

ZT-7-2014

Hillcrest Investment Company, LLC

Amending Section 7-22-104 of the Decker Lake Station Overlay Zone

Chris Howells with Hillcrest Investment Company, LLC is proposing an amendment to Section 7-22-104 of the Decker Lake Station Overlay Zone which includes a list of prohibited uses in the Overlay Zone. Hillcrest Investment Company, LLC is the owner of the Shops at Decker Lake, formerly known as Grizzly Plaza, located on both the northwest and northeast corners of 3500 South Decker Lake Drive.

Attached to this report is a letter from the applicant outlining the proposed amendment. In summary, the amendment would change the prohibited use of secondhand stores to secondhand stores over 6,000 leasable square feet. In other words, if this application is approved, secondhand stores with 6,000 square feet or less would be allowed in the Overlay Zone whereas they are currently prohibited. For reference, a secondhand store is defined as: “any location of a store, office or place of business which is engaged in the purchase, barter, exchange or sale of any secondhand merchandise of value or in the business of dealing in secondhand goods.”

While the proposed amendment will apply to the entire Overlay Zone, the applicant’s purpose in submitting this application is to allow a Kid to Kid store to locate within the Shops at Decker Lake.

The Decker Lake Station Overlay Zone was first adopted in 1996 at the time the Maverik Center and surrounding property began to develop. The stated purpose of the Overlay Zone is: “The Decker Lake Station Overlay Zone permits a full range of office, retail commercial and service uses which are oriented to serve the City as a whole. The Decker Lake Station Overlay Zone is intended to encourage uses in a planned commercial setting which will be compatible and complimentary with the existing entertainment, restaurant and hospitality uses as well as nearby residential neighborhoods. The Overlay Zone also promotes quality architecture that complements the Maverik Center and landscape themes.” The original Overlay Zone included a list of prohibited uses. This list was expanded in 2002 and again in 2013.

Staff supports this application in that we believe the addition of small secondhand stores will not detract from the area nor undermine the purpose of the Overlay Zone.

Staff Alternatives

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

Applicant:
Chris Howells
5320 S 900 E
Suite 250
SLC, UT 84117

Applicant:
Merrick Wright
1390 Ambassador Way
SLC, UT 84108

Discussion: Steve Pastorik presented the application. Phil Conder asked where else secondhand stores could be located in the overlay zone with the exception of the Shoppes at Decker Lake. Steve replied that the space is limited since most of the area is already developed or planned for development. He indicated the Shoppes at Decker Lake will likely be the only location.

Chris Howells, the applicant, stated that the types of uses that fall under this category are very limited. He stated that they are traditional retailers that are conducive to shopping centers like this and can include stores like Kid to Kid or Game Stop. Mr. Howells stated that he feels the potential of uses provided with this change will fit in with the current mix of businesses and benefit the entire center. Chairman Conder stated that the remodel looks very good. Mr. Howells stated that the last piece will be to remodel the old Denny's. Commissioner Thomas asked how big the current Kid to Kid store is. Mr. Howells replied it is 3600 square feet.

Merrick Wright, representing Kid to Kid, stated that Kid to Kid has been a business within West Valley City for a very long time and would like to stay close to where their current business operates from. He indicated that Kid to Kid has acquired good quality customers and steady sales and added that the business would like to keep spacing between other stores intact. Barbara Thomas asked if outside display of merchandise is critical to the success of the business. Mr. Wright replied that it is very helpful. Commissioner Thomas stated that she doesn't like the idea of outside display in this area. Mr. Wright replied that this is determined by the landlord. Jody Knapp added that the only requirement the City has is that outside display be kept out of the setback, pedestrian paths, and cannot take up any parking stalls. Latai Tupou asked how the 6,000 square foot number was reached. Mr. Merrick replied that it gave the ability for Kid to Kid to expand but the lease in the new location is only 3,600 square feet. Mr. Howells added that he wanted flexibility for potential tenants.

Motion: Commissioner Matheson moved for approval.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Thomas	No
Commissioner Tupou	Yes
Chairman Conder	Yes

Majority-ZT-7-2014- Approved