

Planning Commission Hearing Staff Report



Planning and Zoning Division
Department of Community
Development

Vista Industrial

Preliminary Planned Development (Petition 410-07-38)
Preliminary Minor Subdivision Review (Petition 490-07-58)
Located at approximately 4095 West 700 South
Hearing date: February 13, 2008

Applicant:

Log Cabin Investments, LLC
Kevin Towle

Staff:

Casey Stewart 535-6260
casey.stewart@slcgov.com

Tax ID:

15-07-200-030

Current Zone:

M-1 (Light Manufacturing)

Master Plan Designation:

West Salt Lake; Industrial

Council District:

District 2 – Van Turner

Lot size: 9.41 acres

Current Use:

Undeveloped, vacant

Applicable Land Use Regulations:

- Chapter 21A.28.020 M-1 Zoning District
- Chapter 21A.54.150 Planned Development
- Chapter 20.20 Minor Subdivision

Attachments:

- A. Applicant's Project Description
- B. Site and building drawings
- C. Department comments

REQUEST

Review and preliminary approval of a conditional use application for an industrial planned development and a 28-lot industrial minor subdivision. The proposal involves creating 28 lots, each with a building unit for industrial uses, and one common parcel for parking and vehicle access. The planned development application is for modifications to lot size, lot width and parking lot landscaping requirements of the M-1 zoning district, in which the property is located.

PUBLIC NOTICE

A notice of public hearing was mailed to all property owners within 450 feet of the subject property on January 29, 2008. The site was posted with a notice of public hearing sign on January 29, 2008.

COMMUNITY COUNCIL COMMENTS

This request was reviewed by the *Poplar Grove Community Council* at their January 23, 2008 meeting. The community council discussion was very brief, focusing on the types of businesses intended for this development, and there were no concerns or objections voiced during the discussion.

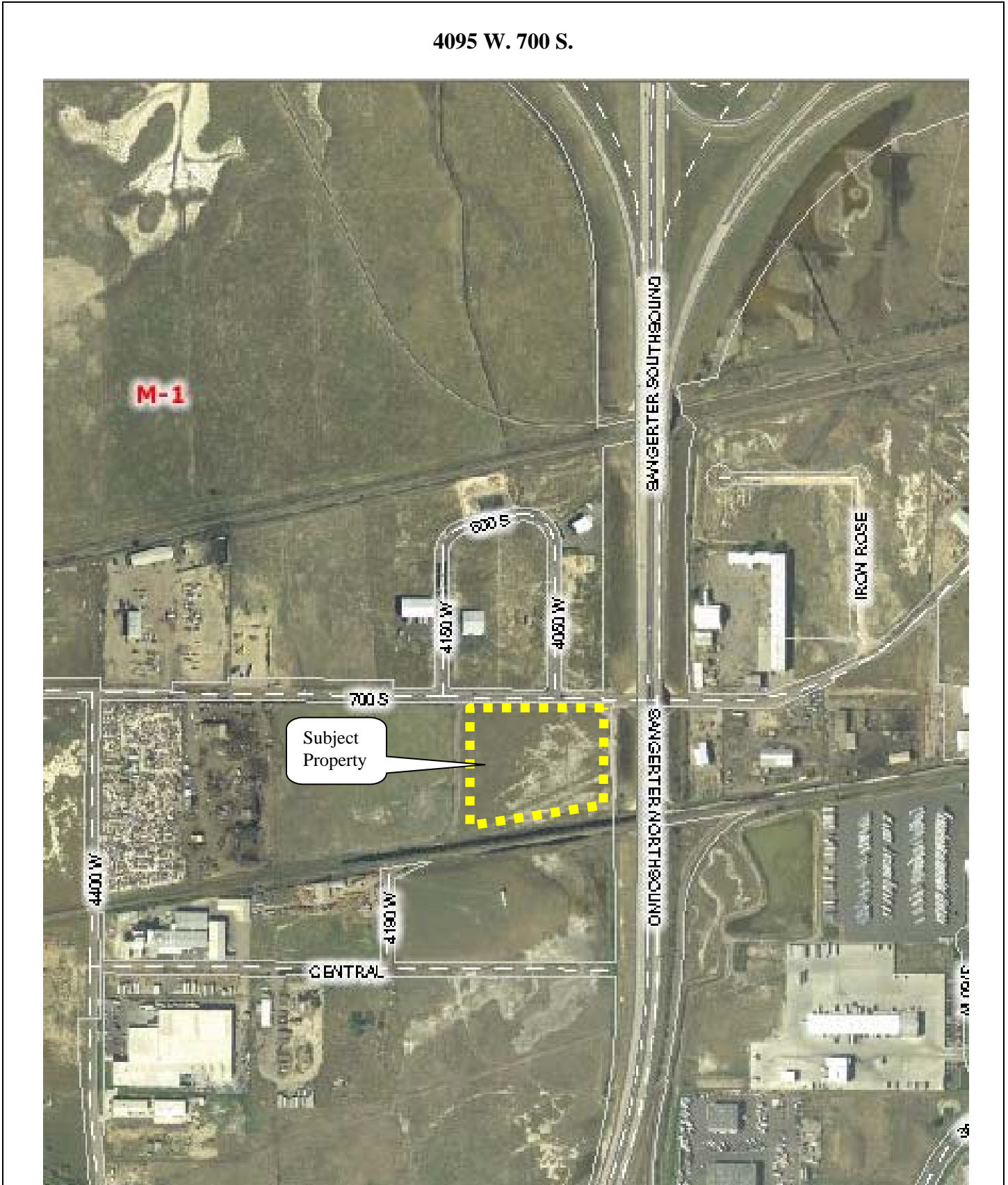
STAFF RECOMMENDATION:

