



**WEST VALLEY CITY  
PLANNING COMMISSION  
MINUTES**

**December 14, 2016**

The meeting was called to order at 4:00 p.m. by Chair Meaders at 3600 Constitution Blvd., West Valley City, Utah.

**WEST VALLEY CITY PLANNING COMMISSION MEMBERS**

David McEwen, Brent Fuller, Matthew Lovato, Jack Matheson, Clover Meaders and Latai Tupou

**ABSENT**

Martell Winters and Harold Woodruff

**WEST VALLEY CITY PLANNING DIVISION STAFF**

Brock Andersen, Steve Lehman, Steve Pastorik, Greg Robinson, and Brenda Turnblom

**WEST VALLEY CITY LEGAL DEPARTMENT**

Brandon Hill

**AUDIENCE**

There were approximately 11 people present in the audience.

**GP-1-2016**  
**West Valley City**  
**General Plan Amendment**  
**Appendix B: 2016 Moderate Income Housing Plan**

Utah municipalities are required by State law to perform a biennial review of the moderate income housing element of their General Plans. This moderate income housing element is required to provide:

1. an estimate of the existing supply of moderate income housing within West Valley City,
2. an estimate of the need for moderate income housing for the next five years,
3. a survey of total residential land use,
4. an evaluation of how existing land uses and zoning affect the opportunity for moderate income housing and
5. a description of West Valley City's program to encourage an adequate supply of moderate income housing.

The proposed 2016 Moderate Income Housing Plan addresses these five items; however, staff took a different approach for this update. In prior Plans, the analysis focused solely on West Valley City. For reference, the current adopted plan is attached. Since the provision of affordable housing is a regional issue and cannot be adequately addressed by a single municipality, the proposed Plan compares West Valley City's supply of affordable housing for three targeted income groups (30%, 50% and 80% of the area median income) with all other municipalities within Salt Lake County as well as Salt Lake County overall. The proposed Plan then compares how well cities' housing stock matches the income levels of County households.

Using the approach described above, the City demonstrated that we have a higher percentage of affordable housing than most cities. Our analysis found that no other city in Salt Lake County had more housing affordable to those households earning 30% or less than the area median income (AMI). The City also has a higher percentage of housing units affordable to households earning 50% of AMI or less than the percentage of households within Salt Lake County that earn 50% of AMI or less. In addition, the analysis clearly shows that there are several cities within the County that are substantially less affordable.

Given West Valley's abundance of affordable housing, the first goal listed in the Plan is to preserve the existing affordable units within the City. The Plan also includes the goal to create new affordable units where appropriate. An example cited as appropriate is redeveloping blighted multi-family residential with higher density, affordable units as was done on Harvey Street years ago.

**Staff Alternatives:**

1. Approval of the Moderate Income Housing Plan.
2. Continuance, for reasons determined during the public hearing.
3. Denial.

**Motion:** Commissioner Fuller moved to approve GP-1-2016.

Commissioner Lovato seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – GP-1-2016 – Approved**

**GPZ-3-2016**

**West Valley City**

**4500 S 2700 W**

**General Plan change from medium density residential to non-retail commercial**

**Zone Change from RM to A**

**15.61 acres**

West Valley City staff has submitted a General Plan/zone change application for a 15.61 acre parcel located at 4500 S 2700 W. The property is currently zoned RM (residential, multi-family) with a General Plan designation of medium density residential (7 to 12 units/acre). The proposed zone is A (agriculture, minimum lot size ½ acre) and the proposed General Plan designation is non-retail commercial.

In May of this year, the City approved a General Plan/zone change application from Joe Colosimo to facilitate the development of a senior condo project. The application was accompanied with a development agreement that outlined the details of the proposed senior condo development. While the development agreement was approved by the Council, it has not been signed by the applicant because he no longer has the property under contract and is no longer pursuing the development. Hence, staff is recommending that the General Plan and zoning be changed to what they were previously so that the property is not zoned RM without an effective development agreement.

To prevent this type of situation in the future, staff will now require that development agreements are signed by the appropriate party before they are forwarded to the Council for review.

**Staff Alternatives:**

1. Approval of General Plan/zone change.
2. Continuance for reasons determined during the public hearing.
3. Denial.

**Discussion:** Commissioner Matheson asked how long ago zoning was changed on this property. Steve Pastorik said it was within this year, however, the applicant did not apply for a conditional use at that time.

**Motion:** Commissioner Tupou moved to approve GPZ-3-2016.

Commissioner McEwen seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – GPZ-3-2016 – Approved**

**GPZ-6-2016**

**Jose Rodriguez**

**5430 West 3500 South**

**General Plan change from mixed use to general commercial**

**Zone Change from RB to C-2**

**0.49 acres**

Jose Rodriguez has submitted a General Plan/zone change application for a 0.49 acre parcel located at 5430 West 3500 South. The property is currently zoned RB (residential business) with a General Plan designation of mixed use. The proposed zone is C-2 (general commercial) and the proposed General Plan designation is general commercial.

The General Plan document includes the following text regarding the section of 3500 South between 5600 West and 4800 West:

“Take advantage of larger, deeper lots and future BRT expansion here by allowing mixed use including office and high density residential. Care should be taken to ensure that the entire stretch does not become high density residential, and a minimum project size should be set for multi-family development to ensure quality development. Mixed use development should be focused at intersections. Mid-block development should be required to maintain connectivity with other adjacent developments. Allow commercial transition of homes with strict design standards.”

Surrounding zones include C-2 to the east, R-1-7 to the north (single family residential, minimum lot size 7,000 square feet) to the north, R-1-8 (single family residential, minimum lot size 8,000 square feet) to the west and R-2-8 (residential duplex, minimum lot size 8,000 square feet) to the south. The property to the east includes two vacant commercial buildings and the properties to the north, west and across 3500 South to the south are developed as single family homes.

If this application is approved, the applicant plans to use the property for a used car business as reflected on the attached concept plan. The existing home would be used as the sales office. The applicant included the following statements in his application to support this request: “The reason for the zone change from a Residential Business to a C-2 is to put a car dealership. The property next to me is a C-2. This will help close the gap between the properties. The property east and all up west from my property is zoned C-2. This will close the gap between the middle of the property.”

Along 3500 South from about 4800 West to the east is largely zoned commercial. As seen in the attached zoning map, zoning between 4800 West and 5600 West varies greatly. While there are a variety

of zones along this section of 3500 South, the intent of the General Plan was to allow uses other than single family homes without the entire stretch becoming strip commercial.

During the study session, questions were asked about the used car businesses within the City. Based on the City's business license database, there are 35 used car businesses within the City. Over 60% of these businesses started in the last three years. Twelve of the 35 businesses store their vehicles completely within a building while the remaining 23 businesses store their vehicles outside. A majority (66%) of the used car businesses are located on either 3500 South or Redwood Road.

There are many other uses allowed in the C-2 Zone in addition to used car sales. For reference, the list of allowed uses in the C-2 Zone is attached.

**Staff Alternatives:**

1. Approval of General Plan/zone change.
2. Continuance, for reasons determined during the public hearing.
3. Denial, C-2 Zoning should be centered around the major intersections of 5600 West and 4800 West and not mid-block.

**Discussion:** Commissioner Meaders said that even though the intended use here is car sales, the applicant is not bound to car sales only. Steve Pastorik verified that if zoning is approved, there are a number of other uses possible in the C-2 zone.

Kelly Burtoch, West 5954 West Zina Circle, does not want to see another used car lot in this area. Traffic on 3500 South is already congested. Ladine Nichols, 5348 West 3500 South, has lived there for 30 years. She agrees a used car lot will increase congestion in the area. Gail Warr, 3196 South 3600 West, is very familiar with the area being discussed. She does not believe a commercial business belongs in the mostly residential area.

Commissioner Matheson foresees that 3500 South will eventually become a commercial area, but until more homes are torn down, this property should not be rezoned to commercial. He noted there is a boarded up building to the east, obviously a commercial venture that did not work out. He feels office space is not a good use for this home. There is limited parking on the site, the site is too small, and traffic would be adversely impacted. Commissioner Lovato agrees.

Commissioner Tupou said this application does not offer an improvement to the property. Chair Meaders feels rezoning this property to commercial amidst the many residential properties would be odd.

**Motion:** Commissioner Matheson moved to deny GPZ-6-2016.

Commissioner Lovato seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes

Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – GPZ-6-2016 – Denied**

**Z-9-2016**

**Jerry Davis**

**3771 South 6000 West**

**A to R-1-10**

**0.63 acres**

Jerry Davis has requested a zone change on a 0.63 acre parcel at 3771 South 6000 West from A (agriculture, minimum lot size of ½ acre) to R-1-10 (single family residential, minimum lot size 10,000 square feet). Surrounding zones include R-1-8 to the east, west and a portion of the south and A to the north and the remaining portion to the south. The property is surrounded by single family homes. The subject property is designated as low density residential, which anticipates 3 to 4 units/acre, in the West Valley City General Plan. As a reminder, the Zoning Ordinance does allow zone change requests to R-1-10 for properties less than 2 acres.

**Development Proposal**

The applicant has submitted a concept plan, which is attached, that shows the subject property being divided into two lots. One lot would be a flag lot for a new home and the other lot would be for the existing home. Both of the proposed lots are over 12,000 square feet.

**Development Agreement**

A development agreement is required for this project. Section 7-14-105 (3)(r) 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)(q)(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.”

The Zoning Ordinance includes an exception to the latest single family home standards that allows a home with a two car garage and reduced habitable floor area on a lot under one acre that is large enough to be subdivided to create no more than one new lot. The subject property meets the criteria for this exception. The code defines the reduced habitable floor area as follows:

“The minimum square footage of finished, above-ground, habitable floor space for homes with at least a three-quarter basement shall be 1,400 square feet for ramblers and 1,600 square feet for two story or multi-level homes, not including the garage. The minimum square footage of finished, above-ground, habitable floor space for homes without a three-quarter basement shall be 1,900 square feet for ramblers and 2,100 square feet for two story or multi-level homes, not including the garage.”

Staff recommends that the required development agreement be drafted to follow this exception.

**Staff Alternatives:**

- Approval of the zone change to R-1-10 subject to a development agreement that commits the owner to the standards in the ordinance including the exception outlined in this report.
- Continuance, for reasons determined at the public hearing.
- Denial.

**Applicant:**

Gail Warr  
3196 South 3600 West  
West Valley City, UT 84119

**Discussion:** Gail Warr is the sister of Jerry Davis, a real estate agent from Portland, Oregon who has been asked to take care of selling this property. Gail Warr is the Latham family trustee representing the deceased property owner. Gail Warr would like a family to purchase the entire property and put a mother-in-law home in the back. Gail Warr said she thought rezoning this property from Agriculture to Residential means no animals would be allowed on this property. She said she is not ok with putting a house in back of the property with separate ownership. She said Jerry Davis' purpose in rezoning is to divide the property and sell the front and back portions separately. Chair Meaders asked Gail Warr if she supports this application. Gail Warr asked if rezoning the property means she will have to divide the property and sell it. Steve Pastorik answered no, rezoning the property will not require that the property be subdivided, but will allow her to do so if she wishes. Under the current zoning, animals are allowed. Animals are not allowed under R-1-10 zoning. Gail Warr said she is ok with rezoning if there is no requirement that the property be subdivided. She does not believe there is enough room on the property for animals.

Kelly Bertoch, 5954 W Zina Circle, said several of his neighbors do not want a second house on the property. He reported there are no utilities going to the rear of the property at this time. He said there is no way to bring utilities in without going through his and his neighbor's properties. He does not want a small, trashy home built behind the existing home. Kelly Bertoch said his goal is to purchase the back half of this property; there is no way to get a fire truck to the back of the property without going through his property. Kelly Bertoch submitted a list of signatures from neighbors he reported are against a second home being built on this property:

Kelly Burtoch  
Robert Whipple  
Mike Gravenmier  
Robert L. Timothy  
Debb Thomas  
George & Lynette Tessier  
Ken Petersen

Commissioner Meaders asked, if a second home was built, if utilities will be reviewed at the subdivision stage. Steve Pastorik said the City would require that proper utilities be provided to the back lot and also address fire access. Because of the small size of the lot, the home would be eligible to comply with a prior design standard.

Steve Pastorik said we don't look at utility availability during the zone change stage. Rezoning this property simply will allow a subdivision application to be made. It is incumbent on the applicant to provide utilities. If they cannot provide utilities, the property cannot be developed.

Chair Meaders said she is confused that Gail Warr, the person representing the applicant, said she is against this application. For the benefit of the Planning Commission, Steve Pastorik explained that Gail Warr signed the agent authorization which allows Jerry Davis to make the application. Gail Warr is the trustee of the Latham family trust.

Commissioner Tupou said approving this application will give the Latham family more options for what they can do with their property.

**Motion:** Commissioner McEwen moved to approve Z-9-2016.

Commissioner Lovato seconded the motion. Steve Pastorik reminded Gail Warr that if she decides to withdraw the application, she can do so at any time before it goes before the City Council.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – Z-9-2016 – Approved**

**PUD-2-2016**  
**Cobalt Landing PUD**  
**3579 South Redwood Road**  
**RM & C-2 Zones**  
**72 Units & 2 Parcels**  
**9.6 Acres**  
**12 Units/Acre**

**BACKGROUND**

Mr. Russ Platt, representing the property owner, is requesting preliminary approval for a residential development to be known as Cobalt Landing PUD. A portion of the subject property was recently rezoned from the M Zone to the RM Zone. The portion of commercial property adjacent to Redwood Road was already zoned C-2. The subject property is bordered on the north by various commercial uses, KingsPointe Phase 7 Subdivision to the east, and the Millburn Manor Subdivision to the south.

**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 names.
- Main access road into the project will be required to have 36 feet of pavement. On-street parking and/or parking that backs on to this drive will not be allowed.
- Concerns with regards to the amount of fill brought to the site.
- Concerns with the elevation change at the east and north boundaries of the project.
- Revisions to plat required.
- Flood control issues to be coordinated with Public Works and UDOT.

Utility Companies:

- Standard Utility Easements required.

Granger Hunter Improvement District:

- Project is subject to all GHID requirements and design standards.
- Easements for water and/or sewer will need to be obtained from property owners to the east.

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.
- If access to Millburn Manor is not a full access, a gate and knock box will be required.

Building Division:

- Will require a soils report. The report shall address all aspects of the project site including the fill material.

**ISSUES:**

Project Overview:

The Cobalt Landing Planned Unit Development will be a residential community consisting of 72 units on 6 acres. This equates to an overall density of 12 units per acre. The commercial property adjacent to Redwood Road consists of approximately 3.6 acres.

While the development of the commercial property will be reviewed at a later date, the main access drive through this area will be evaluated in conjunction with the residential development.

Proposed townhomes will be a combination of 2 and 3 story units. The 2 story units will have 3 bedrooms and will comprise 1,800 square feet. The 3 story units will have 4 bedrooms and will be approximately 2,200 square feet. Each unit will have a two car garage accessed from a private road system.

The architecture for this project is using modern elements. The materials will be stone, cement board and stucco. Interior features include 9-foot ceilings and solid surface countertops. All townhome units will include a ground level patio and balcony. As part of the amenity package, the developer committed to having rooftop patios for at least 20 townhome units.

The developer is suggesting that two color schemes be used for this project. The colored variations will need to be substantial enough so that one color does not dominate the project. Final colors for this project will be reviewed by the Planning Commission during the first phase of the project.

As mentioned previously, all townhome units will have a two car garage for parking. However, 19 of the 72 units will not have a driveway. For this reason guest spaces are provided. The total number of spaces required is 144 where 250 spaces are provided in garages and driveways. In addition, 31 guest spaces are provided for units where driveways are not planned. The total parking number is 281 spaces which equates to 3.9 spaces per unit.

Setbacks for this project are per the site plan. However, there is some concern with regards to the setbacks along the east property line. Staff will address this later in the analysis. The setback distance between common space facing units ranges between 25-40 feet. The units fronting the larger common area are separated by 75-90 feet.

#### Other matters related to this project:

##### **Access:**

Access to the subdivision will be gained from a private drive off of Redwood Road. A secondary access is proposed from the Millburn Manor Subdivision to the south. It is not yet known if this access will be a full access, or a secondary access for emergency use. The developer is coordinating this matter with the HOA to the south. While Cobalt Landing can develop with a single point of access, it is desired that a secondary access be provided for emergency service use.

The preliminary plat indicates that the street width for private rights-of-ways will be 30 feet. This consists of 26 feet of asphalt and 4 feet for a modified curb and gutter system. The Public Works Department is recommending that the main access road leading to the residential portion be 40 feet in width with 36 feet of asphalt. This will allow full turning movements at the intersection of Redwood Road. Having an increased road width will help lessen the stacking problems that could occur with only one lane of traffic exiting the site. It is also recommended that a sidewalk be installed along this road out to Redwood Road.

The Public Works Department is also recommending that the stub road providing access to the far southeast lot be finished off with some type of fencing. A recommendation to install bollards has also been suggested. The elevation difference between this roadway and the properties to the east is approximately 6-8 feet. Lights from vehicles will impact the adjacent homes to the east. To help mitigate this problem, a fence should be installed. If the fence is vinyl, then bollards would also need to be installed. If the fence is masonry, then bollards would not need to be installed.

### **Grading:**

The original topography of this property sloped downward from west to east. However, over the last year or so, a large amount of fill has been brought to the site. While the site has been leveled off on a majority of the property, there is concern regarding the grade difference between the properties along the north and east boundaries.

The difference in elevation at the greatest point is approximately 6-8 feet. The developer is proposing a rock retaining wall along the north property line. However, nothing is being shown along the east boundary. Staff does understand that walk-out basements have been discussed along the eastern boundary to mitigate the grade difference.

The grading issue is being evaluated by the City Engineering Division. This matter will continue to be evaluated and recommendations and solutions will be made available during the final plat review. In addition, the developer has mentioned that some of this earth material will be removed from the site. This will obviously help the situation, but staff's concerns are still applicable along these two boundaries.

### **Building Setbacks and Height Requirements:**

As mentioned previously, setbacks for this project are illustrated on the site plan. Staff is comfortable with the setbacks except those along the east boundary of the subdivision. The proposed setback is 15 feet. According to the RM zoning standards, the rear setback shall be 20 feet. Since this project is a planned unit development, there is flexibility in site design standards. However, due to the grade difference of this project and the existing homes to the east, there will be an impact to those existing dwellings. Staff will recommend that for these units, the minimum setback of 20 feet will be required.

With regards to the height of those units along the east boundary, the maximum height is 25 feet at the rear setback. For each foot of height over 25 feet, buildings shall be setback from the rear property lines an additional foot. As mentioned above, three of these units are 3-stories. The developer will need to account for this increased setback accordingly. While there are 3-story units along the south property line as well, the grade difference is not as severe as it is along the east boundary. City ordinance allows flexibility for PUD's. This means that the Planning Commission has the ability to reduce the setback if desired. However, in this case due to the height of the buildings, staff is recommending the greater setback.

### **Landscaping:**

While landscaping is generally addressed at the final plat stage, staff would like to mention a few things at this point in the review process. The overall open space will need to comprise an area equal to 50% of the project site. The useable open space will need to comprise 15% of the project site.

According to the engineered drawings, the developer is proposing to retain all storm water on site. The majority of future storm events will end up in the large open space area. To retain all water generated from this project, the finished elevation of the park space will be approximately 4 feet in depth.

Staff is going to recommend that the useable open space cannot be used in conjunction with the proposed retention basin. This is a large project and residents should be able to use the recreation

areas without it being compromised by flood water. In addition, areas that are used for retention are generally difficult to maintain because of standing water. In summary, if this project is going to retain all of its storm water, other areas within the project will need to be made available for the useable open space requirement.

One possible area is the large transition area located in the southeast portion of the commercial area. There is an area approximately 60 feet in depth from the street that is zoned RM. This area could be used to accommodate the BBQ area, Pavilion and sports court that was included in the development agreement.

### **Entry Feature:**

The development agreement also specifies that an entry feature will be installed. Given the unique access into the residential portion of this property, the location of an entry feature is challenging. Staff has discussed the possibility of adjusting those units that front the commercial property to create a larger open space. This would allow for a more visually appealing entry into the community and would allow for some type of entry feature.

### **Lighting:**

The project site will require internal street lights. In addition to the street lights, there will need to be lighting within and around the open space areas. Staff will recommend that a lighting plan be submitted at final plat.

### **Soils Report:**

There has been discussion of basements for some of these units. Whether basements are planned or not, a soils report will need to be submitted, especially in light of the fill that has been brought to the site. The developer will need to coordinate findings of the soils report with the Building Division and Engineering Division regarding the construction of housing and street improvements.

### **Garbage Collection:**

The development has been designed with a U shaped street pattern. This will allow all residents to have their own garbage can. Dumpsters will not be needed in this project. The developer will need to coordinate garbage collection with a private agency for collection.

### **STAFF ALTERNATIVES:**

- A. Grant preliminary approval for the Cobalt Landing PUD subject to the following conditions:
  1. That the developer resolve all staff and agency concerns.
  2. That the Planned Unit Development be subject to the multiple family design standards outlined in the City ordinance, and the development agreement negotiated during the rezoning process. This includes a full interconnected sidewalk system that leads out to Redwood Road.
  3. That a soils report be prepared prior to the final plat review of the first phase.

4. That the developer provide an overall landscape plan to be reviewed during the first phase of the final plat process. Said landscaping plan shall provide measures to ensure water conservation techniques will be used in accordance with City ordinances.
5. That all requirements of the West Valley City Fire Department be satisfied including turning radius and secondary access.
6. That the developer resolve any issues regarding irrigation ditches and irrigation water that may be in use.
7. That compliance be made with Granger Hunter Improvement District, i.e., water line extensions, connections, water rights and fire protection.
8. That the subdivision name and street names be approved by the Salt Lake County Auditor's Office.
9. That building setbacks and height be in accordance with the site plan reviewed by the Planning Commission with modifications to those setback and height standards outlined in the report.
10. That specialty lighting be provided throughout the entire development. Said lighting will be reviewed during the final plat.
11. That the developer coordinate access into the development with the Utah Department of Transportation.
12. That the developer adjust the units that front on to the commercial property to create a larger open space and one that will accommodate an entry feature.
13. That a fence or masonry wall be installed across the end of the stub road providing access to the far southeast lot. This condition will help mitigate vehicle lights from impacting adjacent neighborhoods.
14. That a vinyl fence be installed along the north, south and east boundary of the development. Said fencing shall be installed where vinyl fencing does not presently exist.
15. That all conditions noted above be completed prior to the first phase being submitted for final plat review.

B. Continuation, in order for the developer to address issues raised during the public hearing.

**Applicant:**

Russell Platt  
1759 East 4620 South  
Salt Lake City, UT 84117

**Discussion:** Russell Platt said a geotechnical study has been done for this property. He will only put foundations on properly compacted, engineered fill or virgin soil. He does not want any liability for settlement. Russell Platt feels he can work with the existing fill to help align with the development to the south, slope to the development to the north, and step down to the east.

Russell Platt has an agreement to run a sewer line with a neighbor and already has approval from Granger Hunter Water Improvement District that there is adequate drainage capacity to the east. Russell Platt said he will work with City staff and engineering to make sure everyone is satisfied with on-site water retention. He would like to keep water retention on site for a couple of reasons: 1. It is now legal to use rainwater on landscaping. 2. There is no need to ruin our parks when water retention is done properly. He noted that some underground water storage will be needed to keep water from surfacing at the high points.

Russell Platt said he has made changes to the site plan to make room for an entry feature. The entry feature will include a monument sign with landscaping.

Commissioner Matheson appreciates Russel Platt's concern regarding the fill on the property. Silty clay probably has inadequate bearing properties for either roads or footings. He feels underground water storage is a viable option, and he likes the appearance of the buildings.

**Motion:** Commissioner Tupou moved to approve PUD-2-2016, subject to the fifteen conditions listed in the staff report.

Commissioner Matheson seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – PUD-2-2016 – Approved**

**S-27-2016**

**West Valley Pavilion Subdivision – Lots 3, 5, 6 and 7 Amended**

**2663 South Anna Caroline Drive**

**C-2 Zone**

**2 Lots**

**1.8 Acres**

**BACKGROUND**

David Draper, representing the property owner, is requesting consideration to amend lots 3, 5, 6 and 7 of the West Valley Pavilion Subdivision. The purpose for the amended plat is to create an additional building lot with a smaller size. The subject property is located at 2663 South Anna Caroline Drive and is zoned C-2.

**ISSUES:**

The West Valley Pavilion Subdivision was recorded with the Salt Lake County Recorder's Office in August 2008. The original subdivision consisted of 7 lots and 1 parcel. The proposed amended

subdivision plat will amend lots 3, 5, 6 and 7 to create a new building lot. The amended plat will also redefine the boundary of lot 5 which will create a more useable property on which to build. According to the applicant, they have had more interest from potential tenants for the smaller more manageable lots compared to the originally recorded lots.

The newly created lot will be located in the west half of the existing lot 3. This lot will be known as lot 3A. The new lot will be approximately 31,400 square feet in size. Lot 3B will be located to the east and will contain approximately 46,875 square feet. The minimum lot size in the C-2 zone is 20,000 square feet.

Access to these lots will be gained from Anna Caroline Drive and from internal access points already existing within the commercial center. All existing utility easements and cross access easements for access and parking will still be applicable.

With the addition of a new lot, the applicant will need to coordinate future site improvements and storm water drainage with the City Engineering Division. Although these lots are located just outside of the 5600 West overlay zone, future uses will be reviewed by the Planning Commission because future uses will be located within an overall shopping center.

**STAFF ALTERNATIVES:**

1. Approve the Amendment to lots 3, 5, 6 and 7 of the West Valley Pavilion Subdivision subject to the resolution of staff comments noted in the analysis.
2. Continue the application for reasons determined in the Planning Commission meeting.

**Applicant:**

David Draper  
7683 South 5320 West  
West Jordan, UT

**Motion:** Commissioner Fuller moved to Approve S-27-2016 subject to the resolution of staff comments.

Commissioner Lovato seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – S-27-6-2016 – Approved**

**C-48-2016**  
**Mountain West Truck Center Pole Sign 7114 W**  
**SR 201 North Frontage Rd**  
**M Zone (14.94 Acres)**

Allied Electric Sign is requesting a conditional use amendment for a pole sign at the Mountain West Truck Center. Zoning for the property and the surrounding area is M, Manufacturing. The West Valley City General Plan anticipates light manufacturing to the east and heavy manufacturing to the north. Magna borders the property to the west, and the SR-201 Freeway and north frontage road are adjacent to the southern boundary.

The Mountain West Truck Center received conditional use approval in May of 2015 and the building was recently completed. The applicant is proposing to construct a pole sign in the south-east corner of the property. The sign will be 60 feet tall with sign faces that are 194 square feet in area. It will be setback about 55' from the property line. Title 11 specifies that pole signs shall be architecturally compatible with the building style, colors, and/or materials. The sign incorporates both colors and materials that match the building.

There is also a requirement that pole signs be incorporated in landscaped areas that are at least equal to twice the area of the sign, and that the landscaped areas contain at least 50% live plant material. The sign requires a landscaped area of at least 388 square feet. There will be about 545 square feet of live plant material in the landscaped area around the sign.

**Staff Alternatives:**

**Approval**, subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. The sign shall be constructed per the approved sign plan.
2. Landscaping shall be completed per the approved landscape plan.
3. All requirements set forth in Title 11 of the West Valley City Municipal Code shall be met.
4. A building permit must be issued for the pole sign.

**Continuance**, for reasons determined at the hearing.

**Applicant:**

Eric Shinsato  
1920 South 900 West  
Salt Lake City, UT 84104

**Discussion:** Kelly Bertoch, 5954 West Zina Circle, is concerned about lights from the sign blinding and distracting traffic. Brock Anderson said the sign will be lit, but there will be no moving images on the sign. Commissioner Matheson commented that the sign will be located on the frontage road away from the highway, and probably needs to be a large size in order to be seen from Hwy 201. Brock Anderson noted the sign complies with all City ordinances.

**Motion:** Commissioner Matheson moved to approve C-48-2016.



Commissioner McEwen seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – C-48-2016 – Approved**

**C-49-2016**

**H&E Equipment Services**

**4091 W. 2100 S. (5114 West 2400 South)**

**M Zone (9.95 acres of a 34.11 acre site)**

The applicant, Hughes General Contractors, representing H&E Equipment Services, is requesting a conditional use for an equipment sales, rental, parts and service facility. The zoning for this area is M, Manufacturing. The West Valley City General Plan anticipates light manufacturing uses for this area. The surrounding zone is manufacturing on all sides. The surrounding uses include Simon Trucking to the west, Wheeler Machinery to the north and east, and vacant land to the south.

H&E Equipment is currently located just north east of this parcel, directly adjacent to Wheeler Machinery. At this time they would like to relocate their facility and develop this property along the newly constructed 2400 South.

The proposal includes construction of three buildings. The first two buildings are similar in construction and will be single-story concrete tilt-up structures that are approximately 30,000 square feet. They will contain office space, service bays, wash bays, warehousing, tool storage and locker rooms for shop employees. Building A will be used for equipment rentals and maintenance and building B will be for crane rentals and maintenance. The third building is more of an open sided carport structure that is 4,800 square feet in size. This building will be used for charging batteries for the equipment on site. The buildings are not required to meet the Commercial Design Standards.

Parking for the use will be located on the south side of the site adjacent to 2400 South and is separated from the remaining portion of the property with a secured fence. The areas adjacent to the buildings will be surfaced with concrete and are primarily maneuvering areas for equipment. A gravel area is provided along the north side of the site for equipment storage.

The landscaping on site will be adjacent to the parking area. The site must have a minimum of 5% landscaping, and 6.5% has been proposed. These areas will contain rock mulch with trees and shrubs (50% coverage of love plant material).

Wall signage is proposed and will require a building permit prior to installation. No other signage is proposed at this time.

**Staff Alternatives:**

**Approval**, subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. The site must be constructed per the approved plans and meet all applicable West Valley City standards.
2. Signage shall meet the standards set forth in Title 11 of the West Valley City Municipal Code and a building permit must be obtained for all signage.
3. Must have approval from all other affected departments and agencies.
4. Subject to review upon valid complaint.

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

**Applicant:**

Tyler Dehann  
Hugh General Contractors  
900 North Redwood Road  
North Salt Lake, UT

**Motion:** Commissioner Lovato to approve C-49-2016 subject to the four staff conditions.

Commissioner Fuller seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – C-49-2016 – Approved**

**C-50-2016**

**Interwest Brokerage Office/Warehouse 1893**

**West 3600 South**

**C-2 Zone (.45 Acres)**

The applicant, Interwest Brokerage, is requesting a conditional use for an office/warehouse building at 1893 West 3600 South. This property is zoned C-2, General Commercial, and the West Valley City General Plan designates this area as General Commercial. The adjacent property to the south is zoned RM and the remaining areas are C-2. The surrounding uses include the Homestead Farms residential

development to the south, the east and west sides are vacant land that is yet to be developed and there are medical offices to the north.

This site is designated as Lot 7 of the Plaza 3600 Business Park shopping center which was approved by the Planning Commission in November of 1998 (C-26-98). The original 17 lot development anticipated future retail uses on this property. Access to the site is gained off of 3600 South, which is a private road. The original approval specified that each development must be reviewed as a separate conditional use before the Planning Commission since the tenants were not known at the time of the overall approval, furthermore this particular use is also listed as a conditional use in the C-2 zone.

Interwest Brokerage is a sales and marketing company. They are proposing to develop the site for their corporate offices as well as a small warehouse space for product samples and marketing materials. The building design must comply with the Commercial Design Ordinance. The building will be constructed primarily of stucco with brick and metal canopy accents. All but the south side of the building will be visible from the road so some detail has been added to the sides of the building as well to achieve a 360-degree architectural finish.

The parking for the site has been calculated for office/warehouse uses. Therefore, 19 spaces are required and 22 have been provided.

The landscaping on site must meet the 15% minimum area as required in the C-2 Zone. The landscape plan indicates 20.8% of the site will be landscaped. The landscaping along the frontage of this parcel was approved as part of the overall shopping center landscaping concept. This included a minimum of 7 feet of landscaping along the private drive with street trees that were originally planted when the roadway was improved. The site will also have a 5' strip of landscaping adjacent to the parking lot on the east and west sides and a 10' wide landscaped area adjacent to the residential property to the south. These areas must include 50% live plant material and trees.

Since the property is adjacent to a residential community a 6' tall solid masonry wall must be constructed along the entire southern boundary. The wall will be constructed of CMU Block to match the building and a similar enclosure will also be constructed around the dumpster located on the site. Any mechanical equipment proposed on site or on the building shall also be properly screened from view per the standards set forth in the West Valley City Code.

A lighting plan was also be submitted and the site complies with the standards set forth in the West Valley City Code. Any lighting installed adjacent to residential uses shall be installed and/or shielded so it does not negatively impact those adjacent uses.

The applicant has indicated that only wall signage will be proposed for this site. All signage shall comply with the West Valley City Sign Ordinance, to include no more than 15% signage on the front building face, and 5% on the remaining sides, and no more than 50% of the window area shall be covered in signs. A building permit must be issued for all signage. Ground signage has not been proposed at this time.

#### **Staff Alternatives:**

**Approval** of the conditional use for the office warehouse on lot 7 of the Plaza 3600 Business Park subject to compliance with all of the City’s zoning ordinances and the following:

1. No more than 50% of the floor area shall be used for warehousing.
2. The landscaping must be completed per the approved site plan and in accordance with applicable standards in the West Valley City Municipal Code including but not limited to a minimum 7’ wide landscaped area along 3600 West with three trees per C-26-98.
3. The building must be designed in accordance with the Commercial Design Standards.
4. There must be adequate parking on site for the proposed tenant mix.
5. A 6’ masonry wall shall be installed along all residential zone boundaries.
6. The dumpster location shall be at least 20’ from any residential boundary and completely secured with a 6’ tall masonry enclosure.
7. All mechanical equipment on site must be properly screened.
8. All lighting shall be designed per Title 7 and not negatively impact adjacent residential uses.
9. All signage must comply with the West Valley City Sign Ordinance.
10. Must meet requirements of all effected departments and agencies.
11. Subject to review upon valid complaint.

**Continuance** for reasons determined in the meeting.

**Applicant:**

Todd Gibson  
Interwest Brokerage  
2096 West 3400 South  
Riverton, Utah

**Discussion:** Commissioner Matheson said the other units that have been built on this street have not presented any problems.

**Motion:** Commissioner Lovato moved to approve C-50-2016 subject to the 11 staff conditions.

Commissioner Fuller seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes

Commissioner Tupou Yes

**Unanimous – C-50-2016 – Approved**

**C-51-2016**

**DS Auto Sales, Inc.**

**2730 S Constitution Ave**

**M Zone (1.05 acres)**

The applicant, DS Auto Sales, Inc., is requesting conditional use approval for auto sales at 2730 S. Constitution Blvd. The zoning for the property is M (Manufacturing). Auto sales is a conditional use in this zone. The surrounding zoning is predominantly manufacturing, there is however a mobile home park (RMH zone) across 2700 South, east of the property. Adjacent uses include a variety of car sales and repair and light manufacturing businesses, the vacant property to the west is owned and used by Utah Power. The West Valley General Plan designates this area as light manufacturing.

The applicant will operate out of a 9 unit, multi-tenant building. The space is 1,800 square feet and the applicant intends to use the space with two offices in the front and inventory at the back of the building. The minimum number of parking spaces required for this use is five (5). The applicant plans on having three (3) parking stalls in the front of the building and two (2) parking stalls behind the building.

The applicant will store his inventory inside the building, inventory will range from 0 to 8 vehicles. The proposed use is for auto sales only. The applicant intends to do minor upkeep on the vehicles including vacuuming, windows, cleaning, and minor detailing. No automobile repair, servicing, or washing will be done on site. There will be no outside storage allowed as part of this business.

**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. The approved use is for auto sales. There will be no repair, servicing, or washing of vehicles at the site. This approval is for the unit addressed at 2730 S Constitution Blvd.
2. There is to be no outside storage of any kind permitted for this use.
3. All signage shall comply with the regulations contained in Title 11 of the West Valley City Code.
4. All requirements of affected departments and agencies must be met.
5. This use is subject to review upon a valid complaint.

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

**Discussion:**

Commissioner Lovato asked if there is adequate parking. Greg Robinson answered yes, there are additional parking spaces that can be utilized for customer parking in addition to the five spaces designated for the site.

**Motion:** Commissioner Fuller moved to approve C-51-2016 subject to the five items listed in the staff report.

Commissioner Lovato seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Chair Meaders	Yes
Commissioner Tupou	Yes

**Unanimous – C-51-2016 – Approved**

Approval of Minutes from November 9, 2016 (Regular Meeting) **Approved**

Approval of Minutes from December 7 (Study Session) **Approved**

Steve Pastorik thanked the Planning Commissioners for their service and wished them a merry Christmas. This will be the last meeting this year, and the last meeting for Commissioner Tupou, who is moving to St. George. Chair Meaders said she will miss Commissioner Tupou's professionalism, good humor, and gender support.

Steve Pastorik said we are searching for a new Planning Commissioner and appreciates any suggestions.

There being no further business, the meeting adjourned at 5:12 p.m.  
Respectfully submitted,

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Brenda Turnblom, Administrative Assistant