



**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

December 13, 2017

The meeting was called to order at 4:00 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, Cindy Wood, and Harold Woodruff

ABSENT

Darrick Porter and Martell Winters

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik and Brenda Turnblom

WEST VALLEY CITY LEGAL DEPARTMENT

Eric Bunderson, Brandon Hill, and Brad Jepson

AUDIENCE

There were approximately 19 people present in the audience.

GPZ-2-2017

Ken Olson

3755 South 5450 West

A to RE

3.2 acres

Ken Olson has submitted a General Plan/zone change application for two parcels totaling 3.2 acres located at 3755 South 5450 West. The property is currently zoned A (agriculture, minimum lot size of ½ acre) with a General Plan designation of Rural Residential (2 or less units/acre). The proposed zone is RE (Residential Estate) and the proposed General Plan designation is Large Lot Residential (2 to 3 units/acre).

Surrounding zones include A to the north, west, and south and R-1-10 (single unit dwelling residential, minimum lot size 10,000 square feet) to the east. The property is surrounded by single family homes.

5450 West has an eclectic mix of zoning, lot sizes, housing and street improvements. Moving from north to south, zoning varies from R-2-8, R-1-8, R-1-10, A, and then back to R-1-8. Lot sizes vary from just under 6,000 square feet to over 3 acres. Roughly half of the homes on the street were built before 1950. The road is approximately ½ mile long, is tree lined along some sections, and is mostly devoid of curb, gutter, and sidewalk.

Development Proposal

The applicant has submitted a concept plan, which is attached, that shows the subject property being subdivided into 8 lots averaging just over 15,000 square feet and yielding a density of 2.5 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. Also attached is a letter from the applicant supporting his application.

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)(1)(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 applicant has submitted the attached design guidelines and covenants for this project. Many of the standards included in this document would be enforced by a homeowner’s association. However, some of the standards in this document are ones the City could enforce through a development agreement. In some cases, the standards proposed by the applicant are actually a reduction from City standards. In other cases, the standards are higher or go beyond what is required by ordinance. Below is a summary of the standards that could be included in the development agreement.

Requested Reductions to Standards

- No curb and gutter shall be installed on 5450 West.
- The width of right-of-way on 5450 West shall be as indicated on the concept plan.

- Front yard setbacks on all lots except lot 1 shall be reduced from 30' to 25'.
- Rear yard setbacks on all lots shall be reduced from 30' to 25'.
- Wood shingles, stucco, and metal siding shall be allowed as exterior materials.
- Up to 40% of the roof may be a flat roof.
- Lot widths shall be reduced as indicated on the concept plan.

Proposed Standards that Go Beyond Ordinance Requirements

- The existing large trees along 5450 West shall remain.
- The front yard setback on lot 1 shall be 40'.
- Lots 3 and 4 and 6 and 7 shall have shared driveways.
- Trees shall be planted along the street and shared driveways at 30' centers.
- A minimum of 5' of landscaping shall be provided between the driveway and the side property lines for the first 20' of depth of the property.
- A three-car garage shall be required (the ordinance does allow a 2-car garage if certain conditions are met).
- Fencing along 5450 West shall be installed by the developer on lot 8.
- Two story homes shall have a minimum of 1,700 square feet of finished floor area on the main level.
- A minimum of 30% of the front facing walls shall be stone or brick.
- All foundation walls more than 18 inches above grade shall be veneered with a finished material.
- Garage doors shall be grained in texture.
- No access to the rear yard of lot 8 shall be allowed off of 5450 West.
- All accessory buildings shall be setback at least 25' from 5450 West.

Included with this report is a sketch prepared by staff that shows a potential alternative design that utilizes a private street with a hammerhead for firetrucks. In staff's opinion, this design has the following advantages:

- All of the lots are rectangular lots. This will make siting homes much easier and eliminate the need for setback and lot width exceptions as well as shared driveways.
- All four lots along 5450 West face the street. This is more consistent with the rest of the homes on the street.
- As with the applicant's concept, most of the existing trees could remain.

Staff shared this concept with the applicant and was waiting to hear back if he was interested in pursuing it. Staff also discussed this project with Public Works and they are willing to consider a design that would allow the trees to remain.

Staff Alternatives:

- Approval of the zone change to RE subject to a development agreement that includes only the housing standards proposed by the applicant. In addition, the following standards shall be included:
 - The location and scope of all off-site improvements (i.e. curb, gutter, parkstrip, and sidewalk) shall be determined during the subdivision review process. In other words, the agreement will not provide an exception to the City's off-site improvement requirements.
 - The width of the right-of-way along 5450 West shall be determined during the subdivision review process.
- Continuance, for reasons determined at the public hearing.

- Denial, the General Plan should remain Rural Residential and the zoning should remain.

