

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

September 8, 2010

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

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Phil Conder, Joe Garcia, Barbara Thomas, and Imaan Bilic

ABSENT:

WEST VALLEY CITY PLANNING DIVISION STAFF

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

WEST VALLEY ADMINISTRATIVE STAFF:

Claire Gillmor, Assistant City Attorney

AUDIENCE

Approximately ten (10) people were in the audience

ZONE TEXT CHANGE APPLICATIONS

ZT-12-2010

Temporary Uses

West Valley City

The following amendment to Title 7 of the West Valley City Municipal Code has been proposed to re-organize the standards set forth for Temporary Uses.

Currently all temporary uses, which include Christmas Tree Sales, Haunted Houses, Car Sales, Concerts, Circuses, Construction Offices, etc., are processed the same way and receive a permit that is valid for one 6-month period. Staff feels that this type of permit is not appropriate for some uses, including mass gatherings or other entertainment type events. Therefore, staff has proposed that the uses be divided into categories with specific permits for each use. This would then allow Staff to define standards that are better suited for each type of activity including the timeframe permitted for each use and the frequency at which the use can be held.

Staff will also be creating new applications for each temporary use category to help streamline the review process and coordinate the approval of the use between the different affected departments and agencies (i.e., street closures, security, tents, electrical permits, restrooms, etc.)

Please refer to the attached copy of the ordinance amendment for further details.

Staff Alternatives:

Approval, of the Ordinance proposed subject to the resolution of any issues raised at the public hearing.

Continuance, to allow time for Staff to further review and refine the proposed amendment.

Applicant:

West Valley City

Discussion: Jody Knapp presented the application. Jack Matheson asked if an applicant would need to submit more than one application if a trailer is being moved around on a construction site. Jody replied no and stated that one permit would be issued for the entire project being developed.

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

Motion: Commissioner Thomas moved for approval

Commissioner Conder seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Garcia	Yes

Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous – ZT-12-2010 – Approved

ZT-13-2010

**Sections 7-6-305(6)(a) and 7-9-108(2) Access Ordinance
Staff Presentation by Hannah Thiel, Planner II**

Background

This ordinance text change addresses the City's minimum setback between a single family residential home as well as the minimum drive width for access to required parking.

The ordinance proposal allows the minimum setback between a single family home and an accessory building to be 3' rather than the existing 6' minimum. The 3 foot setback is the distance that building inspections requires without constructing a fire rated wall. The 6' minimum was once the minimum distance from the home required without building a firewall.

The proposal also allows the access drive for the minimum required parking on site to be 8' wide rather than the current 10' wide drive. This would allow homes that were built under the County's jurisdiction that have side setbacks less than 10' to increase their living area by enclosing a garage or carport to living space and using the minimum required parking in the backyard.

Recommendations/ Staff Alternatives

- Approval of the Access Ordinance Text Change, subject to any issues raised at the public hearing
- Continuance, for resolution of any issues that may arise at the public hearing.
- Denial of Access Ordinance Text Change

Applicant:

West Valley City

Discussion: Steve Lehman presented the application. The Planning Commission had no further comment or concern.

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

Motion: Commissioner Matheson moved for approval

Commissioner Thomas seconded the motion.

Roll call vote:

Commissioner Conder	Yes
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Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous – ZT-13-2010 – Approved

SUBDIVISION APPLICATION

S-6-2010

Sunset Hills Phase 1 - Amended

6600 South U-111

R-1-10 Zone

BACKGROUND

Chris Drent, representing the developer of the Sunset Hills PUD, is requesting an amendment to the first phase of the Sunset Hills Subdivision. The purpose for the amendment is to relocate a portion of Oquirrh Mesa Drive.

ISSUES:

The Sunset Hills Phase 1 Subdivision was recorded with the Salt Lake County Recorder's Office in October 2007. This phase of the development is well under construction with permits being issued for single family dwellings, along with park spaces being improved.

As part of phase 1, the developer was obligated to install all of Oquirrh Mesa Drive. This road is essentially a frontage road for U-111 connecting 6200 South with 6600 South. To the west of this road exists an overhead power line running in a southeast/northwest direction.

To date, the developer has constructed nearly all of Oquirrh Mesa Drive. The portion at the north end of this project has yet to be installed. This portion lags behind due to existing power poles in the power corridor. Although these power poles lie outside of the recorded right-of-way, the excavation needed for this roadway would undermine the existing poles. As a result, these poles would either need to be relocated or the alignment of Oquirrh Mesa Drive adjusted.

The developer has expressed difficulty working with Rocky Mountain Power to get these poles moved. As the construction bond for the public improvement is due, the developer has requested an amendment to the plat that would shift the roadway to the east, thus allowing the power poles to remain and the remaining portion of Oquirrh Mesa Drive to be completed. This request necessitates an amended plat to be reviewed and approved by the Planning Commission and City Council.

The plat amendment will shift Oquirrh Mesa Drive slightly to the east. As a result of this adjustment, the City's open space will increase by approximately 1720 square feet. The community open space decreases by approximately the same amount.

Anytime there is a modification to a recorded plat, City ordinance requires that the Planning Commission forward a recommendation on to the City Council. The amendment of this plat

will then be recorded to adjust the right-of-way to resolve the issues regarding the power corridor.

STAFF ALTERNATIVES:

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

Applicant:

Chris Drent
126 W Segoe Lilly Dr.
Sandy, UT 84092

Discussion: Steve Lehman presented the application. Chris Drent stated that he has had difficulty coordinating with the power company since they do not have a recorded easement and have been difficult to work with in helping get the pole moved. He stated that the quickest and less expensive way to handle this problem would be to slightly modify the position of the road. Brent Fuller asked if everything will be done by the time building season is over. Mr. Drent replied that this is the goal and indicated that plans are currently being drawn for the realignment. Chairman Fuller asked what utilities will be in the area. Mr. Drent replied there will be water lines but the sewer lines will go in a different direction. Barbara Thomas asked where the Mountain View Corridor will be in relation to this subdivision. Mr. Drent indicated that the road will be further to the east. Steve stated that Public Works has agreed to extend the bond if the road is not built by the end of the building season.

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

Motion: Commissioner Conder moved for approval

Commissioner Garcia seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous –S-6-2010 – Approved

CONDITIONAL USE APPLICATIONS

C-18-2010

**Verizon Wireless
3725 West 4100 South
RB Zone 7.13 Acres**

Verizon Wireless is requesting conditional use approval for antennas mounted on the roof of the Granger Medical Clinic located at 3725 West 4100 South. This property is zoned Residential Business (RB) and is approximately 7.13 acres. The West Valley City General Plan designation for this property is non-retail commercial. The property is bordered on the west by Bangerter Highway and on the north by 4100 South. Single family residential land uses border this development on all sides.

The Wireless Communications Facilities ordinance requires that roof mounted antennas in an RB zone be processed as a conditional use. Verizon is requesting to put twelve antennas covering the three sectors on a triangular roof skid in the middle of the roof, plus the required associated equipment on the roof. The closest point of the antenna structure to the parapet wall is approximately twenty-six (26) feet. The tops of the antennas will be 18' 6" above the roof deck and 9' 4" above the top of the parapet wall. Two different cellular companies already have roof mounted antennas on this building, located approximately on the four corners of the building. The ordinance allows a total of eight (8) carriers to utilize a single building's roof.

Section 7-23-206(2)(a) requires that roof mounted antennas be visually screened so as to appear to be part of the structure on which they are mounted. This screening requirement may be waived by the Planning Commission if the screening would be more visually intrusive than the antennas and support structure without the screening. For past applications, the management company for HCPI, the owner of the building, has requested that the screening requirement be waived. They feel that the antennas would be less obtrusive without the screening and that the wind loading on the roof would be reduced. Staff supports this request.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing.
- Continuance, to allow for the resolution of any issues raised at the public hearing that need more time to be addressed.

Applicant:

Doug Kofford
9847 S 500 W
South Jordan, UT

Discussion: Ron Weibel presented the application. Doug Kofford, representing the applicant, stated that this site is needed to eliminate gaps in service coverage and to accommodate new technology provided by Verizon Wireless. Phil Conder asked if Verizon Wireless has any other antennas currently on the building. Mr. Kofford replied no. Joe Garcia asked if the other antennas on the building have screening. Ron replied no and stated that in this case screening seems to be more intrusive and the owner of the building has also requested that screening is not added due to additional size and weight. Commissioner Garcia asked what standard screening would be. Ron replied that it would typically be up to the carrier.

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

Motion: Commissioner Matheson moved for approval

Commissioner Thomas seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous – C-18-2010 – Approved

C-19-2010

Ace Disposal

2264 S. Technology Dr.

M Zone 2.0 Acres

Ace Disposal, Inc. is requesting an amendment to their conditional use to expand their storage yard onto the two acres on the south of their property at 2264 S. Technology Dr. The property is zoned M (manufacturing) and is in an area designated by the West Valley City General Plan as light manufacturing. All adjacent properties are also zoned M.

The additional area is needed for storage and the applicant has submitted civil plans for grading and drainage that are being reviewed by West Valley City Public Works. Part of the area will be elevated due to the grade of the overall property, and this portion will have a retaining wall similar to what is on the southwest side of the developed part of the site. The new part of the yard will be fenced with the same 8 foot high black chain link fence with privacy slats.

The landscaping along Technology Drive is proposed to be finished in the same xeriscape fashion as the existing landscaping. The existing curb wraps around the southeast corner of the property and this area should also be landscaped.

There is an area south of this property that is used for traffic circulation and maneuvering area for the loading docks of the building to the south. This area for circulation will remain open. There is a fire hydrant on the south end of the property and this hydrant will have to remain accessible with a minimum of three (3) feet clear on all sides.

Staff Alternatives:

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

1. The fire hydrant on the south end of the property must remain clear and accessible with a minimum of three (3) feet open on all sides.
 2. The landscaping along Technology Drive must be continued to the south end of the property, including inside the existing part of the curb that wraps around the southeast corner of the property.
 3. All truck parking and equipment storage shall be on a hard surface.
 4. All requirements of any affected department or agency must be met.
- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Ruben Garza
2274 S Technology Dr.
WVC, UT

Neutral:

Troy Murray
2268 S 3270 W
SLC, UT

Discussion: Ron Weibel presented the application. Barbara Thomas asked if current landscaping will be cleaned up. Ron replied yes. Ruben Garza, the applicant, stated that this area is turning into a dumping zone for garbage and litter. He indicated that fencing this section off and landscaping it will help avoid this. Phil Conder asked if the fence will go all the way to the asphalt line to avoid any excess litter collecting in an area that is not hard surfaced. Mr. Garza replied that the fence will be built as far as it can go. He added that weeds and dirt will be cleaned up. Joe Garcia asked if there is an open house held every year where cars would utilize this area for parking. Mr. Garza replied no and stated that an employee open house is typically held every 5 years.

Troy Murray, representing a neighboring property owner, stated that there is a current issue of odor coming from the facility. He stated that expanding the area will likely make this worse. Claire Gillmor stated that there are Health and Sanitation Ordinances that can be applied to mitigate odor. Mr. Garza stated that he would be happy to address this concern by utilizing various odor control systems. He indicated that Ace Disposal wants to be a good neighbor and will take care of this problem. Barbara Thomas confirmed that trucks pick up garbage, drop off items at the landfill, and return to this site. Mr. Garza replied yes and added that dumpsters are also washed in a designated location on site.

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

Motion: Commissioner Thomas moved for approval subject to the four staff conditions and adding a fifth condition that states that all unimproved areas outside the fence must be hard surfaced.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Garcia	Yes

Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous – C-19-2010 – Approved

C-20-2010

Garbett Homes (John Garbett)

1347 West 2320 South

Duplex

R-2-8 Zone (.19 Acres)

The applicant, Garbett Homes (John Garbett), is requesting a conditional use for a duplex. The zoning for this area is R-2-8. The West Valley City General Plan anticipates Medium Density Residential uses for this area. The surrounding zone to the west and south is R-2-8, the north is R-1-8, and the east is Agricultural. The surrounding uses include existing duplexes to the west and south, single family residential to the east and vacant land to the west.

The applicant is proposing to construct a 3,412 square foot two-story duplex at this location. Each unit includes a 10'x10' concrete patio at the back of the home, a 460 square foot garage, 624 square feet of living space on the main floor and 1,087 square feet of living space, including 4 bedrooms, on the second floor. The minimum square footage required for a 2-story home is 1600 square feet. The total living space proposed here is 1711 square feet per unit.

The exterior of the home will be constructed of 100% masonry consisting of a full perimeter rock veneered wainscot and tan stucco. The front of the home shall also include decorative shutters. The applicant has completed the point system in Tables 1 and 2 of the West Valley Municipal Code Development Plan Requirements (7-14-105). The combination of features on the home must total at least 220 points. This home is also located on a corner lot so the street facing side must include additional features totaling at least 70 points from Table 2. (See attached worksheets)

The home does comply with the minimum setback standards for the R-2-8 zone, which are 25' for the front, 10' for the interior side, 20' for the street side, and 20' for the rear.

Landscaping on site shall be installed by the developer and must consist of at least one tree per unit and a combination of lawn, shrubs and groundcover with at least 50% life plant material. Landscaping shall be installed in the front yards between the front line of the home and the sidewalk on the entire width of the lot, excluding the driveway. Landscaping must also be installed on the west side of the home in all areas between the sidewalk and the side line of the house between the front and rear property lines which are visible from a public right-of-way.

Off site improvements, including curb, gutter, and sidewalk were installed at this location some time ago. The condition and location of these improvements shall be reviewed by West Valley City Public Works and any necessary modifications to the improvements shall comply

with the requirements they set forth. This lot is also located in a flood zone so the applicant shall coordinate the location of the finished floor elevation with West Valley City Public Works.

Staff Alternatives:

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

1. Must meet all of the requirements set forth in Title 7 of the West Valley City Municipal Code including the point system set forth in Chapter 7-14.
2. Landscaping on site shall be installed by the developer and must consist of at least one tree per unit and a combination of lawn, shrubs and groundcover with at least 50% life plant material. Landscaping shall be installed in the front yards between the front line of the home and the sidewalk on the entire width of the lot, excluding the driveway. Landscaping must also be installed on the west side of the home in all areas between the sidewalk and the side line of the house between the front and rear property lines which are visible from a public right-of-way.
3. All requirements of affected departments and agencies shall be met. Including coordination with WVC Public Works on all site improvements and the finished floor elevation of the home.

Continuance for reasons determined at the hearing.

Applicant:

John Garbett
3312 Tess Ave.
SLC, UT

Discussion: Jody Knapp presented the application. Phil Conder asked if the applicant will be required to participate in the Good Landlord Program. Jody replied that it is optional but property owners are granted a reduced rate on their business license if they decide to participate in the program. Claire Gillmor added that the Planning Commission can require this as a condition of approval. Jack Matheson asked if the applicant has done anything with the existing landscaping. John Garbett, the applicant, replied that nothing has been modified in the last year but some trees have been cleared prior to that. He indicated that there are some trees worth saving on the east and possibly south side of property. Joe Garcia asked if there is a fire hydrant for the site. Mr. Garbett indicated that he spoke with the City's Fire Marshall and there is a hydrant within 200 feet that meets the requirement. Commissioner Matheson stated that he feels this is a nice home for the area.

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

Motion: Commissioner Conder moved for approval subject to the three staff conditions and adding a fourth condition that states that if either unit is ever rented out, the property owner must participate in the Good Landlord Program.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous – C-20-2010 – Approved

C-21-2010

Seamless Signs (Virg's restaurant)

3252 West 3500 South

Bonus Sign Request

C-2 Zone (.61 Acres)

The applicant, Seamless Signs (Virg's restaurant), is requesting a conditional use amendment to modify the monument sign requirements per the bonus sign criteria. The zoning for this area is C-2, General Commercial. The West Valley City General Plan anticipates City Center uses for this area. The surrounding zone is C-2. The surrounding uses include a gas station to the east and Everest College to the north and west.

This site was previously occupied by a Wingers restaurant and the signage was located on a pole sign. Winger's has since vacated the site and the new tenant is Virg's restaurant. The current Sign Ordinance states that pole signs are only allowed on properties as conditional uses with at least 10 acres. This site is .61 acres. Therefore, the pole sign at this location is non-conforming. The ordinance also states that if a non-conforming sign is altered, which includes changing the faces for a new tenant, that the sign shall comply with the current standards set forth in this Code. The site can not comply with the min lot size requirement so the sign was removed.

Title 11 states that signage for single tenants shall be no greater than 6' in height and 50 square feet in area. However, section 11-4-111 does allow for an increase in sign area and height when certain criteria are met. The applicant has removed the pole sign on site which satisfies the criteria of bonus item (b). Therefore, the applicant is requesting that the bonus of 10 square feet in area and one (1) foot in height be granted so they may construct a monument sign that is 7' tall and 60 square feet.

The sign includes a 1' foot base that will be finished with stucco. When stucco is used, the color must coordinate with the building on site and include additional decorative architectural elements such as caps or columns.

Landscaping that is twice the area of the sign is required. This landscaping must be designed specifically for the sign and shall be in addition to the minimum site landscaping.

Staff Alternatives:

Approval of the sign bonus for Verg's restaurant, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. Must meet all of the requirements set forth in Title 11 of the West Valley City Municipal Code.
2. The maximum height for the sign shall be 7', the sign area shall be no more than 60 square feet, and the setback shall be at least 7'.
3. The sign must be located in a landscaped area at least twice the area of the sign that is designed specifically for the sign location. The minimum site landscaping, which includes the front setback turf areas, shall not be included in the landscape area calculation for the sign.
4. The base of the sign shall be masonry and at least one foot tall. If stucco is used, the color must match the building on site and additional architectural enhancements must be added to the sign per the approved sign elevation.

Continuance for reasons determined at the hearing or to allow time for the applicant to submit an alternative sign design.

Applicant:

Boyd Mitchell
1177 S 300 W
SLC, UT 84101

Discussion: Jody Knapp presented the application. Brent Fuller confirmed that removing the pole sign allowed the applicant the ability to request the bonus sign criteria. Jody replied yes. Barbara Thomas stated that she is concerned that the sign doesn't have enough architectural enhancements on the base to qualify. Terri Mills asked how the building appears on the outside. Jody replied that it is a metal structure. Boyd Mitchell, the applicant, stated that the building has a lot of color inside and out. He stated that he is willing to modify the base to whatever the City feels is necessary. He stated that the property owner is concerned about having landscaping around the base but he will work on creating a balance that will satisfy City requirements as well as the property owner. Harold Woodruff suggested the applicant keep the stucco base but change the color to something with a little more of an earth tone, like green. Terri Mills agreed and added that small shrubs and plants can soften the look of the sign significantly as well. Mr. Mitchell replied that he was thinking of some sort of grass that doesn't require a lot of water. Commissioner Mills agreed that this could look nice or even a mixture of grasses with shrubs. She added that she would encourage a drought tolerant evergreen. Commissioner Conder stated that he feels the character is the architectural element and trying to standardize sign would make it less desirable. Commissioner Mills stated that including columns can soften the edge of the sign a little further as well. Mr. Mitchell added that he can round the stucco to make the sign less square.

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

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

Commissioner Thomas seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous – C-21-2010 – Approved

PLANNING COMISSION BUSINESS

Approval of minutes from August 25, 2010 (Regular Meeting) **Approved**

Approval of minutes from September 1, 2010 (Study Session) **Approved**

There being no further business, the meeting adjourned at 5:01 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant