

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

June 27, 2007

The meeting was called to order at 4:00 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

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

ABSENT: Jack Matheson

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Steve Lehman, Steve Pastorik, 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 12 people were in the audience.

GENERAL PLAN/ZONE CHANGE APPLICATION:

GPZ-2-2007

Rundassa Eshete, Chris Herod, & Shukri Besisso

3155 South 7200 West

General Plan Change from Low Density Residential and Large Lot Residential to Medium Density Residential

Zone Change from R-1-10 and A to R-1-8

12.8 Acres

Mr. Steve Pastorik presented the application.

Rundassa Eshete, Chris Herod, and Shukri Besisso have submitted a General Plan/zone change application two parcels totaling 12.8 acres located at 3155 South 7200 West. The south parcel is currently zoned R-1-10 (single family residential, minimum lot size 10,000 square feet) and is classified as low density residential (3 to 4 units/acre) in the General Plan. The north parcel is zoned A (agriculture, minimum lot size ½ acre) and is designated as large lot residential (2 to 3 units/acre) in the General Plan. The applicants are requesting an R-1-8 zone (single family residential with a minimum lot size of 8,000 square feet) and a General Plan land use designation of medium density residential (6 to 10 units/acre).

Surrounding zones include A to the north, R-1-10 to the east and south, and R-1-6 to the west in Magna. Surrounding land uses single family homes to the north, east and south and a church to the west in Magna.

Development Proposal

The applicant has submitted a concept plan for the subject property that indicates a total of 81 senior condos similar to those at Valley Vu Villas and Hunter Villas. The resulting density is 6.3 units/acre. Units would be between 1,600 to 2,000 square feet. Basements are possible on the site and the applicants plan to offer basements as an option. For comparison, Valley Vu Villas included 80 units on 11.8 acres (6.8 units/acre) and Hunter Villas included 96 units on 16.4 acres (5.9 units/acre). Most of the buildings include 4 units per building; however, a few of the buildings have less than 4 units. The south parcel has received final approval for a 22 lot single family subdivision called Majestic Landing. However, the owners have decided to hold off on recording this subdivision to pursue this senior condo proposal.

Attached to this report is a document from Chris Herod entitled “Application for West Valley City General Plan/Zoning Changes” which explains why, from his perspective, this application should be approved. One of the points Mr. Herod makes in this document

is that “although Active Senior Communities have higher densities, they actually provide less stress on the roads because seniors engage in fewer daily car trips.” ITE Trip Generation data show attached senior adult housing having an average of 3.48 weekday trips per unit while single family detached homes have an average of 9.57 weekday trips per unit. So, even though the density of this project is about half that of a single family detached development, the traffic generated would be almost 30% less than single family detached.

Issues

Transfer of Development Rights (TDR)

Given the existing zoning of the property and its location in the City, the TDR ordinance requires new development over 3.5 units/acre to acquire development credits. A recent TDR ordinance amendment added an alternative to purchasing development credits. This alternative requires an appraisal of the property before and after the rezone. The applicant then pays the City half of the difference between the before and after rezone property values. The City must use these funds for land acquisition within the sending site or storm water management and open space improvements within the sending site. The applicants are aware of the TDR ordinance and are exploring options on how to best meet the requirements for this proposal.

Development Agreement

On recent rezone applications involving multi-family housing, the City has required a development agreement. These agreements have included items that are proposed by applicants in their conceptual plans. In addition to the concept plan submitted by the applicants, Chris Herod submitted a letter dated June 12, 2007, which is attached, that addresses commitments he and his partners are willing to commit to. One of the commitments listed was a daytime easement for the trail that would connect Hunter Village and Sugarplum. The City’s Parks Department prefers trail right-of-way dedication over an easement. In addition to the commitments outlined in Mr. Herod’s letter, staff recommends that the following items be covered in the development agreement:

- No more than 81 units shall be built.
- Every unit shall have a two car garage.
- The minimum condo size shall be 1,600 square feet.
- All condo buildings shall be built substantially like the elevations submitted as part of the application with the exception that all of requirements in Chapter 7-14 Part 3 of the Zoning Ordinance (multi-family design ordinance) shall apply to all homes within the development as well as the site layout/design and open space. This means that the condo elevations and the concept plan submitted for the General Plan/zone change may need to be revised as part of the subdivision approval process to meet the ordinance standards.

- At least 80% of the units shall have an occupant that is at least 55 years old.
- Due to the specific product type being offered by this applicant, staff suggests that a provision be placed in the development agreement placing the owners of the land on notice that in the event the land is not developed pursuant to the approvals and development agreement, staff would seek a rezone of the property back to R-1-10.
- The agreement should include language used in other recent development agreements concerning the transfer of maintenance responsibility of common area improvements from the developer to the homeowner's association.
- The TDR development credit requirements outlined in Section 7-26-107 (1) and (2) shall be met prior to final plat approval.
- The TDR design requirements in Section 7-26-107 (4)(d) shall be met.
- The trail corridor connecting Hunter Village and Sugarplum shall be dedicated to the City. The exact location of the trail corridor shall be determined during the subdivision approval process.

Other issues that could be addressed in the development agreement or at the time of the preliminary plat approval include details on site amenities and details on perimeter fencing.

Applicant:
Chris Herrod
4125 N. Crestin Ave.

Applicant:
Rundassa Eshete
214 E. Delgada Ln.

Applicant:
Shukri Beseiso
2004 E. Fielding Hill

Discussion: Mr. Chris Herrod said this is the best time to develop this property. Chairman Woodruff asked about TDR's. Steve Pastorik explained the TDR's could be determined once the appraisal of the property has been completed, or they could be negotiated when the preliminary plat is approved. Commissioner Mills confirmed that if the land is not developed, and staff requests a rezone, it would need to come back to the Commission. Steve assured this is correct, as it would need to go through the entire process.

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

Motion: Commissioner Conder moved for approval subject to a development agreement reviewed and approved by the Planning Commission. TDR's should be addressed in the near future as soon as possible.

Commissioner Fuller seconded the motion.

Roll call vote:

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

Unanimous – GPZ-2-2007 – Approved

ZONE TEXT CHANGE APPLICATION:

ZT-2-2007 This application was pulled by the applicant to be heard at a future public hearing.

SUBDIVISION APPLICATIONS:

PUD-4-2007
Millburn Manor - Preliminary Plat
3615 South Redwood Road
R-1-7 Zone
56 Lots
7.92 Acres

Mr. Steve Lehman presented the application.

BACKGROUND:

Nick Mingo, representing Hamlet Homes, is requesting preliminary approval for the Millburn Manor Subdivision. The subject property was rezoned in May 2007 from the C-2 zone to the R-1-7 zone. During that process, it was determined that the subdivision would be processed as a planned community.

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 development. Staff will reference the highlights of this agreement throughout the subdivision analysis.

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.
- Grading and drainage concerns.
- UDOT approval required for access on to Redwood Road.
- Will need easements for storm water and sewer connections.
- 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.

Fire Department:

- Project to meet all fire codes relating to this type of development.
- Hydrants to be shown on plat.
- Questions on whether this community is gated. If so, coordination regarding access will be needed.
- Will need to evaluate secondary access along the north side of Callisters.

ISSUES:

The preliminary plat consists of 56 lots on 7.92 acres. This equates to an overall density of 7.0 units per acre. The subdivision is being proposed as a planned community having traditional neighborhood characteristics. All dwellings are detached with large covered porches, rear loaded garaged and tree lined streets.

Staff would like to address the following issues as part of the subdivision analysis.

Subdivision Design:

The subdivision is being proposed as a private community with detached single family housing. The proposed plan differs slightly from the plan the Planning Commission reviewed during the rezone process. The original plan illustrated a long straight street heading east from Redwood Road. The street would continue around the entire subdivision with one road in the middle. During the City Councils review, a recommendation was made to eliminate one of the streets and plat the subdivision with two streets having residential units along the north and south sides of the property. This design eliminates the straight road and allows properties along the north and south boundaries to have deeper yards.

The street system will be private and access to all dwellings will be through a series of auto courts. The limited access on to the private street from the auto courts will add to the character of the subdivision as garage doors will not be seen from the street. The subdivision allows for certain lots to have rear yard spaces while others are limited. The developer is proposing an open space area along the east side of the development. This area will need to be planned for recreational opportunities.

Although the City Council approved the present subdivision design, staff believes that problems will exist for those lots at the end of the auto courts. Residents living at the end of these courts in both the north and south areas will need to use neighboring driveways to back up. If vehicles are parked in the driveway, the end residents would need to back up nearly 120 feet in order to exit the auto court. As these areas may be prone to children playing, this is a concern that will need to be addressed. Staff will recommend that the developer look at ways to mitigate this concern. One possible suggestion would be to square up the driveway for the end lots creating a turning area. The downside to this suggestion is the elimination of open space.

Architecture:

The development agreement states that proposed architecture is “period architecture” characteristic of the Victorian era. The primary features of this architecture include steeply pitched gable roofs, decorative trusses at the gable apex, overhanging eaves with exposed rafter ends and wooden wall cladding of clapboards and shingles often with horizontal or vertical trim boards. Asymmetrical, partial and full porches will be an integral part of the proposed architecture.

Development Agreement:

As mentioned previously, the Planning Commission and City Council reviewed and approved a development agreement for this subdivision. Staff believes that the standards outlined in this agreement will create a unique and solid community. The adopted standards to be used in this community will exceed those outlined in the current City ordinances regarding single family housing.

Access:

Access to the subdivision will be gained from Redwood Road. The developer is proposing a secondary access from Redwood Road on the north side of the AA Callisters building. The developer will need to coordinate both of these access points with UDOT. Although streets in this development will be private, the right-of-way width is similar to that of a dedicated street. This will allow residents to park on one side of the street while maintaining safe travel ways.

There has been discussion that properties to the north could develop residentially in the future. The developer has expressed an interest in this property and may pursue the adjacent property as an expansion to this project. The developer is providing a potential connection at the northwest corner of the subdivision in the event it is needed.

Grading/Drainage and Soils Report:

The proposed subdivision has some grading issues that will need to be addressed. The west end of the property is fairly consistent with the grade of the AA Callister property. However, the east end of the development does contain areas of slope.

Staff has expressed concern that the grade difference between this development and the Kingspointe Subdivision to the east be addressed as part of the grading and drainage plan. This plan will be reviewed by the City Engineering Division and recommendations will be made to ensure that properties to the east will not be negatively impacted.

A portion of the east end is shown as a detention basin. The basin is approximately 4 feet in depth and is intended to detain storm water from the development before it flows to the

east. As part of the storm drain outfall, the developer is negotiating an easement through residential properties to the east. Staff will recommend that the developer coordinate this issue with the City to ensure that properties to the east will not be negatively impacted by this detention basin.

The soils report indicates that ground water was encountered at depths ranging from 3.5 to 14 feet. Findings from this report indicate that certain areas in the subdivision would be fine for basement construction. The report also indicated that a subsurface drain could be installed to provide more depth for basements. Staff is unsure how the developer intends to address this matter.

The geotechnical report also indicates that the project site has been used as a dumping ground of sorts. According to the developer's soils report, fill material was placed on this property which contain varying amounts of construction debris consisting of concrete, asphalt, pipes, metal, wood and masonry pieces. These materials extend approximately 3 feet in depth.

The report indicates that materials classified as non-engineered fill could be re-utilized provided that they meet the requirements for engineered fill. Oversized pieces of concrete would need to be removed from the site or crushed to meet with size requirements for structural fill. The geotechnical report addresses all of these areas in great detail. The developer will need to coordinate these concerns with both the City Engineering Division and Building Division.

Utilities:

The developer will be responsible to coordinate the availability of all utilities for the subdivision. As mentioned previously, the developer has been working with property owners in the Kings Pointe Subdivision regarding easements for certain utilities. All other utilities will be coordinated through the normal subdivision process.

Fencing:

The development agreement outlines requirements for fencing. Essentially, the north, east and south sides of the subdivision will be fenced with a 6-foot vinyl fence. Property to the west will be fenced with a masonry wall. Should a retaining wall be required on the east side of the development, staff would recommend that the vinyl fence be placed on top of the retaining wall.

Open Space:

The development site contains both private and common open spaces. All residential lots have some degree of open space although some larger than others. During the rezone process, an area along the eastern boundary was planned as a community open space. According to the subdivision plat, this area is approximately 18,000 square feet in size. Although this common space was shown on the conceptual plan, a detailed review of how this property would be designed and developed did not occur.

After evaluating this space, and upon learning that this area would be used in large part as a detention basin, staff is concerned that this may detract from the functional purposes for which this space was originally intended. The plat shows the depth of the open space parcel at approximately 64 feet. The grading and drainage plan indicates that approximately 20-30 feet would be usable once final grading is complete.

The signed development agreement states that 3.38 acres of open space would be provided. According to the preliminary site plan, 3.12 acres of open space is being proposed. As the development agreement was approved with a higher percentage of open space, the development site will need to be modified to reflect the agreed upon acreage in the development agreement. The difference between the approved development agreement and proposed open space is approximately 11,325 square feet – a pretty substantial difference for a project this size.

Staff has discussed this issue with the developer. The developer has explained that a landscaping plan is being prepared. The developer explained that portions of this area will be terraced and will include a play area, benches and gazebo. The developer informed staff that this plan will not be available until the Planning Commission meeting.

Applicant:

Mike Brodsky
308 East 4500 South

Discussion: Mike Brodsky distributed booklets to the Commission for their review. He believes this type of development is the trend around the country, and it should be a show piece for single family detached homes. He noted the density is a little less than townhouses. Mr. Brodsky mentioned vehicles will be off the street, as auto courts will be located behind the homes. He commented the development meets the existing grade on the west side and there will be a berm on the east side. They have obtained one easement between adjacent properties which is adequate to obtain all required utilities. He said they are working to obtain another easement for sewer. Mr. Brodsky discussed the fill on the property, stating the concrete will be crushed for road base. He had a letter from Salt Lake County with acceptable names for the development, and he reminded it is not a gated community. The development layout has been reconfigured, increasing the playground area, for a total of 3.44 acres of open space. Mr. Brodsky said the

development will be heavily landscaped and all landscaping will be maintained by a management company. There will be vinyl fencing on three sides of the project with a masonry wall placed next to the Callister property. They are working closely with UTOPIA to provide fiber optic services to these homes. Commissioner Mills asked if there would be a monument sign on Redwood Road. Mr. Brodsky replied he needs to work with Callisters regarding a potential small monument sign. Commissioner Clayton asked about the elevation change and was told it was three to four feet. He asked how much flat area is in the bottom of the retention area. Mr. Brodsky answered it varies between 20 feet in width to 30-40 feet. Commissioner Clayton asked which part of the front lawns will not be taken care of. Mr. Brodsky said everything will be maintained. He further explained that fencing will not be allowed in areas except where the developer designates. Commissioner Clayton asked if title will only be the footprint of the house. Mr. Brodsky replied no, it will be a fee simple lot. The homeowner owns the entire lot, and the driveway will be carved out of the lot and deeded as a limited common element to the HOA. The common driveway then becomes the responsibility of the HOA to maintain. Therefore, the homeowner will have very little maintenance of their yard, but they will own it. Commissioner Clayton asked if there would be any restriction regarding use with the common green in between the units. Mr. Brodsky explained it is the homeowner's property, and if he does not want people on his property, he has that right. He stated there are lot lines shown on the engineering drawing, similar to a single family community. Commissioner Clayton was concerned there was not a large amount of common green space for sharing. Mr. Brodsky mentioned residents will share the auto court, which will become a common private area within each cluster. Commissioner Mills asked if a homeowner could plant a garden on their green space area. Mr. Brodsky perceived they would need permission from the HOA, and if approved, the homeowner could maintain the garden themselves. Mr. Brodsky informed that the City Council has already signed a development agreement which includes all the discussed design criteria.

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

Motion: Commissioner Conder moved to grant preliminary approval for the Millburn Manor 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 Granger Hunter Improvement District i.e., water line extensions, connections, water rights and fire protection. The developer shall resolve all matters pertaining to these services and necessary easements prior to final plat review.
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 the developer coordinate access on to Redwood Road with UDOT. Said approvals shall be granted prior to final plat review.
6. That the developer install fencing as outlined in the development agreement. The developer shall also coordinate fencing and secondary access with the City Fire Department.
7. That the developer follow recommendations outlined in the soils report. This report will need to be evaluated by both the City Engineer and Building Official as it relates to ground water and fill materials.
8. That the grading and drainage plans be evaluated by the City Engineering Division. Said grading plan shall identify areas of concern with regards to existing slopes and 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 this property and adjacent properties. These plans will need to be reviewed and approved by the City Engineering Division prior to final plat review.
9. That the development contain 3.44 acres of open space. The conceptual plan for the open space was approved by the Planning Commission on June 27, 2007.
10. That a landscape plan be prepared for the entire development prior to final plat review.
11. That the proposed development comply with all provisions of the West Valley City Fire Department. This shall include access into and through the project.
12. That proposed building setbacks be in accordance with the site plan

reviewed as part of this application. Slight modifications can be made to this plan if needed in order to accommodate utilities or other infrastructure. Modifications that deviate substantially from the approved site plan shall be reviewed by the Planning Commission.

13. That an entry feature be located at the southwest corner of lot 1.
14. That the Home Owners Association (HOA) be responsible to maintain all areas of common space and limited common open space.

Commissioner Mills seconded the motion.

Roll call vote:

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

Majority – PUD-4-2007 – Approved

S-2-2007
Northview Estates Subdivision – Preliminary Plat
Boyd Brown
R-1-8 Zone
57 Lots
23.5 Acres

Mr. Steve Lehman presented the application.

BACKGROUND

Mr. Boyd Brown is requesting preliminary approval for the Northview Estates Subdivision. The subject property was rezoned in 2006 from the M zone to the R-1-8 zone. A development agreement was reviewed and approved as part of the rezone process.

The subdivision is located east of the Rocky Mountain Corridor and future Mountain View Corridor. The attached map shows UDOT's preferred alignment and its relation to the proposed subdivision. The alignment does not affect the developer's ability to develop the subdivision.

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.
- Approval from Rocky Mountain Power regarding access through their corridor.

Building Division:

- 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.
- Concern regarding sewer connections under the DR&G Railroad and easement

widths.

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 Northview Estates Subdivision consists of 57 lots on approximately 23.5 acres. Lot sizes range from 8,000 square feet to 23,131 square feet. The average lot size has been calculated at just under 10,000 square feet. There are 8 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 in the frontage of up to 15%. For these lots, dwellings will need to be 200 square feet larger than the size specified in the development agreement. All dwellings will be 100% masonry as defined in the development agreement.

As mentioned previously, the City and developer negotiated a development agreement to address building size, lot size, architectural style, building materials, and front yard landscaping. Provisions of this agreement will be addressed with each home builder and will be reviewed as part of each building permit.

Access to the subdivision will be gained from 6000 West and from a future connection to 4700 South. As the Planning Commission is aware from previous applications, properties east of 6000 West face challenging design and access issues because of the Mountain View Corridor. Staff has met on numerous occasions with UDOT, and Mr. Brown regarding this subdivision. These discussions have generally centered on the best way to plan for residential development in this area while trying to accommodate the proposed Mountain View alignment.

During discussions with UDOT, staff has learned that the existing 6000 West will not connect with 4700. During the approval process for the Vistas Subdivision, the Planning Commission and City Council made known their intent that a connection from 6000 West to 4700 South was a necessary component for successful traffic circulation in this area.

Staff has informed the developer that the new proposed road for the Northview Estates subdivision being east of 6000 West would need to replace the existing connection from 6000 West to 4700 South. The developer and UDOT have met on numerous occasions with staff and the City Engineering Division to evaluate this road and its alignment. The

minor collector road has been designed to cross the corridor at a 90 degree angle which will help lessen future bridge concerns. In addition, the proposed road alignment going south to 4700 South is the best possible location because of steeper slope concerns on property to the west.

The City Public Works Department has suggested that the improvements recently installed for the crossing at 6000 West, along with the future crossing arms, could be moved to this location. This would help reduce costs for the rail crossing and would help facilitate getting this crossing built now as opposed to later. Although Mr. Brown has yet to resolve all issues regarding the railroad crossing, it is expected that this matter will be resolved prior to final plat approval. In the meantime, the Fire Department will allow the developer to construct 30 dwellings on a single point of access. Should the rail crossing be move difficult than expected, the developer will need to evaluate secondary access options for the remainder of the subdivision. These could include access from the Vistas phase 2 Subdivision to the northwest and/or a second access from 6000 West.

The subdivision is located in an area that has some challenging ground water problems. Although subsurface water reports across 6000 West and immediately to the north in the Vistas Phase 2 Subdivision did not exhibit high ground water tables, the developer will need to provide a new soils report. This report will need to be provided and reviewed by the City Engineering Division before the final plat can be reviewed by the Planning Commission.

The southern boundary of the subdivision is adjacent to the Denver & Rio Grande Western Railroad. City ordinance requires that this area be fenced with a 6-foot non-climbable chain link fence.

The proposed subdivision is located in the outer ring of the overpressure zone. City ordinance will require that certain construction standards, specifically stronger windows be applied for new dwellings. A note regarding the OPZ will be attached to the subdivision plat.

As with other subdivision development in this area, there are concerns with the noise from concerts held at the USANA Amphitheater and from potential impacts of the Frito Lay manufacturing plant. These concerns were addressed with the Vistas development agreement, but have not been with this developer. Staff will recommend that similar notes be placed on the plat notifying potential residents of these impacts.

Applicant:
Mark Numbers
3480 East 3020 South

Discussion: Mark Numbers told the Commission he has met with staff and discussed issues with UDOT for resolutions regarding the Mountain View Corridor. He assured he can accommodate all staff's recommendations. Mr. Numbers said he is currently communicating with Utah Power, the gas and railroad companies regarding any issues with this development. Commissioner Mills asked if a note will be placed on the plat regarding the Mountain View Corridor. Steve Lehman indicated a note was placed on adjacent subdivision plats regarding the Mountain View Corridor, and a note will be placed on this plat. He reminded that it is up to the developer and builder to inform homebuyers of these concerns, as the homeowner may not see the note on the plat. Mr. Numbers asked if a vinyl fence could be placed around the perimeter of the development. Steve mentioned the ordinance only requires fencing, and vinyl fencing may result in more destruction or vandalism of the fence. He commented homeowners could place vinyl, or the Commission could require vinyl if they so desire. Steve informed that homeowners are discouraged to place their own fence, because the fencing will most likely not match other fencing and will be unattractive. He said the developer would install the entire fence, but the homeowner can place whatever fence they desire afterwards. Commissioner Clayton liked the idea of a consistent fence, and suggested if vinyl is desired, it should be mentioned now. Commissioner Conder asked if the fencing is a security issue. Steve replied no, it is a matter of buffering the subdivision from the railroad. He stated if vinyl fencing is desired, it should not be placed until the homes are in and ready to be moved into.

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

Motion: Commissioner Clayton moved to grant preliminary approval for the Northview 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 the minor collector street be platted to a 60-foot right-of-way. All other interior streets, including design shall be approved by the City Engineering Division.
7. That a soils report be completed prior to final plat review.
8. That all single-family dwellings be subject to the construction standards outlined in Section 7-10 of the West Valley City Code. This section outlines the requirements for construction within the Overpressure Zone.
9. That a note be placed on the plat notifying potential residents that this subdivision is located near manufacturing property and an entertainment venue, and may be subject to noise and odors associated with manufacturing and entertainment uses.
10. That the developer coordinate the rail crossing with UDOT, adjacent property owners, D&RG Railroad and City Public Works Department. If the crossing is not resolved after the first 30 dwellings are constructed, secondary access will be required.
11. That the developer coordinate access through the power corridor with Rocky Mountain Power.
12. That all lots adjacent to the existing railroad be fenced with a 6-foot vinyl fence to be installed once the units begin to be occupied.

Commissioner Lang seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	Absent

Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – S-2-2007 – Approved

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

Mr. Steve Lehman presented the application.

BACKGROUND

Noel Ballsteadt, representing Garbett Homes, is requesting consideration to modify the approved subdivision plat for the Arbor Square at Lake Park development. The Arbor Square Subdivision received final approval in January 2007. New architectural elevations were approved by the Planning Commission on June 13, 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.

Subsequent to the plat approval by both the Planning Commission and City Council, the developer has decided to alter the product type from condominiums to town homes. The reason for this change is based on marketing, fire requirements and construction codes.

As a result of this modification, the plat has been changed from what was originally approved. The overall street patterns both within and along the periphery of the development site have not changed. The building footprint and open space areas have been modified. One key improvement is the increase in square footage. This increase ranges between 50 and 350 square feet for all units.

The original site plan denoted that buildings would occupy 29.9 percent of the site with 50.4 percent open space. Due to the increase in building size, the developer is now proposing a site plan with the building occupying 33.3 percent of the site and 47 percent open space. City ordinance requires that 50 percent of the site be open space. However, the ordinance does have a provision that allows the Planning Commission to reduce the percentage upon a showing that the open space in the development site will provide amenities which will substantially meet the needs of future residents.

During a previous Planning Commission meeting, representatives from Zion's Securities explained that all residential developments in Lake Park would have access to the overall Lake Park trail and waterway systems. According to information recently provided by Zion's, there will be approximately 4 miles of trail systems, 12 acres of waterways and 18 acres of green space.

The developer believes that the two formal areas of open space provided within this development along with the above mentioned recreational opportunities, should be enough to off-set the reduction in open space as requested.

Applicant:

Noel Ballsteadt

6384 South Castlefield Lane

Discussion: Mr. Noel Ballsteadt showed the Commission a before and after drawing, stating the proposed changes are very small. Commissioner Conder did not believe the required open space should be difficult to obtain, even if a lot is lost. Commissioner Clayton did not think there was a measurable difference with the lack of open space. Commissioner Lang agreed more open space would not be that significant, as the larger homes are a great trade-off. Commissioner Fuller asked what the actual square footage would be. Steve Lehman answered it would be 3% of 4.7 acres. Chairman Woodruff noted this design is similar to the original design with each building incrementally split towards the street. Commissioner Conder perceived if the application was originally submitted like this, the Commission may have asked that some property be shaved off to equal the open space requirement. Commissioner Mills was concerned the open space areas would be so small, any fencing would break them up. Mr. Ballsteadt assured there will be no fencing between units, but only placed around the perimeter roads. He reminded that Zion Securities has designated open space for the entire area, including trails and amenities. Mr. Ballsteadt noted the West Valley Family Fitness Center is also located across the street from this development. Steve mentioned the City's ordinance requires 15% useable open space, and this drawing has 21.8% open space. He said it includes an additional area which is difficult to see on the plat, adjacent to Arbor Lane. Chairman Woodruff wondered if the Commission could specify where a lot was to be eliminated if so determined. Steve answered yes, this could be done.

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

Motion: Commissioner Lang moved for approval of the modified site plan and subdivision plat for the Arbor Square at Lake Park Subdivision.

Commissioner Clayton seconded the motion.

Roll call vote:

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

Split Vote – PUD-3-2006 – Motion did not pass

Discussion: Commissioner Lang asked if the common area in the middle of the project change substantially. Steve Lehman replied that one area in the middle has not changed at all. He said another area was only changed by a few feet due to the buildings being extended. Commissioner Lang explained that she does not have difficulty with this application because it does not affect the two useable open space areas. Commissioner Clayton asked what the unit footprints would be if eliminated. Mr. Ballsteadt stated if a building was eliminated, and space was shifted, only the sideyards would be impacted, not the green space. He said the trade-off is larger inside space rather than outside space. The market for this development is for first-time buyers who live in such units for two to three years before moving into a larger home. The open space available with this development is large enough for a small family who does not want a lot of open space. Commissioner Clayton asked what was the unit footprint. Mr. Ballsteadt answered most are 20X35 for 64 units. Commissioner Clayton did not believe there would measurably be a large increase. Mr. Ballsteadt said they could eliminate a garage, but ultimately it would not give much more space. Commissioner Conder asked if it would help to convert a six-unit building into a four-unit building. Mr. Ballsteadt replied to meet the 50%, they would not need to make it a four-unit building. He thought it would only give more of a sideyard for one of the units. Commissioner Fuller questioned what kind of precedence this will be setting. He was concerned the Commission originally asked for more open space, but now must rely on the adjacent Lake Park's open space. Commissioner Lang asked how much square footage was added with each unit. Mr. Ballsteadt said they were increased 100-300 sq. ft. per unit. He perceived part of Zion

Securities open space could be considered with adjacent developments. Steve explained the original developments were Cowboy, Garbett and Ivory. The remaining residential areas would be single family homes. During staff's meetings with Zions, they have suggested those three developments, including the single family areas would be eligible to participate in trail systems, waterways, urban fishery, etc. This allows a fair amount of opportunity for residents to get out beyond their project to recreate on the trails and waterways. With every discussion, the developers (Cowboy, Garbett, and Ivory) all discussed the West Valley Family Fitness Center as an ideal recreational facility and residents are only a short distance from this feature. Commissioner Fuller wondered if the motion can say that other properties will not be allowed to do this. Commissioner Clayton reminded the City's legal council has said this is a development by development decision. Saying yes on this development should not set precedence with other developments.

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

Motion: Commissioner Fuller moved for approval of the plat modifications for the Arbor Square at Lake Park Subdivision. Although the development contains 3% less open space than required, the approval was based on the use of open space amenities that Zions Securities will construct.

Commissioner Lang seconded the motion.

Roll call vote:

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

Majority – PUD-3-2006 – Approved

C-19-2007

Value Place Hotel

1650 West 3500 South

General Commercial zone, 2.23 acres

Ms. Hannah Thiel presented the application.

Legal Authority

7-6-1002 Commercial Zones Schedule of Uses

Background

Alex Gurski is requesting a conditional use approval for an extended stay hotel located at 1650 West 3500 South. This project has 121 rooms in a 10,680 square foot building that is 50'-7.5" tall. Mr. Gurski is the architect for this project. A hotel is a conditional use in a 'C-2' or general commercial zone. This property occupies 2.23 acres of land. The General Plan designates this property as mixed use or general commercial.

The applicant has noted in the attached letter that rates are based on weekly occupancy. On June 6, 2007 this hotel went to the Board of Adjustment for the amount of coverage the wall signs take up. As the wall signs include the cupola, there was too much signage per elevation. Because there are no pole or monument signs proposed, the additional square footage for the wall signs was granted by the Board. The hotel is at its minimum parking requirements and supplies enough parking at 151 parking spaces. A hotel's parking requirements are 1.25 spaces for each room where cooking facilities are provided. There is not bike parking shown on the site plan currently and 8 spaces are required by ordinance. Landscaping exceeds the required landscaping for the site using 18.3% of the site for landscaping, with the requirement of 15%. As this project is located on 3500 South and requires streetscape improvements; the applicant is working with staff to accommodate all design standards for the streetscape on 3500 South. The applicant is also working with staff to meet requirements for architecture, pedestrian access, building materials and design, circulation, lighting, and irrigation.

The property on all sides of 1650 West 3500 South are zoned C-2 and are designated mixed use or general commercial under the General Plan. As the surrounding uses are zoned General Commercial, staff does not see this use adversely affecting neighbors or neighboring zones.

Revisions Needed

The following are revisions needed for the planning approval of the application.

1. Building Orientation- Section 7-14-204 requires a single commercial building to be oriented to the street. As the front or primary entrance of the hotel does not face the street, the side facing the street, in this case the south side, needs to appear to be a primary façade.

2. Pedestrian Access- All parking areas that serve the primary building need a pedestrian walkway connecting the parking area to the primary building (section 7-14-207). This includes the eastern parking lot.
3. Pedestrian Access- Walkways that cross a parking lot have to be clearly marked through the use of a change in elevation, or paving materials distinguished by their color, texture, or height (section 7-14-207). The site plan has a note (note O) that pedestrian striping or color will be used for the walkway, however, pedestrian striping is not permitted and should be removed from the plans/notes.
4. Bicycle parking is required at a ratio of 1 space for every 20 automobile spaces. As there are 151 parking spaces, 8 bicycle spaces are required. These spaces can't obstruct pedestrian movement, must be at least 100 feet from the building entrance, and have to be securely anchored to the ground or structure. (Section 7-14-207(5).
5. Building Materials- At least 50% of the primary façade (which would be the south side for this building), and at least 35% of all other facades of the building must be masonry. Unfortunately, hardy-plank is not considered a masonry material for commercial buildings. Masonry includes stucco, stone, brick, and concrete block. Staff recommends the use of stone or brick. (section 7-14-210) When the masonry is added, it is staff's recommendation that the two hardy-plank colors remain and a third 'color'/texture be added to the color scheme with the addition of masonry.
6. Building relief treatments are required for commercial projects as outlined in ordinance 7-14-213. One primary façade building relief treatment has been used. The primary façade is the south elevation of the building and uses 7-14-213(2), "Building setbacks, offsets or projections with a minimum of 10' in width and 2' in depth placed an average of 80' apart for buildings greater than 20,000 square feet or 40' apart for buildings less than 20,000 square feet." One other building relief treatment is needed.
7. Building relief treatments are also required for secondary facades. As the west elevation clearly uses the building relief treatment in 7-14-213(3) for the primary entrance, a building relief treatment is just needed for the east elevation. Secondary facades require one building relief treatment.
8. Building design treatments are required for the building as well. The building design treatments section of the ordinance is located in 7-14-214. Two treatments are required for the secondary facades, and three treatments are required for the primary facades. Two treatments that are used for secondary and the primary façade are, color change applied to at least 20% of the façade, and architectural banding. 7-14-214(1)(b) Texture and/or material change applied to at least 20% of the façade should be covered when masonry is added to the plans.
9. Screening- The plans (referenced as sheet C-9) for the elevations of the screening for the dumpster(s) need to be provided.
10. Roof Treatments- The plans need to show where the mechanical equipment, including air conditioning units, will be located as well as the type of screening that will be provided to keep the aesthetics of the project optimal.