Applicant:

Ken Olson
10299 Sprint Crest Lane
South Jordan, UT 84095

Discussion: Ken Olson said he loves this area and would like to preserve the aesthetics of the neighborhood. He designed this subdivision to look like a park, preserving the existing trees. Front yard fencing will be prohibited. Ken Olson recommends that lot 5 may not put a fence forward of 10' off the rear corners to maintain an open feel for the surrounding houses. There will be no front yard parking, other than the main driveway in front of the garage. Houses will not line up like a regular subdivision, but will be placed in various locations to give this subdivision a unique, estate feel. Streets will be lined with trees every 30 feet. Four lots within the development will share two driveways. Ken Olson said he would like to tweak the property lines and placement of the homes for a better layout.

Chair Meaders asked Ken Olson if he has done shared driveways before and if there have been any problems amongst the property owners. Ken Olson answered yes, deeper driveways are costly and pose some maintenance problems. However, these driveways will be poured with the development and will not be too deep.

Ken Olson said there will be a meandering sidewalk on the east side of the trees, with no curb and gutter. Commissioner Wood feels curb and gutter are needed for this subdivision. The road will be widened and water will drain into an existing swell that will water the trees when the irrigation ditch is removed. Ken Olson suggested the possibility of installing curb and gutter with a flat apron that allows water to run into the trees and can be driven over. Steve Pastorik said we do not have drainage and grading information at this stage. The final determination about whether we have curb and gutter and what type of curb and gutter will be addressed at the subdivision stage, so we don't have to belabor that point today.

Commissioner Wood asked if there will be curb and gutter in the cul-de-sac. Ken Olson said there will be a sidewalk with a park strip around the cul-de-sac, so every home will have a sidewalk in front.

Ken Olson said there will be an entry monument on lot 8. He provided pictures of a monument and fence that he erected in the Bluffdale Preserve as examples.

Commissioner Woodruff asked Ken Olson how he thinks the character of this subdivision will tie in with the rest of the street. Ken Olson feels preserving the trees with a meandering sidewalk behind the trees will tie in well and look nice. Chair Meaders asked Ken Olson how he feels about the design proposed by the City. Ken Olson said it is not a bad design, but the proposed design is more unique and inviting with more open space and a monument.

Commissioner McEwen asked if this subdivision will be maintained by an HOA. Ken Olson said the cul-de-sac will be a City street. Commissioner McEwen asked about the cost of the homes. Ken Olson said anticipates the price range will be about \$430,000 to \$450,000.

Jonell Evans, 3750 South 5450 West, said this property and the much of the surrounding land belonged to her grandmother, Maude Winston Evans. This land has been cherished by four generations of the Evans family. She feels the proposed development does not maintain the natural beauty of the land and will not be a harmonious design for the neighborhood. Jonell Evans said most of her neighbors do not support this zone change. Jonell Evans said building 8 homes on 3-1/2 acres is a mini subdivision and she does not support it. However, she does support the sale of the land as large lots. She presented pictures of beautiful homes that have been built on her family property. Chair Meaders asked Jonell Evans if the large lot sizes are what makes the land special to her. Jonell Evans answered yes, also the open area.

Juline Evans Fisher, 3760 South 5450 West, feels that building three homes on one acre is not in keeping what has been there for generations and what is there now. She mentioned the calm, relaxed feeling on this beautiful street. She said that last summer a couple she didn't know asked to have a wedding reception in her yard. She was honored to allow that. Juline Evans feels the zone change and housing development that Ken Olson wishes to build will increase traffic dramatically and mar the beauty of 5450 West. She said the bottom line is not always financial. Sometimes quality of life must be considered.

Stacia Ireland, 3750 South 5450 West, married into the Evans family. She thinks the proposal of having 8 new homes across the street from where she lives will ruin the beauty and charm of the area.

Jay Christopher has been a caretaker to the property on 3791 South 5450 West, which belongs to his wife's family. He feels that larger lots are difficult to maintain. He pointed out that the last house on 5450 South at about 3660 South does not have curb and gutter and it was built within the last five years. Kathleen Christopher, 3755 South 5450 West, agreed that if not installing curb and gutter on one home is right, it is right for another.

Jay Christopher disagrees with the comments made before him. He feels the Evans have gerrymandered their lots to suit them and now they are trying to control other properties that don't belong to them.

Ken Olson said he is not here to disagree with the above comments to get more money. He said half acre lots are 100' wide. If four half-acre lots are lined up, they measure 420' wide. If the trees along 5450 West are removed and curb, gutter, and sidewalk are installed, everything that is special about the road will be ruined. Ken Olson said if the trees are removed, he does not want anything to do with this project. Ken Olson said not to forget that 1/3-acre lots are large lots. Ken Olson said he lives on a street with 1/3 acre, 1/2 acre, and 1 acre lots, all with 100' frontage. He says he cannot tell the difference between them when driving down the street.

Chair Meaders closed the public portion of the meeting.

Commissioner Woodruff said the project is probably going to be very nice, however, he does not think it belongs here. He does not think it enhances the unique character of what is there now. Curb and gutter will be issues no matter how this property is developed. This is one of the few times he supports larger lots and keeping the zoning as it is.

Commissioner McEwen said he drove along this street and sees that the backs of the existing lots are not maintained. He would like to see that the existing trees are better maintained. He is for the rezoning of the property. Commissioner Lovato likes Ken Olson's plan and wishes to preserve the trees.

Commissioner Fuller is concerned with the Development Agreement because Ken Olson wishes to move homes and property lines within the development. He asked if the recommendation for a zone change can be made to the property now and the development agreement be approved later. Steve Pastorik said it is best that they be done in tandem. Brandon Hill said that regardless of what is recommended today, the zoning of the property will not change today. Zoning must be approved by the City Council. The question of whether not the development agreement happens simultaneously is ultimately up to the City Council.

Motion: Commissioner Wood moved to continue GPZ-2-2017 to the January 10, 2018 public hearing, when the development proposal can be refined and different options for curb and gutter may be presented. Chair Meaders noted that the public comment period for this application has been closed and will not be reopened at the next meeting.

Commissioner Lovato seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	No

Majority – GPZ-2-2017 – Continued

Z-8-2017

Ambrose Group, Inc.
5340 West 3500 South
A to RM
1.09 acres

At the request of the applicant, this application was continued during the public hearings on October 25th and November 8th.

Aaron Haaga with Ambrose Group, Inc. has submitted a zone change application for a 1.09 acre parcel located at 5340 W 3500 S. The property is currently zoned A (agriculture, minimum lot size ½ acre) with a General Plan designation of mixed use, which at this location includes office and high density residential. The proposed zone is RM (multiple unit dwelling residential).

Surrounding zones include R-1-8 (single family residential, minimum lot size 8,000 square feet) to the north and east, R-2-8 (residential duplex, minimum lot size 8,000 square feet) to the south, and A to the west. Surrounding land uses include single family homes to the north, west, and east and a multi-unit residential property to the south. The subject property includes a home that, according to the Salt Lake County Assessor, was built in 1900.

The applicant is planning to develop the property into a 12-unit townhome project. The proposed density of the project is 11.0 units/acre. The attached concept plan and letter from the applicant provide details on the proposed project. A third set of elevations was submitted by the applicant following the

continuance on November 8th. More details about the proposal are covered below under the development agreement discussion.

According to the City's zoning ordinance, zone changes to the RM zone can only be considered by the City if the following three conditions are met:

1. For properties without existing structures which are proposed to be developed, the property must be a minimum of two acres and the density must not exceed twelve units per acre. For properties with existing structures proposed to be redeveloped, there is no minimum acreage requirement, but the density must not exceed twenty units per acre.
2. The property shall either i) have access and frontage on a street with a planned right-of-way width of at least 80' (for properties under two acres) or 100' (for properties two acres or larger) as indicated on the Major Street Plan or ii) be adjacent to existing multi-family residential development on two sides.
3. A development agreement must be proposed with the zone change application that addresses dwelling unit sizes, exterior materials, architecture, landscaping and project amenities.

This application meets the first condition in that the property includes an existing home that will be demolished. For the second condition, the subject property has access and frontage on 3500 South, which has a planned right-of-way width of 115'. On the third condition, the following is proposed by the applicant:

- Dwelling unit sizes: The proposed townhomes will be 1,565 square feet in area above grade. All units will have basements, which will add 614 square feet to each unit.
- Exterior materials: The latest materials proposed are fiber cement siding, stucco and stone.
- Architecture: The latest architecture is reflected in the attached building elevations and rendering.
- Landscaping: 50% of the site is proposed as landscaping.
- Project amenities: Site amenities include a sport court, pavilion, private patios and a vinyl all along sides except the south. Building amenities three-tone paint and two car garages.

In addition to the items listed above, the applicant has agreed to dedicate right-of-way along 3500 S to accommodate a 115' right-of-way as outlined in the Major Street Plan.

As the Commission evaluates this application, there are essentially two questions to consider. The first question is are townhomes an appropriate use for this property. The second question is a follow up question to the first. If townhomes are an appropriate use, is the proposed quality sufficient to meet the goals of the City?

The points below may help the Commission answer the first question.

- There are no stub streets to the adjoining residential developments to the north, west, and east.
- This section of 3500 S is currently a five-lane arterial street that is serviced by UTA bus routes 35 and 35M. Planned improvements along 3500 S between 4000 W and the Mountain View Corridor include widening to 6 lanes by 2024 and bus rapid transit (BRT) by 2034.
- Average annual daily traffic (AADT) on this section of 3500 S for 2015 was 19,975. A five-lane arterial can handle a traffic volume of 26,500 at a level of service (LOS) C and 30,500 at an LOS

D. According to the Institute of Transportation Engineers, townhomes generate 5.81 trips per day.

- Retail and other commercial services exist about ¼ mile to the west along 3500 S and 5600 W.

If the Commission believes that townhomes are appropriate here, the quality of the proposal should then be considered.

Dwelling Unit Sizes

The proposed unit sizes exceed the minimum area set forth in the ordinance for a three bedroom, attached unit, which is 1,000 square feet.

Exterior Materials

The latest materials proposed are fiber cement siding, stucco, and stone. The ordinance requires brick, stucco, stone, or fiber cement siding for all multi-unit residential buildings. Where stucco or fiber cement siding are used, at least 20% of the building's exterior must be brick or stone.

Architecture

The architecture will be subject to the City's multi-unit residential design standards. Assuming this application is approved, a comprehensive review of the building plans will verify compliance with the design standards. Based on a preliminary review, it appears that latest design meets the standards.

Landscaping/Open Space

The concept plan shows 50% landscaping, which meets the minimum requirement for townhomes.

Project Amenities

The City's multi-family residential design standards require projects with less than 50 units to include at least two amenities from a list included in the ordinance. The applicant is proposing a sport court, garages, private patios, and pavilion which are listed in the ordinance. The applicant has also proposed vinyl fencing along the west, north, and east sides of the property.

Staff Alternatives:

1. Approval, subject to a development agreement that includes the standards proposed by the applicant as well as the following:
 - a. All townhomes buildings shall be built substantially like the elevations submitted by the applicant.
 - b. The townhomes buildings shall meet the Multi-Unit Residential Design Standards in Chapter 7-11 of the Zoning Ordinance.
2. Continuance, for reasons determined during the public hearing.
3. Denial.

Motion: Commissioner Lovato moved to approve Z-8-2017.

Commissioner McEwen seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes

Unanimous – Z-8--2017 – Approved

ZT-5-2017

West Valley City

Amend various sections of Title 7 (Zoning Ordinance)

West Valley City staff is recommending a zoning ordinance amendment to change the use tables that outline the permitted, conditional and prohibited uses by zone; add triggers to determine when certain improvements are required and make other technical changes to Title 7. A summary of all of the changes is included with this report.

In April of this year, the City Council adopted an ordinance to repeal and reenact Title 7. As staff has administered the new code several needed corrections were discovered. As an example, there were certain provisions that were inadvertently left out. These corrections are the technical changes mentioned in the opening sentence of this report. In addition to these corrections, there are also changes proposed to regulations. The two most significant of these changes are changing specified conditional uses to permitted uses and adding triggers to determine when certain improvements are required.

The use of conditional use permits by municipalities is coming under increased scrutiny at the State level. To avoid the unnecessary use of a conditional use permit, staff conducted a comprehensive review of all listed conditional uses by zone and focused on those that were likely to have detrimental effects on neighboring properties. As a result, many uses are now only conditional if they are next to a residential use, residential zone or agricultural zone. Lights, odors and noises from a tire shop or restaurant are more impactful on a neighboring residential use than a neighboring commercial use.

With fewer conditional uses, staff was concerned about the City's ability to bring older nonconforming sites (not uses) that are nonconforming as to things like screening and landscaping into compliance with current standards. To address this concern, staff is proposing three triggers that would require certain improvements be made to nonconforming sites.

Staff Alternatives:

1. Approval.
2. Continuance, for reasons determined during the public hearing.

Discussion: Steve Pastorik said the City Council directed City staff to make some changes to the Home Childcare Provisions. Staff recommends that this application be tabled until the next Planning Commission meeting to allow time to include the changes the City Council requested.

Motion: Commissioner McEwen moved to continue ZT-5-2017 to the January 10, 2018 Planning Commission meeting.

Commissioner McEwen seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes

Unanimous – ZT-5-2017 – Continued

ZT-7-2017

West Valley City

Repeal and reenact Title 11 (Sign Ordinance)

West Valley City staff is recommending an ordinance amendment to repeal and reenact the City's sign ordinance. A similar revision to the zoning ordinance was made earlier this year. Many of the changes are simply cleanup such as capitalizing defined terms, putting definitions in alphabetical order, consolidating all sign types allowed by zone into a table and deleting definitions that are already covered in zoning ordinance. A summary of all of the changes is included with this report.

The most significant changes include:

- Updating the definition of temporary signs to exclude less durable materials.
- Defining the term permanent sign and clarifying which sign types are permanent. This will improve enforcement efforts on temporary signs being used as permanent signs.
- Adding a time limit for banners. This will also improve enforcement efforts on temporary signs being used as permanent signs.
- Adding discoloration caused by the removal of a wall sign as an enforceable offense.
- Modifying the bonus sign area section to exclude bonuses for things that are generally done anyway or that aren't a benefit for the City.
- Adding regulations for permanent entry signs. This will prevent these types of signs from becoming the primary form of advertising on a site.

Staff Alternatives:

Approval.

Continuance, for reasons determined during the public hearing.

Motion: Commissioner Woodruff moved to approve ZT-7-2017 as written.

Commissioner Wood seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes

Unanimous – ZT-7-2017 – Approved

ZT-8-2017

Dwell Design Build

An ordinance amendment to change Section 7-5-101 to allow zone changes to the R-1-7, R-1-8, R-1-10, and R-1-12 zones on properties under three acres.

Dwell Design Build has submitted a zone text change application to amend Section 7-5-101 to allow zone changes to the R-1-7, R-1-8, R-1-10, and R-1-12 zones on properties under three acres. Prior to this application, Dwell Design Build submitted a request to amend the same section to allow zone changes to the R-1-4 and R-1-6 zones under certain conditions. This previous application, ZT-6-2017, was denied by the Planning Commission on 10/11/2017.

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 amend this subsection in the following way: “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~~ three acres in area as of July 22, 2016. Properties under ~~two~~ three 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.” The applicant’s justification for the requested text change as described on the attached application is: “property shape, high water table, unavailability of basements, and shallow sewer lines.”

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:

James Graham
1580 Whitlock Ave
West Valley City

Discussion: Commissioner Woodruff asked how many properties this zone change will affect. Steve Pastorik said an inventory was done in 2015 and the area of undeveloped property between 2 and 3 acres was 96 acres. Some of these properties may have been developed since then.

Drew Larsen, joint owner of Dwell Design Build, 876 Hollyhock Ave, Sandy, feels this zone change will encourage development of more properties for better looking communities, especially properties with odd shapes.

James Graham, 1580 Whitlock Avenue, said this property is surrounded by high density homes. He believes building \$400,000 - \$700,000 homes in this area is not feasible because the area is run down with many rentals. He wants to create beautiful, modern, homes with yards in this area. He is not able to put basements in the homes, because the sewers are only 6' deep.

Commissioner Woodruff would like a compelling reason to approve this zone text change. The reasons that were given could really be applied to any size lot. He recommends eliminating R-1-7 zoning from this zone text change.

Commissioner Fuller said having more housing is not a good reason to make this zone text change. He suggested that the zone text be designed so that lots are reviewed individually. Chair Meaders said approving the zone text change will make it possible for people to submit individual applications, but the City Council can ultimately deny a zone change request. Commissioner Fuller agrees that R-1-7 should not be included in this zone text change, perhaps R-1-8 should be omitted well. Steve Pastorik said if the Planning Commission is interested in making revisions, we should see if the applicant is open to those changes. James Graham said he is amenable to removing R-1-7 from the zone text change.

Motion: Commissioner McEwen moved to approve ZT-8-2017, allowing the option to rezone properties up to 2 acres to R-1-7, assuming all other criteria are met. Rezoning of properties 2-3 acres to R-1-7 would not be allowed.

The motion failed for lack of a second.

Motion: Commissioner Woodruff moved to approve ZT-8-2017 with the recommendation that R-1-7 be removed as an option for this zone text change.

Commissioner Wood seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes

Unanimous – ZT-8-2017 – Approved

S-20-2017

Khadeeja Subdivision – Lot 1 Amended and Extended

2512 South Winton Street

A Zone

1 Lot

BACKGROUND

Mr. Abdul Afridi, representing the Islamic Society of Greater Salt Lake, is requesting a plat amendment for lot 1 of the Khadeeja Subdivision. This application will also vacate and amend lot 21 and a portion of lot 22 Block 7 of the Chesterfield Plat A Subdivision, together with the south 33 feet of the vacated Elba Street. An existing public utility easement platted on the south boundary of the original lot will also be vacated.

The purpose for the plat amendment is to consolidate property acquired by the applicant. While there are no immediate plans to develop this piece in conjunction with the existing cemetery, Mr. Afridi wanted to consolidate the pieces now as opposed to later.

The property is located in the Chesterfield Plat A Subdivision and is bordered on the north, south and west by existing residential uses and the east by UTA's Trax line.

STAFF/AGENCY CONCERNS:

There are no staff and agency concerns with the new subdivision. However, at such time the property will be used as an extension of the cemetery, a permitted use application will need to be submitted for review and approval. This application is to simply consolidate property.

ISSUES:

The applicant is proposing to consolidate recently acquired property with the existing lot 1 of the Khadeeja Subdivision. The cemetery is located in close proximity to the Islamic Society of Greater Salt Lake. It is this organization that oversees the operation of the cemetery, and will be the caretaker of this newly acquired property.

A cemetery is defined as a community use in the City's land use code. In the agricultural zone, community use is listed as a permitted use. Staff mentioned to the applicant that future development of this newly acquired land would necessitate a permitted use similar to what was done for the cemetery approval. Issues such as required permits from the State and County, engineering, site plan, landscaping, fencing and ground water matters will be addressed at that time.

