

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

December 12, 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, Jack Matheson, Phil Conder, Terri Mills, Dale Clayton, and Mary Jayne Davis

ABSENT:

Brent Fuller and Jason Jones

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Steve Lehman, Steve Pastorik, Ron Weibel, Frank Lilly, Karon Jensen, and Hannah Thiel

WEST VALLEY ADMINISTRATIVE STAFF:

Nicole Cottle, Asst. City Attorney

AUDIENCE

Approximately twenty (20) people were in the audience.

ZONE CHANGE APPLICATION:

Z-15-2007

Rosalio Bautista and Maria Alvarado
2892 South 6400 West
R-1-20 Zone to A Zone

The applicants, Rosalio Bautista and Maria Alvarado, request that a single parcel in the Blue Grass Meadows subdivision be rezoned from R-1-20 to A to allow for the use of livestock on the parcel. At 0.51 acres, the parcel meets the minimum lot area in the A Zone.

There are 17 parcels zoned A in the immediate vicinity of the applicant's parcel, including nine parcels across 6400 West. The use that the applicant desires is common in this area of the City. The applicant's parcel shares a corner with a property located at 6453 West Ketchum Drive, which was rezoned from R-1-20 to A in 1999. The parcel on Ketchum Drive currently has livestock on it.

The applicant's parcel is currently designated as "large-lot residential" on West Valley City's General Plan map. According to the A Zone ordinance, the applicant can have a maximum of 2 adult horses on the property.

Staff Alternatives

1. **Approval**, as the applicant's proposed use is common in this area of the City, and residents in the neighborhood are familiar with the impacts of livestock and other minor agricultural uses. The size of the parcel limits the intensity of the proposed use. There is a precedent in this neighborhood for rezoning parcels from R-1-20 to A.
2. **Denial**, on the grounds that the adjacent lots to the north, south, and west do not have animal rights, and that animals on the applicant's parcel may result in a conflict with the neighbors. A rezone of the applicant's parcel would produce two small R-1-20 zones surrounded by A and R-1-10 zones.
2. **Continuance**, pending additional information and further review from the Planning Commission.

Applicant:

Rosalio Bautista and Maria Alvarado
2892 South 6400 West

Discussion: Frank Lilly presented the application. He explained that the property owners

would like to put horses on their property. The applicant understands that only two adult large livestock will be allowed. Mr. Lilly reminded the Planning Commission that they had previously approved a zone change near this property in 1999.

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

Motion: Commissioner Matheson moved for approval

Commissioner Davis seconded the motion.

Roll call vote:

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

Majority – Z-15-2007 – Approved

Z-16-2007

CLC Associates

5680 West Parkway Blvd.

Zone Change from RM to C-2

11.12 Acres

CLC Associates has submitted a zone change application affecting three parcels totaling 11.12 acres located at approximately 5680 West Parkway Blvd. The owner of the property is Colony Partners. Overall, Colony Partners owns about 34.5 acres at this location. The property was rezoned from A (agriculture) to 26.1 acres of RM (residential, multi-family) and 8.5 acres of C-2 on the east adjacent to 5600 West in October 2006. The applicant is now requesting additional C-2 (general commercial) zoning. The property is classified as light manufacturing or mixed use in the General Plan. Also, the text of the General Plan states the following:

“Most of the developable areas in the Northwest Quadrant would be appropriate for mixed use developments. The northwest corner of Parkway and 5600 West is particularly well suited for a high density mixed-use development because it’s adjacent to a major transportation corridor, the future additions to the Lake Park Corporate

Center, and possibly an intersection on the Legacy Highway.” (The Legacy Highway is now referred to as the Mountain View Corridor.)

Surrounding zones include C-2 to the east, RM to the south and a portion of the west, A for the remaining west portion and M to the north on the north side of the Riter Canal. Surrounding land uses include vacant land to the west, the Balmoral townhomes to the south, vacant land owned by to the east, and vacant land to the north beyond the Riter Canal.

Included with this report is a 5 page letter from Dave Pierson with CLC that addresses the questions on the General Plan/zone change application and describes why CLC believes that this application should be approved.

