

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

October 24, 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, Brent Fuller, Jack Matheson, Phil Conder, Terri Mills, and Dale Clayton

ABSENT:

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Steve Lehman, Ron Weibel, and Hannah Thiel

WEST VALLEY ADMINISTRATIVE STAFF:

Nicole Cottle, Asst. City Attorney

AUDIENCE

Approximately twelve (12) people were in the audience.

ZONE TEXT CHANGE APPLICATION:

Z-13-2007 was continued by request of the applicant

Applicant:

Raymond Crane and James Olsen

Discussion: Applicant has requested continuance- issue impact of Mountain View Highway.

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

Motion: Commissioner Conder moved for approval to continue indefinitely

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – Z-13-2007 – approved

SUBDIVISION APPLICATION:

PUD-6-2007

Chesterfield Cottages

1483 West 2320 South

RM Zone

22 Units

2.3 Acres

9.5 U/A

BACKGROUND

Richard Wright, representing Edmiston Homes, is requesting preliminary plat approval for the Chesterfield Cottages PUD. The subject property is approximately 2.3 acres in size and is bordered by existing development on the east and south. The Center Pointe Hollow PUD will be located immediately to the west.

The subject property was rezoned in May 2007 from the A zone to the RM zone. As with all rezone applications, a development agreement was reviewed and approved by the Planning Commission and City Council. The proposed development incorporates all design criteria as outlined in the development agreement.

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.
- Contact Salt Lake County Auditor's Office for approval of street names and subdivision name.
- Revisions to plat required.
- Will need to address storm drainage concerns.
- Dedication and improvements required along 2320 South.
- Soils report will be required prior to final plat review.

Building Division:

- Soils report will be required.

Utility Companies:

- Standard Utility Easements required.
- Developer will need to coordinate with utility companies regarding easements.

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.
- Review of hammerhead configuration needed.

ISSUES:

The developer is requesting preliminary approval for a private planned community. The subject property typifies the definition of an infill development having unique characteristics relating to its configuration and location. At the direction of the Planning Commission, the applicant has assembled a number of individual parcels to make this development work. Although the site is challenging, staff believes that this plan works well for the property.

The proposed development consists of 22 units on 2.3 acres. Proposed housing will be comprised of town home units and will have common, limited common and private spaces. Each unit will have a two car garage and private rear yard space. The minimum dwelling size for all units will be 1,700 square feet.

Access to the subdivision will be gained from 2320 South. Although this development can work without the need for secondary access, a stub street from the Center Pointe Hollow development to the west has been provided. This connection would allow secondary access should the Fire Department need it and would also provide connectivity from one neighborhood to the other. After discussing this issue with both developers, they agree that leaving it open for the present time is the appropriate thing to do. If in the future, this access proves more problematic than beneficial, it could be closed.

As discussed during the study session, staff has evaluated this project in regards to the City's multiple family design standards. For the most part, these dwellings meet this ordinance. The Planning Commission expressed concern regarding the rear elevations and side elevations visible from the street and open space areas. There are other areas that the developer will need to address as well. Staff would like to suggest that the applicant address the following as it relates to the architecture:

- A. Garage doors shall be colored and will need to include windows and patterns as illustrated on the elevation sheet.
- B. Elevations adjacent to 2320 South, and those that are visible from the street and open spaces shall have a full wainscot.
- C. All dwellings shall have laminated architectural shingles.
- D. Rear elevations will need to have additional relief treatments.

Regarding item D., the developer could incorporate the use of dormers, box windows or gables to make these elevations more appealing. These enhancements may not be needed on all buildings, but at a minimum on those buildings that are visible from 2320 South.

The development will be managed by a Home Owner's Association. It is staffs understanding that the Association will be responsible to maintain the private street, front yards and open space areas. As staff has done in the past, a recommendation will be made for the HOA to maintain the rear yard spaces as well.

The developer is proposing that 40% of this site will be open space as required by ordinance. Of that percentage, approximately 10,500 square feet will be used for recreational opportunities. The developer will be constructing a tot lot and pavilion in a portion of these areas. Formal plans for these improvements as well as a landscaping plan will be required as part of the final plat.

As with all development in the City, there is a potential for groundwater. A soils report will be required and will need to be submitted prior to the final plat. According to the soils report for the Center Pointe Hollow development to the west, ground water was encountered at a depth of 4 feet below grade. Proposed dwelling units will be slab on grade so higher elevations of ground water should not be a problem.

