

**TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: JUNE 15, 2011

AGENDA ITEM: Public Hearing - Ordinance # 11- 08 - Amending the Taylorsville Zoning Map from C-1/zc to C-1 (neighborhood commercial) on property located at 3225 West 4700 South.

PRESENTER: MARK MCGRATH

AUTHOR: DAN UDALL

ISSUE SUMMARY:

The applicant (Asanfar Joseph Ameen) has requested a zoning map amendment from C-1/zc to C-1 (neighborhood commercial) on property located at 3225 West 4700 South. Currently there is an automobile service station and a nonfunctioning accessory carwash on the property. At present the zc or zoning condition allows an automobile service station and an accessory carwash on the subject property. The applicant is requesting the City to eliminate the current zc or zoning condition on the property and allow any land use that is listed in the C-1 zoning ordinance. However, the reason why the applicant desires a zone change is because he is proposing a drive through restaurant on the subject property. A restaurant is a conditional use in the C-1 zone. An automobile service station and an automatic carwash are also uses that are listed in the existing C-1 zoning ordinance. Therefore, if the proposed zone change is approved these uses would be allowed on the property. The Planning Commission recommended to the City Council 6-0 in favor of the zone change application. The property is .63 acre and it is a corner lot.

The applicant is proposing to remodel the interior of the accessory carwash building into a drive through restaurant; therefore, eliminating the carwash. The applicant is also proposing a 32 square foot restaurant addition within the interior of the building. The footprint of the building is not proposed to be expanded. The restaurant will have food serving and storage areas. The applicant is not proposing any customer floor area so the restaurant will not require any additional parking stalls on the property. The restaurant and the automobile service station would be sharing parking stalls on the site. The size of the proposed restaurant is 220 square feet. Customer vehicles will be able to drive through the perimeter openings of the existing building to pick up their food order. A pedestrian walk up window also is proposed on the north side of the building. Staff needs to receive Salt Lake Valley Health Department approval before the restaurant is approved.

The applicant submitted a zone change application and a preliminary conditional use permit application simultaneously to the Planning Commission. The Planning Commission approved the preliminary conditional use permit; however, the Planning Commission attached the following condition to the preliminary conditional use permit application: "That if the preliminary conditional use is approved by the Planning Commission it cannot be validated until the City Council approves a zone change to allow the drive through restaurant to be located on the subject property."

The proposed zone change would allow a limited amount of commercial uses on the subject property. Additional commercial uses would be allowed on the subject property if the property was changed to a C-2 or C-3 zone. In staff's opinion the subject corner property seems to be appropriate for neighborhood commercial or the C-1 zone. In regards to generating traffic an

automobile service station is one of the most intense uses allowed in the C-1 zone. Therefore, other future uses approved on the site would be less intense. There are currently single-family homes located to the north, south and west. Commercial buildings are located to the east. Property located to the west and south is zoned R-1-6, property located to the east is zoned C-1 and C-2 and property located to the north is in West Valley City.

The site is master planned as "community commercial." The General Plan definition of community commercial is the following: "The community commercial (CC) classification includes uses intended to serve the needs of the community at large. Automobile service, retail, office, restaurant structure systems, or other influences would be allowed. The City of Taylorsville land use goals will be implemented in these areas with the adoption of Small Area Plans that remain consistent with the broad land use goals established by this General Plan."

Community commercial is normally associated with the C-2 zone. However, the C-1 zone is also appropriate with this master plan designation. In regards to commercial zoning the proposed C-1 zone designation seems to be the most appropriate because of the property location, access, the size of the lot, and single-family homes that are located to the south and west.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission has recommended **approval** to the City Council of the zone change from C-1/zc to C-1. The approval is based on the following findings:

1. That the subject property zoning designation from C-1/zc to C-1 seems to appropriate for the site. Allowing neighborhood commercial uses on the subject site seem to be appropriate.
2. That the C-1 zone will not be an adverse impact to the site and the surrounding properties.
3. That the C-1 zone is compatible with the community commercial general plan designation.

STAFF RECOMMENDATION: Staff recommends **approval** to the City Council of the zone change from C-1/zc to C-1. The approval is based on the above findings.

CITY ATTORNEY: N/A

Taylorsville, Utah
Ordinance No. 11-08

**AMENDING THE CITY OF TAYLORSVILLE ZONING MAP ON PROPERTY
LOCATED AT 3225 WEST 4700 SOUTH FROM C-1/ZC TO C-1.**

The City Council of Taylorsville, ordains as follows:

WHEREAS, on May 10, 2011 the Taylorsville Planning Commission has recommended approval to the City Council to reclassify certain property within the City from C-1/zc to C-1 (neighborhood commercial); and

WHEREAS, on May 29, 2011 a public notice regarding the proposed zone change was posted in the Salt Lake Tribune and the Deseret News; and

WHEREAS, on June 2, 2011 a public notice regarding the proposed zone change was posted in 3 different places within the City of Taylorsville boundaries; and

WHEREAS, the Taylorsville City Council met in regular session on June 15, 2011 to consider, among other things, reclassifying certain property in the City of Taylorsville; and

WHEREAS, after careful consideration and review, the City Council has determined that it is in the best interest in the health, safety and welfare of the citizens of Taylorsville to reclassify this property.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville City Council:

The City Council of Taylorsville, ordains as follows:

Section 1: Section 13.08.020, the Zoning Map of the City of Taylorsville, is hereby amended as follows: The property described in application 1Z11 located at 3225 West 4700 South, filed by Asanfar Joseph Ameen and located within the City of Taylorsville, is hereby reclassified from C-1/zc to C-1, on said property being described as follows:

Commencing 53 feet South and 33 feet West from the Northeast Corner of Section 8, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running thence West 165 feet; thence South 167 feet; thence East 165 feet; thence North 167 feet to the point of beginning.

Section 2: The map showing such change shall be filed with the City of Taylorsville Planning Commission in accordance with Section 13.06.110.

Section 3: This ordinance shall become effective immediately upon posting as required by law.

PASSED AND APPROVED this ___ day of June, 2011.

TAYLORSVILLE CITY COUNCIL

By: _____
Jerry Rechtenbach, Chairman

SEAL

VOTING:

D.L. "Bud" Catlin	Yea ___ Nay ___
Jerry Rechtenbach	Yea ___ Nay ___
Larry Johnson	Yea ___ Nay ___
Dama Barbour	Yea ___ Nay ___
Morris Pratt	Yea ___ Nay ___

PRESENTED to Mayor of City of Taylorsville for his approval this ___ day of June, 2011.

APPROVED this ___ day of June, 2011.

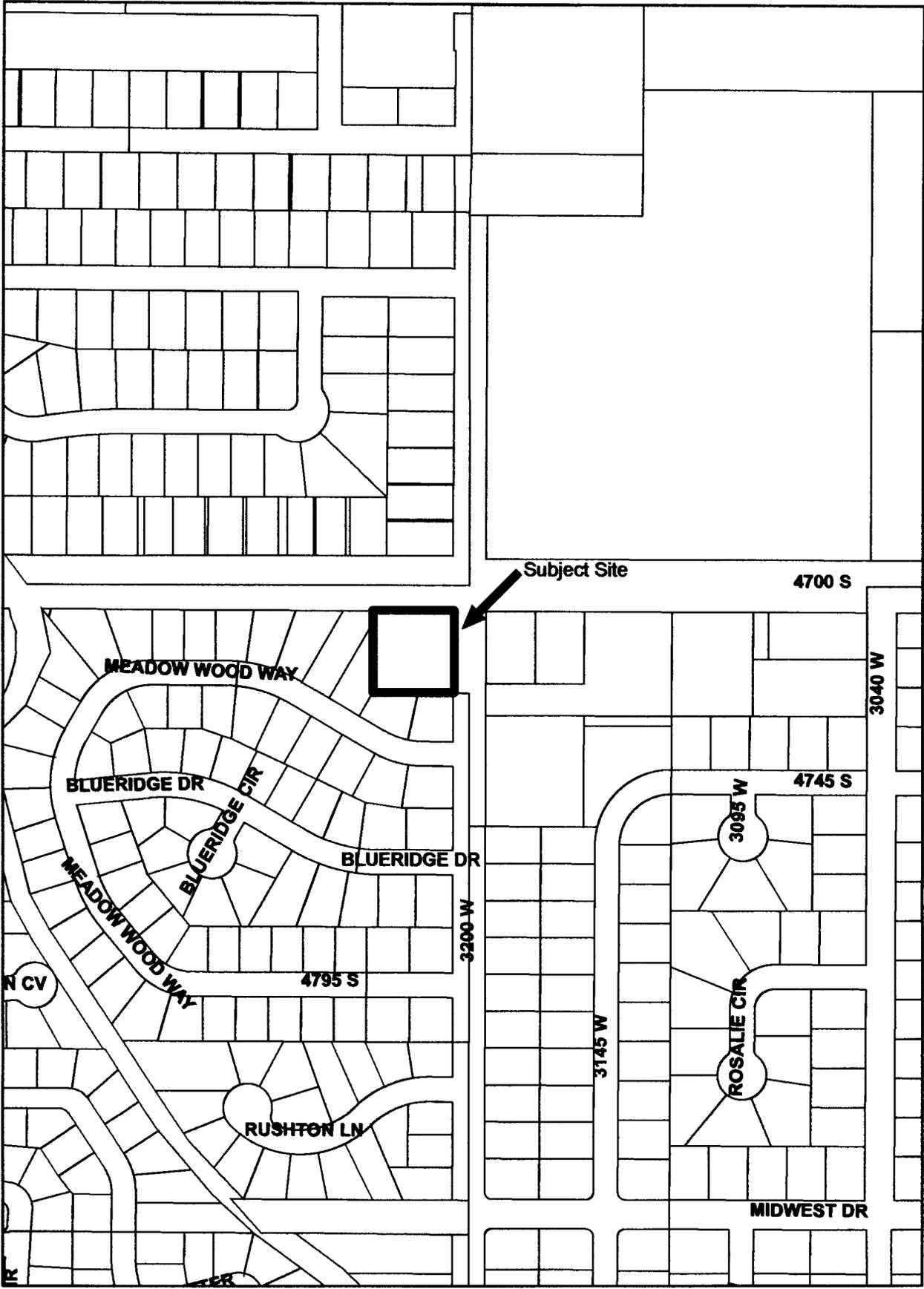
Russ Wall, Mayor

ATTEST:

Cheryl Cottle, Recorder

RECORDED this ___ day of June, 2011.

POSTED this ___ day of June, 2011.



City of Taylorsville

Community Development Department
2600 West Taylorsville Boulevard
Taylorsville, Utah 84118

Phone: (801) 963-5400 Fax: (801) 963-7891



ZONING AMENDMENT APPLICATION

PLEASE COMPLETE BOTH SIDES OF APPLICATION

Type of Application: Zoning Map Amendment
 Zoning Text Amendment

Subject Property Address: 3225 West 4700 South Taylorsville

Parcel Area: _____ Current Use: utah 84118

Parcel Identification (or Sidwell) Number: 21-08-22701-0000

Applicant Name: Asanfan Joseph Ameen

Mailing Address: 2824 West Ivory way

City, State, Zip: West Jordan Utah 84084

Daytime Phone #: (801) 916-8388 Fax #: (801) 972-8374

E-mail: _____

Business Name (if applicable): AMZ Petroleum INC.

Property Owners Name (if different): Asanfan Joseph Ameen

Mailing Address: 2824 West Ivory way

City, State, Zip: West Jordan Utah 84084

Daytime Phone #: (801) 916-8388 Fax #: (801) 972-8374

Describe your request in detail (use additional paper if necessary):

It is requested very humbly that please change the zoning from C1/Z.C to C1.

Authorized Signature:

Date: 04/26/11

Note: Obtaining approval of a zoning amendment from the Taylorsville City Council does not eliminate the necessity of obtaining a building permit, business license or approval from other agencies (if applicable) prior to start of construction or land use. Please contact the appropriate Taylorsville City department regarding additional required permits.

Office Use Only	
FILING NUMBER:	<u>1211</u>
	<u>ZMAP-4-11-3267</u>
FILING FEE:	<u>\$100</u>
DATE ACCEPTED:	<u>4/26/11</u>
ACCEPTED BY:	<u>ASCF</u>
RECEIPT NUMBER:	_____
CURRENT ZONING DISTRICT:	<u>C-1/Z.C</u>
MEETING DATE(S):	_____
Application approved: <input type="checkbox"/> yes <input type="checkbox"/> no	
Conditions: <input type="checkbox"/> yes <input type="checkbox"/> no	
_____ Chair, City Council	

FOR YOUR INFORMATION...

For more information regarding zoning amendments and application procedures, please refer to **Taylorsville Information Form P-9 Applying for a Zoning Amendment** available from the City of Taylorsville Planning and Zoning Department or the Community Development Department counter at Taylorsville City Hall.