There has been significant development activity to the south of the subject property along 5600 West. Here’s a list of fairly recent development in the area to the south:

Approximate Address on 5600 West	Project Name
3330 South	Sears Grand (formerly Kmart)
3180 South	Walmart including Fazoli’s and IHOP
3031 South	Shoppes at Lake Park including Kohl’s, Petsmart, Michaels, Starbucks, Chili’s, and others
2999 South	Colt Plaza including Mountain America Credit Union, Panda Express, Washington Mutual Bank, Deseret Industries and others
2901 South	Shoppes at Lake Park 2, 91,000 square feet of planned retail with 3 pad sites
2856 South	Lighthouse Plaza, 20,540 square feet of planned retail
2801 South	Shoppes at Highbury, 55,900 square feet of planned retail
2786 South	The Landing, 14,400 square feet of planned retail
2781 South (5540 West)	Liberty Commons, a 209 unit apartment development

In addition to the recent development activity to the south, there are other land use considerations. UDOT is conducting an environmental impact statement (EIS) for the Mountain View Corridor. At this point, UDOT and the City have chosen a preferred alignment, which is the 5800 West alignment which would run directly west of the Colony Partners property and include a partial interchange on Parkway Blvd. Some form of high capacity transit is also anticipated along 5600 West. On the east side of 5600 West, Zion’s Securities has planned big box type retail. As part of the Special Improvement District (SID) for this area, water and sewer lines were extended through the middle of this property.

Development Proposal

Attached to this staff report are two concept plans. The first, which is dated August 2006, was the original concept plan used for the zone change that was approved in October 2006. The Planning Commission and City Council approved a development agreement related to this concept plan. The second concept, which is dated November 2007, is for this application. The original concept plan included 156 condos, 84 townhomes, 35 single family homes, 1.5 acres of private park space, and 8.4 acres of commercial. The new concept plan includes 128 condos, 50 townhomes, 3.2 acres of private park space, and 20.3 acres of commercial. The condos would range in size from 700 to 1,000 square feet and the townhomes would range in size from about 1,380 square feet to 1,450 square feet. Also included with this staff report are conceptual elevations of the proposed condo and townhome buildings. With the townhome elevation, there should be 4 garage doors instead of 2.

The density of the original concept was 10.5 units/acre. The density of the new concept plan is 12.5 units/acre.

The reason for the expanded commercial area is to accommodate a WinCo Supermarket. WinCo currently has stores in Washington, Idaho, Nevada, California, and Oregon and is now entering the Utah market.

Staff Concerns

Development Agreement

As mentioned above, the rezone approved for this property in 2006 included a development agreement, which is attached. This development agreement applies to all 34.5 acres shown on the concept plan, not just the 11.12 acres proposed to be rezoned. Given the changes to the original concept plan, the applicant is requesting that the development agreement be amended.

Specifically, the applicant is requesting that item 9, which states: "At least 18% of the total land area shall be developed as single family detached home lots", be eliminated. This is requested because UDOT has now stated that the preferred alignment for the Mountain View Corridor is 5800 West, which would be adjacent to where the single family lots were proposed. Also, the applicant is requesting that item 10 be changed to read: "3.17 acres shall be reserved as private open space, approximately 22% of the RM zone. This 3.17 acre open space shall not include any open space within the C-2 zone."

In addition to eliminating item 9, staff recommends the following additions and changes (changes are in italics):

- Item 5a should be changed to: The commercial development should share a common access *road* with the residential development.
- Item 5c should be changed to: With the exception of trash dumpsters *and the*

loading/unloading area for the major retail tenant, no commercial property should be screened from the residential property with a fence or wall. No solid fence should be constructed on the west side of the road (approximately 5700 West) that would block the view of the residential buildings that are closest to the road. A landscaped berm shall be incorporated into the landscaping along the west edge of the commercial parking area to block vehicle headlights.

- Item 6 be changed to: A 10' concrete sidewalk and a minimum 5' wide parkstrip shall be installed *and dedicated to the City* at the developer's sole cost along the north side of Parkway Blvd. between 5600 West and 5700 West, and along one side of 5700 West between Parkway Blvd. and the Riter Canal. A 5' concrete sidewalk and a minimum 5' wide parkstrip shall be installed *and dedicated to the City* on the opposite side of 5700 West between Parkway Blvd. and the Riter Canal at the developer's sole cost.
- Item 8 be changed to: A traffic study shall be provided in conjunction with the first development proposal for the property. The traffic study shall address, among other things, the impacts of an interchange for the Mountain View Corridor on Parkway Blvd. *and the use of 5700 West as a way to travel north and access 5600 West at the proposed future intersection at 2400 South.* The developer shall coordinate the traffic study with UDOT to address the intersection of 5600 West and Parkway Blvd.
- Item 10 be changed to: *3.17 acres shall be reserved as private, **park open space**, approximately 22% of the RM zone. This 3.17 acre open space shall not include any open space within the C-2 zone. **50% open space is required overall for the residential portion of the development as required in the condominium ordinance.*** (Words in bold show changes from applicant's request.)
- Item 12 related to the single family portion and is no longer relevant. It should be deleted.
- A new item 9 should be: No more than 178 dwelling units shall be developed on the property.
- A new item 12 should be: A clubhouse and swimming pool shall be provided. The details of the clubhouse and swimming pool shall be defined during the subdivision review process.
- A new item 13 should be: For the pad site building closest to the corner of 5600 West and Parkway Blvd., no parking or driveways shall be placed to the east or south of the building.
- A new item 14 should be: Entrance features shall be provided at both entrances to the residential development. The details of the entrance features shall be determined during the subdivision review process.
- A new item 15 should be: The condo and townhome buildings shall be built substantially like the elevations in Exhibit C with the exception that all of the requirements in Chapter 7-14 Part 3 of the Zoning Ordinance shall apply to all the residential buildings within the development as well as the site layout/design and open space requirements.

The development on the southeast corner of 5600 West and Parkway Blvd. will have a building right by the corner with no parking between the building and the street. The anticipated

development on the northeast corner will likely do the same. The original concept plan for this property also included buildings placed close to the street. To help frame this significant intersection, staff suggested item 13 above.

The City's bike plan includes a trail along the Riter Canal. While the subject property does not extend to the canal itself, the developers of this proposed project could help the City accomplish a significant goal if they could work with Kennecott (the owner of the canal and property immediately adjacent to the canal) to develop the trail on Kennecott's land or to set aside land for the trail and build the trail on the subject property.

Integration of Commercial and Residential

As stated above, the General Plan recommends mixed use for the property. The General Plan defines mixed use in the following way:

“Mixed Use is intended to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community that offers housing, employment, eating and entertainment opportunities within convenient walking distances of each other.”

The latest concept plan submitted integrates the commercial with the residential by: sharing an access road, providing pedestrian connections between the two uses, keeping the two uses open to each other (no walls), and by designing the buildings to be attractive from all sides.

Amount of Commercial Zoning

There are three grocery stores within 2 miles of the subject property along 5600 West. These include Walmart at 3100 South, Albertson's at 3500 South, and Smith's at 4100 South. According to Urban Land Institute (ULI), neighborhood shopping centers, which are typically anchored by supermarkets, have a trade area of approximately a 1.5 mile radius.

Staff Alternatives:

1. Approval, subject to an updated development agreement that includes the recommendations from staff.
2. Approval, subject to an updated development agreement that includes the recommendations from staff with the following change: No more than 150 dwelling units shall be developed on the property. This number of units would result in the same density as the original concept plan.
3. Continuance, for reasons determined during the public hearing.
4. Denial, there are already approximately 161 acres of C-2 zoned property along 5600 West from just south of 3500 South to the Riter Canal (2500 South). Additional commercial

development is expected on the east side of 5600 West between 2500 South and 2700 South. In addition, the original concept plan offered more housing types with a lower overall density.

Applicant:

CLC Associates

Discussion: Steve Pastorik presented the application. He explained that the original concept contained a development agreement and this application would modify that agreement. Mr. Pastorik showed PowerPoint slides that reflected the townhome and condominium concepts for the residential portion of the plan. Reid Mitchell, a representative for the multi-family residential portion of the plan, expressed his belief that a larger commercial use would add to this area significantly. Mr. Mitchell believes this new idea is more refined than the original concept plan. He believes a mixed use area would benefit both types of potential buyers and requested approval based on staff recommendations. Matthew Idema, a representative for the commercial portion of the project, has no concerns with staff recommendation with the exception of item number thirteen. He explained that the major retail store that will likely be the anchor for the commercial project, WinCo, doesn't have a pharmacy component. The corner lot of the project appeals to companies like Walgreen's or Rite Aide who are perfect potential pharmaceutical tenants. Mr. Idema explained that it is hard to limit accessibility around this kind of store. Terri Mills asked if residents will be able to access this retail area via sidewalks? Commissioner Mills expressed her belief that this is an important aspect of the project because most people who live near this area will not want to drive. Reid Mitchell responded that they do understand the importance of providing a walking path and will work on this particular aspect as the plans become more developed. Terri Mills expressed her concern that the planned condominiums in the area are extremely small. Wayne Corbridge, the developer for the residential project, explained that he was working with two different product types. The townhomes are 1/3 of the project and are similar to a previous project he has already completed. Mr. Corbridge explained that people liked the private backyards in these townhomes. Next, Mr. Corbridge explained that 2/3 of the project is condominiums, similar to those that have been developed at Daybreak. These condominiums would target an upscale urban buyer. They include a two story urban loft which Mr. Corbridge described as being a "dramatic plan that is exciting and different." The condominiums will have 9 ft ceilings, lofts, and individual garages which Mr. Corbridge believes is an upgraded project for this site. He also states that this unique design will appeal to single individuals who don't want the maintenance of a yard. Mary Jayne Davis asked if this exact same product was being built at Daybreak. Mr. Corbridge responded that it wasn't exactly the same because these are slightly less urban and a little more residential. However, the condominiums will be very comparable in pricing though they do have different elevations. Mr. Corbridge also affirms that these will appeal to the same buyer at Daybreak with equal or higher quality at this location.

Jack Matheson stated that the townhomes have only a one car garage and believes this will hurt sales. He believes that if Mr. Corbridge is offering a decent living space, two car garages would be beneficial. Commissioner Matheson also added that the whole condominium aspect feels dense. He does, however, like the townhome idea. Mr. Corbridge responded that it really depends on the buyers. The anticipated buyers are single people who don't want or need a two car garage. Jack Matheson explained that ordinance requires a minimum of 2 parking spaces per lot. Mr. Corbridge said that there is the garage, driveway, and guest parking. Jack Matheson stated that an 18 foot driveway was not enough to be parkable. Mr. Corbridge asked for a recommendation as to what is parkable. Commissioner Matheson said that the driveway should be at least 20 feet. Mr. Corbridge said that they were completely willing to adjust that. Dale Clayton, in reference to the pad in front of the WinCo commercial development, supports pushing the pad back to support a Walgreen's or other pharmaceutical store. Commissioner Clayton likes the development and the plan and believes it will fit nicely into this area. He is, however, concerned about the residential portion of the project. Phil Condor explained that he was uncomfortable about throwing everything out of the original plan so quickly. He would like to slow things down and take a good look at what is going on before making any sudden decisions, particularly in regards to the residential area. Harold Woodruff stated that he prefers this new, updated plan to the original. Walter Plumb, representative of Colony Partners, said that he would be willing to reduce the density of the project. He is willing to work with the Planning Commission to help them feel comfortable. Terri Mills approves of this plan and likes that the open space is in the center. She is concerned about the density but hearing Mr. Plumb express his flexibility made her feel more comfortable. Commissioner Mills likes the retail portion of the project and doesn't have a problem with setting back the corner pad. Mary Jayne Davis asked Mr. Plumb how much he was willing to come down on the density. Mr. Plum stated that they could easily come down to 150 units. Jack Matheson said that it made sense to have additional commercial property added to the parcel but believes there are some issues that need to be worked out at the conditional use stage. Phil Condor discussed modifying the development agreement and asked how it would play out with conditional use? Steve Pastorik said that during the conditional use review, additional requirements can be imposed that aren't addressed in the development agreement. Mr. Corbridge said he is willing to increase townhome sizes and work through any other problems, including re-evaluating and possibly changing sizes.

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

Motion: Commissioner Matheson moved for approval to change the zoning of the property subject to item 9 being no more than 150 units, item 13 being removed, and all other items remaining as changed.

Commissioner Clayton seconded the motion.

Roll call vote:

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

Unanimous – Z-16-2007 – Approved

ZONE TEXT CHANGE APPLICATION:

ZT-9-2007

West Valley City

Amending the Height Standards for the City Center (CC) Zone

This application was continued during the November 14th Planning Commission public hearing.

City staff is recommending an expansion of the CC Zone to the north side of 3500 South (Z-14-2007). The CC Zone currently allows buildings to be up to eight stories along 3500 South. On the south side of 3500 South, buildings that front 3500 South are surrounded by commercial buildings, multi-family residential development, or a mobile home park that are all planned to be redeveloped over time. On the north side of the street, the City Center Vision Plan recommends keeping the single family neighborhood just north of the properties that front 3500 South intact. Therefore, staff believes there should be a height buffer between the single family homes north of the commercial property along the north side of 3500 South.

Staff recommends the following highlighted changes to Section 7-6-1605 of the CC Zone:

(7) Building Height

All buildings shall meet the following standards:

- (a) The maximum building height for all buildings within 100' of 3650 South shall be 3 stories. The maximum building height for all buildings on the north side of 3500 South that are within 100' of an existing single family residential zone shall be 24'. Such buildings shall maintain a 10' setback from the property line of adjoining

property within an existing single family residential zone. The maximum building height for all buildings on the north side of 3500 South that are over 100' from an existing single family residential zone shall be 5 stories. For all other buildings, the maximum height shall be 8 stories.

- (b) The minimum building height for buildings on 3500 South between 2700 West and Market Street shall be 3 stories or 36'. For all other buildings, the minimum building height shall be 2 stories or 24'.
- (c) The minimum building height for accessory buildings shall be 1 story.

During the public hearing, concerns about parking and shadows were discussed. To help address these concerns, there are 3 graphics and one table attached to this report. The first graphic shows a concept plan for a 1 story building with supporting parking that would roughly fit the property with the Pizza Hut and what used to be Michaels. The second graphic shows a concept plan for a 2 story building with supporting parking. The point of these two graphics is to illustrate that a 1 or 2 story building could be parked using surface parking. To build 3 or more stories would likely require structured parking.

The third graphic shows an elevation of a 5 story building that steps down to a 2 story building with a 10' setback from the property line in relation to a single family rambler home. The table titled Length of Shadows includes the length of shadows for varying heights of buildings at two different times of the year and during different hours of the day. As was discussed in the study session, the direction of the shadow must also be considered when evaluating impacts to neighboring properties.

Staff Alternatives:

1. Approval of the ordinance as it creates a buffer for the existing single family residential neighborhood north of the commercial property along the north side of 3500 South.
2. Approval of the ordinance with a change in the maximum building height from 5 to 4 stories.

Continuance, for reasons determined at the public hearing.

Discussion: Steve Pastorik presented the application. He explained that it would address the north side of 3500 South and the height of the buildings. This sets a minimum setback of 10 feet and limits the height of buildings to two stories within 100' of the residential property line. The information in the study session regarding the casting of shadows had resolved many questions from the previous public hearing. Dale Clayton stated that all issues and concerns regarding this application were addressed in the study session.

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

Motion: Commissioner Condor moved for approval

Commissioner Davis seconded the motion.

Roll call vote:

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

Unanimous – ZT-9-2007 – Approved

SUBDIVISION APPLICATION:

S-22-2007

West Valley Truck Center Subdivision – Lots 27-30 Amended

M Zone

BACKGROUND

Dan Vanzaban, is requesting an amendment to lots 27-30 of the West Valley Truck Center Subdivision. The purpose for the amendment is to consolidate lots 27 and 28, move the west property line of said lots and to abandon and re-establish the public utility easement serving these lots.

STAFF/AGENCY CONCERNS:

There are no staff or agency concerns with this application.

ISSUES:

When the West Valley Truck Center Subdivision was recorded, a number of lots were platted to accommodate a variety of uses associated with the trucking industry. Although many of the original lots remain, a few modifications have taken place over the years to accommodate a specific use that did not fit within the original platted lots.

The City has received an application from Gordon Trucking who would like to locate their business on what was originally platted as lots 27 and 28. Due to the size of the area needed for their business and potential building locations, they have requested that these lots be consolidated. They have also requested that the west property line be relocated approximately 23 feet. Moving the west property line will require the abandonment and relocation of the existing public utility easements.

City ordinance requires that the Planning Commission forward a recommendation on to the City Council. The amendment of this plat will then be recorded to establish new property lines and easement locations.

STAFF ALTERNATIVES:

- A. Approval of the plat amendment.
- B. Continuance to allow for more discussion regarding the application.

Applicant:

James Warner
2240 South 5370 West

Discussion: Steve Lehman presented the application by explaining this project was combining two properties and abandoning utility easements. This would shift the property line to accommodate a new trucking company. Jack Matheson asked whether this would affect the cul-de-sac? Steve Lehman explained that the cul-de-sac would be eventually vacated and the road would be dedicated out to 5600 West.

There being no further discussion regarding this application, Chairman Woodruff called

for a motion.

Motion: Commissioner Clayton moved for approval

Commissioner Mills seconded the motion.

Roll call vote:

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

Unanimous–S-22-2007– Approved

S-21-2007

Highbury Place Subdivision – Phase 2

2900 South 5250 West

R-1-8 Zone

25 Lots

6.7 Acres

BACKGROUND:

Darin Haskell, representing Ivory Homes, is requesting final plat approval for the second phase of the Highbury Place Subdivision. The proposed application is located to the south and east of the first phase which was reviewed and approved by the Planning Commission in October 2007.

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 second phase in the single family component of the Highbury Commons development. This phase consists of 25 lots on 6.7 acres. This equates to an overall density of 3.7 units per acre. Lot sizes range from 6,300 square feet to 12,373 square feet. The average lot size in this phase of the development is approximately 8,116 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 existing stub streets in phase 1. 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.

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.

STAFF ALTERNATIVES:

- A. Grant final plat approval for the second 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 follow all recommendations outlined in the soils report. The proposed sub-drain system shall be reviewed and approved by the City Engineering Division.
 6. That the proposed development comply with all provisions of the West Valley City Fire Department.
- B. Continue the application to address issues raised by the Planning Commission.

Applicant:

Darrin Haskell
978 Woodoak Lane
Salt Lake City, UT 84117

Discussion: Steve Lehman explained that phase one has already been approved by the Planning Commission. This second phase contains 25 lots on 6.5 acres. Ivory has been successful in selling homes in the area and are continuing to develop new plans. All roads through the subdivision are dedicated streets and there is a 5 foot parkstrip. Darrin Haskell, applicant and representative of Ivory Homes, is excited about the second phase. He said that the market is driving for larger homes and he is happy to accommodate. Mr. Haskell explained that extensive research has been performed regarding ground water. The original idea had been to use a gravity drain system. However, engineering didn't like this idea because there were concerns about people having access to storm drains and dumping unwanted items. Another option that is now being considered is a sump-pump system. Geotech study states that homes must be built 3 feet above an existing ground water table. Ivory Homes will provide a layer of gravel under each home as well as a sump-pump that would discharge any water to the surface. Mr. Haskell stated that only a slight amount of water has been reported and that these plans for a draining system are precautionary. Harold Woodruff asked if the fence in phase one would be staggered? Mr. Haskell responded that they are working with Zions regarding this. It is possible that the fence will be moved back and landscaping would be provided along this road.

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

Motion: Commissioner Matheson moved for approval subject to the six staff conditions.

Commissioner Davis seconded the motion.

Roll call vote:

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

Unanimous –S-21-2007– Approved

S-24-2007
Highbury Place Subdivision – Phase 3
2950 South 5250 West

R-1-8 Zone
10 Lots
2.5 Acres

BACKGROUND:

Darin Haskell, representing Ivory Homes, is requesting final plat approval for the third phase of the Highbury Place Subdivision. The proposed application is located to the northeast of phase 1 and to the north of phase 2. This phase is bordered on the north by Highbury Parkway and the east by one of many waterways in this development.

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:

Ivory Homes has submitted the third phase of the Highbury Place Subdivision. This phase consists of 10 lots on 2.5 acres. Lot sizes range from 6,802 square feet to 11,046 square feet. The average lot size in this phase of the development is approximately 9,003 square feet. According to the developer, lot sizes were expected to increase in each of the first phases of the Highbury Subdivision. This expectation seems to be working as the average lot size has increased over 700 square feet per lot in each subsequent phase.

As per the previous phases, housing will be based on the development agreement. In order to provide more variety, Ivory is continually working on new plans for this development. Additional plans have been prepared for the 2008 catalogue. These plans will be added to the list of approved plans for this subdivision.

Access to the subdivision will be gained from existing stub streets in phase 1. 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 is located next to Highbury Parkway. As discussed during the preliminary plat, all double fronting lots will have a solid masonry wall. Specifications for this wall were reviewed during the preliminary process and were made part of the development agreement.

The subdivision is located next to one of many waterways planned for the overall development. Ivory has hinted about installing a semi-private fence along the rear property lines of those lots next to the waterway. Staff suspects that this matter will also need to be reviewed and approved with Zion's Securities.

Ivory Homes is planning on installing 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.

STAFF ALTERNATIVES:

- A. Grant final plat approval for the third 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 follow all recommendations outlined in the soils report. The proposed sub-drain system shall be reviewed and approved by the City Engineering Division.
 6. That the proposed development comply with all provisions of the West Valley City Fire Department.
 7. That a masonry wall be installed along Highbury Parkway. Said wall shall be in accordance with the wall specifications approved by the Planning Commission and as outlined in the development agreement.
 8. That the rear yard of lots 303-307 be fenced with a semi-private fence. Said fence type and specification shall be reviewed and approved by Zion's Securities.
- B. Continue the application to address issues raised by the Planning Commission.

Applicant:

Darrin Haskell
978 Woodoak Lane
Salt Lake City, UT 84117

Discussion: Steve Lehman presented the application. Mr. Lehman explained that if the

trend continues to demand larger homes, Ivory will drop lots to accommodate. Phase three backs onto the waterway system and there will be semi-private fencing. There will also be a masonry wall on Highbury Parkway. Fencing issues will be discussed in a meeting on December 13, 2007 with Zions Securities. Darrin Haskell, applicant and representative of Ivory Homes, wants to add a full 6 foot high fence for protection from people walking on the waterway. He likes the idea of a semi-private fence to allow homeowners a visual open space and feel. He plans to control RV parking with CC&R's. Mr. Haskell said that he is working with Zions Securities to install semi-private fencing.

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

Motion: Commissioner Conder moved for approval subject the eight staff conditions.

Commissioner Mills seconded the motion.

Roll call vote:

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

Unanimous – S-24-2007 – Approved

CONDITIONAL USE APPLICATIONS:

C-41-2007

R & L Freight Lines

2245 S Arnold Way

M Zone 10.69 Acres

The applicant is requesting conditional use approval to add approximately 26,800 square feet of loading dock space to their existing facility. This use is in a manufacturing (M) zone and the West Valley City General Plan designates this area as light manufacturing.

The dock expansion would connect two existing loading dock buildings to create one large dock facility. The present site was developed under Salt Lake County jurisdiction starting in 1974. As part of the project the applicant is going to revise access to the site and close one access point on the west side of the property and one access point on the north side of the property. They are also going to add landscaping along the west half of the north property line to match what already exists along the east half of that property boundary.

The new structure will be concrete, with twenty (20) loading doors on each of the north and south elevations. This site is in the middle of a manufacturing area with no frontage on a major arterial and very little visual exposure from any of the major arterials in the area.

The site is currently comprised of three lots. Because the new structure will be build across one of the property lines it will be necessary for the property owner to do a lot consolidation for at least the two lots sharing that one property line. This process must be completed before a building permit can be issued for the new structure.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:
 1. All requirements and conditions of any affected departments and/or agencies must be met.
 2. A lot consolidation for the lots which property lines the new building will straddle must be completed prior to a building permit being issued.
- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Don South
3075 South 230 West
Salt Lake City, Utah 84115

Discussion: Ron Weibel presented the application. Mr. Weibel explained that this application was a request to expand an existing dock to connect two buildings. There is a setback from any major arterial. Don South, the applicant, explained they will finish the landscaping. Phil Condor asked if this project will expand traffic or if it is to accommodate already existing traffic? Mr. South responded that they may want to grow with this facility in the future so it may be a little bit of both.

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

Motion: Commissioner Davis moved for approval

Commissioner Clayton seconded the motion.

Roll call vote:

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

Unanimous – C-41-2007 – Approved

**C-42-2007
D & G Scale
2629 South 3270 West
M Zone 2.1 Acres**

The applicant is requesting conditional use approval to develop a three building complex on the vacant site at 2629 S. 3270 W. Two of the buildings will be office/warehouse buildings and one will be a multi-tenant retail building. The zone for this property is manufacturing (M) and the West Valley City General Plan designates this area as light manufacturing.

Office/warehouse uses are reviewed as a permitted use in the M zone, however multi-tenant retail buildings are considered shopping centers and are reviewed as a conditional use in the M zone. The development is on 2.1 acres and is a double frontage lot between 3200 West and 3270 West. The retail building will front on 3200 West and the office/warehouse buildings will be behind the retail building to the west. There will be access to the site from both streets. The retail building has been reviewed based on the requirements of the commercial design standards ordinance. The architect has been notified of the minor changes that are required to meet these standards.

The office/warehouse buildings are not subject to review under the commercial design standards ordinance as they can only be built in a manufacturing zone. However, these two buildings will

be built with three different types of tan colored concrete blocks and will have architectural accents that make them more attractive than a standard concrete warehouse building.

The retail building is 9,048 sq. ft. and the office/warehouse buildings are 13,280 sq. ft. and 11,620 sq. ft. The retail building floor plan shows the possibility of six separate retail units. The total square footage for all three buildings will require 70 parking stalls based on the breakdown of uses provided and 83 have been provided. The parking will have to be re-evaluated if a restaurant is proposed for the retail building. A restaurant can only be approved if there is enough parking for all uses combined in the development.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:
 1. All requirements and conditions of any affected departments and/or agencies must be met.
 2. The retail building will need to meet all the requirements of the commercial design standards prior to issuance of a building permit.
 3. Parking will have to be re-evaluated prior to approval of a business license for any uses that have higher requirements than standard retail and warehouse uses.
- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

John Wilhite
2707 Willow Wick Dr.
Sandy, Utah 84093

Discussion: Ron Weibel explained that D & G Scale is requesting conditional use for a two building office warehouse and one retail building. The only potential issue would be a restaurant being placed into the area that requires more parking. Terri Mills said that roof mount vents and fans caused problems in Colt Plaza when restaurant vents became visible. Commissioner Mills asked whether this could be a potential problem here? Mr. Weibel explained that all mechanical equipment must be screened on all four sides by ordinance but a condition could be added for extra precaution. The applicant, John Wilhite, explained that the commercial building exterior is designed to look like the turn of the century. The retail building portion of the project doesn't need to be very tall and

there are already a few extra parking spaces. A small sandwich shop may be a potential tenant. Mr. Wilhite also explained that the buildings would be earth tones. Dale Clayton asked if there have been any pre-leasing in the retail building? John Wilhite responded that there have been no pre-leases done yet. In response to an inquiry by Jack Matheson, Mr. Wilhite explained that D & G Scale wants to move equipment into the building so that it is safe and secure. Phil Conder asked if 3200 West was a gateway road? Ron Weibel responded that it's an arterial road and that there are no gateway ordinances on 3200 West.

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

Motion: Commissioner Mills moved for approval subject to three staff conditions as well as a fourth condition that any roofmount items be properly screened.

Commissioner Conder seconded the motion.

Roll call vote:

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

Unanimous – C-42-2007 – Approved

C-43-2007

Wright Development Group, Inc.

5633 West 6200 South

C-2 Zone .8 Acres

The applicant is requesting conditional use approval for a multi-tenant retail building on a pad site in the northeast corner of the Wal-Mart Super Center development at 6200 S. and 5600 W. This property is zoned general commercial (C-2) and the West valley City General Plan designates this area as general commercial or mixed use.

The proposed multi-tenant building is 7,200 sq. ft. and will have a restaurant type use on the north end with a drive-up window. Although staff doesn't have information on specific uses, the applicant's architect said that this use may be a coffee shop. The drive-up window will have an

escape lane on the north side of the building to accommodate those who may not want to wait in line. This “escape” lane shall not be used in the future for a second ordering or pick-up lane.

The site and building have been reviewed under the commercial design standards ordinance. There are a couple of small items that need to be addressed and the applicant’s representative has been notified of these and is working on them. These items should be easily coordinated by staff. A sign plan has been submitted that shows an eight (8) foot high multi-tenant monument sign on the 6200 W. frontage that is set back ten (10) feet from the property line. This complies with the sign ordinance requirements. The building elevations show wall sign locations but the maximum area allowed for each sign will be determined based on ordinance requirements.

Parking provided will allow one restaurant in the development. If any other uses requiring additional parking are requested there will have to be shared parking allowed by Wal-Mart.

The site plan does not indicate the location for the speaker/order board for the drive-up window, however the architect indicated that it would be on the east side of the building. This is the area where it will have the least impact on any residential uses in the area.

The landscape plan submitted meets the requirements for interior landscaping in the interior of the parking lot and for minimum landscape percentage of the gross site area. One area where staff recommends changes is on the east side of the building. The area between the building and the drive-up lane shows spreading cotoneaster shrubs and staff feels that three to four trees in this area will create a better feel for the landscaping and also help to break up the back wall of the building.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:
 1. All requirements and conditions of any affected departments and/or agencies must be met.
 2. The escape lane for the drive-up window shall not be used for a second ordering or pick-up lane.
 3. All issues relating to the commercial design standards ordinance shall be resolved with staff prior to issuance of a building permit.
 4. All signage shall have a building permit and shall meet the requirements of the sign ordinance.

5. Any uses requiring more parking than is provided must have an approved cross-parking agreement with Wal-Mart before a business license can be issued.
 6. The speaker/order board for the drive-up window must be on the east side of the building.
 7. Three to four trees shall be added to the landscaping adjacent to the east side of the building.
- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Spencer Wright

Discussion: Ron Weibel explained that this project is a corner lot with a 7200 square foot retail building. It will have a restaurant type use with a drive-up window and is designed with an escape lane on the north side. Staff suggested adding additional awning on the northside. Mr. Weibel explained that there was discussion of adding false windows on the east side but Mr. Weibel does not believe this will give the building a good appearance. Instead, tall trees may be planted to add to visual attractiveness. There is a lot of excess parking on the Walmart site and any additional parking would require an agreement with Walmart. Parking at the building currently meets the proposed use. The applicant, Spencer Wright, stated that they have added some trees to the east side on the landscaping plan.

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

Motion: Commissioner Condor moved for approval subject to 7 conditions presented by staff and not putting false windows on eastside of building

Commissioner Mills seconded the motion.

Roll call vote:

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

Chairman Woodruff Yes

Unanimous – C-43-2007 – Approved

PLANNING COMISSION BUSINESS

Approval of minutes from July 25, 2007 (Regular Meeting) **(Not Reviewed)**
Approval of minutes from September 19, 2007 (Study Session) **(Not Reviewed)**
Approval of minutes from September 26, 2007 (Regular Meeting) **(Not Reviewed)**
Approval of minutes from October 3, 2007 (Study Session) **(Not Reviewed)**
Approval of minutes from October 10, 2007 (Regular Meeting) **(Not Reviewed)**
Approval of minutes from November 7, 2007 (Study Session) **(Not Reviewed)**
Approval of minutes from November 14, 2007 (Regular Meeting) **(Not Reviewed)**
Approval of minutes from December 5, 2007 (Study Session) **(Not Reviewed)**

There being no further business, the meeting adjourned at 5:40 p.m.

Respectfully submitted,

John Janson, Planning Director