

Planning Commission Minutes from December 10, 2014

ZT-6-2014

West Valley City

Amending Section 7-6-1605 of the City Center Zone

This application was continued during the public hearing on November 12th. During the meeting on the 12th, Fred Cox expressed concern about the prohibition on automobile service. Included with this report is an email received from Mr. Cox outlining some suggested revisions. The Commission also discussed the possibility of removing fitness centers from the prohibited use list. Staff recommends that the proposed ordinance remain unchanged.

Staff is proposing an amendment to paragraph 2 of Section 7-6-1605 of the City Center (CC) Zone. This paragraph lists the prohibited uses in the Zone. The proposed amendment, which is attached to this report, expands the list of prohibited uses.

When the CC Zone was first adopted in 2006, it included ten purposes which are listed below:

1. Implement the goals set forth in the Fairbourne Station Vision within the General Plan.
2. Create a recognizable center or downtown for West Valley City.
3. Encourage and direct development that supports transit.
4. Encourage infill and redevelopment near the transit station by City Hall.
5. Create new opportunities for economic growth and redevelopment.
6. Reinforce the use of public transportation by locating higher-intensity development, including employment-oriented businesses and higher density residential uses, adjacent to transit stops.
7. Encourage mixed-use development to reduce automobile dependency and roadway congestion by combining trips and locating destinations within walking and biking distances – all interconnected with transit.
8. Enhance neighborhood identity by creating more choices such as walking, biking and shopping to residents that promote safety, friendliness and livability.
9. Provide a mix of housing types, costs and densities.
10. Promote architectural and site design treatments that enhance the visual appearance of development within the Zone.

The proposed amendment that expands the list of prohibited uses will further the purposes of the CC Zone specifically by encouraging development that supports transit, encouraging redevelopment and enhancing neighborhood identity. Each of the proposed additions to the prohibited use list falls into at least one of the following three categories:

Low Intensity Uses

Higher intensity uses have more people per square foot and support transit more effectively than lower intensity uses. Examples of low intensity uses include furniture stores and moving truck rental businesses.

Uses that Discourage Redevelopment

Since the adoption of the CC Zone, the City Center project (now known as Fairbourne Station) has been the highest priority project for the City. This is evidenced by the City’s huge investment in staff time and capital for this project. To date the City has:

- Acquired nearly 60 properties – \$20 million
- Built new roads and the promenade park – \$11 million
- Facilitated mall renovation by assisting with demolition and infrastructure – \$10 million
- Secured funding for parking structure – \$16 million

To protect the City’s investment and to further the City Center Zone purpose of promoting redevelopment, the City wants to discourage uses that would be incompatible with high quality uses like Class A office. Examples of uses that would be incompatible include bail bonds, blood plasma centers, laundromat and retail tobacco specialty store.

Uses that Already Exist Nearby

Fairbourne Station Vision that is adopted as part of the General Plan includes the goals of creating a mix of land uses, diverse shopping choices and a unique town center with a strong sense of place. Uses like supermarkets and movie theaters are already nearby and would not add to the diversity or uniqueness of the area.

The CC Zone area of 49 acres represents a small portion of the overall zoning that allows commercial uses. The following table lists the zones that allow some form of commercial use and the total acreage of each zone within the City. The zones listed in the table allow some or all of the proposed prohibited uses for the CC Zone. In other words, there are still opportunities for these uses to locate elsewhere in the City.

Zone	Total Acreage
Neighborhood Commercial (C-1)	43
General Commercial (C-2)	1,033
Transitional Commercial (C-3)	27
Business/Research Park (B/RP)	304
Mixed Use (MXD)	15
Manufacturing (M)	8,126

Staff Alternatives

1. Approval of the application as proposed to amend the City Center Zone.
2. Continuance for reasons determined during the public hearing.
3. Denial, the ordinance should remain unchanged.

Applicant:
West Valley City

Opposed:
Fred Cox
4466 Early Duke Street

Discussion: Steve Pastorik presented the application. Barbara Thomas asked how many acres the City Center Zone consists of. Steve replied 49 and indicated it’s a small area of the City where these specific regulations would apply.

Fred Cox, representing a property owner within the City Center Zone, stated that if automobile service is restricted the client would need to find other tenants and would not be allowed to operate. He indicated that this may result in a vacant property that will sit unused for the next 5 years which is when the contract expires. Mr. Cox stated that it's important for the City to create a scenario where a business could be open, operational, and generating tax. He indicated that the City is approaching the population of Salt Lake City and there are automobile uses in downtown Salt Lake that don't detract from the feel. Jack Matheson stated that the owner has had a lot of time to open this facility and would have been grandfathered in. Mr. Cox agreed but added that the property owner and tenant were unaware of this until recently when they were denied a business license.

Commissioner Matheson stated that on the north end of this zone there are height restrictions for buildings and he feels the additional restricted uses are good ones. Terri Mills stated that she is okay with it as presented but would prefer a list of desired uses instead of restricted ones. Commissioner Thomas stated that the auto use was noisy when it existed and caused a lot of concern with neighbors. She indicated she is satisfied with the list proposed as well.

Motion: Commissioner Thomas moved for approval.

Commissioner Tupou seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Tupou	Yes
Chairman Conder	Yes

Unanimous-ZT-6-2014- Approved