Staff recommends approval of the conditional use for Vista Industrial Planned Development (410-07-38) and preliminary approval of the Vista Industrial Preliminary Subdivision Plat (490-07-58) subject to the following conditions:

1. This approval extends to the final development plan subject to certification by the planning director that the final development plan is in conformance with the preliminary development plan approved by the planning commission.
2. Approval shall not be valid for a period longer than one year unless a building permit is issued and construction is diligently pursued. However, upon written request of the applicant, the one year period may be extended by the planning commission for such time as it shall determine for good cause shown, without further public hearing.
3. The final subdivision plat shall be recorded with the Salt Lake County Recorder.
4. Compliance with the departmental comments as outlined in this staff report.
5. The execution and recording of the Declaration of Covenants.
6. No lot or building shall have final approval, or shall said lot or building be sold, until the plat has been recorded with the Salt Lake County Recorder.
7. If after the first, second, and third phases are completed (all buildings in that phase have received final certificate of occupancy) the next phase is not started within one year then the applicant or other responsible party at the time shall install landscaping around the perimeter of that portion of the parking lot shown on the approved planned development that pertains to the most recently recorded final plat of the subdivision.
8. The applicant shall renew all required permits and approvals for filling in the designated wetlands on the property, and shall provide a copy of those to the Public Utilities Department and Planning Division prior to final Planned Development approval.

VICINITY MAP

4095 W. 700 S.



Overview

The project area is located at approximately 4095 West 700 South, in an M-1 (Light Manufacturing) Zoning District. The applicant is seeking preliminary approval for both an industrial subdivision plat and a planned development to consist of 28 light industrial lots and building units. The lots range in size from 7,000 to approximately 15,000 square feet. One common area parcel will contain the drive aisles, parking lot, refuse bins, and some landscaping. The purpose of the planned development application is for modifications to lot size, lot width and parking lot landscaping requirements of the M-1 zoning district. The proposed changes are further addressed in the “Discussion” section that follows.

The project is proposed for development in four phases, resulting in a total of 28 lots, each with a building unit and small yard area for storage. The applicant’s site drawings show the full development and serve as the preliminary plat and preliminary planned development drawings. If both preliminary applications are approved, the applicant will then submit final plat applications for each subsequent phase to finalize the lots. Final approval of the planned development rests with the Planning Director and will be subject to compliance with the preliminary plans as approved by the Planning Commission.

The proposed parking area will accommodate up to 239 vehicles, 7 stalls more than the required 232 stalls based on the types of proposed uses; and, after input from a Planning Commission Subcommittee, the parking area has been revised to allow for circulation of tractor-trailer vehicles up to 80 feet long. The parking area will be contained in a common parcel to be maintained by the Property Owner Association.

The applicant has also submitted a third application (400-07-24) seeking approval for closing a street that is west and adjacent to the proposed planned development. If the street is successfully closed, the applicant intends to purchase half or all of the street and incorporate the land into the planned development by revising the subdivision plat. This extra land would then allow the planned development to expand slightly to the west and increase the average lot size.

Existing Conditions

The existing site is level, vacant, and undeveloped. The project is bounded on the south by a rail line, on the east by the Bangerter Highway, on the north by 700 South, and on the west by a City-owned road parcel. Approximately 4 of the 10 acres on the site are considered wetlands, for which an Army Corp of Engineers 404 permit was issued in 1996 approving filling of the wetlands. It appears that the wetlands were never filled in and the permit expired at the end of the year 2000. The applicant must renew the permit prior to placing any fill on the property. No buildings have been known to ever exist on the property. The property does have wind blown garbage and piles of debris that were dumped illegally prior to the current owner.

Discussion

The applicant submitted the planned development seeking approval to modify the lot size, lot width, and parking lot landscaping requirements. The following discussion clarifies and addresses aspects of the project that are proposed for modification.

Lot size/width: the M-1 zoning district has a minimum lot size requirement of 20,000 square feet and minimum lot width of 80 feet. The purpose of the M-1 zoning district is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting. The applicant proposes lot sizes ranging in size from 7,000 to approximately 15,000 square feet. The intent is to provide smaller industrial lots that light industrial businesses could afford to own. Businesses anticipated by the applicant include general construction contractors, plumbers, HVAC installers, landscaping companies and other light industrial/commercial uses that require small offices, indoor and outdoor storage and assembly space but don’t need or can’t afford large industrial buildings or lots. These types of uses typically create less of an

impact on adjacent properties that larger, more intense industrial uses. The proposed site layout is efficient and will contain more landscaping than is required which will improve the aesthetics of the project thereby supporting the purposes of the zoning district. The Zoning Ordinance does not contain any density limitations for industrial planned developments. Furthermore, the applicant could proceed with this development via a condominium application which also has no density limitation for this type of use. For these reasons, planning staff finds no reason to object to the lot sizes proposed.

Landscaping: Chapter 48 of the Zoning Ordinance requires that no less than five percent of the total parking lot area be landscaped interior to the parking lot. The interior parking lot landscaped areas must be at least 120 square feet in size and not less than five feet wide. The applicant proposes a range of sizes for the landscaped areas. The smallest landscaped areas are approximately 3 feet wide and 18 feet long (54 sq. ft.) and the largest landscaped areas are approximately 18 feet wide by 18 feet long (324 sq. ft.). The average landscaped area size exceeds the 120 square-foot minimum, and the total landscaped area within the parking lot exceeds the minimum five percent. For these two reasons, planning staff supports the request to modify the parking lot landscaped area minimums.

The same chapter also requires landscaping around the perimeter of the parking lot. The landscaping shall be provided with a landscape area at least seven feet in width. Due to the phasing of this development, this landscaping requirement poses a conflict. Any perimeter parking lot landscaping installed during the first three phases would have to be removed in order to construct the subsequent phase. To avoid the unnecessary action of continually installing and removing perimeter parking lot landscaping, planning staff supports the waiving of this requirement under the condition that if after the first, second, and third phases are completed (final certificate of occupancy issued) the next phase is not started within one year, then the applicant or other responsible party shall install landscaping around the perimeter of that portion of the parking lot that pertains to the most recently recorded final plat of the subdivision.

Front yard: The drive aisles and parking area are contained within a common parcel that will be owned, managed, and maintained by the Property Owner's Association. This proposal results in none of the lots fronting on a public street and thereby eliminates the 15-foot front yard requirement for each individual lot. The buildings will be located on the front lot line.

Comments

Public Comments

No comments have been received from citizens.

Community Council comments

The comments from the Poplar Grove amounted to no objections or concerns with the project.

City Department Comments

Fire Department:

A list of standard fire department comments were provided that includes a list of 26 items related to fire protection of the structure that the applicant will need to comply with as part of the construction of the proposed development. No objections were posed by the department. See the attached memorandum ("Attachment C") from the Fire Department for full details.

Public Utilities:

The following design plans must be submitted for review and approval by prior to final platting of the subdivision: (1) water and sewer utility plan, (2) grading and drainage plan, and (3) storm water pollution and prevention plan. All design and construction must conform to State, County, City and Public Utilities standards and ordinances. The applicant must enter into mainline extension and service connection agreements with the Public Utilities Department for all water, sewer, and storm drain mains and services. A \$343 per quarter acre drainage impact fee will be assessed on the platted area for this development. All environmental and wetland issues must be approved by the appropriate governing agency prior to receiving Public Utilities' approval. All new and existing easements for purposes of sewer, water, gas, communications, etc must be shown on the plat and approved by Public Utilities. See the attached letter ("Attachment C") from the Public Utilities Department for full details.

Building Services and Licensing:

The division offered comments related to a required geotechnical report because of the proximity to a fault line; parking requirements; a required landscape plan at time of building permit review; and a required aviation easement. The comments cite other issues such as perimeter parking lot landscaping and cross access easements but those have been resolved with the redesign of the project. See the attached memorandum ("Attachment C") from the Building Services Division for full details.

City Engineering:

If the applicant's request to close the adjacent street to the west is not granted, street improvements on 4190 West will be required as a condition of approval of the subdivision. The frontage on 700 South will require additional dedication of right-of-way and full street improvements of curb, gutter, sidewalk and asphalt strip paving are required. A subdivision improvement construction agreement will be required which will require the payment of a stepped fee based on the estimated cost of constructing the roadway improvements. Additional comments discuss the requirement of the applicant to file a NPDES permit application with the State of Utah, Division of Water Quality; and details for site construction drawings. See the attached memorandum ("Attachment C") from the Engineering Division for full details.

Transportation:

No "Traffic Impact Report" was required for this application. Full street improvements will be required along 700 South and 4190 West if the application to close it is denied. The Transportation Division initially thought cross access easements would be required for portions of the development, but that is not the case since each lot will have access from the common parcel. The proposed middle driveway access shown near 4050 West should be offset at least 100 feet from center line to center line of each driveway, or be directly aligned with the 4050 access. Additional comments discuss sidewalk provisions and limits of types of trucks that can maneuver in the parking area. The applicant has revised his plans to reflect the addition of sidewalks within the development and has revised the circulation pattern to accommodate tractor-trailers up to 80 feet long. Final plan approval is subject to compliance with all parking geometrics and current city design standards. See the attached memorandum ("Attachment C") from the Transportation Division for full details.

Airport:

The project is located in the airport's influence zone "B" and is listed as a high noise impact zone. The site is also subject to the 62.5:1 One Engine Inoperable slope for runway 34L with a structure height restriction of 4,350 feet elevation above mean sea level (approximately 125 feet above the ground). The Salt Lake City Airport will require an aviation easement for the new development before the final plat for the first phase is recorded.

Utah Department of Transportation:

The department requests the right to review the plans before a building permit is issued for this location. The project site is adjacent to Bangerter Highway.

Staff Analysis (Planned Development)

In approving any planned development, the planning commission may change, alter, modify or waive any provisions of this title or of the city's subdivision regulations as they apply to the proposed planned development. No such change, alteration, modification or waiver shall be approved unless the planning commission shall find that the proposed planned development:

1. *Will achieve the purposes for which a planned development may be approved pursuant to subsection A (planned development purpose statement) of this section (Section 21A.154);*

Analysis: The proposed planned development offers a different and smaller version of light industrial use options. It provides for smaller lots, which are less costly for smaller, industrial business owners yet allow them to locate in an industrial area with other industrial uses. This location aspect also serves to keep industrial uses together in this area of the city that is intended for industrial uses. Not all industrial uses require large lots with large buildings and with this proposal, more options are provided. It is a benefit to the community as a whole and to the small, industrial business owners.

It will promote a creative approach to the use of land and related physical facilities resulting in better design and development with more options to industrial uses. It results in a moderate density project for light industrial uses located in an industrial area which is a desired effect.

Finding: The project satisfies the purposes for planned developments.

2. *Will not violate the general purposes, goals and objectives of this title and of any plans adopted by the planning commission or the city council.*

Analysis: The proposed planned development achieves the purposes for which planned developments were instituted and does not detract from the general purposes of the zoning ordinance or any plans, master plans or otherwise, adopted by the planning commission or city council. Specifically, the project supports the intent of the Zoning Ordinance to “foster the City’s industrial, business and residential development.”

Finding: The project satisfies the purposes of the Zoning Ordinance.

Standards for Conditional Uses

- A. *The proposed development is one of the conditional uses specifically listed in this Title.*

Analysis: Section 21A.54.150 of the zoning ordinance establishes planned developments as conditional uses in all zoning districts.

Finding: The project satisfies this standard.

- B. *The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.*

Analysis: The proposed planned development achieves the purposes for which planned developments were instituted and does not detract from the general purposes of the zoning ordinance or any plans, master plans or otherwise, adopted by the planning commission or city council. Specifically, the project supports the intent of the Zoning Ordinance to “foster the City’s industrial, business and residential development.”

Finding: The project satisfies this standard.

- C. *Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.*
Analysis: The existing access to the development, 700 South, will, after the applicant improves the adjacent roads, be suitable for this project. The project will not degrade the service level of adjacent streets.
Finding: The project satisfies this standard.
- D. *The internal circulation system of the proposed development is properly designed.*
Analysis: Parking for the development will be accessed from 700 South. The parking lot is shown to have the required number of parking stalls and has been revised by the applicant, after input from a Planning Commission subcommittee meeting, to enable access through the development by tractor-trailers up to 80-feet in length.
Finding: The project satisfies this standard.
- E. *Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.*
Analysis: The applicant has provided preliminary plans for utility service. The City's Public Utilities Department and City's Engineering Division have requested final drawings be submitted, reviewed, and approved for the proposed utility services prior to their final approval of the project.
Finding: The project satisfies this standard.
- F. *Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.*
Analysis: The proposed development is bordered on the west by vacant property, on the south by a rail line, on the east by the Bangerter Highway, and on the north by 700 South. Additionally, buffering will be achieved by landscape buffers along the front and west sides of the projects.
Finding: The project satisfies this standard.
- G. *Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.*
Analysis: The proposed building materials are primarily concrete, glass, and steel, which are common in industrial areas. The building heights proposed do not exceed 30 feet, which is less than half of the allowed 65 feet. The proposed buildings are deemed compatible with the area.
Finding: The project satisfies this standard.
- H. *Landscaping is appropriate for the scale of the development.*
Analysis: The amount of landscaping proposed for this development exceeds the amount required. Some of the landscaped areas do not meet the minimum size requirements relating to width and area. Overall, the average size of the landscaped areas interior to the parking lot exceeds the minimum required by the Zoning Ordinance. This aspect of the project is one of the modifications the applicant is proposing through the planned development review. The landscaping proposed is considered appropriate for the scale of this development.
Finding: The project satisfies this standard.
- I. *The proposed development preserves historical architectural and environmental features of the property.*
Analysis: There are no historical architectural or environmental features on the property that need preservation. The property is vacant, undeveloped and is not know to have had any buildings on it. Wetland issues are to be resolved through a Section 404 Permit from the Army Corp of Engineers.
Finding: The project satisfies this standard.

J. *Operating and delivery hours are compatible with adjacent land uses.*

Analysis: The proposed uses for the project include light industrial uses and the applicant has indicated that operating hours will be 7:00 AM to 6:00 PM. These hours are typical for business and industrial uses, which are considered compatible with the area.

Finding: The project satisfies this standard.

K. *The proposed conditional use is compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.*

Analysis: The proposed light industrial uses are compatible with the other light and heavy industrial uses in the area. No adverse impacts are anticipated. The planned development has a higher lot to acre density than other properties in the area but is considered to have a net positive impact on the neighborhood and City as a whole by fostering smaller industrial uses to locate in industrial areas and providing a site that is efficient and more manageable for smaller businesses.

Finding: The project satisfies this standard.

L. *The proposed development complies with all other applicable codes and ordinances.*

Analysis: The applicant continues to work with the appropriate City departments and has been able to comply, or demonstrated ability and commitment to comply, with all other applicable codes and ordinances.

Finding: The project satisfies this standard.

Staff Analysis (Minor Subdivision)

A minor subdivision shall conform to the required improvements specified in Section 20.28.010, or its successor, of this Title, and shall also meet the following standards:

Section 20.20.020 Required Conditions and Improvements

A. *The general character of the surrounding area shall be well defined, and the minor subdivision shall conform to this general character.*

Analysis: The surrounding area is characterized by undeveloped land and both light and heavy industrial uses. The minor industrial subdivision will continue this same general character.

Finding: The proposed minor subdivision satisfies this standard.

B. *Lots created shall conform to the applicable requirements of the zoning ordinances of the city.*

Analysis: The proposed lots range in size from 7,000 to approximately 15,000 square feet and are as narrow as 50 feet, rather than the required 80 feet. The minimum lot size requirement for the M-1 zoning district is 20,000 square feet. The proposed lots do not conform to the minimum lot size or lot width requirements; however there are no density limitations for industrial planned developments. The modifications to lot size and lot width proposed by the related planned development are considered acceptable and staff finds no reason to uphold the lot size requirements with this particular project.

Finding: The proposed minor subdivision does not meet the lot size and width requirements; however, waiving those requirements through the Planned Development is acceptable for this project.

C. *Utility easements shall be offered for dedication as necessary.*

Analysis: All necessary and required dedications will be made with the recording of the final plat.

Finding: The proposed minor subdivision satisfies this standard.

D. *Water supply and sewage disposal shall be satisfactory to the city engineer.*

Analysis: All plans for required public improvements must be submitted and approved prior to approval of the final plat.

Finding: The proposed minor subdivision satisfies this standard.

E. *Public improvements shall be satisfactory to the planning director and city engineer.*

Analysis: The proposed subdivision has been forwarded to the pertinent City Departments for comment. All public improvements must comply with all applicable City Departmental standards.

Finding: The proposed minor subdivision satisfies this standard.

Summary

The proposed planned development and minor subdivision have demonstrated compliance with, or the ability to comply with, all of the standards required of them. For those standards related to lot size, lot width, and landscaping that the applicant seeks to modify, staff concurs with the modifications and finds no reasons to object to them. Each of these was discussed in the preceding report. Planning staff supports the request subject to the recommended conditions of approval shown on the first page of this report.

ATTACHMENT 'A'

APPLICANT'S PROJECT DESCRIPTION

ATTACHMENT 'B'

SITE AND BUILDING DRAWINGS

ATTACHMENT 'C'

DEPARTMENT COMMENTS