

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

February 24, 2010

The meeting was called to order at 4:02 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Jack Matheson, Phil Conder, Joe Garcia, Barbara Thomas,
and Imaan Bilic

ABSENT:

Brent Fuller and Terri Mills

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Steve Lehman, Jody Knapp, and Nichole Camac

WEST VALLEY ADMINISTRATIVE STAFF:

Claire Gillmor, Assistant City Attorney

AUDIENCE

Approximately two (2) people were in the audience

SUBDIVISION APPLICATION

S-12-2009

**Willow Wood Shopping Center Amended & Extended
3450 West 3500 South
C-2 Zone**

BACKGROUND

Justin Thomas, representing Woodbury Corporation, is requesting an amendment to lots 2, 6, and 8 of the Willow Wood Shopping Center Subdivision. The amended plat will also create an additional lot (lot 9) as part of this application.

STAFF/AGENCY CONCERNS:

There are no staff or agency concerns with this application as they have been addressed as part of the site plan review for the shopping center.

ISSUES:

The applicant is proposing various amendments within this plat to adjust property lines and to add a new lot within the subdivision. More specifically, property lines for lots 2, 6 and 8 will be modified to correct inaccuracies from the original plat. These inaccuracies were likely the result of deed errors. The plat will also create lot 9 which is presently the flower patch. This property was part of the original shopping center property, but was not platted as formal lot.

Another reason for the amendment is that the property owner would like to accurately reflect the recent right-of-way dedication along 3500 South. UDOT recently completed their 3500 South project, and right-of-way acquisition affected each of these lots. The new plat takes this into account.

The last reason for the plat amendment is that the applicant is in the process of revising the Declaration of Restrictions and Grant of Easements within the shopping center. They would like the new legal descriptions and right-of-way dedication to be part of the revised declaration.

STAFF ALTERNATIVES:

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

Applicant:

Justin Thomas
Applicant was not present

Discussion: Steve Lehman presented the application. Barbara Thomas questioned whether there will be a wall placed on the new property addition to provide separation from the residential homes. Steve replied that there is a wall adjacent to the Golden Corral Restaurant but he is unsure if there is a wall separating the residential property. He added that since this is an existing use it would be difficult to require the wall in a subdivision amendment. Harold Woodruff commented that he believes there is already an existing wall.

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

Motion: Commissioner Garcia moved for approval of the plat amendment.

Commissioner Bilic seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Thomas	Yes
Chairman Woodruff	Yes

Unanimous –S-12-2009 – Approved

CONDITIONAL USE APPLICATIONS

C-2-2010

Smokes on Redwood – Convenience Store Proposal

3411 South Redwood Road

General Commercial Zone, 0.98 acres

Staff Presentation by Hannah Thiel, Planner II

Background

Matthew Pavone and Dylan Coon are requesting a conditional use amendment for a convenience store to include retail beer sales with their smoke shop business located at 3411 South Redwood Road. This business will occupy approximately 1050 square feet of retail space in the most western unit in Medallion Square Commercial Complex. A smoke shop is considered a retail use and a permitted use in the 'C-2' or general commercial zone. This application is before the Planning Commission as the applicant would like to sell beer for off premise consumption. The retail sale of beer for off premise consumption would fit into the definition of a convenience store, which is a conditional use in the 'C-2' or general commercial zone. This property occupies 0.98 acres of land. The General Plan designates this property as General Commercial.

The proposed business will operate from 10 am until 10 pm Sunday – Thursday and from 10 am until 11 pm Friday and Saturday. The site was approved for enough parking for retail uses as well as one restaurant use in the commercial complex with 59 parking stalls. A convenience store requires the same amount of parking (1 space required for 250 sq ft of gross floor area) as any other retail use. Four parking spaces would be required specifically for this business. The applicant is requesting one wall sign that meets the size regulations of the West Valley City sign ordinance. Where there is no pole sign on site, the business can have a maximum of 15% of the front elevation used for signage. The project is just finishing the building and landscaping. The project proposed and will install 18% landscaping on the site when 15% is required by ordinance. This landscaping will be complete once the weather permits. A six foot tall masonry wall has been built along the East side of this project, next to the residential zone.

The property on the South and North sides of 3411 South Redwood Road are zoned C-2 and are

designated mixed use or general commercial under the General Plan. The property on the West side of 3411 South Redwood Road is zoned C-3 and is designated general commercial under the General Plan. The property on the east side of 3411 South Redwood Road is zoned R-4 and is designated high density under the General Plan. As the majority of the surrounding uses are zoned and designated in the general plan as commercial uses and a masonry wall and landscape buffer has been installed next to the residential property line, staff does not see this use adversely affecting neighbors or neighboring zones.

Planning Commission Concerns

At the Study Session on February 17, 2010, the Planning Commission was concerned about customers buying beer and then drinking it out in public. After speaking with legal staff, planning staff became aware that drinking alcohol is only permitted in designated places such as restaurants, concert venues, clubs, restaurants with outdoor seating, et cetera. It is illegal to drink alcohol, or have an open alcoholic beverage on public property or in a place not designated for the consumption of alcohol.

Recommendations/ Staff Alternatives

- Approval subject to any issues raised at the public hearing as well as the following conditions:
 1. That the applicant shall apply for and receive approval of a West Valley City Building permit for any alterations inside the tenant space.
 2. That the applicant shall obtain approval of a building permit application for the wall sign proposed and that the sign shall adhere to regulations for signs contained in Title 11 of the West Valley City Code.
 3. That a valid West Valley City Business License be reviewed and approved prior to any and all business functions at this location and after all building permits and a certificate of occupancy have been reviewed and approved.
 4. That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
- Continuance, for resolution of any issues that may arise at the public hearing.

Applicant:

Mathew Pavone and Dylan Coon
Applicants were not present

Discussion: Jody Knapp presented the application. Joe Garcia asked whether the merchandise sold in this type of store must be sold behind the counter. Jody replied that the City does not require beer to be stored in a specific location within the store. Commissioner Garcia expressed concern that beer stored toward the front of the store is easily accessible and could be stolen. Claire Gillmor stated that the Planning Commission can only impose conditions to mitigate damage for owners that involve land use concerns. Commissioner Matheson stated that he doesn't believe this site will adversely affect anyone and added that there are no churches or schools near this property.

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

Motion: Commissioner Conder moved for approval subject to the four conditions listed by staff.

Commissioner Thomas seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	No
Commissioner Matheson	Yes
Commissioner Thomas	Yes
Chairman Woodruff	Yes

Majority –C-2-2010 – Approved

C-3-2010

Chris Howells

2200 West 3500 South

C-2 Zone

Chris Howells with Hillcrest Investment Company is requesting a conditional use amendment to remodel what is now called the Grizzly Plaza commercial center located at 2200 West 3500 South. The proposed new name of this commercial center is The Shops at Decker Lake Station. The property is zoned C-2 and falls within the Commercial Overlay Zone.

The proposed remodel will include the following: remodeling the exteriors of four of the six buildings, replacing and relocating the existing sidewalks along 3500 South and Decker Lake Dr. with an 8' wide sidewalk and parkstrip, updating the landscaping and increasing the amount of landscaping, and resurfacing the parking areas.

The 3500 South Streetscape Ordinance, which applies to this section of 3500 South, requires street lights, a 15' parkstrip, a 10' sidewalk, and a 5' landscape strip. However, given that this property is already developed, installing all of these improvements in this situation would displace too many parking spaces. Hence, staff has worked with the applicant to relocate and increase the width on the sidewalk and increase the amount of landscaping without having a significant impact on parking (9 parking spaces were displaced).

One standard that is found in both the 3500 South Streetscape Ordinance and the Commercial Overlay Zone is to include stamped concrete where sidewalks cross driveways. While the stamped concrete for the driveway along 3500 South is required, the Commercial Overlay Zone grants the Planning Commission some discretion as to the stamped concrete for driveways along Decker Lake Dr.

