



**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

April 27, 2016

The meeting was called to order at 4:01 p.m. by Chair Meaders at 3600 Constitution Blvd., West Valley City, Utah.

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Brent Fuller, David McEwen, Matthew Lovato, Clover Meaders, Latai Tupou, and Harold Woodruff

ABSENT

Jack Matheson and Martell Winters

WEST VALLEY CITY PLANNING DIVISION STAFF

Jody Knapp, Steve Pastorik, and Brenda Turnblom

ATTORNEYS

Brandon Hill and Freyja Johnson

AUDIENCE

There were four (4) people present in the audience.

Z-3-2016

Hughes General Contractors

7114 W. SR-201 North Frontage Road

A (Agricultural) to M (Manufacturing)

0.17 acres

Hughes General Contractors, representing the Mountain West Truck Center, has requested a zone change for 0.17 acres located at 7114 W. SR-201 North Frontage Road from A (agriculture, minimum lot size ½ acre) to M (manufacturing). Surrounding zones include M on all sides. Surrounding land uses include the Mountain West Truck Center project to the north and west, the north frontage road and SR-201 are located to the south and 1st Choice Storage is to the east. The property is designated as light manufacturing in the West Valley City General Plan.

The requested rezone is for three small parcels that are part of the Mountain West Truck Center project (C-28-2015). Initially this area was just part of the landscaped setback however the applicant plans on relocating the entrance to provide better maneuvering area for the trucks so they are rezoning these parcels to incorporate it in to the overall project.

Given the General Plan designation, neighboring uses and zoning and proximity to SR-201, the M Zone seems appropriate for this property.

Staff Alternatives:

- Approval of the zone change to the M Zone
- Continuance, for reasons determined at the public hearing.
- Denial of the zone change to the M Zone.

Motion: Commissioner Lovato moved to approve Z-3-2016.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner McEwen	Yes
Commissioner Lovato	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes

Unanimous – Z-3-2016 – Approved

Z-5-2016

Adam Nash

3320 South 6400 West

A to RE

5.0 acres

Adam Nash has requested a zone change on a five acre parcel located at 3320 South 6400 West from A (agriculture, minimum lot size of ½ acre) to RE (residential estate). For reference, staff has included a copy of the RE Zone standards. Surrounding zones include A to the east and south and R-1-8 (single

family residential, minimum lot size 8,000 square feet) to the north and west. The property is surrounded by agricultural ground to the east and south and single family homes to the north and west. The subject property is designated as large lot residential, which anticipates 2 to 3 units/acre, in the West Valley City General Plan.

Development Proposal

The applicant has submitted a concept plan, which is attached, that shows the subject property being subdivided into 12 lots averaging over 15,000 square feet and yielding a density of 2.4 units/acre. As a reminder, a concept plan is included to give the Commission an idea of the potential number of lots and to show how the property could be developed. Generally speaking, concept plans have not been engineered, meaning that storm drainage, topography and utilities have not been accounted for. For this reason, concept plans are subject to change.

Development Agreement

A development agreement is required for this project. Section 7-14-105 (3)(q) of the West Valley City Zoning Ordinance states: "All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(l)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD."

For the development agreement, the applicant has indicated that he will follow the City's single family home standards. For reference, these standards are summarized below:

- Minimum rambler size: 2,000 square feet
- Minimum multi-level size: 3,000 square feet
- Minimum garage size: 3 car (2 car allowed in certain instances)
- Exterior materials allowed: brick, stone and fiber cement siding
- Further material restrictions: fiber cement siding limited to 75 of exterior
- Minimum roof pitch: 6/12
- Minimum number of points required for a rambler from design features list: 250
- Minimum number of points required for a multi-level from design features list: 300
- Architectural shingles required

Staff Alternatives:

- Approval of the zone change to RE subject to a development agreement that includes the standards outlined in the ordinance.
- Continuance, for other reasons determined at the public hearing.

Applicant:

Adam Nash
4276 South 700 East #200
Salt Lake City, UT 84107

Discussion: Adam Nash said this is his first application in the RE zone. He thinks the selected location will support the planned development. He is looking at extending the boundaries of this project.

Adam Nash said he exhaustively studied the possibility of putting this development in the PUD overlay in the RE zone. He said the math of the ordinance does not work. If this development was made a PUD, the developer would be burdened with a private road and the required 20% open space and would still have the same number of lots. There is simply no incentive for the developer to do a PUD.

Steve Pastorik said when the City Council was looking at the ordinance, they weren't looking at granting a density bonus. Normally in a PUD situation, the trade-off is the developer would get a little more density in trade for some open space.

Motion: Commissioner Tupou motioned to approve Z-5-2016.

Commissioner McEwen seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner McEwen	Yes
Commissioner Lovato	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes

Unanimous – Z-5-2016 – Approved

**ZT-6-2016
Firework Containers
West Valley City**

This is a proposed amendment to Section 7-2-116(2)(b) of the West Valley City Municipal Code regarding the size of fireworks storage containers.

Currently, the code allows for one fireworks storage container per site and the container must be under 120 square feet.

7-2-16(2)(b)The temporary use must conform to all area and setback requirements for the zone which it is located in; Storage containers may not be used in conjunction with a temporary use, except for fireworks sales. Fireworks sales shall have no more than one storage container that is equal to or less than 120 square feet. Storage containers used for fireworks sales must be made of a non-flammable material approved by the Fire Department. Storage containers for fireworks sales are permitted from three weeks prior to the actual fireworks sale, to three weeks after the sale has passed. Fireworks sales shall only occur during Utah State mandated durations.

Staff is proposing to allow up to two containers per site and the combined square footage of the containers to be under 640 square feet.

7-2-16(2)(b)The temporary use must conform to all area and setback requirements for the zone which it is located in; Storage containers may not be used in conjunction with a temporary use, except for fireworks sales. ~~Fireworks sales shall have no more than one storage container that is equal to or less than 120 square feet.~~ Temporary fireworks sales uses may have no more than two storage containers on site. The combined square footage of the containers must be under 640 square feet. Storage containers used for fireworks sales must be made of a non-flammable material approved by the Fire Department. Storage containers for fireworks sales are permitted from three weeks prior to the actual fireworks sale, to three weeks after the sale has passed. Fireworks sales shall only occur during Utah State mandated durations.

Staff feels that increasing the size of the containers will bring the City Code in line with current standards in the fireworks industry. Many in the fireworks industry store their merchandise in Conex containers. These containers are made of metal and are preferred by the Fire Department. The standard sizes of the Conex containers are 8' x 20' and 8' x 40'. The fireworks industry is using these larger containers because they are allowed to sell larger fireworks than in the past and need more room for storage. They are also using them because they are safe containers to store fireworks in. Firework stands that have a higher volume of customers usually have two containers that are 8' x 40' which would meet the proposed standard of 640 square feet.

Staff Alternatives

1. Approval of the ordinance amendment as written.
2. Approval of the ordinance amendment with revisions as recommended by the Planning Commission.
3. Continuance, for reasons determined during the public hearing.

Motion: Commissioner McEwen moved for approval of ZT-6-2016.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner McEwen	Yes
Commissioner Lovato	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes

Unanimous – ZT-6-2016 – Approved

C-12-2016

Porky's Tacos Carnitas
3505 South Redwood Road
C-2 Zone (4.96 acres)

The applicant, Ramon Rameriz, representing Porky's Tacos Carnitas, is requesting a conditional use amendment for a restaurant liquor license at 3505 South Redwood Road. The property is zoned General Commercial (C-2). A restaurant with a liquor license is listed as a conditional use in the C-2 zone. The West Valley City General Plan anticipates Mixed Use in this area. The surrounding zones include C-2 to the north, south and west and Transitional Commercial (C-3) and Manufacturing (M) zones to the east. The adjacent uses include a retail strip center.

Porky's Tacos Carnitas is currently operating as a restaurant. They would like to expand their services to include serving heavy beer, therefore becoming a restaurant with a liquor license under the West Valley City Code. They will be applying for a Limited Restaurant License through the Department of Alcohol and Beverage Control, which permits the sale of heavy beer and wine. This location meets all of the spacing requirements set forth in section 7-6-1011 of the West Valley City Code.

There are multiple temporary banner signs on the building. The City Code allows for one temporary banner sign on the building and the applicant will need to remove the other banners from the building. There are no potholes in the parking lot, but the parking stalls around the restaurant need to be re-striped. The rest of the site is in good condition.

Approval, subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, as well as the following:

1. Must meet the requirement of all affected departments and agencies, including but not limited to, the Department of Alcohol and Beverage Control.
2. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs.
3. The parking stalls need to be clearly striped.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Ramon Ramirez
3505 Redwood Road

Discussion: Ramon Ramirez was present, but had no additional information to add. Commissioner Tupou asked if Ramon Ramirez understands the ordinances and conditions. Jody Knapp answered that Ryan Harris previously explained everything to him.

Motion: Commissioner Fuller moved for approval of C-12-2016, based on the three conditions listed in the staff report.

Commissioner Tupou seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner McEwen	Yes
Commissioner Lovato	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes

Unanimous – C-12-2016 – Approved

C-16-2016
Tacos Guanajuato
7198 West 3500 South
C-2 Zone (.76 acres)

The applicant, Gustavo Jimenez, representing Tacos Guanajuato, is requesting a conditional use amendment for an office/warehouse business at 7198 W 3500 S. The property is zoned General Commercial (C-2). An office/warehouse business is listed as a conditional use in the C-2 Zone. The West Valley City General Plan anticipates General Commercial in this area. The surrounding zones include C-2 to the south and east, Residential (R-16) to the north and Magna Township to the west. The adjacent uses include a pawn shop to the south, a restaurant to the east and single-family homes to the north.

Tacos Guanajuato is a food cart business. This location has been approved for a commissary by the Salt Lake Valley Health Department. The applicant will use the kitchen inside the Chevron to cook his food. The kitchen has been inspected and approved by the Building and Fire Departments.

There is a building on the southeast part of the property that once operated as a car wash but has been abandoned. The drain has been removed and the building is no longer a carwash. The food cart must be stored in this building because the C-2 zone doesn't allow for outside storage. When loading or unloading inventory, the applicant plans on parking the trailer next to the northwest part of the building where the kitchen is located. The applicant will not be allowed to wash the food cart at the site and must take it to a car wash. The applicant operates the food cart in Kearns and will not be selling food at this location. Food carts are not allowed to sell food at this location because they do not meet the distance requirement set forth in 17-22A-101 in the West Valley City Code.

This use requires one parking space and there is sufficient parking at the site. The parking lot and striping is in good condition. The grass in the park strip needs to be maintained, currently there are a lot of weeds in the grass. The rest of the landscaping is in good condition.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, as well as the following:

1. There is to be no outside storage of any kind permitted for this use.
2. There will be no washing of the food cart allowed at the site.
3. Food carts will not be allowed to sell food from this location.
4. All landscaping areas need to be maintained and free of weeds.
5. Must meet the requirement of all affected departments and agencies, including but not limited to, the Salt Lake Valley Health Department.
6. This use is subject to review upon a valid complaint.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Gustavo Jimenez
8941 South Philadelphian Ct.
West Jordan, UT 84119

Discussion: Gustavo Jimenez said he operates his taco stand in Kearns. This application is to ask for a commissary for cooking food and storing supplies.

Motion: Commissioner Woodruff moved for approval of C-16-2016 based on the six items listed in the staff report.

Commissioner Lovato seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner McEwen	Yes
Commissioner Lovato	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes

Unanimous – C-16-2016 – Approved

PLANNING COMMISSION BUSINESS

Approval of Minutes from March 23, 2016 (Regular Meeting) **Continued**

Approval of Minutes from April 13, 2016 (Study Session) **Approved**

Approval of Minutes from April 20, 2016 (Study Session) **Approved**

There being no further business, the meeting adjourned at 4:16 p.m.

Respectfully submitted,

Brenda Turnblom, Administrative Assistant