

Planning Commission Staff Report

File #16C23 / CUP-000339-2023

Public Hearing and Consideration of a Conditional Use and Site Plan Amendment to File #42C14, Redevelopment of the Legacy Plaza Shopping Center at approximately 1758 W. 5400 S. in Taylorsville, Utah.



Department of Community Development

Date:	July 6, 2023
Meeting Date:	July 11, 2023
Agenda Item:	Public Hearing and Consideration of a Conditional Use and Site Plan Amendment to File #42C14, Redevelopment of the Legacy Plaza Shopping Center at approximately 1758 W. 5400 S. in Taylorsville, Utah.
Subject Property Address:	1758; 1814; 1712; 1740 W. 5400 S.
Applicant:	Rolland Lee, RTLee Design
Author:	Jim Spung, AICP, Senior Planner
Parcel #:	21103790350000; 21103790320000; 21103790340000; 21103790310000; 21103790330000; 21103790260000; 21103790300000; 21103790290000; 21103790250000
Applicable Ordinances:	Including, but not limited to Chapters 13.23; 13.24; 13.25; 13.27; 13.28; 13.32; and 13.33.
Agenda Item #:	3

Attachments:

Exhibit A: Zoning Map
Exhibit B: General Plan Map
Exhibit C: Subject Property Aerial Image
Exhibit D: Subject Property Vicinity Map
Exhibit E: ALTA Survey
Exhibit F: Legacy Plaza at 54th Subdivision

Exhibit G: Existing Master Plan
Exhibit H: Proposed Civil Plans
Exhibit I: Proposed Landscape Plans
Exhibit J: Proposed Architectural Plans
Exhibit K: Site Photos - May 2, 2023
Exhibit L: Review comments June 30, 2023

Summary:

Rolland Lee, RTLee Design, on behalf of David Werts, Legacy Real Estate, is requesting Planning Commission review and approval of a conditional use permit and site plan amendment to File #42C14, related to the commercial master plan for the Legacy Plaza Shopping Center at approximately 1758 W. 5400 S. in Taylorsville, Utah.

The applicant's proposal includes the construction of two new commercial buildings on undeveloped land within the center (between the existing Planet Fitness building and Building D), as illustrated in Exhibits H, I, and J. Prior applications relevant to this request are listed below:

1. **Concept CUP Review:** PC review December 9, 2014 (File #42C14).
2. **Preliminary CUP Review:** PC review January 13, 2015 (File #42C14).
3. **Final CUP Review:** PC review May 12, 2015 (File #42C14).
4. **Preliminary Subdivision Plat:** PC review March 10, 2015 (File #2S15).
5. **Final Subdivision Plat:** Recorded September 6, 2016 (File #2S15).

Key changes proposed from the existing master site plan (Exhibit G) include:

- New drive-through pad adjacent to the western drive aisle;
- New nose-in parking along the south façade of building;
- Angled parking in lieu of 90-degree parking along drive aisle adjacent to existing Planet Fitness building; and
- New 90-degree parking along northern property line.

Site Description

The Legacy Plaza shopping center is approximately 19.19 acres and includes 8 lots within the "Legacy Plaza at 54th Commercial Subdivision," Exhibit F. The master plan area of the Legacy Plaza shopping center is approximately 8.22 acres and includes four separate parcels and five buildings as shown in Exhibit C. The property has direct vehicle access to 5400 S. as well as Redwood Road. Surrounding zoning designations are as follows:

North	South	East	West
Single-Family R-1-8	Regional Commercial (RC)	Community Commercial (CC)	Community Commercial (CC)

Salt Lake County tax records indicate there are two separate parcels (6A and 6B) within Lot 6. The creation of these parcels has not been reviewed or approved by Taylorsville City and will require a subdivision plat amendment.

General Plan Analysis

The Proposed Land Use Map in the General Plan sets the foundation for all land uses within the City of Taylorsville. The land use plan identifies general land use classifications and in some cases the intensity within the classification. Each land use classification on the Proposed Land Use Map corresponds with compatible classifications on the official Taylorsville Zoning Map.

