

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

March 10, 2010

The meeting was called to order at 4:00 p.m. by Chairman Harold Woodruff 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 Lehman, Hannah Thiel, and Nichole Camac

WEST VALLEY ADMINISTRATIVE STAFF:

Claire Gillmor, Assistant City Attorney

AUDIENCE

Approximately four (4) people were in the audience

SUBDIVISION APPLICATION

S-1-2010

Muley Pointe Subdivision

3860 South 3600 West

R-1-8 Zone

2 Lots

BACKGROUND

Mr. John Erickson, is requesting preliminary and final subdivision approval for a 2-lot flag lot subdivision in the R-1-8 zone. The subject property is located at 3890 South 3600 West. The property is currently occupied by two single family dwellings. Mr. Erickson would like to subdivide the property in order to separate the two dwellings. The ultimate objective is to remove the basement dwelling and allow the flag lot to develop with a new single family dwelling. However, until the economic situation improves, the applicant would like the option to continue renting the basement dwelling.

STAFF/AGENCY COMMENTS:

Fire Department:

- Fire hydrant does not need to be installed.
- 20-foot clear width needs to be provided for the flag lot from street right-of-way.

Granger Hunter Improvement District:

- Project will need to run availability for water, sewer and fire protection.
- Subject to design and review inspections.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- Revisions to plat are required.
- Will need to coordinate review of new drive approach along 3600 West.
- Will need to relocate existing street light and may need to relocate existing power pole
- Soils report will not be required. The developer may use the soils report from the Woodbury Cove Subdivision to the north.

Building Inspections:

- Follow recommendations outlined in the soils report for the Woodbury Cove Subdivision.

ISSUES:

- Mr. Erickson is proposing a preliminary and final subdivision plat consisting of 2 lots. The property is approximately .67 acres in size which is adequate to be divided. At the present time, there are two existing single family dwellings located on the property. According to Salt Lake County records, the main dwelling was constructed in 1912. It is not known when the basement dwelling was added to the site. The County information does list a date of 1978 as an “effective” date built, which could be when the basement dwelling was constructed.
- Access to the subdivision will be gained from 3600 West. As existing improvements are currently in place, the applicant will not need to open up 3600 West for water and sewer. However, a new curb cut and drive approach will be required for the flag lot.

During the study session, staff explained the challenges of locating the access drive along the north property line. An existing street light and utility pole are located in the area that would need to be used for the drive approach. After discussing this matter with the City Engineering Division, it has been determined that the approach or apron, could extend north in the right-of-way thus allowing the drive access to remain as originally proposed. The applicant will need to relocate the existing street light, but the existing utility pole will be allowed to remain.

- The applicant has coordinated hydrant and turnaround requirements with the Fire Department. An existing fire hydrant is located within the parameters needed for fire service, and the depth of the flag lot will not require a turnaround.
- As mentioned previously, the flag lot is intended to be used as a new building lot. After reviewing the proximity of this lot with the relatively new development to the north, the City Engineering Division will not require a new soils report. The soils report of the Woodbury Cove Subdivision indicates that ground water was not encountered to a depth of 10 feet. This will allow a basement to be constructed on the flag lot.

STAFF ALTERNATIVES:

- A. Approval of the Muley Pointe 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. That the developer use the soils report from the Woodbury Cove Subdivision to the north.

4. That the developer resolve all staff and agency concerns.
 5. That the new drive approach be reviewed and approved by the City Engineering Division.
- B. Continuation to address issues raised during the Planning Commission meeting.

Applicant:

John Erickson
3860 S 3600 W

Discussion: Steve Lehman presented the application. Jack Matheson questioned whether a new dwelling will have to meet current development standards. Steve replied yes. Phil Conder asked Steve to clarify approval item number one. Steve explained that the subdivision to the north is also a flag lot subdivision. When Liberty Homes built this subdivision they did a soils report that indicated no ground water to a depth of 10 feet. The Engineering and Building Inspection Departments will allow this report to be used for this subdivision as well. Steve added that the depth and location of the sewer line will dictate the basement depth for this property.

Commissioner Matheson asked if Granger Hunter will allow the property owner to use the sewer water easement and questioned where this easement is located. John Erickson, the applicant, replied that the easement is contained within the flag lot and has been approved by Granger Hunter. Barbara Thomas asked if the irregular jog in the property lines will be modified once a new home is constructed and the basement dwelling is demolished. Mr. Erickson replied that it depends on who purchases the lot. Jack Matheson questioned whether a new home could be constructed on the lot while someone was still living in the basement dwelling. Steve replied that the new home would not be issued a certificate of occupancy until the basement dwelling was removed. Terri Mills questioned why Commissioner Thomas had concern with the property lines. Commissioner Thomas replied that she does not want two homes to be illegally built on the same lot. She added that she is not a fan of flag lots and is concerned that this property will neighbor 7 different backyards. Steve Lehman stated that there is sufficient room for a detached garage on lot one if the property owner chooses to do this in the future.

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

Motion: Commissioner Fuller moved for approval subject to the 5 items listed by staff and add adding item number 6 that states: if the City issues a building permit for a new dwelling on lot 2 while the basement home continues to be lived in, a certificate of occupancy will not be granted for the new home until the basement dwelling is removed.

Commissioner Thomas seconded the motion.

Roll call vote:

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

Unanimous – S-1-2010 – Approved

CONDITIONAL USE APPLICATIONS

C-4-2010

Rocky Mountain Raceway Pole Sign

6555 West Highway 201

Manufacturing Zone, 79.22 Acres

Staff Presentation by Hannah Thiel, Planner II

Background

Young Electric Sign Company is requesting a conditional use amendment for a pole sign alteration at Rocky Mountain Raceway at 6555 West Highway 201. The sign was initially approved for a conditional use in January 1997. Pole signs are allowed in the manufacturing zone, on at least 10 acres, with a conditional use approval.

The applicant is requesting a 35 foot tall pole sign approximately 32 feet from the right of way per the original and current pole sign onsite. The only alteration that is proposed for the sign is to remove the existing electronic message portion of the sign and replace it with an LED electronic message sign. The sign is currently approximately 317 square feet and this alteration would reduce the overall size of the sign to approximately 300 square feet. There is approximately 1270 feet of frontage on the subject property.

Per ordinance (11-6-106), the maximum height for a pole sign is 35 feet tall with a minimum of a 30 foot setback for a sign with that maximum height. In addition, pole signs are required to be placed in a landscape area that is twice the sign area. Finally, the maximum sign area for a pole sign cannot exceed 1 square foot for each lineal feet of property frontage. The maximum is 200 square feet unless a larger sign is approved by the Planning Commission as a conditional use. The minutes are attached from the Planning Commission meeting when the existing pole sign was approved. The sign is mentioned in the staff analysis, however, there is not any discussion regarding the reasoning for allowing a pole sign larger than 200 square feet. The sign is currently in an area that may have been landscaped at one time, but is now dirt and weeds. This area would need to be landscaped to meet current City codes.

Staff's does not have any concerns with the pole sign alteration as this request is compatible with City Ordinances and lessens the size of an existing pole sign.

Recommendations/ Staff Alternatives

- Approval subject to any issues raised at the public hearing as well as the following conditions:
 - That the pole sign shall meet the Sign Ordinance requirements, and that the applicant obtain a sign permit.
 - That a landscaped area twice the sign area be installed and maintained around the base of the sign.
- Continuance, for resolution of any issues that may arise at the public hearing.
- Denial of the Conditional Use Amendment based on detrimental impacts the Planning Commission may foresee.

Applicant:

Spencer Young

Applicant:

Sean Atkinson
1605 S Gramercy Rd.
SLC, UT 84104

Discussion: Hannah Thiel presented the application. Spencer Young, the applicant, stated that he doesn't understand why the landscaping requirement must be put in place. He indicated that the sign is an upgrade from the existing one. Hannah replied that any change to a sign must meet current ordinances and this includes the landscaping requirement. Mr. Young stated that he feels this is unfair and indicated that the E-Center, a City project, has no landscaping around their sign. Claire Gillmor stated that if the applicant has questions about the E-Center sign she would explain that in the attorney's office after the hearing. She stated that the Planning Commission must look at this sign alone and doing anything else is out of the Commission's scope.

Barbara Thomas stated that after reading the minutes approved for this site in 1997, it clearly states that a condition of approval for the property is a 20 feet of landscaping requirement around the base of the sign. Mr. Young replied that there is landscaping all along the frontage of the property. He added that he feels putting additional landscaping around the sign is a safety hazard for the various vehicles that use this entrance. Mr. Young stated that he feels it's unfair the City was granted an exemption for the sign at the E-Center. Commissioner Thomas stated that the Commission is talking about the proposed sign in this application and must enforce the current ordinances for it. Mr. Young replied that this is an unfair requirement and added that Rocky Mountain Raceways was rated among the top 10 raceways in the country. Hannah stated that there is already dirt around the sign and it just needs to be landscaped. Mr. Young questioned why the City is exempt from this requirement. Hannah replied that the specific file for the E-Center can be discussed but everyone must meet this landscaping ordinance. Mr. Young stated that he wants a variance to exempt him from this requirement. Jack Matheson stated that the landscaping doesn't have to be trees or turf, it can be something simple like shrubs.

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

Motion: Commissioner Matheson moved for approval subject to the two items listed

by staff.

Commissioner Thomas seconded the motion.

Roll call vote:

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

Unanimous –C-4-2010 – Approved

PLANNING COMISSION BUSINESS

Approval of minutes from February 24, 2010 (Regular Meeting) **Approved**

Approval of minutes from March 3, 2010 (Study Session) **Approved**

There being no further business, the meeting adjourned at 4:26 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant