate traffic. Chairman Woodruff asked if these issues could be discussed with the City's Engineering Department. Steve acknowledged discussions regarding a potential light at the intersection of 6000 West 3500 South have occurred. He will ask the engineers to review

these concerns regarding schools and caution signs. Commissioner Matheson did not want the front area to be all concrete. He perceived a layer of gravel, cobble rock and boulders would be attractive and still keep the weeds out. Commissioner Mills reminded that gravel requires a great deal of maintenance, and must be added to every two years or so. Commissioner Matheson suggested crushed rock could be specified as it works better than gravel. Mr. Bustos noted he will not be placing gravel, but 4-inch, colorful rocks that will require less maintenance. Commissioner Mills thought it might be wise to limit the lots to 61-lots. She also reminded that children tend to throw rocks if readily available. She would rather have the stamped concrete.

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

Motion: Commissioner Conder moved to grant preliminary approval for the Westview Estates Subdivision subject to the following conditions:

1. That the Subdivision be guided by the recorded development agreement. All builders in the subdivision shall be provided a copy of this agreement from the applicant
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 Granger Hunter Improvement District i.e., water line extensions, connections, water rights and fire protection.
4. That the developer coordinate issues regarding storm drainage with the City Engineering Division.
5. That the developer coordinate all matters associated with any irrigation or open ditch systems with the City Engineering Division. The developer shall coordinate this issue with any water users and the City Public Works Department as part of this recommendation.
6. That 6000 West be dedicated and improved according to plans and profiles approved by the City Engineering Division. All other interior streets, including design shall be approved by the City Engineering Division.
7. That the developer coordinate the access of 4030 South with both the

Engineering Division and adjacent property owners as it relates to the increase in elevation at this location.

8. That the developer coordinate the subdivision with the Utah Salt Lake Canal Company. If property is to be deeded from the developer to the Canal Company, a parcel will need to be created with a separate legal description.
9. That the developer be required to install a 6-foot non-climbable black vinyl coated chain link fence along the canal right-of-way. The developer will also be required to install a chain link fence adjacent to any agriculturally zoned property.
10. That the developer provide options that will make better use to the west end of lot 1.
11. That a conceptual layout of the Robinson property be provided to ensure that the stub street is in the most appropriate location.
12. That the developer continue to coordinate with UDOT all matters pertaining to the Mountain View Corridor.
13. That a soils report be completed prior to final plat review.
14. That a letter be submitted to the Canal Company establishing clear communication as to who is responsible for general maintenance.
15. That a solid fence should be installed along the south side of the Kirby property.

Commissioner Matheson seconded the motion.

Roll call vote:

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

Unanimous – S-12-2007 – approved

PUD-3-2006
Arbor Square at Lake Park – Architectural Modification
Garbett Homes
RM Zone
64 Units
4.72 Acres
13.6 U/A

Mr. Steve Lehman presented the application.

BACKGROUND

Noel Ballsteadt, representing Garbett Homes, is requesting consideration to modify the approved building architecture for the Arbor Square at Lake Park development. The Arbor Square Subdivision received final approval in January 2007.

ISSUES:

The Arbor Square at Lake Park development is a residential community consisting of 64 town home units. The project is located on 4.72 acres which equates to an overall density of 13.6 units per acre. The development will consist of both 4-plex and 6-plex units.

During the preliminary and final review processes, the Planning Commission played an active role in the review of the proposed architecture. The architecture was the first of its kind for this developer and did not typify a standard attached housing product. There was a great deal of movement in both the exterior façade and roof line. Buildings were to consist of 100% masonry products and multiple color schemes.

Subsequent to the plat approval by both the Planning Commission and City Council, the developer began to actively market this product. To their dismay, a number of issues surfaced that they had not anticipated. They learned that potential buyers did not want to purchase a unit that contained living space above another unit. They also became aware of fire codes that would have required each unit to be fire sprinkled. For these reasons, the developer has submitted an architectural design that moves away from a condominium to a town home product.

As a result of this change, the building architecture has changed substantially. The developer has submitted a revised style of architecture which is more of a contemporary craftsmen style. It should be noted that the developer has also submitted this architectural concept to Zion's Securities for their review. The Planning Commission and Zion's have offered various recommendations which have been incorporated into the new design.

The final architectural style will be presented to the Planning Commission during the regular meeting. Staff has provided a copy of the elevation that was reviewed during the study session. This elevation incorporates the suggestions made by the Planning Commission regarding the roof design. The architectural changes reviewed during last weeks study session have also been approved by Zion's Securities.

The new building design will also have an impact on unit square footage. All residential units will increase in living space. The smallest increase will be 50 square feet while other increases will be nearly 350 square feet per unit.

Applicant:

**Noel Ballstaedt
Garbett Homes**

Discussion: Mr. Noel Ballstaedt explained that the changes made to this application are only to the exterior of the units. Commissioner Matheson wanted to make sure that the interiors will be high quality. Mr. Ballstaedt assured the unit's interiors are consistent with all packets. He said they do not cut on trim, cabinets, tile, etc., regardless of the City the units are located in. Commissioner Conder was concerned that snow may accumulate on one portion of the roof. Mr. Ballstaedt indicated their engineer has researched this and it will not be a problem. He said ice and water shields will be used, as well as rain gutters. Steve Lehman informed that the plat modifications will be placed on the next agenda to comply with the required noticing.

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

Motion: Commissioner Matheson moved for approval of the proposed architectural changes for the Arbor Square at Lake Park Subdivision.

Commissioner Conder seconded the motion.

Roll call vote:

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

Unanimous – PUD-3-2006 – approved

PLANNING COMISSION BUSINESS

Approval of minutes from May 9, 2007 (Regular Meeting) - **Continued**
Approval of minutes from May 16, 2007 (Study Session) - **Approved**
Approval of minutes from May 23, 2007 (Regular Meeting) - **Continued**

There being no further business, the meeting adjourned at 5:30 p.m.

Respectfully submitted,

Lori Cannon, Administrative Assistant