11. Landscaping- Landscaping information for the park strip located on 3500 South need to be provided with the landscape plans. An undulating landscaped berm, a minimum of 2'-3' high and 15' wide is required adjacent to the back of curb. Thundercloud plums are required on either side of a drive entrance. Staff recommends moving the illustrated row of trees to the bermed area unless the applicant finds it desirable to have trees on both sides of the sidewalk. This ordinance is located in 7-13-204.
12. Public Works- The existing curb cut on 3500 South will need to be removed.
13. Lighting- A lighting plan should be supplied for the project. There are specific lights that are required along 3500 South. West Valley City Public Works Department has specific specs for the lights that can go in along the street.
14. Grading Plan- The grading plan for this project showing berming for the landscaping, contour lines, spot elevations, and overall finished grade needs to be supplied.
15. Landscaping- Details for tree staking, soil preparation, and other planting work need to be shown on the plans. In the notes on the landscape plan, all shrub bed areas shall receive a 4" layer of high quality compost, rather than a 3" layer as indicated on the plans. A pre-emergent herbicide also needs to be added to the soil and bed preparation.
16. Irrigation Plan- An irrigation plan is needed, as well as an irrigation water allowance calculation sheet. The sheet needed is part of the water efficient landscape review. The certificate of substantial completion located in the packet should be submitted when landscaping is completed before the bonds are released.
17. Landscaping/Off Street Parking- The minimum width of sod is 8'. This requirement is located in ordinance 7-28-104(4)(f). The sod located on the south side of Parcel 1 should be at least 8' wide.
18. Signage- The monument or pole sign must be removed from the plans. As part of a Board of Adjustment variance, additional square footage was permitted on the building with the understanding that no pole or monument sign would be used.
19. Circulation- Finally, the northwest corner of the project should be assessed in terms of the driveway. There is a very wide open drive approach before parking begins on the most western side next to the property line. The neighboring property has a landscaped median at the end of their parking. It would be staff's preference and recommendation that the median could be extended onto the subject property and parking spaces or landscaping be added as to create a more uniform drive way width.

Planning Commission Concerns

The Planning Commission members issued concerns regarding this project at the Study Session held on June 20, 2007. The concerns are as follows:

1. The architecture needs significant work to meet the city ordinances and to create a nice presence on 3500 South.
2. The streetscape for 3500 South should be carefully planned to meet the streetscape provisions for Redwood Road and 3500 South.

3. The hotel should have some amenities incorporated into it. Amenities could include a gathering place/courtyard, a pool area, a tot lot, an exercise room, or other features that could enhance the project and location.

Applicant:

Ruben Gonzales

On behalf of Alex Gurski

Discussion: Mr. Ruben Gonzales distributed new elevations to the Commission. Chairman Woodruff asked if the parking was within the City's requirements. Hannah assured the parking meets the City's requirements. Mr. Gonzales said they tried to address the issues regarding the building's appearance. He noted siding was on the original elevation along with minor features on the south elevation. Now, they will be using brick on 50% of all the elevations, as well as added elements on the south elevation. Chairman Woodruff commented that staff will need time to evaluate the new drawings to determine if they meet the City's architectural design standards. Mr. Gonzales told the Commission he has recently met with Rocky Mountain Power regarding a problem that could stop the project. He said there are transmission lines above the property that require a 50-foot easement. Mr. Gonzales explained the building would need to be pushed back to the northern portion of the property. He asked if the building could face the east/west direction instead of the north/south direction. Chairman Woodruff asked if a reader board was intended for the building. Mr. Gonzales said no, it is their logo. Commissioner Mills was concerned the parking would not be adequate. Mr. Gonzales assured the parking will be adequate for this use. Chairman Woodruff noted there are many unresolved issues, and he suggested this application be continued.

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

Motion: Commissioner Mills moved for continuance to allow the resolution of any issues raised at the public hearing and/or to allow the applicant time to submit additional plans addressing the outstanding issues.

Commissioner Clayton seconded the motion.

Roll call vote:

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

Unanimous – C-19-2007 – Continued

PLANNING COMISSION BUSINESS

Approval of minutes from May 9, 2007 (Regular Meeting) - **Continued**
Approval of minutes from May 23, 2007 (Regular Meeting) - **Approved**
Approval of minutes from June 6, 2007 (Study Session) - **Approved**
Approval of minutes from June 13, 2007 (Regular Meeting) - **Continued**
Approval of minutes from June 20, 2007 (Study Session) - **Approved**

There being no further business, the meeting adjourned at 5:26 p.m.

Respectfully submitted,

Lori Cannon, Administrative Assistant