



MIDVALE

In the Middle of Everything

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Midvale City
PLANNING AND ZONING COMMISSION
Minutes

10th Day of February, 2016
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

COMMISSION CHAIR:

Richard Judkins

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

Kass Wallin

BOARD MEMBERS:

Allen Litster
Colleen Costello
Shane Liedtke
Don Slick

STAFF:

Lesley Burns, City Planner
Matt Hilderman, Associate Planner
Nicole Selman, DCD Administrative Assistant

GENERAL SESSION

Chairman Judkins 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. Litster	Present
Mr. Wallin	Present
Mr. Judkins	Present
Ms. Costello	Excused
Mr. Slick	Excused
Mr. Liedtke	Excused

PUBLIC HEARING(S)

1. CUP-21-25-128-004; AHERN DANCE STUDIO; 7127 SOUTH 400 WEST, SUITE 10; CONDITIONAL USE PERMIT FOR COMMERCIAL RECREATION FACILITY; CLEAN INDUSTRIAL ZONE; CAROLINA AHERN (APPLICANT)

Ms. Burns presented that Carolina Ahern is requesting a Conditional Use Permit in order to operate a children's dance studio at 7127 South 400 West, Suite 10. This location is a small office warehouse space in a 12 unit building with various businesses, including an auto sales use next door. The business includes a single dance class with up to 12 students and one instructor at a time. Hours of operation are Monday through Friday from 4-8pm. The tenant space includes an approximate 260 square foot office/reception area and approximately 800 square feet of warehouse space which will be used as the dance studio.

This property is located in the Clean Industrial (CI) zone district. The CI zone allows commercial recreation facilities as a conditional use. In order to approve a Conditional Use Permit, the following must be found:

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 §17-7-13.7;
9. Fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses;
10. Compatibility of the proposed mass, bulk, design, orientation, and location of the

structures on the site; including compatibility with buildings on adjoining lots and to the street; and

11. Exterior lighting that complies with the lighting standards of the zone and is designed to minimize conflict and light trespass with surrounding uses.

The business will be conducted within the existing development and tenant space. No modifications to the building or site are proposed to be made. The existing office/ warehouse complex has sufficient utility capacity and emergency vehicle access for this proposed use, and the use will not significantly impact traffic and the capacity of the existing streets.

For commercial recreation uses, the required parking ratio is 1 space per 3 people or 5 spaces per 1,000 square feet. Based on the proposed class size and area of the tenant space, the zoning ordinance requires 5 parking spaces for the use. There are 29 parking spaces for the overall building. The auto sales use requires 4 spaces under its conditional use permit, and the other 10 tenant spaces require 20 spaces (2 spaces per suite based on the required office/warehouse parking ratio). With this proposed use, the parking required for the overall building is 29. In addition, this business is proposed to mostly operate when other businesses in the building are closed, and there is some on street parking across the street.

Provided the conditions recommended below are satisfied, Staff does not anticipate any adverse impacts being created by the proposal.

STAFF RECOMMENDATION:

Based on compliance with the Conditional Use Permit criteria and the above analysis, Staff would recommend that the Planning Commission approves the Conditional Use Permit for the Ahern Dance Studio, a commercial recreation facility use, to be located at 7127 South 400 West, Suite 10 with the following conditions:

- All employee and customer parking shall occur within legal parking spaces. If insufficient parking becomes an issue, the applicant shall re-evaluate class schedules and size to reduce the number of people coming to the facility at any one time.
- All requirements of the Building Official and Fire Marshal shall be met.
- The applicant shall obtain and maintain a Midvale City Business License in order to operate at this location.
- All signage shall comply with the sign requirements for the CI zone and sign permits obtained.

Dennis and Carolina Ahern, 1957 West Kanari Drive, South Jordan, stated they are the applicants for this item.

Mr. Ahern explained that Mrs. Ahern doesn't speak English as well as she speaks Spanish. He is present on her behalf in case she needs help with translation.

Mrs. Ahern gave the Commission an overview of her experience as dance teacher, specifically in Midvale City. She has mostly been teaching ballet to children with the Boys and Girls Club, however, the Midvale Boys and Girls Club no longer has space for her to continue doing so. It is important to her to continue providing affordable dance classes to low income minority children in Midvale City. Class sizes will be no larger than 12 students at a time and most children will be dropped off before their classes begin.

Mr. Judkins asked if the applicant has read the conditions and is comfortable with them, specifically the condition regarding parking.

Mrs. Ahern stated she is comfortable with all of the conditions and that meeting all of them will not be a problem.

Mr. Litster moved to open the meeting to a Public Hearing. Mr. Wallin seconded the motion. Motion carried.

There were no questions or comments from the public.

Mr. Wallin moved to close the Public Hearing. Mr. Litster seconded the motion. Motion carried.

There was no further discussion regarding this item.

MOTION:

Mr. Litster moved that, *“Based on the proposal’s compliance with the Conditional Use Permit criteria, I move that we approve the Conditional Use Permit for the Ahern Dance Studio, a commercial recreation facility use, to be located at 7127 South 400 West, Suite 10 with the following conditions:*

- 1. All employee and customer parking shall occur within legal parking spaces. If insufficient parking becomes an issue, the applicant shall re-evaluate class schedules and size to reduce the number of people coming to the facility at any one time.*
- 2. All requirements of the Building Official and Fire Marshal shall be met.*
- 3. The applicant shall obtain and maintain a Midvale City Business License in order to operate at this location.*
- 4. All signage shall comply with the sign requirements for the CI zone and sign permits obtained.”*

Mr. Wallin seconded the motion. A roll call vote was taken.

Mr. Judkins Yes
Mr. Wallin Yes
Mr. Litster Yes

Motion carried unanimously.

DISCUSSION

2. UPCOMING AGENDA ITEMS

Ms. Burns led a brief discussion with the Planning Commissioners in regards to items staff will be bringing to the Planning Commission over the next few months. The purpose of this discussion was to give the Commission an idea of what to expect as well as collect some preliminary feedback. She added that she will give the Planning Commissioners more details at a later time due to the fact that three Commissioners were not present for this meeting.

MINUTES

3. REVIEW AND APPROVE MINUTES OF DECEMBER 9, 2015 AND JANUARY 13, 2016

Mr. Wallin moved to approve the minutes of December 9, 2015 as presented. Mr. Litster seconded the motion. Motion carried.

The minutes of January 13, 2016 were tabled to the next meeting.

ADJOURN:

Mr. Litster moved to adjourn the meeting at 7:54pm.



Nicole Selman
DCD Administrative Assistant