The City Engineering Division is requiring that a detention basin be incorporated into this development. The preliminary plat illustrates the basin in the northwest corner of the development site. As this area has been included in the overall calculation of open space, there is a concern regarding its potential use and its location in the development. If the capacity being illustrated is needed, staff will suggest that the applicant look at dividing the storage capacity between the east and west sides of the street. This will

lessen the depth needed and will provide for a more aesthetically pleasing street scene. This matter will need to be addressed as part of the final plat.

Staff is unsure if the developer is proposing to fence this project. Fencing presently exists along the east and south boundaries. The developer of the Center Pointe Hollow subdivision to the west will be installing a fence between these two projects. Although fencing was not included in the development agreement, staff would suggest that if perimeter fencing is installed, that it match the new fence of the Center Pointe Hollow PUD including the fencing between units.

Once the project is complete, the site will be turned over to a professional management company. Staff has expressed concern about past projects being turned over to an uneducated association or projects that are turned over to the association without all development items being completed. Although the development agreement does not address this issue, staff will recommend that the developer, HOA, and staff meet before the project is transferred to the Association to ensure that all development items have been completed.

STAFF ALTERNATIVES:

- A. Grant preliminary plat approval for the Chesterfield Cottages subject to the following conditions:
 1. That the developer resolve all staff and agency concerns.
 2. That the Planned Unit Development be guided by the approved development agreement. Said agreement shall also be incorporated into the CCR's of the development.
 3. That the City be provided information regarding the proposed CCR's and monthly fees associated with maintenance of the common areas of this property. The developer shall address maintenance issues regarding garbage collection and management of the site. In addition, before the project is turned over the HOA, the developer, staff and HOA shall meet to determine that the project is ready to be turned over.
 4. Building elevations shall be those submitted by the developer and approved by the Planning Commission. Attention shall be given to the following:
 - A. Garage doors shall be colored and will need to include windows and patterns as illustrated on the elevation sheet.

- B. Elevations adjacent to 2320 South, and those that are visible from the street and open spaces shall have a full wainscot.
 - C. All dwellings shall have laminated architectural shingles.
 - D. Rear elevations will need to have additional relief treatments.
5. Setbacks for all dwellings shall be in accordance with the plat layout.
 6. Building materials shall consist of 100% masonry products. Additional materials may be added for accent treatments, but shall be reviewed by staff. Colors shall be varied between buildings with no two adjacent buildings having the same color.
 7. That a soils report be submitted prior to final plat review.
 8. That the entry feature referenced by the development agreement be reviewed during the final plat process.
 9. That the developer and/or builder install all landscaping in the development. Said landscaping shall be installed prior to occupancy or be bonded for. The overall landscape plan shall include the following:
 - a. Specifications regarding planting and tree sizes shall be provided. All trees shall be at least 2 inches in caliper. Evergreen trees shall be at least 6-8 feet in height.
 - b. That rear yard landscaping be incorporated into the plan.
 - c. That the landscape plan incorporate the playground and pavilion areas.
 - d. That the landscape plan be in accordance with the City's water conservation ordinance.
 10. That 2320 South be dedicated and improved in accordance with plan and profiles approved by the Public Works Department.
 11. That a street lighting plan be submitted prior to the final plat.
 12. That each garage be sufficient enough in size to accommodate the garbage can. In addition, the developer will need to coordinate garbage collection independent from City services.
 13. That any proposed fencing be reviewed during the final plat process.

14. That the developer be responsible to coordinate the storm water detention areas with the City Engineering Division. Consideration shall be given to lessen the depth of the basin to provide a more usable and aesthetically pleasing landscape.

B. Continue the application based on reasons determined at the public hearing.

Applicant:
Richard Wright

Discussion: The planning commission discussed that keeping the loop road open was the most preferable course of action. Phil Conder asked about gated communities in the area but the only one in the vicinity is Red Oaks. The storm drain ponds are in need of more work. The front elevations are good but the backs of the homes need more architectural features. Terri Mills wanted to know whether a fence placed on the loop road would be gated or solid. Steve Lehman responded with his belief that a gate would be included. The applicant, Richard Wright, agrees with Steve Lehman and believes that the gate would be an asset. Jack Matheson questioned whether there would be an access for maintenance. The applicant responded that the gates would be used. Phil Conder then asked how the backs of the homes would be improved. The applicant responded that box windows and gables in the roof would be added as well as articulation on the sides with a wainscot. Jack Matheson suggested a Public Works review before it got to Planning Commission.

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

Motion: Commissioner Clayton moved for approval with 14 Conditions

Commissioner Conder seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes

Chairman Woodruff Yes

Unanimous – PUD-6-2007 – approved

PUD-7-2007
Majestic Villas - Preliminary Plat
3100 South 7200 West
R-1-8 Zone
81 Units
13.24 Acres

BACKGROUND:

Rundassa Eshete, is requesting preliminary approval for the Majestic Villas Subdivision. The subject property was rezoned in August 2007 to accommodate the proposed development. A development agreement was reviewed and approved by the Planning Commission and City Council during the rezone process. This agreement 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.
- Need soils report.
- Will need to address the storm water drainage issues.
- Dedication and improvements required along 3100 South.
- 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:

- Will need to coordinate utility easements for this project.

Fire Department:

- Project to meet all fire codes relating to this type of development.
 - Hydrants to be shown on plat.
- 4.
- Questions on whether this community is gated. If so, coordination regarding access will be needed.

ISSUES:

The Majestic Villas PUD is a senior community consisting of 81 units on 13.24 acres. This equates to an overall density of 6.11 units per acre which is similar to other senior projects approved in the City. The subdivision is being proposed as a planned community with private streets, open space and club house.

Access to the development will be gained from 3100 South and from 7200 West. The internal street system will be private and access to all dwellings will be through a series of limited driveways. The limited points of access from the driveways will add to the character of the subdivision similar to the Hunter Villas PUD.

The developer will be required to dedicate and improve both 3100 South and 7200 West. The street cross section will provide for a 5-foot parkstrip and 5-foot sidewalk. Because the development is private and will have an association that will be responsible to maintain all landscaped areas, staff will recommend that both streets have a landscaped parkstrip with street trees. Fencing along these rights-of-way has yet to be determined. Staff is also recommending that an entry feature be installed at 3100 South and 7200 West as well.

The majority of buildings will be comprised of 4 units. There will be a few buildings with 2 units to make use of various property and utility constraints. The architecture is somewhat reflective of a craftsmen style and will be a unique addition to the Hunter

Village area. The minimum dwelling size will be 1500 square feet. It is anticipated that some of the units will have a loft which will increase the square footage on certain units.

Building materials will consist of 100% masonry products. The development agreement states that no more than 50% of the exteriors shall be stucco. According to the elevations, and in accordance with the above noted requirement, chosen materials will consist of stone, stucco and hardi plank. The minimum roof pitch is 5:12 with the majority of the roof being 7:12.

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 multiple family housing.

The development site contains both private and dedicated open space. This is somewhat unique to have both open space characteristics in the same development. However, due to the existing trail systems in both the Hunter Village and Sugarplum Farms subdivisions, the extension of the trail through this property is critical. The trail system will be 8 feet in width and will consist of an asphalt surface.

In addition to the trail width, the Parks Department is recommending that a minimum width of 25 feet with a maximum width of 50 feet be deeded to the City on each side of the trail. The deeded property will need to have defined edges for demarcation of the private and public spaces. The developer will be required to install the trail system and adjacent landscaping. The trail and landscaping requirements will be based on specifications established by the Parks Department and shall be submitted with the final plat. Staff would also suggest the possibility of installing trail markers in this area identifying the trail as public use.

The open space adjacent to the Hunter Village PUD is somewhat hindered because of proposed building locations in this development. The width of the open space in Hunter Village is approximately 200 feet. With proposed building locations in this development, this width is reduced to approximately 65 feet. This is a concern to the Parks Department because it reduces the open feeling of the trail system. Staff has mentioned this concern to the applicant and has suggested the possibility of redesigning the southeast corner of the development in order to increase the open space where the two projects meet.

A 16-inch high pressure gas line and overhead power line run through this property. These lines have generally been used to define the trail in both the Hunter Village and Sugarplum Farms developments. The proposed trail carries forth this thinking, but the final location through this project has yet to be approved.

The total open space for this development is approximately 42%. Although less than what is required by ordinance, the Planning Commission can approve this percentage upon a showing that the open space and proposed amenities will substantially meet the needs of residents in this community. Staff believes that with the club house, pool, trail system and nearby 5 acre City park, the proposed percentage works for this community.

The developer is evaluating options regarding fencing. Senior communities that have been approved in past years have all had perimeter fencing. To create the privacy that the developer is seeking, staff would suggest that the perimeter be fenced with a 6-foot vinyl fence.

A soils report has been submitted on the southern portion of the development site. This report was submitted when Mr. Eshete was proposing single family development. The report indicated that no ground water was encountered to a depth of 11 feet. As the report was done for the south half of this development, a new report will be needed for the northern property. The developer is anticipating putting in basements and an updated report will be needed to address any changes that may have occurred.

The property has a gentle slope from the southwest to the northeast. The Public Works Department will require a detention basin be used to address storm water issues. The location of this basin is right at the northeast corner of the development. Staff is not sure if this basin will handle the amount of water needed, but a reconfiguration or increase in size is a possibility. This matter will be addressed by the Engineering Division and results will be made available prior to the final plat process.

The density proposed for this site will require the developer to participate in the TDR program. As specified in the development agreement, the applicant will need to resolve this issue as part of the subdivision process. Staff will be coordinating this matter as the subdivision moves forward. The results shall be completed prior to the final plat process.

STAFF ALTERNATIVES:

- A. Grant preliminary approval for the Majestic Villas Subdivision subject to the following conditions:
 - 1. That the subdivision be guided by the recorded development agreement.
 - 2. That the developer contact the Salt Lake County Auditor's Office regarding the subdivision name and all street names associated with the development.

3. That compliance be made with the Water and Sewer 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 fencing along 3100 south and 7200 West be resolved during the final plat process. The developer shall install a 6-foot vinyl fence along all other boundaries of the development.
6. That a new soils report be submitted. This report will need to be evaluated by both the City Engineer and Building Official as it relates to ground water and other soil characteristics.
7. That a landscape plan be submitted prior to final plat review. The landscape plan shall include both 3100 South and 7200 West streetscapes as well as entry feature locations and illustrations.
8. That the trail location and configuration meet with the approval of the Parks Department. The developer shall also submit a landscape plan that includes the area to be deeded to the City. The City Parks Department shall review and approve the trail and landscaped plan prior to final plat review.
9. That the proposed development comply with all provisions of the West Valley City Fire Department. This shall include access into and through the project.
10. That proposed building setbacks be in accordance with the site plan reviewed as part of this application. The minimum setback for all buildings along 3100 South and 7200 West shall be 20 feet. 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.
11. That a lighting plan be submitted as part of the final plat process.
12. That the developer work with staff to resolve the TDR issue.

- B. Continue the application to address issues raised by the Planning Commission.

Applicant:

Rundassa Eshete

Discussion: Open space and trail issues were discussed but will still need resolution through the Parks Department. Public versus private trail issues will also need to be addressed. Steve Lehman discussed that Hunter Village has a 5 acre park adjacent to the project and that a few units may be lost to increase the trail width. This land should work very well because it has no ground water at 11 feet. 42% if the site is currently open and the parks department would like the trails to be dedicated. The applicant, Rundassa Eschette, is concerned that the City won't maintain the trail beyond the asphalt. Phil Conder pointed out that lot 17 seems out of place in its current location. Terri Mills said that the storm water area needs to be attractive. Steve Lehman agreed and said that other options for this problem would be looked at. The applicant said that he is considering using cobbles to make the area look like a dry riverbed. The applicant continued by saying that it may be good to have the project maintain sides of trails. Phil Conder asked why the trails needed to be so wide and questioned if an easement would work. The applicant responded that he would work this out. Jack Matheson believes there may be some issues but none that can't be resolved. Terri Mills believes the easement issue should be resolved now but Dale Clayton and Steve Lehman said that all issues would be resolved before the final plat.

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

Motion: Commissioner Conder moved for approval with Conditions

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes

Chairman Woodruff Yes

Unanimous – PUD-7-2007 – approved

**S-14-2007
Highbury Place Subdivision – Phase 1
2885 South 5400 West
R-1-8 Zone
29 Lots
6.98 Acres
6.1 U/A**

BACKGROUND:

Darin Haskell, representing Ivory Homes, is requesting final plat approval for the first phase of the Highbury Place Subdivision. The proposed application comprises the first area in Highbury Commons for single family detached housing. The City Council recently approved the development agreement which was previously reviewed and approved by the Planning Commission.

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.
- Will need to address grading and drainage concerns.
- Will need appropriate 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.

ISSUES:

The proposed subdivision is the first phase in the single family component of the Highbury Commons development. The first phase consists of 29 lots on 6.9 acres. This equates to an overall density of 4.1 units per acre. Lot sizes range from 5,900 square feet to 10,262 square feet. The average lot size in this phase of the development is approximately 7,500 square feet.

Housing for this subdivision will be based on the development agreement. Home plans to be used here will reflect Ivory's 2007 catalogue and select housing plans from the Advantage catalogue. All homes will be constructed using 100% masonry materials.

Access to the subdivision will be gained from Daybury Drive and Highbury Parkway. All streets in the subdivision will be dedicated and will consist of a 54-foot right-of-way. This will allow a 5-foot parkstrip and 5-foot sidewalk. Ivory Homes has submitted a tree planting plan for the entire Highbury Place Subdivision. Ivory will provide home owners with a voucher to purchase said trees. The residential HOA will ensure that trees are planted according to this plan.

This phase of the subdivision is bordered by two substantial street systems. During the preliminary plat process, Ivory informed the Planning Commission that a pre-cast wall would be installed. The design of this wall will be similar to that approved for the Towns at Highbury to the west.

Both of the perimeter streets mentioned above will have a parkstrip. The parkstrip area will be landscaped and planted with street trees. The parkstrip and medians in Daybury Drive and Highbury Parkway will be maintained by the Highbury Commons Property Owner's Association.

Zion's Securities is proposing to identify the Highbury community with various gateway icons, neighborhood entry features and trail markers. The illustrations of these markers were reviewed during the preliminary plat and development agreement. Ivory Homes will be installing smaller entry monuments off of Daybury Drive and Highbury Parkway.

During the preliminary review process, Ivory Homes suggested the use of basements for all homes. A soils report has been prepared which indicates that ground water was encountered at a depth ranging from 5-10 feet below existing grades. The finished grade elevations in the subdivision will be raised approximately 2 feet making basements possible at this location. Ivory will also be installing a sub-drain system to provide an extra measure of protection for new home owners. This system is being reviewed by the City Engineering Division.

STAFF ALTERNATIVES:

- A. Grant final plat approval for the first phase of the Highbury Place Subdivision subject to the following conditions:
1. That the subdivision be guided by the design standards and all exhibits of the 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.
 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 install fencing as outlined in the development agreement. The masonry wall shall be the same as the one being installed for the Towns at Highbury.
 6. That the developer follow all recommendations outlined in the soils report. The proposed sub-drain system shall be reviewed and approved by the City Engineering Division.

7. That parkstrips in Daybury Drive, Highbury Parkway and 3100 South be landscaped and planted with street trees. Maintenance of these parkstrips shall be the responsibility of the Highbury Commons Property Owner's Association.
8. That the proposed development comply with all provisions of the West Valley City Fire Department.
9. That the developer install entry features off of Daybury Drive and Highbury Parkway. Said features shall incorporate similar attributes of the neighborhood gateway features proposed by Zion's Securities.

B. Continue the application to address issues raised by the Planning Commission.

Applicant:

Ivory Homes

Darrin Haskel

978 Willow Lane SLC

Discussion: The applicant, Darrin Haskel with Ivory Homes, discussed sub-drains due to the potential for maintenance problems. Water has been encountered at four to five feet. There are 29 lots and 14 have sold already, the estimated average home size is 1811 square feet when finished. There is a wall design issue along Highbury Blvd and it may be modified to jog back and forth. Phil Conder supports modifying the wall. Harold Woodruff asked whether it needed resolution before it is approved and Steve Lehman responded that it didn't need it yet. Jack Matheson added to site the distance on roundabouts. Steve Lehman concluded that there would be no problems.

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

Motion: Commissioner Matheson moved for approval with conditions

Commissioner Clayton seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes

Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – S-14-2007 – approved

CONDITIONAL USE APPLICATIONS:

C-37-2007

Clearwire U.S.

3540 South 4000 West

C-2 Zone 1.94 Acres

Clearwire U.S. is requesting conditional use approval to mount telecommunication antennas on the mechanical penthouse of the Harmon's Building at 3540 S. 4000 W. This property is in a C-2 (general commercial) zone and roof mounted antennas are a conditional use in this zone. All the adjacent properties are also zoned C-2. The West Valley City General Plan designates this area as general commercial.

Clearwire U.S. provides broadband internet services via wireless internet equipment. The proposal is to mount one microwave dish and one panel antenna each on the north, west and east sides of the mechanical penthouse on the roof of the building and an equipment support cabinet just to the south of the penthouse in a 7' by 7' lease area. The microwave dish antennas are approximately 26" in diameter and the panel antennas are approximately 42"(h) x 6.1"(w) x 2.7"(d). The equipment support cabinet measures 24"(l) x 24"(w) x 54"(h).

The Wireless Communications Facilities ordinance gives the Planning Commission the ability to require screening for roof and wall mount antennas if they feel it is necessary. In this instance, there are already four existing telecommunications antennas on each face of the penthouse on which Clearwire U.S. is proposing to mount their antennas. There is also a skid mount of four antennas on the south side of the roof. Staff does not feel that requiring screening for these two antennas on the three faces of the penthouse would appreciably improve the aesthetics of the building. This is also a five story building and there will be limited visibility of the new antennas from the ground.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:
 1. Installation of antennas and equipment shall be limited to the number and size as submitted in the conditional use application. All antennas and support structures shall be painted to match the color of the penthouse.
 2. Compliance with the requirements of any other affected departments and agencies.
- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:
Clearwire U.S.

Discussion: Discussed adding one panel antenna and one small dish antenna to be mounted on the penthouse units on top of the Harman's building. Terri Mills asked how far the antennas would go above the roof. Ron Weibel responded that they wouldn't go above the roof at all. The applicant said that he would match the color and that these antennas are smaller than other ones. The radius of coverage is 1.5 to 3 miles.

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

Motion: Commissioner Fuller moved for approval with two (2) conditions

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – C-37-2007 – approved

C-38-2007

Medallion Square

3407 South Redwood Road

General Commercial Zone, 0.98 acres

Staff Presentation by Hannah Thiel, Planner I

7-6-1002 Schedule of Uses

Background:

Brett Carter is requesting a conditional use approval for a shopping center located at 3407 South Redwood Road. This project has 2300 square feet of restaurant space, and 8344 square feet of retail space for an overall building size of 10,644 square feet. The highest point of the building is 26 feet tall. A shopping center is a conditional use in the 'C-2' or general commercial zone. This property occupies 0.98 acres of land. The General Plan designates this property as light manufacturing and should promote a quality image for West Valley City.

The applicant has noted in the attached letter that the existing building (residence) will be torn down. The proposed shopping center will consist of ten units and will operate from 9:00 am until 9:00 pm daily. The proposed plans show parking in the front and the back of the building. The applicant is requesting one multi-tenant monument sign that meet the separation and size regulations of the West Valley City sign ordinance. There are not currently plans for walls signs for individual stores. The project is proposing 59 parking stalls when 57 parking spaces are required. The project is proposing 18% landscaping on the site when 15% is required by ordinance. In addition, a six foot tall masonry wall is being proposed along the East side of this project, next to the residential zone. The employee entrances on the south side of the building will be enclosed by gates and a chain link fence. The east side curb cut for the project on 3395 South is located closer than 75 feet from the East Side property line, required by the West Valley City Parking Ordinance, but has been approved by the West Valley City Engineering Department at the proposed distance from the property lines.

The property on the South and North sides of 3407 South Redwood Road are zoned C-2 and are designated mixed use or general commercial under the General Plan. The property on the West side of 3407 South Redwood Road is zoned C-3 and is designated general commercial under the General Plan. The property on the east side of 3407 South Redwood Road is zoned R-4 and is designated medium density or high density under the General Plan. As the majority of surrounding uses are zoned and designated in the general plan as commercial uses, staff does not see this use adversely affecting neighbors or neighboring zones.

Planning Commission Concerns:

At the Study Session on October 17, 2007, the Planning Commission agreed that access into the Sizzler parking lot would allow more flow and accessibility to the project. The Planning Commission also agreed that a good location for the compact car parking would be on the very east side of the parking lot.

Recommendations/ Staff Alternatives:

- Approval subject to any issues raised at the public hearing as well as the following conditions:
 1. That the compact car parking be moved to the east side of the parking lot.
 2. That with approval from the adjacent property owner to the South, an access way be added from the subject property rear parking area to the parking area on the parcel adjacent and south of 3407 Redwood Road (access between parcels 1527452024 and 1527452032).
 3. That picnic table(s) be placed close to 3395 South and be removed from the South East corner of the property to encourage visibility and safety to those wishing to use the picnic space.
 4. That complete development plans shall be submitted that are in compliance with all city ordinances and codes of all West Valley City departments.
 5. That the applicant must submit a building permit application for the monument sign as shown on the plans as well as building permits for future tenant wall signs with compliance with regulations for signs contained in Title 11 of the West Valley City Code.
 6. That future tenant wall signs be similar in size to each other and be compatible in color and style with the architectural design of the shopping center.
 7. That a valid West Valley City Business License be reviewed and approved prior to any and all business functions at this location and after all building permits and a certificate of occupancy have been reviewed and approved.
 8. That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
- Continuance, for resolution of any issues that may arise at the public hearing.

Applicant:

Brent Carter
6431 S. 1940 E.
SLC

Discussion: The site plan is recommended to be changed to move compact car spaces to the east and also to create a southern access through Sizzler. However, it may be difficult

to get Sizzler's approval for the access. The applicant, Brett Carter, was unaware that he needed to provide access to the south but will make an attempt. Terri Mills raised concerns about color issues and added that she would like to see more earth tones. The applicant said that the current plan was light beige but he was open to modifying. Hannah Thiel discussed the proposed monument sign. Phil Conder asked if there were any concerns with site design as to relationship with the liquor store. The applicant said there have been some minor compromises but he has not yet coordinated with police.

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

Motion: Commissioner Fuller moved for approval with the eight (8) recommended staff conditions as well as a ninth condition: that the applicant will submit earth-tone color options for the building for the planning commission review in a study session where they'll determine the final approved colors for the building and site.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – C-38-2007 – approved

C-2-2006

**Henry Day Ford, Hogi Yogi, Teriyaki Stix, Hollywood Video
4091 West 3500 South
General Commercial Zone, 11.1 acres
Staff Presentation by Hannah Thiel, Planner
7-6-1002 Schedule of Uses**

Background

Henry Day Ford is requesting a conditional use approval amendment for another monument sign located at 4091 West 3500 South. The applicant was approved for a conditional use on March 22, 2006. Henry Day Ford's site plan was approved at the time the conditional use was approved (see attached). At a Planning Commission Study Session on June 20, 2007, Henry Day Ford requested another monument sign on site for a Hogi Yogi restaurant located inside of the Henry Day building. The Planning Commission determined that no more signage would be needed on site and that a sign for Hogi Yogi could be incorporated on an originally approved sign.

Henry Day Ford, Hogi Yogi, Teriyaki Stix, and Hollywood Video are now proposing a monument sign. This sign is a multi-tenant sign that would be located by the entrance to Henry Day and Hollywood video. The proposed sign is six (6) feet tall and has a face of approximately 60 square feet. The sign is required to be located at least 100 feet from any other sign and is limited to one sign per 200 feet of frontage on one parcel.

Planning Commission Concerns

At the Study Session on October 17, 2007, the Planning Commission was concerned about allowing more signage for the Henry Day Ford site.

Recommendations/ Staff Alternatives

- Approval subject to any issues raised at the public hearing as well as the following conditions:
 - That the sign is located at least 100 feet from any other sign and is limited to one sign per 200 feet of frontage on one parcel.
 - That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
- Continuance, for resolution of any issues that may arise at the public hearing.
- Denial of the Conditional Use Amendment

Applicant:

Jeremy Day representing Henry Day Ford

Rick Clayton representing Hogi Yogi and Teriyaki Stix

Discussion: Application for amendment to conditional use approval for Henry Day Ford to add another monument sign as a multi-tenant sign for Hollywood Video, Henry Day Ford, Hogi Yogi, and Teriyaki Stix. There is an issue of too much signage and banners on the site. The landscaping is not well maintained. Phil Conder asked whether the sign would stay if Hollywood Video were to go away. The applicant, Jeremy Day, said that the building would come down but he would still want to keep the sign. Rick Clayton, the

applicant from Hogi Yogi and Teriyaki Stix, feels that they need exposure and signage. Terri Mills said that the banners should be removed and added that they shouldn't place banners on pole signs. Terri Mills was also disappointed that the trees were removed. The applicant, Jeremy Day, claimed that the trees blocked his view into the business. Dale Clayton wants to see the landscaping plan first. Many concerns were voiced. A monument sign has been approved to the east and Ford still controls use of that sign.

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

Motion: Commissioner Fuller moved for continuance to examine the streetscape and the landscape plans the applicant will incorporate into the site if this monument sign was approved. These plans need to be submitted by the applicant.

Commissioner Conder seconded the motion.

Roll call vote:

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

Unanimous – C-2-2006 – Continued

C-36-2006

America First Credit Union

4900 West 3500 South

General Commercial Zone, 1.9 acres

Staff Presentation by Hannah Thiel, Planner I

7-6-1002 Schedule of Uses

Background

America First is requesting a conditional use approval amendment for a monument sign located at 4900 West 3500 South. This project is located on a pad of 1.9 acres and on a site that it will share with other businesses of 10.2 acres. The applicant was approved for a conditional use on

January 24, 2007. One of the conditions of approval was for America First to return to the Planning Commission if a pole sign was proposed. By ordinance (Section 11-6-104(2)(f)), a pole sign is only allowed if the property it is located on has ten acres. As America First's parcel does not have ten acres, but the overall site does have ten acres, it may be permissible to have a multi tenant sign on site. America First proposed a pole sign at a Planning Commission Study Session, held on September 19, 2007, where the Planning Commission determined it was in the best interest for the site to wait to put in a multi tenant pole sign until other businesses were invested in the site. At that study session, Planning Commissioners ask that any other proposals for a sign return to a Planning Commission meeting for further review.

America First is now proposing a monument sign. This sign exceeds the 50% maximum base size as described in Section 11-5-103(9) in the West Valley City Sign Ordinance. Otherwise, this sign meets the West Valley City ordinances. The proposed sign is ten (10) feet tall and has a face of approximately 42 square feet. The site plan shows the sign 14.7 feet from the property line where 10 feet are required.

Planning Commission Concerns

At the Study Session on October 17, 2007, the Planning Commission was concerned about the height and size of the monument sign proposed.

Recommendations/ Staff Alternatives

- Approval subject to any issues raised at the public hearing as well as the following conditions:
 - That the sign's base height and size meet the West Valley City Sign Ordinance and limit the base of the sign to a maximum of 50%.
 - That the size of the sign be reduced to a maximum of seven feet tall.
 - That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
- Continuance, for resolution of any issues that may arise at the public hearing.
- Denial of the Conditional Use Amendment

Applicant:
Chris Tapia

Discussion: The applicant, Chris Tapia, is asking for a pole sign for better marketability. He is placing the infrastructure already and prefers one sign over multiple monuments. There is 68 square feet for tenants and the proposed monument sign would be too low for

viewing from the street. Harold Woodruff asked whether the pole would be taken down if there were no commercial businesses. The applicant said that it would be and that the size was okay by ordinance. The applicant said that the property could be sold. Barbara Johnson, a realtor, claims that there have been good responses for leases already. There have been suggestions for a strip mall or restaurants and the control of use is accomplished through a purchase contract. The applicant already has the CC & R's. Mike Sanders, an architect, said that it is common to assign a portion of a sign to a tenant. Dale Clayton felt more comfortable with this and Harold Woodruff doesn't see much risk for the City. He suggests adding a 3 year time frame and if a shopping center doesn't materialize, they can take down the sign. Terri Mills likes the idea of a pole sign better than a monument. Phil Conder also approves of the modified version of the pole and the idea of it being reviewed in 3 years.

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

Motion: Commissioner Conder moved for approval for the pole sign as presented in the public hearing that is 68th for tenants and 129th for America First. This application shall be reviewed by the planning commission again in three (3) years to determine whether or not the site has been adequately developed to keep the pole sign.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Clayton	No
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Jones	Yes
Commissioner Matheson	Yes
Commissioner Mills	No
Chairman Woodruff	Yes

Majority – C-36-2006 – approved

PLANNING COMMISSION BUSINESS

Approval of minutes from July 25, 2007 (Regular Meeting)
Approval of minutes from September 19, 2007 (Study Session)
Approval of minutes from September 26, 2007 (Regular Meeting)
Approval of minutes from October 3, 2007 (Study Session)
Approval of minutes from October 10, 2007 (Regular Meeting)
Approval of minutes from October 10, 2007 (Study Session)

There being no further business, the meeting adjourned at 5:50 p.m.

Respectfully submitted,

John Jansen, Planning Director