Access to the original subdivision is gained at the end of Winton Street via a new cul-de-sac. Access to the additional property could be gained from Chesterfield Street, but it will likely be fenced off with no additional access. At the present time, public improvements do not exist along Chesterfield Street.

Staff did receive an e-mail with concerns regarding traffic to the Mosque. Staff explained the purpose for this application and did not receive any additional correspondence

STAFF ALTERNATIVES:

- A. Approve the amendment to the Khadeeja Subdivision subject to a resolution of staff concerns.
- B. Continuance to allow the applicant an opportunity to address issues raised during the public hearing.

Applicant:

Abdul Afridi, Trustee for The Islamic Society of Greater Salt Lake
1019 Parkway Ave
West Valley City, UT 84119

Discussion: Abdul Afridi said this property was previously used for illegal chicken fighting. Much has been done to clean up the area. Abdul Afridi also mentioned that they are adding this area for a possible expansion of the existing cemetery, but that will not happen for many years.

Motion: Commissioner Woodruff moved to approve S-20-2017

Commissioner Lovato seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes

Unanimous – S-20-2017 – Approved

C-31-2017

**Chow Time Retail Pad
2807 South 5600 West C-
2 Zone (0.42 Acres)**

The applicant, Robert Arrington, representing Babcock Design, is requesting conditional use approval for a multi-tenant building at 2807 South 5600 West. The property is zoned Commercial (C-2) and the West Valley City General Plan designates this area as General Commercial. The property is within the 5600 West Overlay Zone (7-14-400P) at the corner of Grantham Lane and 5600 West. Surrounding land uses include restaurants and other retail uses.

The applicant is proposing a new 5,300 square foot multi-tenant building, that will include 2,000 sq. ft. of restaurant space and 3,300 sq. ft. of retail space. The building is required to meet the commercial design standards. As per the requirements of the Overlay Zone, the building uses 360-degree architecture (7-14-403). The building is shown to have a combination of stucco, brick, fiber cement siding, and precast cement finishes with a variety of offsets, height variations, and two different awning treatments. The developer has exceeded the building design treatment minimum of a 20 percent change of building material/textures. Building colors are not shown in the development documents, but the developer has indicated that they will match the existing buildings.

The site improvements were installed previously, with the 2011 development of the Chow Time restaurant and the south multi-tenant building(ZC-10-2011). A small amount of landscaping will be removed to accommodate the proposed building, which will still meet the setback standard (7-14-403(2)). The developer is proposing to remove the existing berm to facilitate drainage away from the new building. While the percentage of overall landscaping will slightly decrease, the density of plantings surrounding the building will increase which will have a positive overall effect on the appearance of the landscaping.

One parking lot planter will be moved in the reconfiguration of the parking lot. Eight parking stalls will be eliminated in the reconfiguration, but based on the proposed and current uses, the parking will meet the city standards (7-9-104&105). To accommodate the building, the bicycle parking and the dumpster enclosure will be relocated, the new dumpster enclosure will require a six-foot masonry enclosure.

The developer has asked to allow the new building to have its own multi-tenant monument sign. There is an existing monument sign that includes signage for the existing multi-tenant building, but does not have room to accommodate signage for the new building. Any signage for the businesses will be required to comply with the West Valley City sign ordinance.

Staff Alternatives:

Approval, subject to the resolution of any issues raised at the public hearing, and the following conditions:

1. The building design shall meet the requirements of the Commercial Design Standards and the 5600 West Overlay Zone.
2. The landscaping shall be installed as per the approved landscape plan, and all landscaping shall be maintained in good and healthy condition.
3. All signage shall meet the regulations contained in Title 11 of the West Valley City Code.
4. A sign permit application will be required to be submitted for the additional 5600 West multi-tenant monument sign.
5. All requirements of affected departments and agencies must be met.

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

Applicant:

Robert Arrington
52 Exchange Place

Salt Lake City, UT 84111

Discussion: Robert Arrington said he has reviewed and accepts the conditions for approval. He will work with Staff to find colors and building materials that are acceptable to the City.

Motion: Commissioner Lovato moved to approve C-31-2017, subject to the five conditions listed in the staff report.

Commissioner McEwen seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes

Unanimous – C-31-2017 – Approved

C-32-2017

Frito Lay Expansion

6301 West 4700 South M Zone (45.48 acres)

The applicant, The Haskell Company, representing Frito Lay, is requesting a conditional use amendment for a warehouse expansion at 6301 West 4700 South. This property is zoned general M, manufacturing and the West Valley City General Plan designates this area as light manufacturing. The surrounding zone is manufacturing on all sides. The surrounding uses include a Jordan Valley well site to the east, ATK property to the west, undeveloped vacant land to the north and light manufacturing uses to the south (Fetzer Woodworking and Brody Chemical).

At this time Frito Lay would like to construct a 44,995 square foot warehouse addition along the south side of the existing warehouse building. The east and west sides of the expansion will be constructed of concrete tilt-up panels to match the existing building. The south side will be constructed of an insulated metal wall panel, colored matched to the exterior walls of the existing building, which provides flexibility for additional future expansions.

Due to the location of the expansion, very little site improvements will be completed with this project. There is a very steep slope along the south side of the building so this area will remain undeveloped at this time. Although site improvements are not part of this particular expansion, Staff is in the process of discussing a timeline with Frito Lay for the completion of the landscaping along 4700 South and 6400 West. Also, a new roadway was installed along the east side of this property as part of the Mountain View Corridor project so staff will continue to work with UDOT and Frito Lay to complete improvements along this roadway once it is dedicated.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:
 1. The building expansion shall be constructed in accordance with the approved plans.
 2. All requirements of any affected departments and/or agencies must be met.
- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Joshua Hough
111 Riverside Avenue
Jacksonville, FL 32202

Discussion: Joshua Hough said Frito Lay is wanting to expand their warehouse to provide space to store new products.

Motion: Commissioner Wood moved to approve C-32-2017 subject to the two conditions listed in the staff report.

Commissioner Woodruff seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes

Unanimous – C-32-2017 – Approved

C-33-2017

Doug Miller Tow Yard
7020 W. Gates Ave.
M Zone (0.86-acre site)

The applicant, Doug Miller, is requesting conditional use amendment approval for a towing and impound yard business at 7020 W. Gates Ave. The zoning for the property and the surrounding area is Manufacturing (M), with several properties to the south of this location zoned Agricultural (A), some of which include residential homes. The West Valley City General Plan designates this area as Light Manufacturing.

This site has previously been used as a towing and impound lot the original conditional use approval for this type of use was given in 1992. In 2007, the conditional use for a towing and impound yard

lapsed. Since that time this property has been used for various automotive uses, mainly auto repair. Currently, Auto Exporters, Inc. operates an auto repair business on the proposed property. The business spans two separate parcels, the building is located on the east parcel, and the west parcel will be leased to Doug Miller for the proposed towing and impound yard.

The applicant intends to use this space as a second location to an existing tow yard located in Salt Lake City at, 555 S. Fulton St. The offices for both tow yards will be located at the Salt Lake City office, the developer is not proposing to build a building at the West Valley site. Vehicles stored at the West Valley City location are intended to be released from the Salt Lake office, with a limited number of customer and employee operations at the West Valley City site.

All vehicle storage areas, including maneuvering areas are required to be hard surfaced (ord. 7-7-302(2)) The storage area, located within the fence, includes a maneuvering area paved with asphalt, 22-foot wide continuing from the north access to both the east and south access points. The area intended to be used for vehicle storage is not paved with asphalt, but does have a gravel hard surface. Towing and impound yards are also required to provide a vehicle parking plan that demonstrates that the stored vehicles are stored in a unified organized manner (ord. 7-7-302(9)).

This property will have street frontage along 2100 S. Frontage Rd and along Gates Ave. The standard setback adjacent to the street in the manufacturing zone is 20-feet (ord. 7-6-302). Both frontage setbacks are required to be landscaped, the 2100 South frontage has previously been landscaped, but the frontage along Gates Ave. is proposed to be added to meet this requirement. The landscape plan includes trees, with landscape rock and grass. The landscape plan will need to include 4 shrubs per tree to meet the standards in section 7-6-303 of West Valley City Code.

7-6-303

- a. Minimum required setbacks adjacent to a Street shall be permanently landscaped except for approved access drives.
- b. All landscaped areas shall include a perpetually maintained underground irrigation system capable of complete coverage of the landscaped area and designed to promote water efficiency.
- c. All landscaped areas shall be landscaped with a mixture of ground cover, shrubs, and trees. Landscaped areas may include sculptures, patios, or fountains. Where trees are required, four shrubs per tree shall also be required.
- d. Required deciduous trees must be 1.5” caliper at installation unless a higher caliper requirement is imposed elsewhere in this Title. Required evergreen trees must be six feet tall at installation. Required shrubs must be a minimum of one gallon at installation.
- e. Landscaping must include 50% coverage of live plant material, not including tree canopies.

The south setback includes a fence that sits approximately 10-feet inside the south property line. Since this is not on a major arterial and is not the primary entrance, it will not be necessary to require the fence to be moved outside of the setback. The 20-foot setback will be required to be landscaped, however there will be a portion of the south landscaping inside the storage area. There is also an existing drainage ditch that runs along the south property line, which Public Works would like to maintain at its current depth to accommodate storm water runoff, but will allow minor modifications for landscaping requirements.

The fence surrounding the site has been raised to the required 8-foot height. The fencing will require slats to meet the requirement for an 8-foot visual barrier. The fence must completely screen the vehicle storage area from view from other properties. (ord. 7-7-302) Any signage for the business will need to comply with the West Valley City sign ordinance.

Staff Alternatives:

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

1. The conditional use approval for the site at 7020 W. Gates Ave. shall only be for a towing and impound yard.
2. A solid 8-foot fence must be installed and maintained in good condition, and must screen from public view any storage areas.
3. Every vehicle stored at this site must be located on approved vehicle storage surfacing, this surfacing must remain free of weeds and debris.
4. All surfaced areas intended for vehicle storage or vehicle travel must meet city standards.
5. All applicable zoning requirements found in “7-7-300P – VEHICLE RECYCLING FACILITIES AND TOWING AND IMPOUND YARDS” shall be met and followed.
6. The landscaping plan shall be modified to include a minimum of four shrubs per tree, as per City Code 7-6-302.
7. Any new landscaping must be installed, and all existing landscaping must be maintained in good condition, and as approved.
8. All requirements of affected departments and agencies must be met.
9. Any new signage shall meet all regulations contained in Title 11 of the West Valley City Code.

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

Applicant:

Doug Miller
13661 South Bridle Trail Road
Draper, UT

Discussion: Doug Miller said this property has been a tow yard in the past. He reported that the property owner is willing to make whatever changes are needed to utilize the property. Doug Miller said the West Valley City Police Department requires there be a tow yard within the City to be on their police rotation. This yard will be shared by other towing companies. Doug Miller said he has read and agrees with the staff requirements.

Commissioner Wood asked how many tow yards are currently within the city. Doug Miller said it is his understanding that there are only two tow yards in the City, however, about 26 towing companies are on the police rotation.

Motion: Commissioner McEwen moved to approve C-33-2017, subject to the nine conditions listed in the staff report.

Commissioner Lovato seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes

Unanimous – C-33-2017 – Approved

M-4-17

Taco Bell Landscaping Exception 3475 West 3500

South

C-2 Zone (.56 acres)

The applicant, GPD Group, representing Taco Bell, is requesting an exception to the standards set forth in 7-10 of the West Valley City Code for Standards for Landscaping Along High Image Arterial Streets. The property is located at 3475 West 3500 South, is zoned C-2, general commercial and the West Valley City General Plan designates this area as mixed use. The site is surrounded by C-2 zoning on all sides and the surrounding uses include Aarons Rent to Own to the west, The Flower Patch to the east, Vasa Fitness and Fresh Market to the south and McDonalds to the north across 3500 South.

The property was originally developed in 1992 as a pad site in the Willow Wood Shopping Center. The site was constructed per the original site plan which complied with the City Code. However, in 2008, the Utah Department of Transportation widened 3500 South and the 20' landscape setback along the frontage was reduced to approximately 2' in width.

On November 2, 2017 a building permit was submitted for a remodel of this location. The valuation on the building permit is approximately \$250,000.00. Since this site has frontage along 3500 South, which is listed as one of West Valley City's high image arterials, the remodel triggers compliance with the requirements set forth in chapter 7-10 of the West Valley City Municipal Code.

7-10-103. LANDSCAPING STANDARDS APPLICABLE TO ALL HIGHIMAGE ARTERIALS.

(1) All properties shall provide a minimum 20-foot landscaped buffer along the entire Frontage between the edge of the Sidewalk and any parking area, Structure or Fence on the site. No parking, fencing, Outside Storage, above ground storm water detention or retention, or temporary signage shall be allowed within the landscape buffer. These requirements, as well as those in Part 2, shall take effect in the following situations:

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c. Any substantial modification to an existing site or Structure in which the estimated construction cost exceeds \$50,000; or

The Planning Commission can grant an exception to this requirement if the property owner can demonstrate that “full compliance is not possible due to the location of existing Buildings” (§7-10-104(1)b). Due to the location of the building and the drive-

thru the applicant is requesting an exception to the setback requirement because any expansion of the landscaping will interfere with the operations and maneuvering areas necessary for the site to function.

Staff recommends that due to the narrow width of the remaining landscaping on both sides of the drive-thru that the lawn be replaced with low growing shrubs (2’-3’) which will help to better screen the drive-thru area.

Staff Alternatives:

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

1. Landscaping along 3500 South may be reduced per the approved site plan.
2. The landscaped areas on both sides of the drive-thru shall be planted with low growing shrubs that are 2’-3’ in height, with 50% coverage of live plant material and mulch.

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

Motion: Commissioner Lovato moved to approve M-4-2017 subject to the two conditions listed in the staff report.

Commissioner Woodruff seconded the motion.

Vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes

Unanimous – M-4-2017 – Approved

Approval of Minutes from October 25, 2017 (Regular Meeting) **Approved**

Approval of Minutes from November 1, 2017 (Study Session) **Approved**

There being no further business, the meeting adjourned at 5:53 p.m.

Respectfully submitted,

Brenda Turnblom, Administrative Assistant