At some point, the applicant would like to update and relocate the two large monument signs along 3500 South. These directory type signs were approved by the Planning Commission to be larger than the standard monument signs. Any changes made to these signs must be approved by the Planning Commission.

The proposed elevations for the exterior remodels are a significant improvement over the existing exteriors. However, there are some areas that could be improved further such as providing more variety to larger stucco areas of the buildings. Staff will review some suggested changes with the applicant and discuss any revisions during the public hearing.

Staff Alternatives

1. Approval of the conditional use amendment subject to the following conditions:
 - a. meeting all Public Works requirements and
 - b. submitting details of any monument sign modifications to the Planning Commission for their review before any modifications are made.

2. Approval of the conditional use amendment subject to the following conditions:
 - a. meeting all Public Works requirements,
 - b. submitting details of any monument sign modifications to the Planning Commission for their review before any modifications are made,
 - c. installing stamped concrete at all access points where the sidewalk crosses a driveway, and
 - d. revising the building elevations as discussed during the public hearing.

3. Continuance, for reasons determined during the public hearing.

Applicant:

Chris Howells
5320 S 900 E.
Ste. 250
SLC, UT 84117

Applicant:

Gary Gowers
10009 S Caddie Cir
South Jordan, UT

Discussion: Steve Pastorik presented the application. Jack Matheson asked if the stamped concrete would only be located where the sidewalk crosses. Steve replied yes. Harold Woodruff asked if there are two signs being proposed. Steve replied yes.

The applicant, Chris Howells, stated that this center needs to be remodeled. He explained that he wanted to provide more height to the building as well as a higher sign band for businesses. Mr. Howells added that he feels now is a good time for this remodel with all of the various other changes going on throughout the City. Mr. Howells explained that one reason the stamped concrete was not part of the plan is the hope that the amount of money spent remodeling the center will attract a SID in the future that could accomplish this.

Gary Gowers stated that there are towers as well as variation and reveal lines in the stucco to break up the blank wall that staff is concerned about. He explained that the off center arch on one of the buildings was done this way to denote an entrance to the store. He indicated that if the arch were centered it would be directly above a utility door. Phil Conder indicated that it still felt a little odd to have the arches not balanced. Mr. Gowers replied that symmetry is often important in architecture but asymmetry can work as well. He stated that putting the arch over the utility doors would attract attention to an undesirable element of the building.

Jack Matheson commented that he was originally concerned with leaving the automotive use on the site but is satisfied with the way the developer has modified it to match the other upgrades. He added that he is still concerned with the Greek Slouvaki and Denny's restaurants and their outdated buildings. Mr. Howells replied that the Greek Slouvaki has been a very valuable and successful tenant and the building has become recognizable by its patrons. He added that Denny's is a little more flexible because it is on a month to

month lease so he is considering different options with this building.

Commissioner Conder stated that this piece of property is key to the area and he commends the applicant for remodeling the property in coordination with all of the big changes occurring in the City. Commissioner Matheson commented that he doesn't like stamped concrete because it can be uneven for wheelchair access. He added that he does like the idea of having some sort of differentiation but feels it can be adequately accomplished with colored concrete or thermal plastic. Barbara Thomas stated that she appreciates the efforts of the applicant and added that she is okay with the non-symmetry of the building arches. Steve Pastorik asked if the Planning Commission had any preference on breaking up the solid wall. Mr. Gowers stated that there is a towered element as well as different tones of stucco that wraps around the visible corner of the building. Commissioner Conder stated that he is okay with everything that has been proposed but urges the applicant to realize the importance of the area and to do a good job with the remodel.

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

Motion: Commissioner Thomas moved for approval of staff alternative 2, modifying item 'c' to require a type of variation at the access points of the development to indicate a walking pedestrian path, and striking item 'd'.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Thomas	Yes
Chairman Woodruff	Yes

Unanimous –C-3-2010 – Approved

PLANNING COMMISSION BUSINESS

Approval of minutes from February 10, 2010 (Regular Meeting) **Approved**

Approval of minutes from February 17, 2010 (Study Session) **Approved**

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

Respectfully submitted,

Nichole Camac, Administrative Assistant