The subject property is currently designated as "Regional Commercial" on the Proposed Land Use Map. The following statement describes the intent of the Regional Commercial designation (pg 3-4):

“The Regional Commercial (RC) designation is for those areas that contain large shopping centers of regional significance, such as the Family Center at Taylorsville located on Redwood Road. Properties that carry an RC classification commonly provide a wider array of services such as major department stores, specialty shops, and professional offices. Generally, RC districts serve an area within a 5 to 15 mile radius, which usually extends beyond the boundaries of Taylorsville. RC districts are usually located adjacent or near intersections of major transportation corridors.”

The applicant’s proposal for commercial development is consistent with the adopted policies and goals in the City’s General Plan.

Land Development Code Analysis

Section 13.23.240 of the LDC establishes general standards regulating planned center development.

“The planned center development standards are designed to ensure commercial or mixed-use establishments are planned, developed, and managed as a unified and contiguous unit. Planned centers shall be approved by the Planning Commission and comply with all development standards outlined in this Code and shall be consistent with the City’s General Plan. Planned centers shall have Codes, Covenants and Restrictions (CCR’s) that are specific to the center which are recorded with the property and consistent with the master plan. In addition to the development standards outlined in this Code, planned centers shall comply with the following requirements:

LDC Reference	Comments
13.23.240(A): Site Plan Review <i>A Master Development Site Plan for a planned center shall be reviewed and approved by the Planning Commission in conjunction with or prior to subdividing a property.</i>	STAFF’S ANALYSIS: This application is requesting an amendment to a previously approved master plan, (File #42C14). This item requires Planning Commission review and approval. STAFF RECOMMENDATION: None. DISCUSSION: None.
13.23.240(B): General Site Design <i>A planned center shall be designed as an integrated complex of leasable or individually owned spaces in a single building, group of buildings, or parcels.</i> <i>Regardless of ownership, a planned center site plan shall show the relationship and provide connectivity between all existing, proposed and future buildings and pads to parking facilities, pedestrian walkways, landscape areas, service entrances, roads, and abutting streets.</i>	STAFF’S ANALYSIS: The proposed site plan is included in Exhibit H. The site plan does not include proposed or future improvements on the west half the shopping center, this area is proposed to remain as-is. STAFF RECOMMENDATION: Staff recommends the master plan address proposed and future improvements in the entire center, including proposed vehicle circulation routes and updated striping to allow for safe travel throughout the center. Design Standards Manual Page 2.15: <i>“Parking lots should be designed with a hierarchy of circulation: major access drives with no parking; major circulation drives with little or no parking; and then parking aisles for direct access to parking spaces.”</i>

DISCUSSION: Does the proposed master plan adequately address existing, proposed, and future buildings and pads as outlined in the referenced code?

13.23.240(C): Architectural Design and Materials

The planned center, including all attached, detached, and/or freestanding pad buildings, shall have a consistent architectural theme compatible with the City of Taylorsville Design Standards.

Design Standards Manual (pg 3.2):
Franchise architecture (building designs that are prototypical or identifiable with a particular chain or corporation) shall be revised if the proposed building design does not conform with the Design Standards. Building architecture that does not comply will not be approved.

STAFF'S ANALYSIS: Proposed building elevations are included in Exhibit J. Proposed units B and D include some architectural elements from the existing architectural design theme of Buildings A-D; however, the majority of materials and colors are representative of national franchise design.

STAFF RECOMMENDATION: None.

DISCUSSION: Is the proposed building harmonious with the architectural design theme established in buildings A-D?

13.23.240(D): Landscape Design

A consistent landscaping design shall be developed for an overall planned commercial center that includes all pads and freestanding buildings.

Where a planned commercial center abuts a public street right of way, there shall be a minimum of at least fifteen feet (15') of landscaping along the perimeter, exclusive of required driveways.

STAFF'S ANALYSIS: The Proposed landscape plan is included in Exhibit I. The landscape plan does not include proposed or future improvements on the west half the shopping center and is proposed to remain as-is.

STAFF RECOMMENDATION: Staff recommends the master plan address proposed and future improvements in the entire center.

DISCUSSION: Does the proposed master plan adequately address existing, proposed, and future improvements as outlined in the referenced code?

13.23.240(E): Lighting

A consistent lighting plan and light design including light heights, standard design, and color as well as light intensity shall be established for an overall planned center.

STAFF'S ANALYSIS: Two new light poles are proposed adjacent to the existing Planet Fitness building to illuminate the new north/south drive aisle. Lighting on the balance of the site is proposed to remain unchanged.

STAFF RECOMMENDATION: Staff recommends the master plan address proposed and future improvements in the entire center, including lighting location and design.

DISCUSSION: Does the proposed master plan adequately address existing, proposed, and future improvements as outlined in the referenced code?

13.23.240(F): Signs

A sign theme, consistent with chapter 13.26 of this title, shall be submitted which requires approval from the planning commission at the time of review of a planned center that covers all signage on the site including all center identification signs as well as a theme for all tenant signs.

STAFF'S ANALYSIS:

The proposed tenant signage theme is included on the architectural elevations in Exhibit J. Center signage is existing and not proposed to change.

STAFF RECOMMENDATION: None.

DISCUSSION: None.

13.23.240(G): Grading, Drainage and Utilities
Grading, storm water drainage, and utilities in a planned center shall have an integrated design that addresses existing and proposed buildings and pads. Plan should allow for, where applicable, cross access easements and maintenance agreements.

STAFF'S ANALYSIS:

The Engineering Department, Taylorsville-Bennion Improvement District, and Unified Fire Authority (UFA) are coordinating with the applicant to ensure all grading, drainage, and utilities on the site meet minimum standards.

STAFF RECOMMENDATION: Staff will coordinate with the applicant during the final review process to ensure compliance with the referenced standards.

DISCUSSION: None.

13.24.080(B):
"Commercial retail sales and services"
5 spaces per 1,000 square footage of floor area

Exceptions: Reduction may be allowed by the planning commission for retail businesses and shopping centers over 80,000 square feet.

STAFF'S ANALYSIS: Minimum vehicle parking counts for the proposed buildings are summarized below:

Unit A = 10 per 1,000 sqft = 30 spaces

Units B-D = 5 per 1,000 sqft = 170 spaces

Total = 200 spaces, including 6 ADA stalls

The site plan includes 202 parking stalls within the bounds of the area identified as lot 6A. This complies with the parking standards in 13.24.080(B).

STAFF RECOMMENDATION: None.

DISCUSSION: None.

13.23.120(G):

All utility boxes, e.g., transformers, switch gear, telephone, cable TV, backflow preventers, etc., shall be shown on the site plan and utility plan and shall be placed a minimum of five feet (5') from any sidewalk or parking lot curbing. Said utility boxes shall not be located within any required traffic sight triangle(s), as determined by the city transportation engineer, and shall be screened from view with appropriate landscaping or architectural elements compatible in material and color with the primary structure. Each box shall be shown in its exact location and shall be noted with its exact height, width, and length.

STAFF ANALYSIS: The Engineering Department, Taylorsville-Bennion Improvement District, and Unified Fire Authority (UFA) are coordinating with the applicant to ensure all grading, drainage, and utilities on the site meet minimum standards.

STAFF RECOMMENDATION: Staff will coordinate with the applicant during the final review process to ensure compliance with the referenced standards.

DISCUSSION: None.

§13.23.070(A): Screening at Boundaries of Residential Districts
"For commercial and industrial developments abutting residential districts (except recognizable holding zones for future commercial or industrial development), an opaque masonry wall shall be installed and maintained along all district boundaries, other than streets, where the premises abut areas zoned for residential uses."

STAFF'S ANALYSIS:

The proposed plan is to retain the existing 6-foot precast concrete wall along the northern property line. There are several sections of the wall that have broken or are in need of repair. The applicant has agreed to make repairs and to maintain the fence as necessary.

STAFF RECOMMENDATION: Require applicant to repair/replace existing wall as needed.

DISCUSSION: None.

§13.23.170(B): Queuing Lane Design Standards
"Queuing lanes shall not be located adjacent to the primary pedestrian entrance nor block required back out areas for adjacent parking spaces unless there is no other alternative for location for the building and drive-through queuing lane(s) on the site."

STAFF'S ANALYSIS:

The building identified as "Unit A" on the site plan includes a drive-through/pick-up lane. The design of the proposed drive-through lane is adjacent to the primary pedestrian entrance (south façade) and is located between the building and the street (5400 S). This layout requires Planning Commission approval if it can be determined that no alternative design is possible.

STAFF RECOMMENDATION: None.

DISCUSSION: None.

Queuing lanes shall not be located between the building and the street unless there is no alternative for location of the building and queuing lane(s) on the site."

City Staff and review authorities will continue to work with the applicant to address outstanding review comments (Exhibit L) to ensure compliance with the Taylorsville Land Development Code and other applicable regulations. Construction and development activity is not permitted until all applicable permits/approvals have been secured by the applicant.

As provided in [Section 13.33.030](#)(D) and (E), the Planning Commission is authorized to grant preliminary non-administrative conditional use approval. Final review and decision of approval is granted by the Director, unless otherwise directed by the Planning Commission.

Public Comment

A public notice was sent to all affected entities and residents within 300 feet of the property on June 30, 2023. As of July 7, 2023, city staff has received two phone calls with residents inquiring for more information.

Findings

1. The application (File #16C23/CUP-000339-2023) was initiated by Rolland Lee, RTLee Design.
2. The applicant is requesting Planning Commission review and approval of a conditional use permit and site plan amendment to File #42C14, related to the commercial master plan for the Legacy Plaza Shopping Center.
3. The Legacy Plaza shopping center is 16.19 acres and is currently made up of 8 lots and 9 individual parcels (Parcel IDs: 21103790350000; 21103790320000; 21103790340000; 21103790310000; 21103790330000; 21103790260000; 21103790300000; 21103790290000; 21103790250000).
4. The applicant's proposal includes the construction of two new commercial buildings on undeveloped land within the center (between the existing Planet Fitness building and Building D), as illustrated in Exhibits H, I, and J.

5. Salt Lake County tax records indicate there are two separate parcels (6A and 6B) within Lot 6. The creation of these parcels has not been reviewed or approved by Taylorsville City and will require a subdivision plat amendment.
6. The subject property is in the Community Commercial (CC) zoning district.
7. The subject property is in the “Regional Commercial” designation in the City’s General Plan.
8. The applicant’s proposal is consistent with the City’s General Plan.
9. The application has been reviewed by City departments and review agencies. Prior to final approval, city staff and review agencies will continue coordinating with the applicant to address all outstanding review comments.
10. Specific development standards that merit further discussion and consideration from the Planning Commission have been listed in a table in the “Land Development Code Analysis” section of this report.
11. On June 30, 2023, a public notice was mailed to all affected entities and property owners within 300 feet of the subject property.
12. Section 13.23.240(A) of the Taylorsville Land Development Code (LDC) requires that prior to development in a shopping center, the Planning Commission review and approve a master plan. An approved master plan will inform future development applications for subsequent subdivision, conditional use, and site plan reviews.
13. Staff and review agencies have identified conditions of approval (listed below) to be considered by the Planning Commission.
14. The Planning Commission is the decision-making authority for preliminary non-administrative conditional use permit review. Final review authority is granted to the Director, unless otherwise directed by the Planning Commission.

Conditions of Approval

City Staff recommends the following conditions of approval be required for this application:

1. The applicant coordinate with city staff and reviewing agencies to address all outstanding review comments and to demonstrate compliance with applicable standards, prior to final approval.
2. The applicant submit an application for a subdivision plat amendment to divide existing Lot 6, or the applicant submit for a lot consolidation to combine the existing parcels 21103790350000 and 21103790340000.

Staff Recommendation

Staff recommends the Planning Commission approve File #16C23/CUP-000339-2023, a conditional use and site plan amendment to File #42C14, redevelopment of the Legacy Plaza shopping center at approximately 1758 W. 5400 S. in Taylorsville, Utah. as identified in Exhibits H, I, and J, subject to the findings and conditions outlined in this Staff Report.

Recommended Motion

I move that we approve File #16C23/CUP-000339-2023, a conditional use and site plan amendment to File #42C14, redevelopment of the Legacy Plaza shopping center at approximately 1758 W. 5400 S. in Taylorsville, Utah. as identified in Exhibits H, I, and J, subject to the findings and conditions outlined in this Staff Report.