



Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

<https://msd.utah.gov/msd-home/pds/>

Magna Planning Commission

Public Meeting Agenda

Thursday, August 12, 2021 6:30 P.M.

Based on the LOW TRANSMISSION LEVEL in Magna of the Novel Coronavirus (COVID-19), as identified by both the State and County Health Orders, the Mayor and Council have chosen to conduct this meeting at an anchor location with public access pursuant to the public health directives. To accommodate the members of the Commission and public who desire to attend, but based on their personal assessments feel attending the meeting at the anchor location may be an unacceptable health risk, this meeting will be also conducted electronically.

To participate in the meeting electronically and to make public comments where indicated in the agenda, please use the instructions and links below.

Location

Join meeting in WebEx

Meeting number (access code): 961 841 420

<https://slco.webex.com/join/wgurr>

Join meeting in WebEx (download available at <https://www.webex.com/downloads.html> for Windows, Android, and Apple devices)

Tap to join from a mobile device (attendees only)

[+1-213-306-3065,,961841420##](tel:+12133063065961841420) United States Toll (Los Angeles)

[+1-602-666-0783,,961841420##](tel:+16026660783961841420) United States Toll (Phoenix)

Join by phone

+1-213-306-3065 United States Toll (Los Angeles)

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Access code: 961 841 420

[Global call-in numbers](#)

Join from a video conferencing system or application

Dial wgurr@slco.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Need help? Go to <http://help.webex.com>

**In Person: Magna Webster Center
8952 West Magna Main Street. Magna, 84044**

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.

TTY USERS SHOULD CALL 711.

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Approval of the July 8, 2021 Planning Commission Meeting Minutes. (Motion/Voting)
- 2) Other Business Items. (As Needed)

PUBLIC HEARING(S)

REZ2021-000363- Scooter Hammer is requesting a Rezone from A-20 (Agricultural) to M-2 (Manufacturing). **Acreage:** 17.56 acres. **Location:** 7581 West 2100 South. **Planner:** Diana Martinez (Motion/Voting)

The Planning Commission will act on the proposed public hearing item after taking comments from the public during the public hearing. Public comments will be provided pursuant to the planning commission's rules of conduct, which are attached to the back of this agenda. Public comments will be limited to three minutes per person.

LAND USE APPLICATION(S)

CUP2021-000283- Panda Express (Rep. Xavier Gavin) is requesting approval of a Conditional Use for a Restaurant. **Acreage:** 0.99 approx. acres. **Location:** 3509 South 8150 West. **Zone:** C-2 (Commercial). **Planner:** Diana Martinez (Motion/Voting)

(30804) CUP2020-000038- Truong Properties is requesting approval of a Shared Parking Schedule for the Retail and Restaurant Uses (Mixed-Use project) and approval of two additional structures on the site plan (pavilions) previously approved for the subject property. **Acreage:** 8.30 acres. **Location:** 8291-8315 West 3595 South. **Zone:** C-2 & R-M (Commercial and Medium Density Residential). **Planner:** Diana Martinez (Motion/Voting)

The Planning Commission, in its discretion, may request public input on these applications prior to acting on the application. If public input is requested, public comment will be limited to three minutes per person.

ADJOURN

Rules of Conduct for Planning Commission Meetings

PROCEDURE FOR PUBLIC COMMENT

1. Any person or entity may appear in person or be represented by an authorized agent at any meeting of the Commission.
2. Unless altered by the Chair, the order of the procedure on an application shall be:
 - a. The supporting agency staff will introduce the application, including staff's recommendations and a summary of pertinent written comments and reports concerning the application
 - b. The applicant will be allowed up to 15 minutes to make their presentation.
 - c. The Community Council representative can present their comments as applicable.
 - d. Where applicable, persons in favor of, or not opposed to, the application will be invited to speak.
 - e. Where applicable, persons opposing the application, in whole or in part will be invited to speak.
 - f. Where applicable, the applicant will be allowed 5 minutes to provide concluding statements.
 - g. Surrebutals may be allowed at the discretion of the Chair.

CONDUCT FOR APPLICANTS AND THE PUBLIC

1. Speakers will be called to the podium by the Chair.
2. Each speaker, before talking, shall give his or her name and address.
3. All comments should be directed to the Commissioners, not to the staff or to members of the audience.
4. For items where there are several people wishing to speak, the Chair may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson. If a time limit is imposed on any member or spokesperson of the public, then the same time limit is imposed on other members or spokespersons of the public, respectively.
5. Unless otherwise allowed by the Chair, no questions shall be asked by the speaker or Commission Members.
6. Only one speaker is permitted before the Commission at a time.
7. The discussion must be confined to essential points stated in the application bearing on the desirability or undesirability of the application.
8. The Chair may cease any presentation or information that has already been presented and acknowledge that it has been noted in the public record.
9. No personal attacks shall be indulged in by either side, and such action shall be sufficient cause for stopping the speaker from proceeding.
10. No applause or public outbursts shall be permitted.
11. The Chair or supporting agency staff may request police support to remove offending individuals who refuse to abide by these rules.
12. After the public comment portion of a meeting or hearing has concluded, the discussion will be limited to the Planning Commission and Staff.



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**MEETING MINUTE SUMMARY
MAGNA PLANNING COMMISSION MEETING
Thursday, July 8, 2021 6:30 p.m.**

Approximate meeting length: 31 minutes
Number of public in attendance: 4
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Cripps

***NOTE:** Staff Reports referenced in this document can be found on the State website, or from Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Dan Cripps (Chair)	x	x	
Ammon Lockwood	x	x	
Aaron Weight (Vice Chair)			x
Mark Elieson	x	x	
Todd Richards	x	x	
Sara VanRoosendaal	x	x	
Jed Taylor	x	x	
Devin Everett	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Shad Cook	x	x
Jim McNulty	x	x
Diana Martinez	x	x
Jay Springer		

BUSINESS MEETING

Meeting began at – 6:37 p.m.

- 1) Approval of Minutes from the June 10, 2021 Planning Commission Meeting.
Motion: To approve Minutes from the June 10, 2021 Planning Commission Meeting as presented.
Motion by: Commissioner Elieson
2nd by: Commissioner Richards
Vote: Commissioners voted unanimous in favor (of commissioners present)
- 2) Other Business Items (as needed)

Mr. McNulty explained anchor location was chosen for services. Donnie Sweazey recommended to continue to August 12, 2021. Determine if the next agenda hybrid meeting is at the Webster Center. Request UPD in attendance. Commissioners voted unanimous to meet hybrid beginning August at the Webster Center and UPD in attendance.

Commissioner Richards motioned to close the business meeting, Commissioner Elieson seconded that motion.

LAND USE APPLICATION(S)

Hearings began at – 6:48 p.m.

SUB2020-000078- Calvin Child is requesting Preliminary Plat approval for a proposed 2-Lot Subdivision. **Acreage:** 0.579 acres. **Location:** 3376 South 7200 West. **Zone:** R-1-6. **Planner:** Shad Cook (Motion/Voting)

The Planning Commission, in its discretion, may request public input on this application prior to acting on the application. If public input is requested, public comment will be limited to three minutes per person.

Greater Salt Lake Municipal Services District Planner Shad Cook provided an analysis of the Staff Report.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Calvin Child

Address: 7234 West Sidney Circle

Comments: Mr. Child said he will comply with the setback requirements mentioned at 25 feet. Outlined in the plat of lot 2 is vacant and intention is to put single-family home and utilize the property for that purpose as his primary personal residence. Other property is parents' home and will remain untouched.

Commissioner VanRoosendaal motioned to open the public meeting, Commissioner Elieson seconded that motion.

Speaker # 2: Citizen

Name: Lara Burrows

Address: 3330 South 7200 West

Comments: Ms. Burrows said she is grateful to see not traditional. Land is being used and knows the applicant and family. Recommend approval and good use for the land and won't sit vacant.

Commissioner Elieson motioned to close the public meeting, Commissioner VanRoosendaal seconded that motion.

PUBLIC PORTION OF MEETING CLOSED

Motion: To approve application #SUB2020-000078 Preliminary Plat approval for a proposed 2-Lot Subdivision with staff recommendations.

Motion by: Commissioner Elieson

2nd by: Commissioner VanRoosendaal

Vote: Commissioners voted unanimous in favor (of commissioners present)

(Recommended Continuation to August 12, 2021) - 25340 – Rescheduled hearing pursuant to Magna Code, Section 19.84.100, for the revocation of the Conditional Use Permit issued on March 31, 2010 for the property located at 8840 West Magna Main Street, Magna, Utah, 84044 more particularly described as Salt Lake County Parcel 14-19-479-022-0000 due to failure to comply with the terms of the aforementioned Conditional Use Permit. Magna and the Permit holder may present evidence, witnesses, and cross-examine witnesses. Following the presentation of evidence, the Planning Commission may suspend, revoke, or take

other action relating to the Conditional Use Permit. Failure to of the Permit Holder to appear at the hearing may result in the suspension or revocation of the Conditional Use Permit. **Presenter:** Clayton Preece and Ethan Smith, Smith Hartvigsen PLLC. (Motion/Voting)

The Planning Commission, in its discretion, may request public input on this application prior to acting on the application. If public input is requested, public comment will be limited to three minutes per person.

Motion: To continue hearing pursuant to Magna Code, Section 19.84.100, for the revocation of the Conditional Use Permit issued on March 31, 2010 to the August 12th meeting.

Motion by: Commissioner VanRoosendaal

2nd by: Commissioner Elieson

Vote: Commissioners voted unanimous in favor (of commissioners present)

Commissioner Lockwood motioned to adjourn.

MEETING ADJOURNED

Time Adjourned – 7:08 p.m.



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Case# REZ2021-000363

Rezone Summary and Recommendation

Public Body: Magna Planning Commission

Meeting Date: August 12, 2021

Parcel ID: 14-21-200-034-0000

Current Zone: A-20

Proposed Zone: M-2 (Manufacturing)

Property Address: 7581 West 2100 South

Request: Rezone

Applicant Name: Scooter Hammer (Owner: Whitaker Construction)

MSD Planner: Diana Martinez

MSD Planning Staff Recommendation: Approval with zoning conditions

PROJECT DESCRIPTION

The applicant, Scooter Hammer (Owner: Whitaker Construction) is requesting a rezone from A-20 (Agricultural) to M-2 (Manufacturing – Heavy Industrial). The subject property is approximately 17.56 acres and is currently vacant land.

The applicant is proposing an office/warehouse subdivision on the property, which would include three lots ranging from 3.79 acres to 7.76 acres in size.

SITE & VICINITY DESCRIPTION (see attached map)

The subject property is located on 2100 South at approximately 7581 West. Many of the properties in this area are currently zoned for manufacturing and or have industrial uses on them.

The properties to the north, the west and the east are all zoned M-2, and currently have industrial uses on them. The Magna Water District facility is northwest of the subject property.

GENERAL PLAN CONSIDERATIONS

The new Magna General Plan was adopted on March 23, 2021. As per Magna's General Plan, the future land use concept map shows the property within in the "industrial boundaries" of the Municipality between SR-201 and 1-80 corridors. Industrial uses include manufacturing, warehouse and distribution and resource extraction/processing uses.

ZONE CONSIDERATIONS

Requirement	Existing Zone A-20	Proposed Zone M-2
Height	No structure shall exceed a height equal to the distance between such structure and the nearest property line of the parcel	No height restrictions
Front Yard Setback	50 feet measured from r-of-way line	20 feet from street
Side Yard Setback	20 feet	none
Rear Yard Setback	50 feet	none
Lot Width	200 feet	none
Lot Area	20 acres	1 acre =conditional use

Compatibility with existing buildings in terms of size, scale and height.	n/a
Compliance with Landscaping Requirements Verified.	n/a
Compliance with the General Plan.	yes

ISSUES OF CONCERN/PROPOSED MITIGATION

No issues of concern have been identified for the proposed rezone.

NEIGHBORHOOD RESPONSE

Notices were sent to the property owners within 300' of the subject property. No responses have been received by the MSD at the time of writing this report.

PLANNING STAFF ANALYSIS

19.90.060 Conditions to Zoning Map Amendment

1. *In order to provide more specific land use designations and land development suitability; to insure that proposed development is compatible with surrounding neighborhoods; and to provide notice to property owners of limitations and requirements for development of property, conditions may be attached to any zoning map amendment which limit or restrict the following:*
 1. *Uses;*
 2. *Dwelling unit density;*
 3. *Building square footage;*
 4. *Height of structures.*
2. *A zoning map amendment attaching any conditions set forth in subsection A shall be designated ZC after the zoning classification on the zoning map and any such conditions shall be placed on record with the planning commission and recorded with the county recorder.*
3. *In the event any zoning condition is declared invalid by a court of competent jurisdiction, then the entire zoning map amendment shall be void. Any deletion in or change to zoning condition shall be considered an amendment to the zoning ordinance and shall be subject to the requirements of this chapter.*

HISTORY

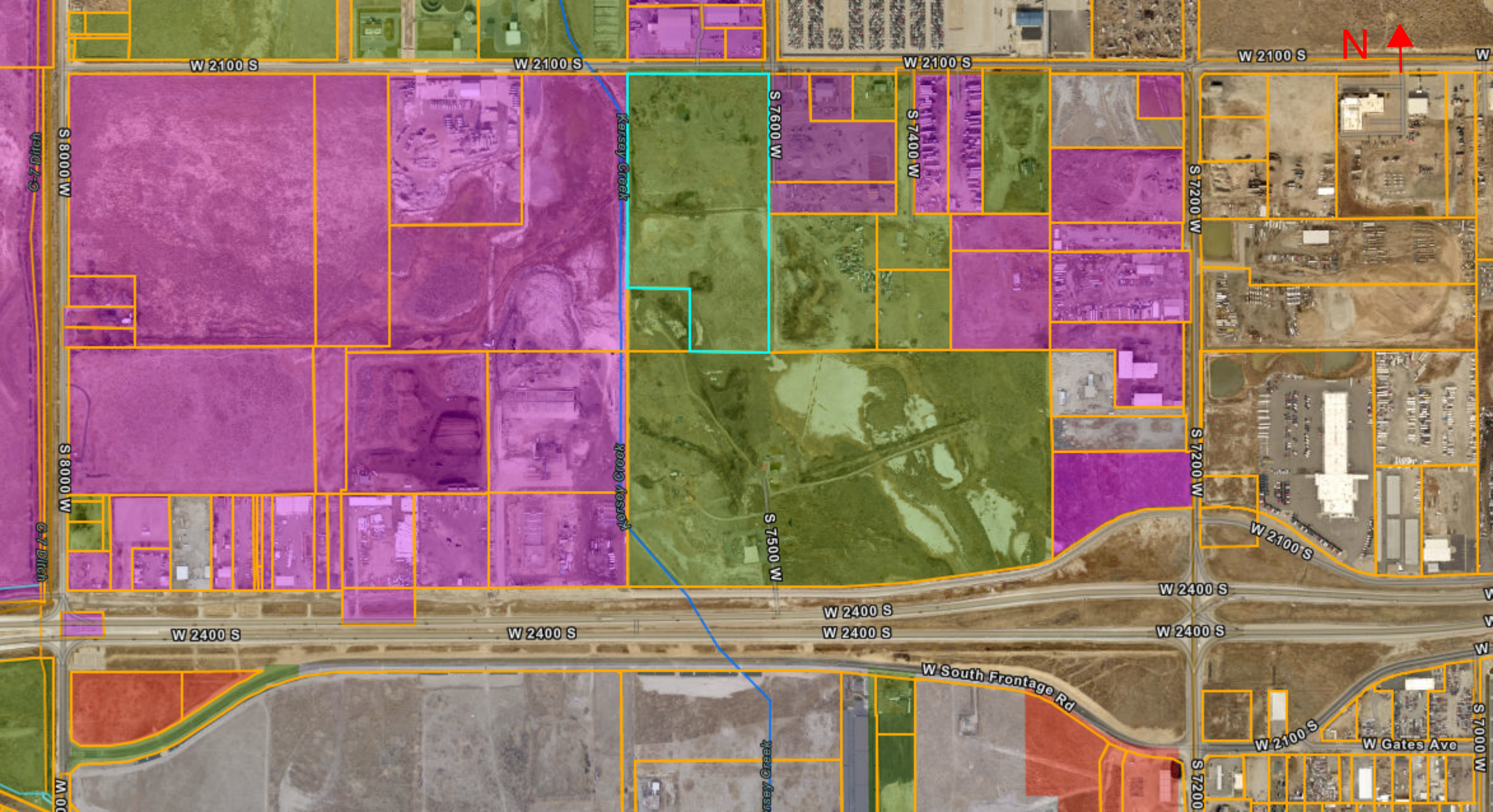
Adopted by Ord. 17-01-03 on 1/17/2017

PLANNING STAFF RECOMMENDATION

The MSD Planning Staff recommends that the Magna Planning Commission forward a positive recommendation to the Magna Council for approval of the proposed rezone of property from A-20 to M-2, for the subject property located at 7581 West 2100 South, with the following zoning conditions:

1. The following permitted uses are prohibited from being placed on the property:
 1. Agriculture
 2. Cook Ovens
 3. Impound lot
 4. Motor vehicles, trailers, bicycles and machinery assembling, painting, upholstering, rebuilding, repairing, rentals, sales and reconditioning
 5. Outdoor chemical toilet rentals
 6. Sandblasting
 7. Tire retreading and/or vulcanizing
 8. Used car lot
2. The following conditional uses are prohibited from being placed on the property:
 1. Airport
 2. Daycare/preschool center
 3. Drag strip racing
 4. Incinerator
 5. Junkyard
 6. Lumberyard
 7. Metals crushing for salvage; metals and metal products treatment and processing
 8. Petroleum refining and storage

9. Planing mill
10. Planned Unit Development
11. Railroad yards, shop and/or roundhouse
12. Rock crusher
13. Sanitary landfill
14. Single family dwelling
15. Animal byproducts plants; offal or dead animal reduction or dumping
16. Blast furnace
17. Fat rendering
18. Garbage
19. Gravel pits; quarries; mines
20. Manufacturing, processing, refining, treatment, distillation, storage or compounding of the following: acid, ammonia, asphalt, bleaching powder and chlorine, bones, chemicals of an objectionable or dangerous nature, coal or wood, creosote, disinfectants or insecticides, fireworks or explosives, furs, gas, gelatin or size, glue, hides, ore, plastic, tallow, grease or lard, potash, pyroxylin, roofing or waterproofing materials, rubber or gutta-percha, tar and wool.
21. Ore beneficiation
22. Smelting or refining
23. Steel or iron mill
24. Stockyards



W 2100 S

W 2100 S

W 2100 S

W 2100 S

W

C-7 Ditch

S 8000 W

Kersey Creek

S 7600 W

S 7400 W

S 7200 W

N



S 8000 W

C-7 Ditch

Kersey Creek

S 7500 W

S 7200 W

W 2100 S

W 2400 S

W 2400 S

W 2400 S

W 2400 S

W 2400 S

W 2400 S

W South Frontage Rd

W 2100 S

W Gates Ave

W 1000 W

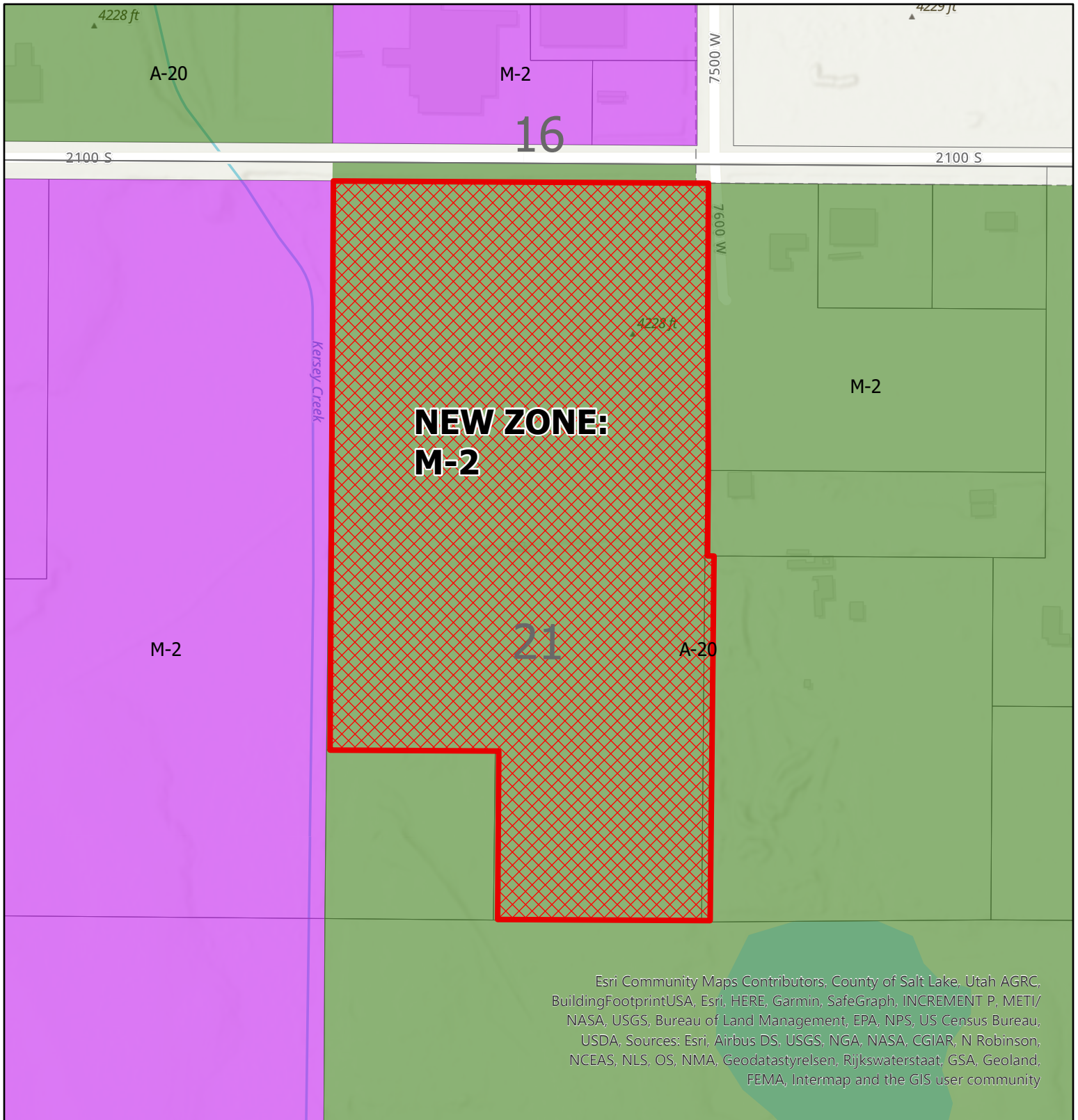
Kersey Creek

S 7200 W

S 7000 W



ZONING CHANGE | Magna



Application #: REZ2021-000363

Created for office use on:
7/13/2021 1:16 PM
by: TH
drawn by: TH

Zone Changed FROM: A-20 TO: M-2





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Case#: CUP2021-000283

Conditional Use Summary and Recommendation

Public Body: Magna Township Planning Commission

Meeting Date: August 12, 2021

Parcel ID: 14-32-227-015-0000, 14-32-227-016-0000, 14-32-227-017-0000 & 14-32-227-018-0000

Current Zone: C-2

Property Address: 3509 South 8150 West

Request: Conditional Use for a Restaurant with a Drive-Thru

Applicant Name: Panda Express (Rep. Xavier Gavin)

MSD Planner: Diana Martinez

MSD Planning Staff Recommendation: Approval with conditions

PROJECT DESCRIPTION

The applicant, Panda Express (Rep. Xavier Gavin) is requesting a conditional use approval for a restaurant with a drive-thru. The proposed restaurant will also include a dining room for customers who want to dine on-site.

The site is .99 acres in size and will include 41 parking spaces.

SITE & VICINITY DESCRIPTION (see attached map)

The property is located along 3500 South at approximately 8150 West, within the commercial corridor between 8000 West and 8400 West. The properties to the north, west and east are all zoned commercial C-2. The property to the south is zoned agricultural A-1 and has a single-family dwelling on it.



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GENERAL PLAN CONSIDERATIONS

The new Magna General Plan was adopted on March 23, 2021. As per Magna’s General Plan, the subject properties are located where there should be encouragement of development and redevelopment this area at 8400 West and 3500 South is the commercial core of Magna. To capture existing and future retail demand additional retail, restaurant, service, and residential uses should occur in this area. Evaluation of current utilization of properties in the area and creation of an appropriate mixed-use zoning tool will aid in the transformation of this area.

ZONE CONSIDERATIONS

Compliance with the General Plan.	Yes
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Requirement	Current Zone C-2
Height	Not to exceed six stories or seventy-five feet.
Front Yard Setback	20 feet
Side Yard Setback	*20 feet-- on corner lots the side faces on a street shall not be less than 20’ *10’ on the side of the building adjacent to a residential property
Rear Yard Setback	*Corner lots which rear upon the side yard of another lot in a residential zone a minimum rear yard shall be 10’.
Lot Width	None
Lot Area	None

ISSUES OF CONCERN/PROPOSED MITIGATION

Main item of concern with the proposed site plan is the parking shown in the northeast corner of the parking lot. Ordinance does not restrict the layout of the parking spaces. These spaces will most likely be blocked by the vehicles in the drive thru. To keep the spaces, the applicant has labeled the spaces specifically for employee parking.



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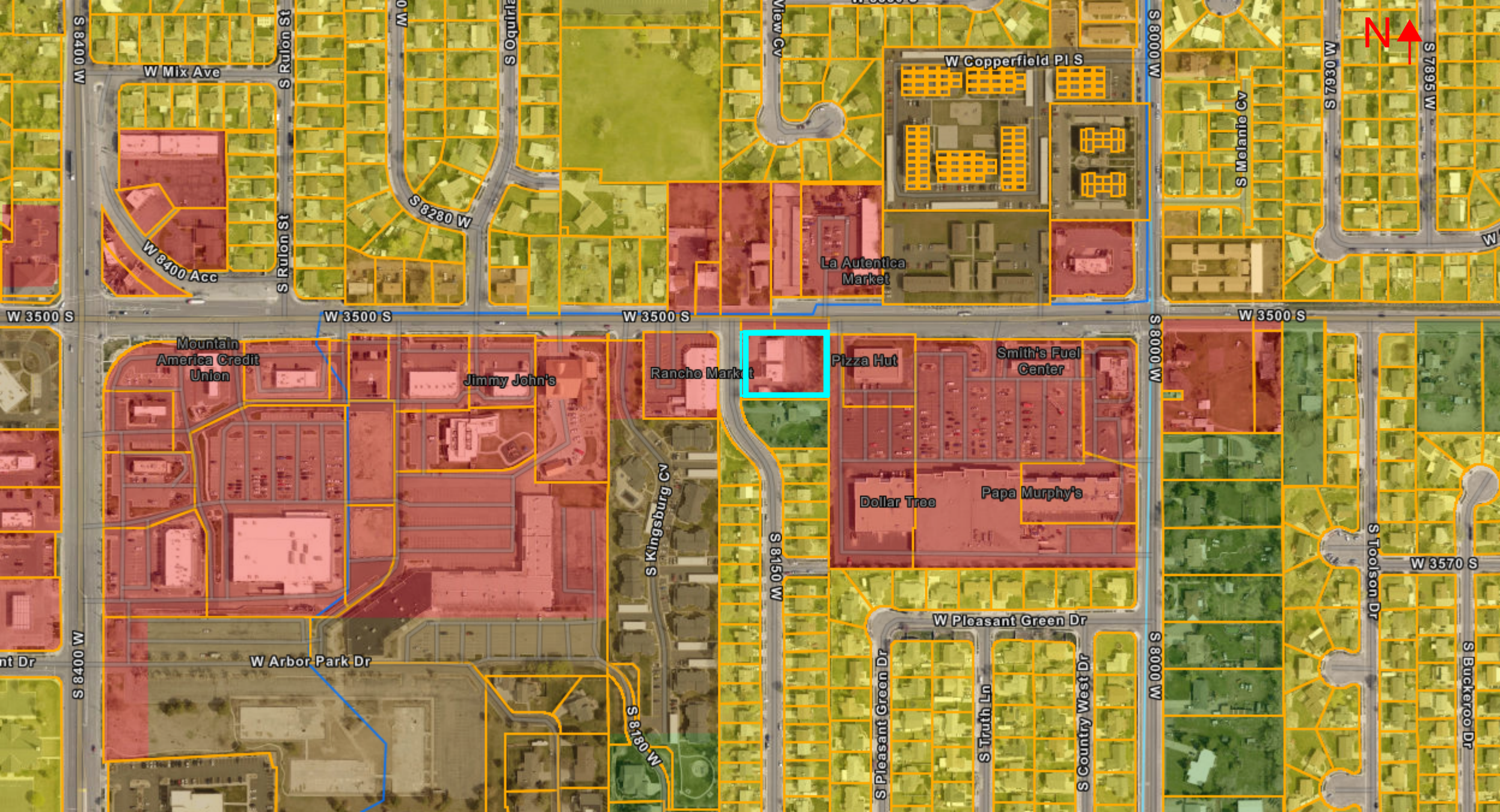
NEIGHBORHOOD RESPONSE

Notice has been sent to all property owners within 300' of this project. No neighborhood response has been received by the MSD as of the writing of this report.

PLANNING STAFF RECOMMENDATION

The MSD Planning Staff recommends that the Magna Metro Township Planning Commission grant preliminary approval for the Conditional Use with the following conditions:

- 1. That the applicant completes the technical review process with staff and agency reviewers.**
- 2. That the applicant to provide a complete final landscaping plan for Staff to review for final approval.**
- 3. That the applicant complies with the requirements of staff and the reviewing agencies.**
- 4. That the applicant install a 6' high solid visual barrier fence made of wood, masonry or other material designated by the Planning Commission, along the south property line of this property.**
- 5. That the applicant pays all final engineering fees, and posts improvement and landscaping bonds prior to the final approval of Land Use being given.**
- 6. That the applicant plan for the daily trash pick up to be done before or after restaurant hours.**
- 7. That the applicant specifically label the parking spaces in the northeast corner of the parking lot as employee parking spaces.**



S 8400 W

W Mix Ave

S Rulon St

S 8280 W

S Oquirrh

View Cv

W Copperfield Pl S

S 8000 W

S Melanie Cv

S 7930 W

S 7895 W

W 8400 Acc

La Autentica Market

W 3500 S

W 3500 S

W 3500 S

W 3500 S

Mountain America Credit Union

Jimmy John's

Rancho Market

Pizza Hut

Smith's Fuel Center

Dollar Tree

Papa Murphy's

S 8400 W

W Arbor Park Dr

S 8180 W

S Kingsburg Cv

S 8150 W

W Pleasant Green Dr

S 8000 W

S Pleasant Green Dr

S Truth Ln

S Country West Dr

S Toolson Dr

W 3570 S

S Buckeroo Dr



Shell
Regular 2.69
Premium 2.99

NEVER PAY FULL PRICE AGAIN!

MART

W 3500 N



8150 W

2.39

STOP



PANDA EXPRESS, INC.
1683 Walnut Grove Ave.
Rosemead, California
91770
Telephone: 626.799.9898
Facsimile: 626.372.8288

All ideas, designs, arrangement and plans indicated or represented by this drawing are the property of Panda Express Inc. and were created for use on this specific project. None of these ideas, designs, arrangements or plans may be used by or disclosed to any person, firm, or corporation without the written permission of Panda Express Inc.

REVISIONS:

ISSUE DATE:

DRAWN BY: WTG

PANDA PROJECT #: S8-22-D8492
PANDA STORE #: -
ARCH PROJECT #: 21044.003

hckloverarchitect
8813 PENROSE LANE, SUITE 400
LENEXA, KS 66219
ph: 913.649.8181 • fx: 913.649.1275

PANDA EXPRESS
TRUE WARM & WELCOME
3509 SOUTH 8150 W.
MAGNA, UTAH 84055

CONCEPTUAL SITE PLAN

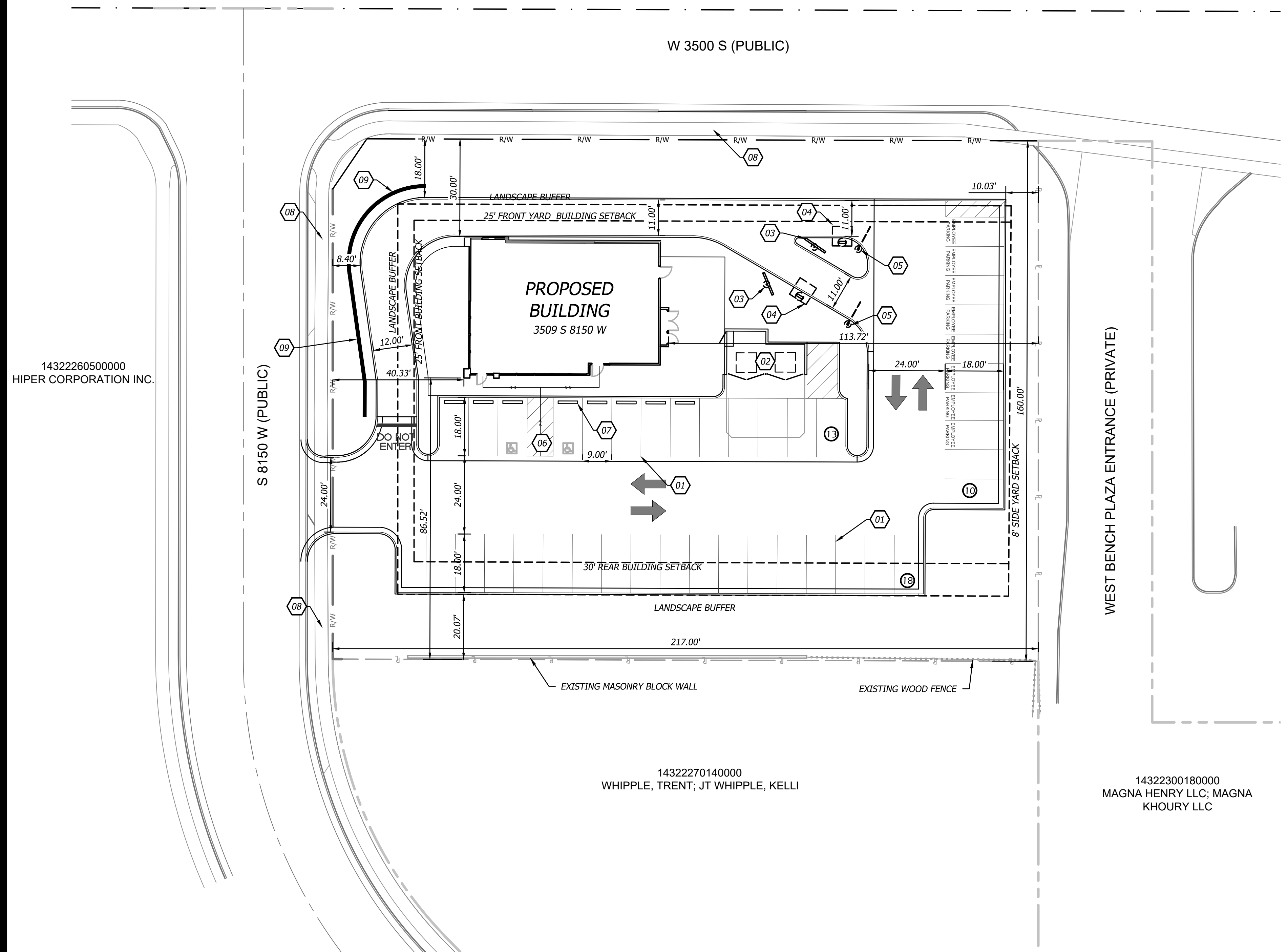
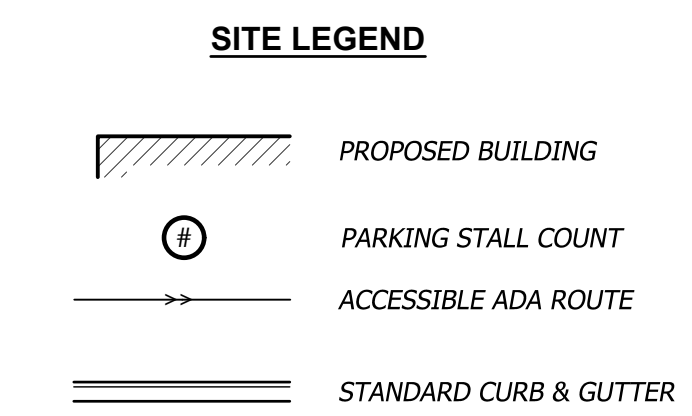
C1

TRUE WARM & WELCOME 2300 R5

SITE DATA

<u>SITE</u>	
SITE AREA:	0.8 AC
<u>BUILDING</u>	
BUILDING AREA:	2,300 SF
<u>PARKING</u>	
PARKING PROVIDED:	39 STANDARD 2 HANDICAP

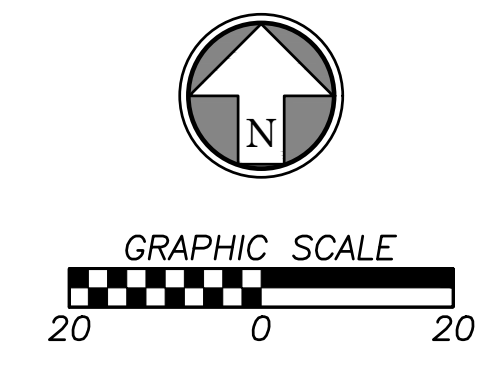
- CONSTRUCTION NOTES**
- 01 LEAD FREE, WATER-BORNE EMULSION BASED WHITE TRAFFIC PAINT FOR PARKING LOT STALL STRIPING (TYP.).
 - 02 DUMPSTER AND SCREENING ENCLOSURE. SEE ARCHITECT'S PLANS
 - 03 MENU BOARD. SEE ARCHITECT'S PLANS
 - 04 SPEAKER BOX. SEE ARCHITECT'S PLANS
 - 05 DRIVE THRU CLEARANCE BAR. SEE ARCHITECT'S PLANS
 - 06 ADA PARKING AREA. 2% MAXIMUM SLOPE IN ANY DIRECTION.
 - 07 RUBBER WHEEL STOPS
 - 08 CONCRETE SIDEWALK
 - 09 DECORATIVE WALL



14322260500000
HIPER CORPORATION INC.

14322270140000
WHIPPLE, TRENT, JT WHIPPLE, KELLI

14322300180000
MAGNA HENRY LLC; MAGNA
KHOURY LLC



BHC
CIVIL ENGINEERING / SURVEYING / UTILITIES
7101 College Blvd., Suite 400
Overland Park, Kansas 66210
p. (913) 663-1900 f. (913) 663-1633
BHC is a trademark of Brueggemann Hironaka & Company, P.A.

Jul 09, 2021 - 2:41pm Plotted By: kurt.roeder V:\026600-pande-express-master\2018\026600.25-master\04-DMG\Exp\Sheet\026600.25-SITE-SITE.dwg Layout: Site Plan



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File # 30804

Conditional Use Summary and Recommendation

Public Body: Magna Township Planning Commission

Meeting Date: August 12, 2021

City Works #: CUP2020-000038

Parcel ID: 14-32-201-066-0000

Current Zone: C-2 & R-M (Commercial and High-Density Residential)

Property Address: 8291-8315 W. 3595 So.

Request: Approval of a Shared Parking Schedule; Modification in the Size of the Retail and Restaurant Uses; approval of two pavilions associated with the Conditional Use for a Mixed Use Project

Applicant Name: Truong Properties (Representative Kyle Kite)

MSD Planner: Diana Martinez

MSD Planning Staff Recommendation: Approval with conditions

PROJECT DESCRIPTION

This application came to the Planning Commission on June 13, 2021 for a Conditional Use review for mixed uses of retail, restaurant, and multifamily apartments. Preliminary approval was given for the following:

1. A Retail pad in the northwest corner of the property along 8400 West. The proposed building size was 2,932 square feet.
2. A Restaurant (Drive-Thru included) in the southwest corner of the property along 8400 West. The proposed building size was 2,355 square feet.
3. 192 apartments located in the interior portion of the property -at 26 units per acre. Four buildings in total, three at 5 stories, and one building at 4 stories.

The applicant, Kyle Kite, is now asking for approval of a Shared Parking Schedule to meet the parking space requirements for the retail pad, restaurant pad, as well as approval of two pavilions near the center of the apartment complex -that were not previously included.

They have reduced the proposed building footprint in an attempt to meet the parking requirements. The new proposed retail building size is 2,400 square feet, and the restaurant is now proposed at 1,700 square feet. The number of spaces required would be ten spaces for the retail building and 34 spaces for the restaurant. The applicant is proposing a Shared Parking Schedule which would have both uses sharing a total of 34 spaces. This is a reduction of ten parking spaces.

SITE & VICINITY DESCRIPTION (see attached map)

The property is located along the 8400 West, near the intersection of 3500 South. Surrounding land uses to the north and west are zoned commercial. Land use and zoning to the east and southeast of the property is residential.

NEIGHBORHOOD RESPONSE

Noticing of this meeting was sent out to property owners within 300' of the subject property. No response has been received by Staff at the time of this staff report.

ISSUES OF CONCERN/PROPOSED MITIGATION

In order for the retail pad and the restaurant pad to share parking, a crosswalk is needed over the private roadway (Arbor Park Road) to create a safer connection between the two uses for residents and pedestrians. The applicant has agreed to put this improvement in place.

The applicant has mentioned several times that they plan to subdivide the property in order to sell the apartments and separate them from the retail & restaurant uses. Staff recommends that the retail and restaurant stay together as the applicant is asking for shared parking which require Planning Commission approval.

LAND USE CONSIDERATIONS

Parking requirements for Retail Stores:

Ordinance 19.80.040.A.22:

"Retail stores, shops, etc., except as provided in this subsection, one space for each two hundred fifty square feet of gross floor area;"

Parking requirements for Restaurant:

Ordinance 19.80.040.A.21:

"Restaurants or private nonprofit clubs, one space for each two and one-half seats or three spaces per one hundred square feet of floor area, whichever is greater;"

19.80.080 Shared Parking

- A. *Notwithstanding any other parking requirements provided in this chapter, when different land uses occupy the same or adjacent lot(s) in the R-M, C-1, C-2, C-3, C-V, M-1, M-2, MD-1, MD-3, or the O-R-D zones, the total number of off-street parking spaces required for each use (see Section 19.80.040 of this chapter) may be combined and shared upon approval as provided herein. A proposal for sharing of off-street parking shall be presented to the planning and development services division director for site plan review and approval. Conditional use applications which require planning commission approval, and for which shared parking is being proposed as part of the application, must have planning commission approval for the shared parking.*

- B. In determining the total requirements for shared parking facilities, the division director or planning commission shall use Table 19.80.080(a), set out below, according to the following guidelines:
1. For each applicable general land use category, calculate the number of spaces required for a use as if it were the only use (refer to the schedule of minimum off-street parking requirements).
 2. Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in the table (six time periods per use).
 3. For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods.
 4. Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.
- C. For uses not listed in Table 19.80.080(a), the division director shall determine the required parking for the six time periods.

Table

19.80.080(a)

General Land Use Category	Weekdays			Weekends		
	12:00 a.m.– 7:00 a.m.	7:00 a.m.– 6:00 p.m.	6:00 p.m.– 12:00 a.m.	12:00 a.m.– 7:00 a.m.	7:00 a.m.– 6:00 p.m.	6:00 p.m.– 12:00 a.m.
Office & Industrial	5%	100%	5%	0%	5%	0%
Retail	5%	100%	80%	5%	100%	60%
Restaurant	50%	70%	100%	70%	50%	100%
Hotel	100%	65%	100%	100%	65%	100%
Residential	100%	50%	80%	100%	75%	75%
Theater/entertainment	5%	20%	100%	5%	50%	100%
Place of worship	0%	30%	50%	0%	100%	75%

HISTORY

Adopted by Ord. [17-01-03](#) on 1/17/2017

19.80.090 Planning Commission Exceptions

Upon a finding by the planning commission that a proposed site plan is in harmony with the general plan of the community in which it is located and that effective tools have been employed in the creation of a transit oriented development, community re-development project, or walkable community project, the planning commission may reduce the number of required parking stalls for any proposed development. In approving any such reduction, the

planning commission may use such tools as: recommendations from the planning and development services staff a site-specific traffic study conducted by a qualified engineering firm, American Planning Association guidelines, Envision Utah guidelines, and/or Urban Land Institute guidelines.

HISTORY

Adopted by Ord. [17-01-03](#) on 1/17/2017

PLANNING STAFF RECOMMENDATION

The MSD Planning Staff recommends that the Magna Metro Township Planning Commission Grant Approval of a Shared Parking Schedule; a Modification in the Size of the Retail and Restaurant Uses; approval of two pavilions associated with the Conditional Use for Mixed Use Project with the following conditions:

1. The applicant must resubmit plans which includes a crosswalk between the retail pad and the restaurant pad that crosses Arbor Park Drive (3595 South).

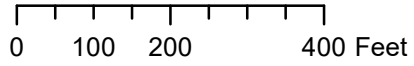
The applicant is required to comply with the original the Preliminary conditions of approval including:

1. That the applicant agrees to comply with the recommendations from all reviewing agencies.
2. That the applicant install a 6' high solid visual barrier wood, masonry or other material designated by the Planning Commission, along the property line around the residential apartment buildings.
3. The applicant will comply with the Development Standards for Recreation Facility and Open Space Standards making sure that the apartment complex has the required amount of recreation facilities and open space.
4. The applicant will submit a final Traffic Impact Study to UDOT for approval, showing that there will not be a detrimental impact on 8400 West due to this project at the requested or approved density.

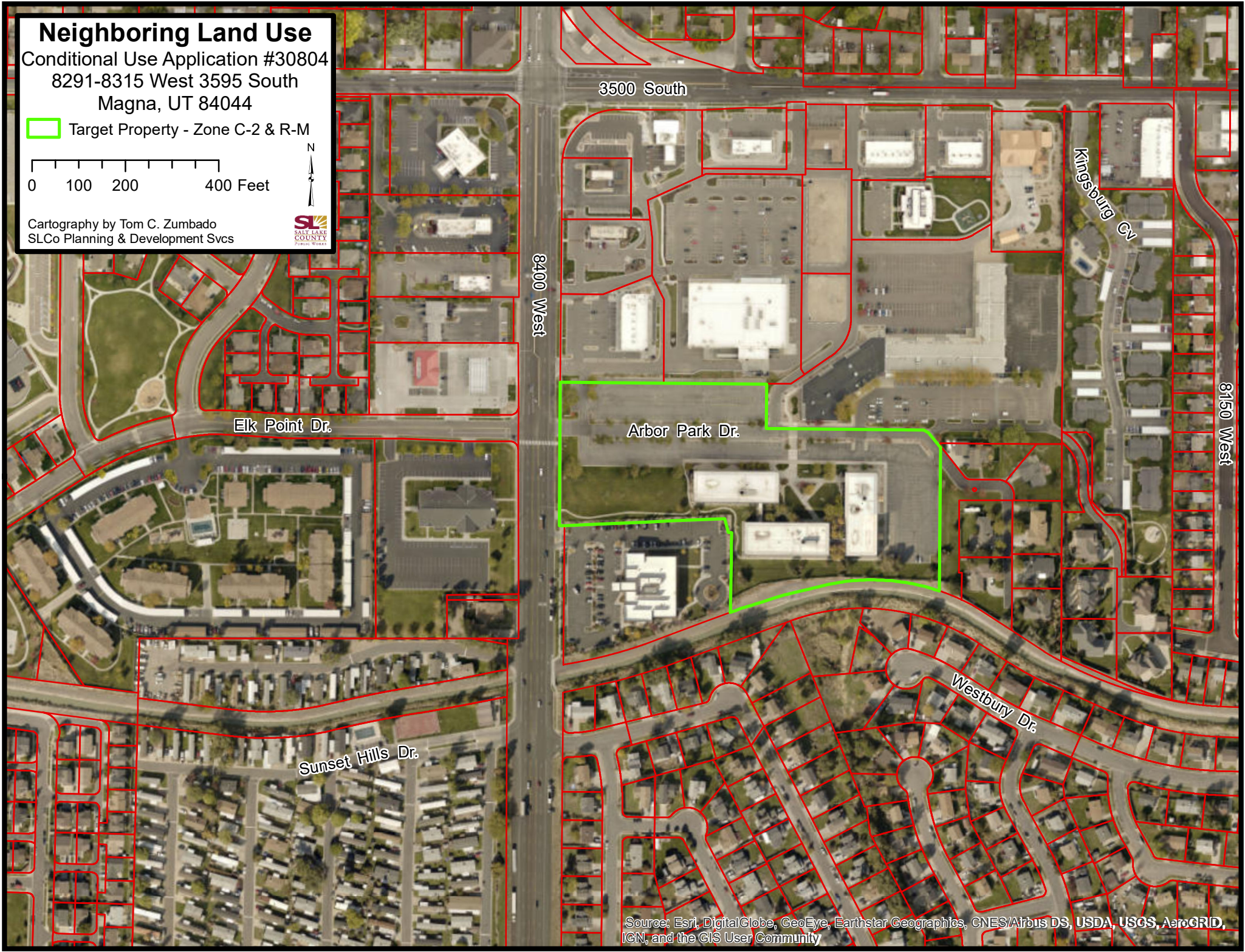
Neighboring Land Use

Conditional Use Application #30804
8291-8315 West 3595 South
Magna, UT 84044

 Target Property - Zone C-2 & R-M



Cartography by Tom C. Zumbado
SLCo Planning & Development Svcs



PROJECT BENCHMARK:
 2.5-INCH FLAT BRASS DISK RING/LID MONUMENT
 N1/4 COR. SEC. 32, T1S, R2W, SLB&M
 (SLCO MONUMENT POINT NAME 1S2W2902)
 ELEV. 4411.28

KEYNOTE LEGEND

- 1 TYPE E CURB & GUTTER (DETAIL A/D1.0)
- 2 TYPE A CURB & GUTTER (DETAIL A/D1.0)
- 3 RETAINING WALL (DETAIL E/D1.2, SEE GRADING PLAN)
- 4 4' SIDEWALK (DETAIL C/D1.0)
- 5 5' SIDEWALK (DETAIL C/D1.0)
- 6 6' SIDEWALK (DETAIL C/D1.0)
- 7 4' WATERWAY (DETAIL B/D1.0)
- 8 6' WATERWAY (DETAIL B/D1.0)
- 9 ADA PARKING STALL W/ CURB RAMP (DETAIL D/D1.1)
- 10 BIKE RACK, INVERTED U TYPE (DETAIL A/D1.2)
- 11 CONCRETE STAIRS W/ HANDRAILS (DETAIL E/D1.1)
- 12 DUMPSTER ENCLOSURE & PAD (DETAIL B/D1.2)
- 13 FENCING PER LANDSCAPE PLANS
- 14 15' AUTO GATES & 2'x30' ISLAND (DESIGN BY ARCH.)
- 15 FLARED DRIVE APPROACH (DETAIL D/D1.0)
- 16 HANDICAP RAMP W/ RET. WALL & HANDRAILS (DESIGN BY ARCH.)
- 17 PAVILION DESIGN (BY OTHERS)
- 18 CROSSWALK W/ CURB RAMPS EACH END (DETAILS A THRU C/D1.1)
- 19 2.5" ASPHALT ON 8" ROADBASE PER GEOTECH
- 20 3" ASPHALT ON 8" ROADBASE PER GEOTECH
- 21 STOP SIGN (R1-1) SIZE AS NOTED
- 22 PAINT STRIPING/SYMBOLS AS SHOWN (SEE NOTE 1)

CONSTRUCTION NOTES

1. PAINT STRIPING LINES SHALL BE THE FOLLOWING COLOR AND WIDTH, AND INSTALLED IN ACCORDANCE WITH THE UTAH MUTCD, CURRENT EDITION:
 LANE LINES: 4" SWL
 CENTER LINE: 4" DYL
 STOP LINES: 18" SWL
 CROSSWALK LINES: 12" SWL
 PARKING STALL LINES: 4" SWL

APPLICANT:
 TRUONG PROPERTIES
 1559 WEST 3860 SOUTH
 WEST VALLEY, UT
 CLIENT REP: RUSSELL PLATT
 PHONE: 801-580-0181

WARNING
 CALL BLUE STAKES



REVISIONS

NO.	DATE	DESCRIPTION

DRAWN: ATM
 DESIGNER: ATM
 REVIEWED: DIO
 JULY 2021
 PROJECT #
 20SM3521.10

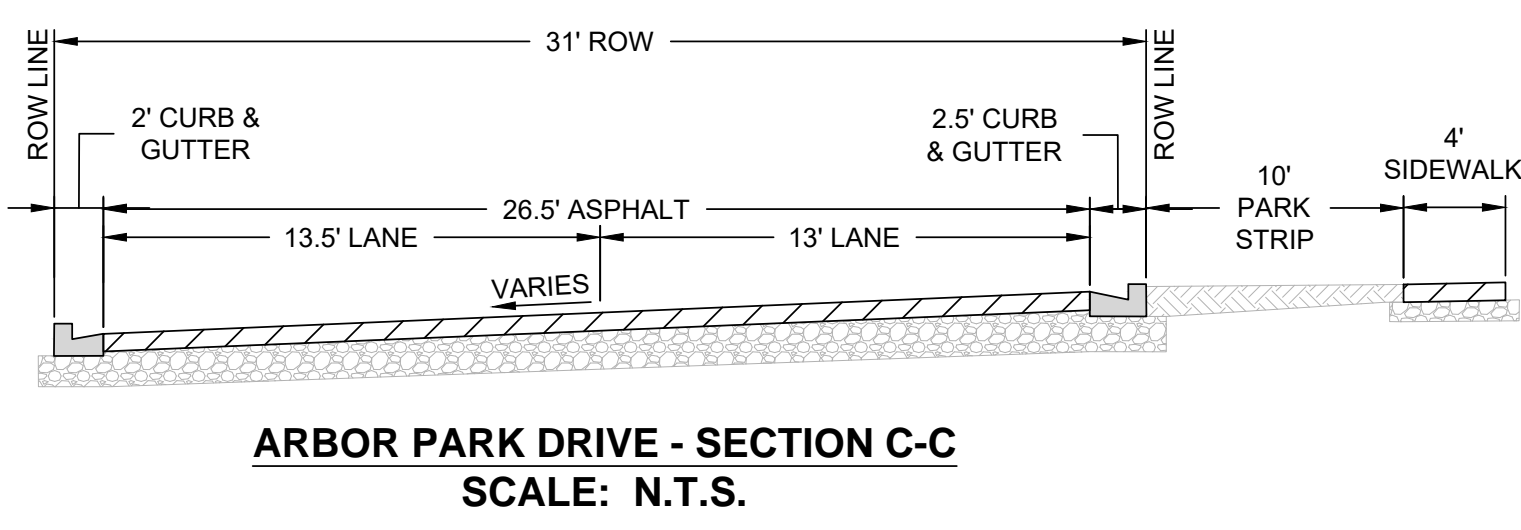
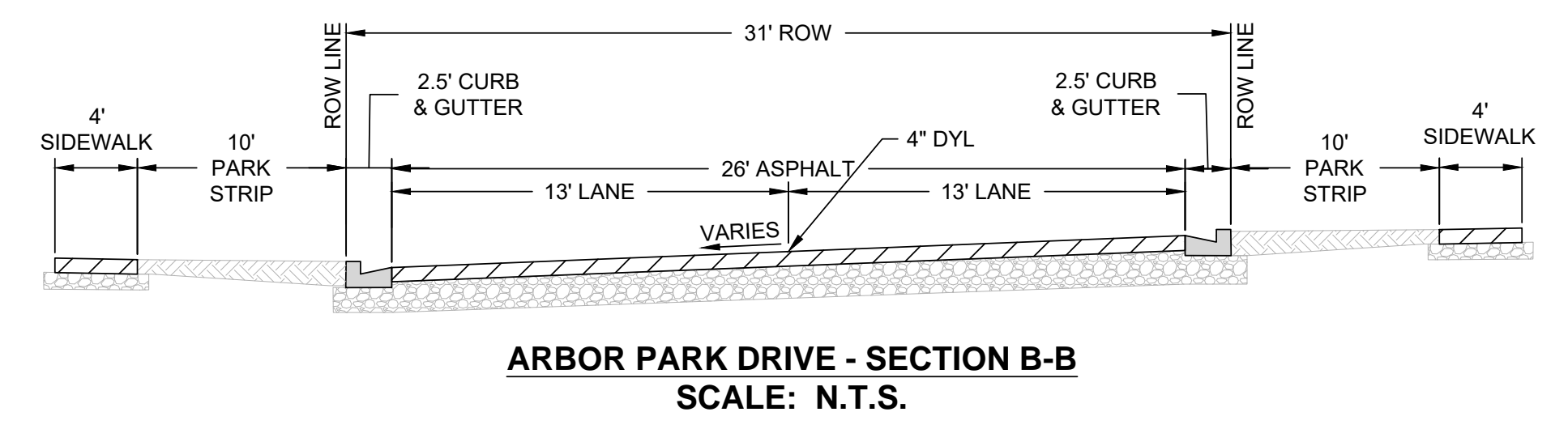
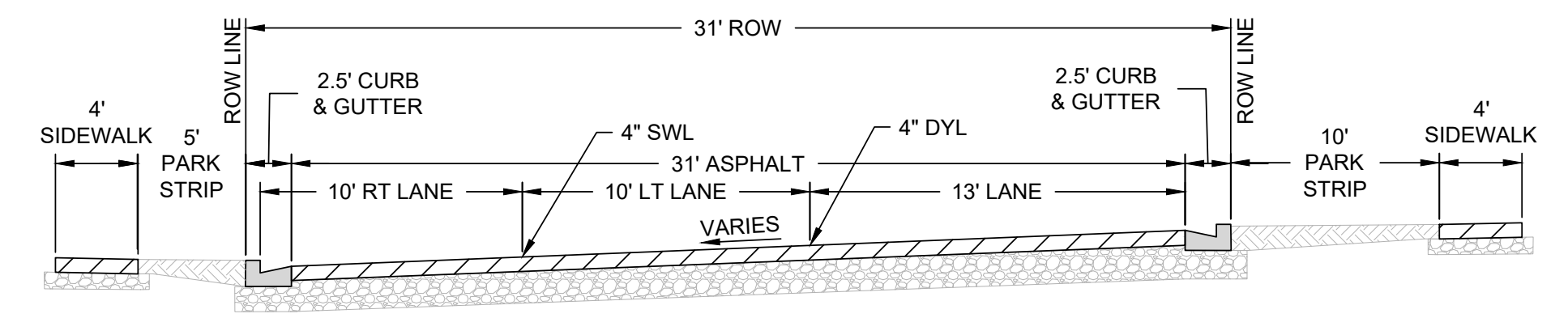
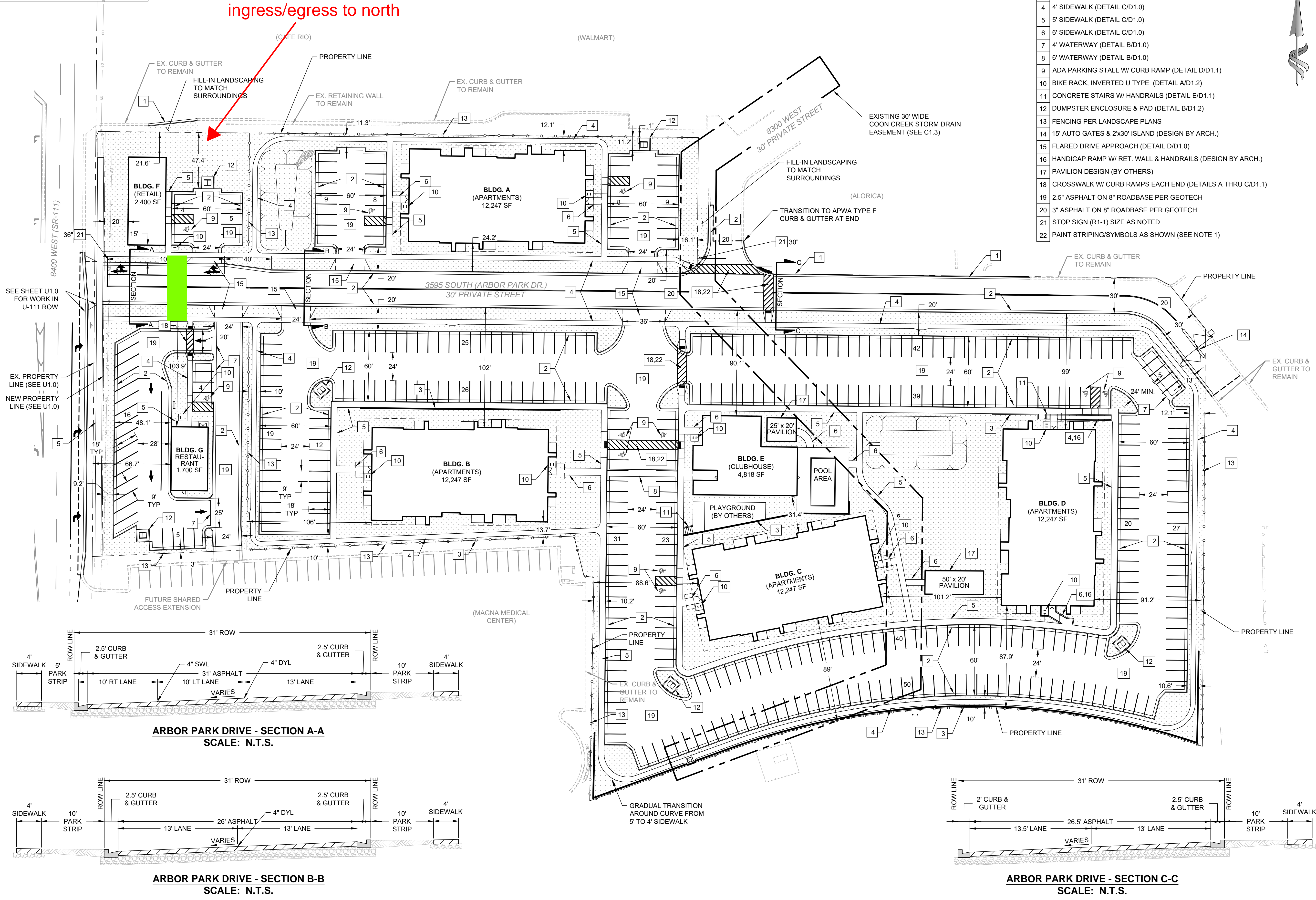


SCALES
 HORIZ: 1" = 40'
 VERT: N/A
 (24" x 36" SHEET)
 BAR SCALE MEASURES 1" ON A FULL SIZE SHEET, AS SHOWN FOR A HALF SIZE SHEET

PROJECT NAME:
ARBOR PARK APARTMENT COMPLEX (PERMIT #30804)

SHEET TITLE:
SITE PLAN

PLAN SET: PERMIT
SHEET NO.: C1.1



Shared Parking Calculations
 (Per Magna Township Ordinance 19.80.080)

	Floor Area (SF)	Spaces Req'd	Weekdays			Weekends		
			12am-7am	7am-6pm	6pm-12am	12am-7am	7am-6pm	6pm-12am
Retail	2400	10		100%			100%	
Restaurant*	1105	34		70%	100%		50%	100%
Residential	N/A							
Spaces needed for time period:			0	34	34	0	27	34
Total Parking Req'd:			44					
Total Shared Parking Req'd:			34 (Max. of any given time period)					

*Restaurant seating/guest area is estimated as 65% of the total building area (1700 SF) per our research of average values.