

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

April 11, 2012

The meeting was called to order at 4:01 p.m. by Chairman Brent Fuller at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Phil Conder, Joe Garcia, Barbara Thomas, and Imaan Bilic

ABSENT

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Steve Lehman, Jody Knapp, and Nichole Camac

AUDIENCE

Approximately eleven (11) people were in the audience

ZONE TEXT CHANGE APPLICATION

ZT-2-2012

West Valley City Planning and Zoning (Kevin Despain, Planner I)

West Valley City staff has requested that this item be withdrawn from this agenda.

Staff needs further time to reassess the zoning text change based on additional information that has come forward in regard to the application.

Applicant:

WVC

Discussion: No discussion was held.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Thomas moved to withdraw the application.

Commissioner Conder seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous-ZT-2-2012-Withdrawn

ZT-4-2012

West Valley City

This is a proposed amendment to Sections 7-6-305(2) of the West Valley City Municipal Code regarding setbacks for carports.

Issues:

The minimum garage side setback for a single family home in a residential zone is currently 10'. There is an exception to this setback that applies to garages:

7-6-305(2) For homes existing as of the effective date of this ordinance, April 18, 1990, the side yard setback adjacent to a one-story garage, may be reduced to a minimum of four feet provided the four-foot side yard is hard surfaced. The garage shall continually function as a storage area for vehicles and cannot be converted to living space for a dwelling.

Staff feels that the following language could be added to this section to allow for carports to encroach in the minimum required setback area as well:

7-6-305(2) For homes existing as of the effective date of this ordinance, April 18, 1990, the side yard setback ~~adjacent to a one-story garage~~, may be reduced to a minimum of four feet **adjacent to a garage, and five feet adjacent to a carport.** ~~provided the four-foot side yard is hard surfaced.~~ The garage **or carport shall be no more than one-story, must be attached to the home,** shall ~~continually~~ **continuously** function as a storage area for vehicles and cannot be converted to living space for a dwelling.

The difference in the setback requirement from the garage to the carport is due to the firewall requirements in the International Building Code.

Staff Alternatives:

Approval, subject to the resolution of any issues raised at the public hearing.

Continuance, to allow for the resolution of any issues raised at the public hearing.

Denial, the current Ordinance requirements are adequate.

Applicant:

West Valley City

Discussion: Jody Knapp presented the application. The Planning Commission had no further questions or concerns.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Thomas moved for approval.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes

Commissioner Woodruff Yes
Chairman Fuller Yes

Unanimous-ZT-4-2012-Approved

SUBDIVISION APPLICATIONS

S-3-2012

Edward's Place Subdivision

3684 South 4800 West

R-1-8 Zone

2 Lots

BACKGROUND:

Maria De Peck, is requesting preliminary and final plat approval for the Edward's Place Subdivision. The subject property is located at 3684 South 4800 West and is currently zoned R-1-8. Residential housing is located on the north, west and south sides of the proposed subdivision.

STAFF/AGENCY CONCERNS:

Fire Department:

- X Fire hydrants to be installed in accordance with the Uniform Fire Code at such time as the remaining property develops.

Granger Hunter Improvement District:

- X Project will need an availability letter for water, sewer and fire protection
 - Subject to design and review for any modification in the future.

Utility Agencies:

- X Subject to all standard easement locations.

Public Works:

- X Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures. Will need to evaluate how developer will handle the existing irrigation ditch.
- X Coordinate storm water drainage with Public Works.
- X Will need to dedicate an additional 7 feet along 4800 West.
- X Will need a new soils report if new homes are built.

ISSUES:

The Edward's Place Subdivision is located on property that was previously reviewed as the Butter's Park Subdivision. Although that development received approval from the Planning Commission in 2007, market conditions did not allow the development to move forward.

Subsequent to the approval of Butter's Park, Maria De Peck purchased the property and would like to subdivide the property into 2 lots as opposed to 7 lots in Butter's Park. The primary reason for a 2-lot subdivision is to create a new lot for the existing single family dwelling. This dwelling would then be occupied by a family member. The applicant explained to staff that she is not sure if she will develop the remaining property. She did discuss the possibility of building a new home on lot 2 however.

Staff explained to Ms. De Peck that a 2-lot subdivision could be approved, but if she had thoughts of developing the remainder of the property, it would be beneficial to design lot 1 so it would integrate with a future subdivision design similar to what was originally approved by the Planning Commission. Although not part of this application, staff has provided a conceptual layout of how the remaining property could develop in the future.

The proposed subdivision will consist of 2 lots on 1.75 acres. Existing improvements are in place along 4800 West, but additional dedication will be required. 4800 West is projected to be an 80-foot right-of-way but is only built to the existing width of 33 feet. The developer will be required to dedicate an additional 7 feet as part of the subdivision. However, the existing improvements will be allowed to remain. The stub street to the south, (Tecumseh Street) which will not be used by any future design, will be finished with curb and gutter.

As mentioned above, Tecumseh Way will end in its current configuration. The developer will be required to provide a storm drain easement to resolve drainage concerns of the City Engineering Division. This will be coordinated as the subdivision moves forward.

ALTERNATIVES:

- A. Approve the Edward's Place Subdivision subject to the following conditions:
 - 1. That compliance be made with Granger Hunter Improvement District regarding water line extensions, sewer connections and fire protection.
 - 2. That the subdivision name be approved by Salt Lake County.
 - 3. If the subdivision is amended to create more residential lots, the property owner shall submit the appropriate application to the City.
 - 4. That 4800 West be dedicated to a 40-foot half width.

5. That the north end of Tecumseh Street be finished with curb and gutter.
 6. That all matters pertaining to any existing irrigation systems be addressed with the Public Works Department. This requirement shall also include all matters regarding storm drain connections and easements.
 7. That the developer resolve all staff and agency concerns as they arise.
- B. Continue the subdivision in order for the developer to address issues raised during the Planning Commission hearing.

Applicant:

Maria De Peck
3827 S 5600 W

Discussion: Steve Lehman indicated that the applicant would like to withdraw this application. The applicant, Maria De Peck, stated that this subdivision will be too expensive to develop at this time so she would request that the item be withdrawn. Steve Lehman added that street improvements and various other requirements would have to be installed which can be very expensive, especially if Ms. De Peck is not planning to develop the subdivision.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Conder moved to withdraw the application.

Commissioner Thomas seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous-S-3-2012-Withdrawn

Commissioner Thomas declared a conflict of interest on the next item. Alternate member Commissioner Bilic took her place.

S-4-2012

**Utah Cultural Celebration Subdivision Amended & Extended
1400 West 3100 South
3 Lots & 2 Parcels**

BACKGROUND

The West Valley City Public Works Department is requesting consideration to amend and extend the Utah Cultural Celebration Center Subdivision. The application will amend Lot 1 and extend the boundaries of the subdivision to include the dedication of Rosa Parks Drive.

ISSUES

The proposed application consists of 3 lots and 2 parcels on 19.7 acres. The subdivision will also include a new street to be known as Rosa Parks Drive. This road will provide a valuable connection between 3300 South and 3100 South. This road will also help in the management of traffic generated from events at the Utah Cultural Celebration Center. Once Rosa Parks Drive is constructed it will also help facilitate the development of the surrounding properties to be known as the Jordan River Market Place.

As part of the subdivision, a small portion of property will be dedicated as right-of-way along 3300 South. This corresponds with right-of-way acquired along 3300 South during the original subdivision process. In this case, the additional right-of-way east of Rosa Parks Drive will be used as a deceleration lane for vehicles turning right off of 3300 South.

The subdivision is located in the C-2 zone and within the boundaries of the Jordan River Overlay Zone. The Planning Commission will have an opportunity to review development proposals as they are submitted for review.

STAFF ALTERNATIVES:

- A. Approve the Utah Cultural Celebration Center Subdivision (Amended & Extended) subject to a resolution of staff and agency issues.
- B. Continue the application to address concerns raised during the Planning Commission hearing.

Applicant:

West Valley City
Steve Dale- Engineering

Favored:

Brad Nolton
25 S Main Street
Suite 200
Centerville, UT

Neutral:

Peter Prawel
PO Box 109
Magna, UT

Discussion: Steve Lehman presented the application. Barbara Thomas asked if future roads could eventually branch off of this street. Steve Dale, representing West Valley City Engineering, replied that there are no additional streets planned but this could still be a possibility in the future. Mr. Dale indicated that the City is interested in the property to the South and development plans for the area. Jack Matheson asked what the width of the road will be. Mr. Dale replied that it will

basically be an 80 foot street with the intention to have two lanes on both sides of the road as well as a turn lane in the center. Commissioner Matheson asked if there will be a sidewalk. Mr. Dale replied that there will be a sidewalk on one side of the road. Commissioner Matheson asked what the speed limit will be. Mr. Dale replied that it will likely be 35 MPH. Brent Fuller asked if the street will connect with 1200 West across 3500 South. Steve replied yes and indicated that this will be a four way intersection. He explained that this road will help take congestion away from Redwood Road and 3300 South. Phil Conder asked what the estimated time of completion is. Mr. Dale replied that the road is projected to be done near the end of the summer. Barbara Thomas asked why there are not sidewalks on both sides of the road. Mr. Dale replied that there is a significant elevation change on the east side of the street so this will likely be blocked by a retaining wall. Brent Fuller asked if the property to the East will be developable since there is a drop in elevation. Mr. Dale replied that these properties are owned by the County and the State and could possibly be incorporated into the Jordan River trail system. Commissioner Thomas asked if pedestrians will be crossing from the west side of the road to the east side on a curved street. Mr. Dale replied that the canal is being realigned so the pedestrian crosswalk will be more perpendicular.

