



MIDVALE

In the Middle of Everything

7505 South Holden Street
Midvale, UT 84047
Phone (801) 567-7200
Fax (801) 567-0518

Midvale City
PLANNING AND ZONING COMMISSION
Minutes

22nd Day of March, 2017
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

COMMISSION CHAIR: Kass Wallin

***PLANNING AND ZONING
COMMISSION VICE CHAIR:*** Shane Liedtke

BOARD MEMBERS
Colleen Costello
Richard Judkins
Evan Hanson

STAFF: Lesley Burns, City Planner
Phillip Hill, Assistant City Manager/Director, CD
Nicole Selman, DCD Administrative Assistant

GENERAL SESSION

Chairman Wallin called the Planning & Zoning Commission meeting to order at 7:00 p.m. The meeting began with the recitation of the Pledge of Allegiance. He informed the public there were agendas on the front table along with a sign-in sheet for them to sign. He explained how the meeting would proceed. First, the Planning Department would brief the Commission; then the applicant would speak to the Commission; after which, the floor would be open to the public for their brief statements and comments.

ROLL CALL

Mr. Hanson	Present
Ms. Costello	Present
Mr. Liedtke	Present
Mr. Wallin	Present
Mr. Judkins	Present

PUBLIC HEARING

1. CUP-21-25-128-001; H.G. MOTORSPORTS; 7017 SOUTH 400 WEST; CONDITIONAL USE PERMIT FOR VEHICLE RELATED USE - REPAIR & SALES; CLEAN INDUSTRIAL ZONE; SCOTT LUNDE (APPLICANT)

Mr. Hilderman presented that, Scott Lunde, authorized agent representing the property owner, K Majestic III, Corporation, submitted a complete application proposing to operate and manage a motorcycle and power sports repair and resale business in an existing commercial structure. The applicant proposes to occupy one unit space identified as 7017 S 400 W and is estimated to be 2,275 sq. ft. with an existing office space, restroom, indoor shop area and overhead door access located to the rear.

The applicant is proposing to purchase used motorcycles and power sport vehicles; i.e. ATV, UTV, and snowmobiles; provide minor repairs and maintenance, and resell to the general public via the Internet. The commercial operating hours are proposed to be from 9:00 a.m. to 5:00 p.m., Monday -Friday, and 10:00 a.m. to 4:00 p.m. on Saturday. All vehicles are proposed to be stored inside the commercial space with no additional outdoor storage. The applicant has identified himself as the sole employee and this space has been allocated a total of three (3) parking stalls.

Since the applicant is proposing to advertise via the Internet and with only one employee anticipated during the initial operation, the total amount of parking spaces required would be three (3) spaces; one for employee and a minimum of 2 for customers. Based upon the applicant's submitted site plan, the required amount of off-street parking is sufficient for this use. The applicant has indicated that no further improvements are proposed and since this proposed use is located on an existing developed parcel and the overall site or building mass size is not proposed to be altered, no further development standards or improvements are required.

This proposal is located within the Clean Industrial (CI) zone, which requires a Conditional Use Perm.it for any vehicle-related repair and sales use. In order to approve a Conditional Use Permit, the following applicable criteria must be satisfied:

1. The application complies with all applicable provisions of the zoning ordinance, state and federal law;
2. The structures associated with the use are compatible with surrounding structures in terms of use, scale, mass and circulation;
3. The use is not detrimental to the public health, safety and welfare;
4. The use is consistent with the Midvale City General Plan, as amended;
5. Traffic conditions are not adversely effected by the proposed use including the existence

- of or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets;
6. Sufficient utility capacity;
 7. Sufficient emergency vehicle access;
 8. Location and design of off-street parking as well as compliance with off-street parking standards provided for in §17-7-12.7;
 9. Fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses; and
 10. Exterior lighting that complies with the lighting standards of the zone and is designed to minimize conflict and light trespass with surrounding uses.

In reviewing this application and the above criteria, it appears this proposal will not be detrimental to the health, safety and welfare of people and businesses in the area. Based on review of the business licensing database, similar vehicle-related uses have operated or are currently operating at this location. All improvements exist, with sufficient utility capacity and emergency vehicle access. Staff does not anticipate any adverse impacts being created by this proposed use, provided the business is operated in accordance with this proposal. Through the Business License process, all Building and Fire Code requirements shall be taken care of.

STAFF RECOMMENDATION:

Based on the proposal's compliance with the Conditional Use Permit criteria and the above analysis, Staff would recommend that the Planning Commission approve the Conditional Use Permit for **H.G. Motorsports, LLC**, to be located at **7017 South 400 West**, with the following conditions:

1. All vehicles related to the business shall be parked inside the building.
2. All vehicle work shall be performed inside the shop area.
3. Any vehicles kept overnight shall be stored inside the shop area. Outdoor storage is prohibited.
4. The applicant shall comply with all requirements of the Building Official and Fire Marshal.
5. All requirements of the State regarding the storage and disposal of hazardous materials shall be satisfied at all times.
6. The applicant shall obtain and maintain a Midvale City Business License in order to operate at this location.
7. All signage shall comply with the sign requirements for the CI zone and sign permits obtained before such signage is installed.

Mr. Liedtke arrived to the meeting during Mr. Hilderman's presentation.

Scott Lundy with HG Motorsports stated he is the applicant for this item. He explained that his business will focus on purchasing and repairing vehicles with structural damage instead of vehicles with mechanical damage. All work on vehicles will take place inside the facility.

Mr. Wallin asked if this business is relocating from outside of Midvale.

Mr. Lundy stated this is a brand-new business.

Mr. Wallin asked Mr. Lundy if he has read and understands the conditions for this permit.

Mr. Lundy replied that he has read and understands the conditions.

Mr. Wallin inquired about Mr. Lundy's plans to mitigate possible issues with noise being heard from outside of the shop.

Mr. Lundy explained that there is a roll-up door that he will use to bring the vehicles inside the shop. That door will remain closed at all times when vehicles aren't being moved in or out. He won't be doing any kind of engine tune-ups or tests at this location. When he needs to test a vehicle, he will take it to a motorsport location to do so.

Mr. Hilderman noted that he received a call from a nearby business owner who is concerned about the possible noise pollution of this business. He is not in favor of approving the Conditional Use Permit if it means that he will be able to hear revving engines regularly throughout the day.

Mr. Hanson suggested adding a condition that would require the applicant to be courteous to surrounding businesses in regards to the possible noise pollution that his business might be responsible for creating.

Mr. Liedtke agreed that it would be appropriate to add another condition.

Ms. Costello moved to open the meeting to a Public Hearing. Mr. Hanson seconded the motion. Motion carried.

There were no questions or comments from the public.

Mr. Hanson moved to close the Public Hearing. Mr. Liedtke seconded the motion. Motion carried.

There was no further discussion.

MOTION:

Mr. Hanson moved that, *"Based on the proposal's compliance with the Conditional Use Permit criteria and the above analysis, the Planning Commission would recommend to approve the Conditional Use Permit for **H.G. Motorsports, LLC**, to be located at **7017 South 400 West**, with the following conditions:*

- 1. All vehicles related to the business shall be parked inside the building.*
- 2. All vehicle work shall be performed inside the shop area.*
- 3. Any vehicles kept overnight shall be stored inside the shop area. Outdoor storage is prohibited.*
- 4. The applicant shall comply with all requirements of the Building Official and Fire Marshal.*

5. *All requirements of the State regarding the storage and disposal of hazardous materials shall be satisfied at all times.*
6. *The applicant shall obtain and maintain a Midvale City Business License in order to operate at this location.*
7. *All signage shall comply with the sign requirements for the C1 zone and sign permits obtained before such signage is installed.*
8. *The applicant shall comply with Title 8 of the Midvale Municipal Code regarding noise and traffic regulations."*

Ms. Costello seconded the amended motion. A roll call vote was taken.

Mr. Hanson Yes

Ms. Costello Yes

Mr. Liedtke Yes

Motion carried unanimously.

MINUTES

1. REVIEW AND APPROVE MINUTES OF FEBRUARY 8, 2017; FEBRUARY 22, 2017; AND MARCH 8, 2017

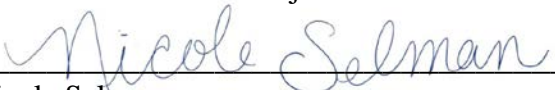
Mr. Liedtke moved to approve the minutes of February 22, 2017 with amendments. Ms. Costello seconded the motion. Motion carried.

Mr. Liedtke moved to approve the minutes of March 8, 2017 with amendments. Ms. Costello seconded the motion. Motion carried.

The minutes of February 08, 2017 were tabled to the next meeting.

ADJOURN:

Mr. Hanson moved to adjourn at 7:24 PM.



Nicole Selman

CD Administrative Assistant