



**WEST VALLEY CITY  
PLANNING COMMISSION  
MINUTES**

**October 11, 2017**

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

**WEST VALLEY CITY PLANNING COMMISSION MEMBERS**

Brent Fuller, Mathew Lovato, David McEwen, Clover Meaders, and Darrick Porter

**ABSENT**

Martell Winters, Cindy Wood, and Harold Woodruff

**WEST VALLEY CITY PLANNING DIVISION STAFF**

Brock Anderson, Jody Knapp, Steve Lehman, Steve Pastorik, and Brenda Turnblom

**AUDIENCE**

There were four people present in the audience.

**ZT-6-2017**

**Dwell Design Build**

**An ordinance amendment to change Section 7-5-101 to allow zone changes to the R-1-4 and R-1-6 zones under certain conditions.**

Dwell Design Build has submitted a zone text change application to amend Section 7-5-101 to allow zone changes to the R-1-4 and R-1-6 zones under certain conditions.

In July of 2015, the City Council passed an ordinance that limited rezones to the R-1-7, R-1-8, R-1-10 and R-1-12 zones to properties under 2 acres. Subsection 5 of Section 7-5-101 currently states: “Property within City limits may be amended or rezoned to the R-1-7, R-1-8, R-1-10, or R-1-12 zones if the property is less than two acres in area as of July 22, 2016. Properties under two acres created or subdivided after July 22, 2016 shall not be eligible to apply for the R-1-7, R-1-8, R-1-10, or R-1-12 zones.”

As seen in the attached application, the applicant is proposing to add the following language to this subsection: “Properties that meet the following criteria are eligible for a different or hybrid zoning: a. Properties that are between two to four acres can be rezoned to include R-1-4, R-1-6 zones if property borders higher density on 1 to 2 sides and has either a shallow sewer access (less than 9 foot depth) or in an area with a high water table.” The applicant’s justification for the requested text change is outlined in the attached application.

After receiving the application, staff posed several clarifying questions to the applicant. Staff’s questions along with the applicant’s responses are listed below:

Staff Question: Does a “different” zone mean R-1-4 or R-1-6? If not, what does it mean?

- Applicant Response: It means R-1-4 or R-1-6.

Staff Question: The City doesn’t currently have an “R-1-5” or “hybrid” zone. What would the standards be in these zones?

- Applicant Response: The following requirements are applicable within the R-1-5 zone:
  - (1) The minimum Lot area shall be 5,000 square feet for Single Unit Dwellings and for Twin Homes, the minimum Lot area shall be 3,500 square feet.
  - (2) The Lot Width shall be measured twenty-five feet back from the front property line. For Twin Homes, the minimum Lot Width shall be 35 feet.
  - (3) The Front setback shall be 22 feet.
  - (4) The Side setback shall be a minimum of 5 feet for detached Homes. For Twin Homes or Attached Homes, the minimum Lot width shall be 0 feet.
  - (5) The Garage Side setback shall be a minimum of 10 feet.
  - (6) The Rear setback shall be a minimum of 20 feet.
  - (7) The Maximum Building Height for all Buildings except Accessory Buildings shall be 32 feet. Maximum Building Height for Accessory Buildings shall be 20 feet.

Staff Question: For the purpose of this change, what does “higher density” mean?

- Applicant Response: Bordered by lots that are 6,000 sq. ft. or smaller.

The applicant raised the idea of an ordinance change to allow smaller lots with staff earlier this year. Staff discussed the idea with the City Council in a study session held on May 16, 2017. While no formal vote was taken, the Council was not interested in amending this ordinance.

### **Staff Alternatives:**

1. Denial, the City Council has recently indicated that they are not interested in changing this provision of the ordinance.
2. Continuance, for reasons determined during the public hearing.
3. Approval.

**Applicant:**

Andrew Larsen, Design Build  
876 Hollyhock Ave.  
Sandy, Utah 84009

**Discussion:** Andrew Larsen said that James Graham (not present) provided a letter to be read out loud:

“Our property at 1580 Whitlock Ave. is currently being planned for modern-style single family homes priced \$300,000 to \$400,000. Our development will be gated with single family homes on larger lots than the surrounding properties and will offer larger homes which will improve land values in our area. Our project offers a perfect transition and buffer between the townhomes to the north and the City’s General Plan to incorporate larger future lots with homes to the south. Currently the subject property is surrounded by townhomes, duplexes, 3,500 sqft lots, single family lots, and manufactured homes. We door-knocked the entire area and every person we spoke to supported the development and we would like to see this happen. We want to be part of the redevelopment and improvement of West Valley City. The local homeowners in the area need the support of the West Valley City Council and Planning Commission to help push this project through to improve one of the most run-down areas of the City. Our development will help to improve poor infrastructure, help eliminate crime, and bring up the values of the neighboring properties. Some of the neighbors who have reached out to us in writing in support of this development are:

Steven Spraker  
1612 Heron Way

Ali Jo Swenson  
1574 Heron Way

Luke Gillespie  
1618 Heron Way

Adam Jbailat  
1579 West Blue Grouse Way

Emer Kidson  
2916 West Alice Way” (end of letter)

Chair Meaders asked if this development could not be accomplished with the current zoning. Steve Pastorik said the property is over 2 acres, so it may only be rezoned to RE (Residential Estate).

Andrew Larsen, real estate agent, developer, and home builder, said he gathered information for West Valley City properties with roughly 1/3 acre lots \$375,000 -\$400,000 or greater. He said only two homes matching these criteria were sold in West Valley City during the past 12 months. This is not due to lack of inventory; there are currently 17 homes available for sale on the Multiple Listing Service (MLS), a reliable source which represents about 99% of all housing transactions. Andrew Larsen said under-contract listings for newer homes with RE zoning should be many, but there are zero now.

Andrew Larsen reported, based on the absorption of the sale of two homes of this category per year, 17 homes for sale gives between 8-11 years of inventory of RE housing that the City keeps putting on the shelves but no one is buying.

Andrew Larsen stated that the City wants to offer Cadillac-type homes to buyers, but not everyone wants nor can afford one. He feels it would be irresponsible to put Residential Estate zoning near fairly high density commercial or residential. He is proposing a buffer between these areas.

Andrew Larsen reported three days on the market is the average turn around for homes priced \$250 and under. There is virtually no inventory of homes in this price range. However, there is a glut of inventory of RE zoned homes. The job base cannot support more expensive homes. Andrew Larsen hopes this sheds some light on what is happening regarding housing within the City.

Terri Mills, 5898 West 3500 South, is neither in favor nor opposed to this application. She feels properties should be considered on their own merits, considering their topography, neighbors, and location. She said she knows the City Council has strong opinions about the remaining open land within the City. However, a blanket ordinance is not the answer.

Commissioner McEwen asked Steve Pastorik if an over two-acre piece of property was split, would it be possible to then rezone the properties something other than RE. Steve Pastorik said the current zoning ordinance contains a provision which prohibits taking a two- or more acre piece of property, splitting it, and then rezoning it.

Chair Meaders summarized that current City ordinance allows properties under 2 acres to rezone down to R-1-7. This zone text change would allow properties 2-4 acres to be rezoned even smaller. Commissioner Fuller said this application is another across-the-board proposal. He feels every piece of property should be considered on its own merits. Commissioner Meaders has concerns about allowing the rezoning of two acre properties down to R-1-4 or R-1-6. She feels there are enough small residential properties within the City.

**Motion:** Commissioner Fuller moved to deny ZT-6-2017. He asked Staff to consider ways to allow each lot to be reviewed individually.

Commissioner Lovato seconded the motion.

**Roll Call Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Porter	Yes

**Unanimous – ZT-6-2017 – Denied**

**2235 West 3800 South**  
**R-1-8 Zone**  
**2 Lots**  
**.56 Acres**

**BACKGROUND**

Ben Norman is requesting preliminary plat approval for a two-lot subdivision in the R-1-8 Zone. The subject property is located at 2235 West 3800 South. An existing dwelling occupies the front portion of the property and will remain as part of the subdivision.

**STAFF/AGENCY CONCERNS:**

Fire Department:

- Fire hydrants to be installed in accordance with the Uniform Fire Code.

Granger Hunter Improvement District:

- Project will need to run availability for water, sewer and fire protection.
- Subject to design and review inspections.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- Revisions to plat are required.
- Drainage issues need to be addressed.

Building Inspections:

- A soils report will be needed to determine the basement depth of the new dwelling.

**ISSUES:**

The applicant is proposing a flag lot subdivision consisting of 2 lots. Lot 1 will be approximately 8,000 square feet while lot 2 will be approximately 14,400 square feet which excludes the stem portion to the new lot. All frontage and area requirements relating to both lots will be satisfied.

- Access to the subdivision will be gained from 3800 South. All public improvements such as curb, gutter, sidewalk and stamped colored park strip are currently in place. The applicant is proposing to use a single drive approach for both lots. A new water and sewer line will need to be installed

for the new lot. The applicant and/or builder will need to coordinate with the City Engineering Division the replacement of existing infrastructure when the water and sewer line is installed.

1.

2. Properties to the east, south and west are also zoned R-1-8. During the study session, a question was asked about the development potential of these deeper parcels on the south side 3800 South. These parcels are older pieces that have been in existence for over 50 years. Staff has not fielded any subdivision questions until the current application. However, staff does anticipate future development to the south of these parcels.

3.

4. Staff believes that future development of these parcels will happen once the stub road coming out of August Farms is extended northward. There are 5 parcels that would be involved once that stub road is extended. The layout of these parcels lends itself to a simple knuckle and cul-de-sac design. Utilizing the back portions of the parcels fronting 3800 South would allow bigger lots, but would not increase the density. The other issue with these deeper pieces on 3800 South is that the dwellings on the 3 western lots are setback nearly 85 feet from 3800 South thus restricting a layout that would allow for more density.

5.

6. The existing dwelling will remain on what will become lot 1. The existing free standing carport will be removed, but the single car garage is intended to stay. The applicant will need to work with the building division to ensure that building codes relating to the 1.6 foot setback is met. Staff will recommend that the building issue be addressed prior to the recordation of the subdivision plat.

As with all new subdivision development, there is a concern with the potential of ground water impacts. A soils report is needed to determine water table depth. This report will be needed prior to this application moving forward.

#### **STAFF ALTERNATIVES:**

- A. Approval of the North Ridge Estates Subdivision subject to a resolution of the items outlined in the staff report.
- B. Continuation to address issues raised during the public hearing.

**Discussion:** Commissioner Lovato asked what the width of the right of way is on the back of the flag lot. Steve Lehman said the minimum width is 20'. The driveway access flares near the opening to move it away from the property on the east. The property meets the frontage requirements for the R-1-8 zone.

**Motion:** Commissioner McEwen moved to approve S-16-2017.

Commissioner Fuller seconded the motion.

#### **Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Porter	Yes

**Unanimous – S-16-2017 – Approved**

**C-27-2017**

**Sprinter Truck Facility Display Pads 5396 West 2400**

**South**

**M Zone (2.32 Acres)**

The applicant, Dan VanZeben representing Bart Warner, is requesting conditional use approval for display pads at the new Sprinter truck facility at 5396 West 2400 South. The zoning for this area is M, manufacturing. The West Valley City General Plan designates this area as light manufacturing. The surrounding zone is manufacturing on all sides. The surrounding uses include office/warehouse and other light industrial or freight/trucking uses.

The site was approved for a Sprinter Truck sales, service and parts facility in 2016 (C-44- 16). They are currently in the process of building the 12,547 square foot building. At this time the applicant is requesting to construct two vehicle display pads for the site. Per 11- 4-113(2) of the West Valley City Municipal Code the Planning Commission may permit display of merchandise within the front setback area if it maintains a 10' setback to the right-of-way. The area would be incorporated in to the landscape design and would maintain a 10' setback from the right-of-way.

**Staff Alternatives:**

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

1. There shall be no more than two vehicle display pads provided in the setback areas on site.
2. The vehicle display pads must maintain a 10' setback from the right-of-way.
3. The vehicle display pads shall be incorporated in to the landscaping per the approved plan.
4. Subject to review upon valid complaint.

**Continuance**, to allow for the resolutions of any issues raised at the public hearing or to allow for a revised site/landscape plans to be submitted.

**Applicant:**

Dan Danzeben  
2032 Lincoln Ave.  
Ogden, Utah 84401

**Discussion:** Dan Danzeban said the Sprinter Truck Facility is requesting two display pads to raise the vehicles onto a higher, ramped area. The display areas will follow the slope of the existing berm and will meet the 10' setback requirement.

**Motion:** Commissioner Porter moved to approve C-27-2017.

Commissioner Lovato seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Porter	Yes

**Unanimous – C-27-2017 – Approved**

**C-28-2017**

**Kim Long Market**

**3450 South Redwood Road C-2 Zone**

**(1.35 Acres)**

The applicant, Built in the USA Construction representing Kim Long Market, is requesting a conditional use for reconstruction of a grocery store at 3450 South Redwood Road. The zoning for this area is C-2, General Commercial. The West Valley City General Plan designates this area as Mixed Use. The surrounding zones include C-2 general commercial on all sides. The surrounding uses include a bank to the north, a retail/restaurant strip center to the west on the same parcel, a restaurant to the east across Redwood Road and an auto service use to the south.

There is currently a market at this location and there was recently a fire that destroyed a portion of the inside of the building. The applicant has opted to completely demolish the building and expand and rebuild. The existing building was a single story 4800 square foot space. The new building will be 7,900 square feet with a 625 sqft second story office space.

The building will be constructed of split face masonry block with columns, awnings and large store-front windows. The building design must comply with the Commercial Design Standards.

The property has frontage along Redwood Road, which is a High Image Arterial. Therefore, the frontage must be improved according to the standards set forth in title 7-10 of the WVC Municipal Code which include a 15' landscaped berm, a 10' sidewalk and a 5' landscaped strip with lighting. The existing landscaping throughout the site will need to be replenished and brought back in to compliance per the original approved landscape plan for the center. (C-28-93).

The applicant has indicated that there will be wall signage identifying the business. There is currently a pole sign on site so this sign will be removed and replaced with a multi-tenant monument sign. All signage shall meet the standards set forth in Title 11 of the WVC Municipal Code.



There are currently 66 parking spaces on site. The new use requires 25 parking stalls. The tenant mix in the existing center is still being evaluated but the entire property must provide enough parking for the tenant mix. There is a possibility for some shared parking to the south. That space is currently vacant so if spaces are needed for this expansion then that may limit the tenant opportunities for that vacant space in the future.

There is currently a shared dumpster location within this commercial complex. If any new dumpsters are proposed for the site the location must comply with 7-2-118 and be located within a 6' tall masonry enclosure.

**Staff Alternatives:**

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

1. The site shall be constructed per the approved plans.
2. There must be adequate parking within the commercial complex for the proposed tenant mix.
3. The frontage shall be designed in accordance with chapter 7-13, Standards for Landscaping Along High Image Arterials.
4. The building on site must meet the Commercial Design Standards.
5. Dumpsters must be located within a 6' masonry enclosure per 7-2-123 of the WVC Municipal Code.
6. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs.
7. All requirements of affected departments and agencies must be met, including but not limited to WVC Public Works and UDOT.
8. 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:**

Fred Cox, Architect  
4466 Early Duke Street  
West Valley City, Utah 84120

**Discussion:** Fred Cox said he represents the owner of the Kim Long market. The owner is planning on burying the power line from the existing pole on Redwood Road. From that point to the north is another power line which will be buried so he has the ability to use that 5'. A transformer will need to be installed. Fred Cox said he will coordinate the location of the transformer with Jody Knapp.

**Motion:** Commissioner Porter moved to approve C-28-2017 subject to the eight items listed in the staff report.

Commissioner Fuller seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Porter	Yes

**Unanimous – C-28-2017 – Approved**

**C-29-2017**

**Walmart Fuel Center Pole Sign 3180 S**

**5600 W**

**C-2 Zone (19.87 Acres)**

**C-3**

The applicant, SGA Group, is requesting a conditional use amendment for a new pole sign for Walmart. The zoning for the property and the adjacent parcels is C-2, General Commercial.

Adjacent land uses include retail and restaurant to the north and south, Centennial Park to the east and the future Mountain View Corridor will be to the west.

The property has one existing pole sign that was approved with the original conditional use, C-13-2001. The sign is non-conforming, so any alterations to the sign require that the sign be brought into conformance with all provisions of Title 11. The applicant is proposing to remove the existing sign and construct a new pole sign in the same location. The change in signage coincides with the new fuel station that was recently approved, C-20-2017, and is now being constructed.

The proposed sign will include three different sign panels: one for the store, one for the grocery “Pickup” service and the third will be a digital price reader for the fuel station. The new sign will be 25’ tall, which is the maximum height allowed for pole signs in a C-2 zone. All three of the sign faces together will be about 155 sq. ft. of signage, less than the 200 sqft of signage that is allowed per the code. The sign incorporates the same colors and materials that will be used on the fuel station building.

Title 11 requires that the sign be incorporated in a landscaped area that is at least equal to twice the area of the sign, with 50% live plant material. The existing landscaped area is large enough to accommodate the sign. The live plant material proposed around the sign was approved as part of the landscape plan for the fuel station.

**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 plan.
2. All requirements set forth in Title 11 of the West Valley City Municipal Code shall be met.
3. A building permit shall be issued for the sign.

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

**Applicant:**

Chris Evertz  
1437 South Boulder  
Tulsa, OK

**Discussion:** Chair Meaders asked what makes the current sign nonconforming. Brock Anderson said the current sign is 29' in height and the C-2 zone only allows 25'. Chris Evertz said the sign will be reduced 60 sqft in size and will meet sign code requirements.

**Motion:** Commissioner Fuller moved to approve C-29-2017 based on the three items listed in the staff report.

Commissioner Porter seconded the motion.

**Vote:**

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Porter	Yes

**Unanimous – C-29-2017 – Approved**

Approval of Minutes from September 27, 2017 (Regular Meeting) **Approved**

Approval of Minutes from October 4, 2017 (Study Session) **Approved**

There being no further business, the meeting adjourned at 4:38 p.m.

Respectfully submitted,

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Brenda Turnblom, Administrative Assistant