Brad Nolton, a property owner in the area, stated that he is looking forward to the introduction of the road so that he can begin development plans for his properties. He indicated that the City Council has seen ideas for possible construction ideas.

Peter Prowel, a resident of the City, stated that he would encourage sidewalks on both sides of the road. Steve Dale replied that a sidewalk on the east side of the property will be too difficult due to the elevation change.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Matheson moved for approval.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous -S-4-2012-Approved

SV-2-2012

**Box Office Drive, Box Office Court & Concert Court Street Vacation
5035 South 6140 West**

BACKGROUND

The Utah Department of Transportation (UDOT) is requesting consideration to vacate all of Box Office Drive, Box Office Court and Concert Court.

ISSUES:

As part of the continued efforts to acquire properties for the Mountain View Corridor, UDOT is requesting consideration to vacate the three streets that provide access to the USANA Amphitheater. These streets were platted as part of the Westridge Commerce Park Phase 4 Subdivision. This subdivision was recorded in the Office of the Salt Lake County Recorder in July 2008.

According to the Public Works Department, an overpass will be constructed at the location where the Mountain View Corridor intersects Upper Ridge Road. This location happens to be at the point of entrance to Box Office Drive, Box Office Court and Concert Court. Although an overpass will be constructed, access as originally platted will not work. Once these streets are vacated, access to the USANA site will be gained from Upper Ridge Road further to the south.

Although the street will eventually be vacated by ordinance, the ordinance will have no force or effect of any franchise rights of any public utilities, nor would they be impaired thereby. The ordinance will also protect any holders of existing franchises, water drainage pipelines, or other such uses as they may presently exist under, over or upon said property or as are or may be shown on the official plats and records of Salt Lake County.

STAFF ALTERNATIVES:

- A. Approval of the Box Office Drive, Box Office Court and Concert Court street vacation.
- B. Continuance to address issues raised during the Planning Commission meeting.

Applicant:
UDOT

Neutral:
Steve Dale- WVC Engineering

Discussion: Steve Lehman presented the application. Jack Matheson asked how parking will function for USANA after the Mountain View Corridor is constructed. Steve Dale replied that parking may potentially be better with this change than it is currently. He explained that there will be two parking lots to the East of USANA and additional parking in the vacated area not being used by the golf course. Joe Garcia asked if VIP parking will be accessed through the residential subdivision to the east. Steve Dale replied no.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Conder moved for approval.

Commissioner Bilic seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous-SV-2-2012-Approved

SV-3-2012

Elba Avenue Street Vacation

2525 South Chesterfield Street (1160 West)

BACKGROUND:

Mr. Dennis Higley, is requesting consideration to vacate all of Elba Avenue an unimproved road located at approximately 2525 South Chesterfield Street.

ISSUES:

Mr. Higley is the property owner immediately to the south of Elba Avenue. He would like the unimproved road vacated due to the location of the light rail extension to West Valley. The alignment of the rail line has eliminated any potential connection of Elba Avenue with Winton Street to the northeast.

Elba Avenue was platted as part of the Chesterfield Plat A Subdivision. This subdivision was recorded in the Office of the Salt Lake County Recorder in 1915. The right-of-way for this street is 66-feet in width but was never improved. By law, the ordinance that vacates this right-of-way will provide the adjacent property owners with 33 feet of said unimproved street.

Mr. Higley has discussed this issue with the adjacent neighbor in the area who believes that the road should be vacated. Both property owners believe that the vacated street would help reduce the amount of foot traffic from individuals and from persons dumping garbage at the east end of Elba Avenue.

According to City ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

RECOMMENDATION

1. Approve the Elba Avenue Street Vacation as it is no longer needed due to light rail.
2. Continue the application due to issues raised at the public hearing.

Applicant:

Dennis Higley
1527 W Claybourne

Discussion: Steve Lehman presented the application. Joe Garcia asked if the applicants will be able to gate the street once this vacation occurs. Steve replied yes.

Dennis Higley, the applicant, stated he has owned the southern piece of property for 20 years and is tired of people utilizing the unimproved street to dump garbage near his property. He stated that there is no possibility to extend the street with the introduction of Trax and neighbors in the area are happy with this change. Jack Matheson asked if the street will be gated if the street vacation is approved. The applicant replied yes. He added that the street was never snow plowed or improved. Imaan Bilic asked if this is a rental property. Mr. Higley replied yes. Terri Mills asked if the property to the east may be developable with the additional square footage provided by the street vacation. Steve replied no and indicated that it wouldn't be accessible off of Elba Street but may help the property owner better situate a home on the property.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Woodruff moved for approval.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous-SV-3-2012-Approved

CONDITIONAL USE APPLICATIONS

C-13-2012

ABC Auto Repair (Peter Prawel)

3803 S. Redwood Road

C-2 Zone (0.9 Acres)

The applicant, Peter Prawel, is requesting a conditional use amendment for an auto repair shop at 3803 S. Redwood Road. The zoning for this area is C-2, General Commercial. The West Valley City General Plan designates this area as Mixed Use. The surrounding zone on all sides of the site is C-2, General Commercial. The surrounding uses include a car dealership located on the same lot in an existing building just west of this proposed use. There is a grocery store to the south, Anderson Lumber to the east, and another car dealership to the north.

The business will occupy the existing 5,244 square foot building on the east side of the site. The building pre-dates the City's incorporation and was originally used by a fork-lift company. There have been several different tenants in this space over the years however, there has not been any auto related uses licensed here for at least one-year. There is an existing over-head door on the south side of the building with access to a large open interior space that contains 5 service bays. All repair work will be conducted within this space in the building. There will be no outside storage area for this use.

The parking lot is in need of some maintenance and re-striping. Fifteen parking stalls are required for this use (3 stalls/service bay) and will be located in the area to the west of the building as indicated on the site plan. A dumpster is currently located in the parking area. If this is to remain it must be located within a 6' masonry enclosure and properly screened.

Currently, the area on the east side of the site behind the building is undeveloped. This area has not been approved for outside storage of any kind and must be kept maintained and free of weeds. If the applicant wishes to utilize this area in the future it will need to be properly reviewed and approved prior to use.

The landscaping on site is existing, however, there are no trees planted in the setback area along Redwood Road. Therefore, Staff recommends that at least 1 tree be planted every 30' in this setback area per the Standards for Landscaping Along High Image Arterials.

Mr. Prawel will be required to obtain a Hazardous Materials permit through the West Valley City Fire Department and is aware of the West Valley City codes regarding disposal of all fluids related to his business and has measures in place to dispose of these fluids properly.

The applicant is proposing wall signage on the building and has not proposed any additional signage on the site for this business at this time. If signage is added at a later date a building permit must be obtained and all signage would be required to meet the West Valley City Sign Ordinance.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing as well as

the following conditions:

1. There shall be no outside storage for this use.
2. Automotive repairs shall only be conducted within the building and shall not be conducted outside or in any parking areas.
3. The parking lot shall be properly maintained and must have at least 15 striped parking stalls for this use.
4. If a dumpster is located on site it must be screened with a 6' tall masonry enclosure.
5. The east side of the site adjacent to the building has not been approved for outside storage of any kind and must be kept maintained and free of weeds. If the applicant wishes to utilize this area in the future it will need to be properly reviewed and approved prior to use.
6. Trees shall be planted in the setback area along Redwood Road in accordance with the standards set forth in Chapter 7-13 Standards for Landscaping along High Image Arterials.
7. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs.
8. All requirements of affected departments and agencies must be met.
9. This use is subject to review upon a valid complaint.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Peter Prawel
PO Box 109
Magna, UT

Discussion: Jody Knapp presented the application. She indicated that the applicant would like to add fencing to his property which is allowed by ordinance as long as the Fire Department has access. Peter Prawel, the applicant, explained that the small car lot at the front of the property has no use for this large building at the rear. He explained that the building has been vacant for some time now and is equipped with all the necessary bay doors he will need for his auto repair business. Mr. Prawel indicated that he would love to pave the back section behind the building but it would require too many improvements that are not financially possible for him at this time. He indicated that he will put a small fence here to block off any vehicle access. Mr. Prawel added that he would like to add greater

security options in the future once his business starts making money. Terri Mills asked if the existing chain and posts fence will be removed. Mr. Prawel replied that he will remove this as long as it is on his property and added that he will add a fence directly next to it if it is on the neighboring parcel. Imaan Bilic asked how the applicant feels about planting trees. Mr. Prawel replied that he doesn't own this property but is willing to do it if the City requires it. Commissioner Bilic asked if he has spoken with the property owner. The applicant replied that the property owner likely will not want to help finance the planting of the required trees.

There being no further discussion regarding this application, Chairman Fuller called for a motion.

Motion: Commissioner Garcia moved for approval subject to the 9 staff conditions.

Commissioner Bilic seconded the motion.

Roll call vote:

Commissioner Bilic	Yes
Commissioner Conder	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Woodruff	Yes
Chairman Fuller	Yes

Unanimous-C-13-2012-Approved

PLANNING COMMISSION BUSINESS

Approval of minutes from March 28, 2012 (Regular Meeting) **Approved**

Approval of minutes from April 4, 2012 (Study Session) **Approved**

There being no further business, the meeting adjourned at 4:43 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant