



The Regular Meeting of the West Valley City Council will be held on Tuesday, December 2, 2014, at 6:30 PM, in the City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend.

Posted 11/25/2014, 4:30 p.m.

AGENDA

1. Call to Order
2. Roll Call
3. Opening Ceremony: Councilmember Tom Huynh
4. Special Recognitions
5. Approval of Minutes:
 - A. November 18, 2014 (Regular Meeting)
6. Awards, Ceremonies and Proclamations:
 - A. Presentation of English Language Awards to Students from English Skills Learning Center and Granite Peaks Learning Center
7. Comment Period:

(The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to five minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the microphone. All comments shall be directed to the Mayor. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 30-minute period.)

West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.

If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Sheri McKendrick.

- A. Public Comments
 - B. City Manager Comments
 - C. City Council Comments
8. Public Hearings:
- A. Accept Public Input Regarding Application No. S-18-2014, filed by Joe Cunningham, Requesting Final Plat Approval for Colt Plaza III Subdivision - Lot 5 Amended and Extended, Located at 2938 South Glen Eagles Drive

Action: Consider Ordinance No. 14-45, Approving the Amendment of Lot 5 in the Colt Plaza III Subdivision
 - B. Accept Public Input Regarding Application No. S-16-2014, filed by Joe Cunningham, Requesting Final Plat Approval for Moose Landing Subdivision-Lot 1 Amended and Extended, Located at 4133 South Colt Court

Action: Consider Ordinance No. 14-46, Approving the Amendment of Lot 1 in the Moose Landing Subdivision
9. New Business:
- A. Consider Application No. S-17-2014, filed by Joe Cunningham, Requesting Final Plat Approval for Colt Plaza Subdivision Located at 3100 South 5600 West
 - B. Consider Application No. S-14-2014, filed by Ivory Homes, Requesting Final Plat Approval for Highbury Place Subdivision - Phase 10, Located at 5012 West 2860 South
10. Motion for Executive Session
11. Adjourn

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 18, 2014

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 18, 2014, AT 6:33 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Tom Huynh, Councilmember District 1

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Russell Willardson, Public Works Director
Layne Morris, CPD Director
John Evans, Fire Chief
Lee Russo, Police Chief
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Scott Freckleton, Acting Finance Director
Steve Pastorik, CED Department
Brandon Hill, Law Department
Rick Westphal, Administration
Tyson Emmett, Administration
Cindy Hobbs, Finance Department
Jake Arslanian, Public Works Department

16804 **OPENING CEREMONY**

The Opening Ceremony was conducted by Lars Nordfelt who led the Pledge of Allegiance to the Flag.

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 18, 2014

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16805 **APPROVAL OF MINUTES OF REGULAR MEETINGS HELD OCTOBER 28, 2014 AND NOVEMBER 4, 2014**

The Council read and considered Minutes of the Regular Meetings held October 28, 2014 and November 4, 2014. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meetings held October 28, 2014 and November 4, 2014, as written. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16806 **EMPLOYEE OF THE MONTH, NOVEMBER 2014 – TYSON EMMETT, IT DIVISION/ADMINISTRATION**

Councilmember Nordfelt read the nomination of Tyson Emmett, IT Division/Administration, to receive the Employee of the Month award for November 2014. Mr. Emmett had been nominated for his consistent attention to the needs of City staff.

The award was presented and members of the City Council congratulated and expressed appreciation to Mr. Emmett for his dedication and service to West Valley City.

16807 **PROCLAMATION DECLARING NOVEMBER 29, 2014, AS SMALL BUSINESS SATURDAY IN WEST VALLEY CITY**

Councilmember Lang read a Proclamation declaring November 29, 2014, as Small Business Saturday in West Valley City.

16808 **COMMENT PERIOD**

Upon inquiry by Mayor Bigelow, there was no one in attendance desiring to address the City Council during the comment period.

Mayor Bigelow informed there had not been a Regular Council Meeting the previous week due to Veterans Day and City Hall being closed for that holiday. He discussed participation in a Veterans Day event hosted at City Hall in

recognition of veterans; and veterans in attendance had expressed appreciation for the honor and recognition. The Mayor thanked the Parks and Recreation Department staff for planning the event and expressed hope it would be an annual event.

16809

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. ZT-5-2014, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO ESTABLISH REQUIREMENTS FOR ALTERNATIVE FINANCIAL SERVICE PROVIDERS

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled November 18, 2014, in order for the City Council to hear and consider public comments regarding Application No. ZT-5-2014, filed by West Valley City, requesting a zone text amendment to establish requirements for alternative financial service providers.

Mayor Bigelow presented proposed Ordinance No. 14-41 related to the proposal to be considered by the City Council subsequent to the public hearing, and incorporated information into the record as follows:

The proposed Ordinance would amend Sections 7-1-103, 7-2-131 and 7-6-1002 of the West Valley City Municipal Code to make the regulations for alternative financial service providers consistent.

On November 4, 2014, the Council had been presented with an ordinance amendment that added separation requirements for car title loan businesses from residential and commercial areas. After reviewing the amendment, the Council directed staff to consider how regulations for car title loans, check cashing, pawnshops and any other similar use could be made the same.

The proposed amendment grouped car title loans, check cashing, pawnshops and unchartered financial service providers together under the umbrella of alternative financial service providers. Unchartered financial service providers were defined as businesses (excluding chartered banks) extending loans, cash advances, short-term credit or similar financial services. The following separation requirements and cap from the proposed ordinance would apply to all alternative financial service providers if adopted:

- 500 feet from any residential zone or use
- 1,000 feet from any other alternative financial service provider
- 500 feet from any regional shopping mall
- One alternative financial service provider shall be allowed in the City for every 10,000 citizens of the City

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 18, 2014

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It had been shown in studies nationwide that alternative financial service providers where money was easily acquired with limited credit checks such as payday lending, check cashing, and car title loan, had adverse secondary effects on surrounding neighborhoods. The purpose of these regulations was to minimize the negative impacts of these businesses.

Mayor Bigelow opened the public hearing.

Matthew Laker addressed the City Council and inquired regarding certain language in the proposal. He requested clarification regarding the types of alternative financial providers as listed in the proposal.

There being no one else to speak either in favor or in opposition, Mayor Bigelow closed the public hearing.

Upon request, Brandon Hill, Law Department, responded to Mr. Laker's inquiry and answered questions from members of the City Council.

ACTION: CONSIDER ORDINANCE NO. 14-41, AMENDING SECTIONS 7-1-103, 7-2-131, AND 7-6-1002 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ESTABLISH REQUIREMENTS FOR ALTERNATIVE FINANCIAL SERVICE PROVIDERS

The City Council previously held a public hearing regarding Application No. ZT-5-2014 and considered proposed Ordinance No. 14-41 that would amend Sections 7-1-103, 7-2-131, and 7-6-1002 of the West Valley City Municipal Code to establish requirements for alternative financial service providers.

Upon discussion, Councilmember Rushton stated the Council had carefully considered this matter and did not take any restrictions lightly. He cited statistics regarding use of these types of financial institutions and indicated the vast majority of residents would agree with the proposed requirements and restrictions. He expressed appreciation to City staff for their work in this regard and indicated his support for the proposal.

After further discussion, Councilmember Lang moved to approve proposed Ordinance No. 14-41, an Ordinance Amending Sections 7-1-103, 7-2-131, and 7-6-1002 of the West Valley City Municipal Code to Establish Requirements for Alternative Financial Service Providers. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 18, 2014

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Mr. Buhler	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16810

RESOLUTION NO. 14-185, APPROVE A FEDERAL AID AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNAL IMPROVEMENTS AT 4100 SOUTH 1300 WEST, 4100 SOUTH 2700 WEST, AND 4100 SOUTH 4000 WEST

Mayor Bigelow presented proposed Resolution No. 14-185 that would approve a Federal Aid Agreement with the Utah Department of Transportation (UDOT) for traffic signal improvements at 4100 South 1300 West, 4100 South 2700 West, and 4100 South 4000 West.

Background information included UDOT had allocated \$1,500,000 for traffic signal improvements at the intersections at the above stated locations from the Federal Highway Safety Improvement Program (FHSIP). The project would reconstruct the signal systems at the intersections as well as improve pedestrian ramps to meet ADA (Americans with Disabilities Act) requirements. The new signal systems would include improved vehicle detection that would provide dilemma zone detection and make it easier to add a future adaptive signal control system in the network to improve east/west traffic flow. Left turn phasing would also be added to improve safety for left turning vehicles.

In 2012 UDOT staff from the Traffic and Safety Division identified the project intersections as crash hot spots and approached City staff to participate in a road safety audit. The results of the audit recommended the traffic signals should be reconstructed to meet current safety standards and the pedestrian ramps should also be reconstructed to meet ADA standards. However, a funding source for the recommended improvements was not identified at that time.

In July of 2014 City staff became aware that UDOT had allocated funds for this project after reviewing a list of planned UDOT projects in West Valley City. The City funds for this project would be the City's portion of the match required on all federal aid projects. Taylorsville City would be responsible for the match of 50% regarding the 1300 West intersection and 15% of the 2700 West intersection.

After discussion, Councilmember Rushton moved to approve Resolution No. 14-185, a Resolution Approving a Federal Aid Agreement with the Utah Department of Transportation for Traffic Signal Improvements at 4100 South 1300 West, 4100 South 2700 West, and 4100 South 4000 West. Councilmember Lang seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

16811

RESOLUTION NO. 14-186, APPROVE A FRANCHISE AGREEMENT WITH TELEPORT COMMUNICATIONS AMERICA, LLC, FOR A TELECOMMUNICATIONS NETWORK IN THE CITY

Mayor Bigelow presented proposed Resolution No. 14-186 that would approve a Franchise Agreement with Teleport Communications America, LLC, for a telecommunications network in the City.

He stated the proposed agreement would allow Teleport Communications America to establish a telecommunications network in, under, along, over and across present and future rights-of-way of the City.

Information provided indicated applications for telecommunications networks in West Valley City were governed by Chapter 20-5 of the City Code. The franchise granted by the subject agreement would be for a ten-year period with the option to renew for an additional ten years with the same terms and conditions. Chapter 20-6 of the City Code would permit the City to require all telecommunications providers to collect taxes from their customers and deposit them with the Utah State Tax Commission. The subject agreement memorialized this provision as well as acknowledging Teleport Communications America's duty to secure permits from the Public Works Department for any excavation or construction.

After discussion, Councilmember Nordfelt moved to approve Resolution No. 14-186, a Resolution Approving a Franchise Agreement with Teleport Communications America, LLC and West Valley City, for a Telecommunications Network in the City. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Rushton	Yes

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Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, NOVEMBER 18, 2014, WAS ADJOURNED AT 7:00 P.M., BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, November 18, 2014.

Sheri McKendrick, MMC
City Recorder

Ayethet Kyi
Cuai Par

Daniel Escamilla
Fadumo Ibrahim

Gregorio Hernandez
Hugo Herrera
Jose Paredes
Lui Pualoa
Martha Herrera
Meeron Harmeiz
Tha Cung
Vitelio Soto

Antonio Perez
Claudia L. Sanchez
Guadalupe Camacho
Jose Favela
Juana Margarita Rodriguez
Ketrakhone Senekham
Kim Thuy Thi Nguyen
Long T. Nguyen
Luz Maria Castro
Maria Del Carmen Duarte Morales
Maria G. Cisneros
Marisera Sebitaraga
Okusitino Vaitohi
Olga Noriega
Phouveha Khampraseutsy
Rebeca Ramirez-Chavez
Rigoberto Nava
Rosabel Rodriguez
Techpheng Ear
Viet Tan Do
Vilma Llimpe

The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to five minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the microphone. All comments shall be directed to the Mayor. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 30-minute period.

ITEM#: _____
FISCAL IMPACT: _____
FUNDING SOURCE: _____
ACCOUNT #: _____
BUDGET OPENING REQ'D _____

ISSUE:

S-18-2014 – Colt Plaza III Subdivision – Lot 5 Amended and Extended

SYNOPSIS:

Applicant: Joe Cunningham
Proposal: Final Plat Approval
Location: 2938 South Glen Eagles Drive
Zoning: C-2
Lots 1

BACKGROUND:

Mr. Joe Cunningham, is requesting an amendment to lot 5 of the Colt Plaza Phase 3 Subdivision. The purpose for the plat amendment is to extend the subdivision by including two properties to the west of the existing lot 5.

The Colt Plaza III Subdivision was recorded with the Salt Lake County Recorder's Office in January 2006. The original subdivision plat consisted of 5 lots. To the west of lot 5 are two properties that were previously used for residential and agricultural purposes. These properties recently came up for sale and were purchased by the applicant.

In October 2014, the applicant submitted a zone change application with the Planning Commission. The request was to rezone these properties from the A zone to the C-2 zone. A change that the applicant believes is prudent given its limited access and lack of visibility from 5600 West. The rezoning application was approved by the City Council in November 2014.

Mr. Cunningham would like to extend the boundary of the original subdivision by including these two parcels. The intent is to consolidate lot 5 with the two parcels creating one large lot. At a future date the property will be developed with a commercial use.

Access will be gained from Glen Eagles Drive to the east. At the present time, lot 5 is serviced from a 25-foot access drive. This is the same drive that will provide access to the new lot. Currently, there are no plans to develop this property in conjunction with vacant land to the north. However, should the property owners come up with a plan to utilize both properties for a joint venture, access could then be gained from the north as well.

RECOMMENDATION:

The Planning Commission approved this application.

SUBMITTED BY:

Steve Lehman
Current Planning Manager

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

AN ORDINANCE APPROVING THE AMENDMENT OF LOT 5 IN THE COLT PLAZA III SUBDIVISION.

WHEREAS, the City is in receipt of petition S-18-2014, proposing an amendment to lot 5 in the Colt Plaza III Subdivision located at approximately 2938 South Glen Eagles Drive; and

WHEREAS, the purpose for the amendment is to extend the boundary of the subdivision to include 2 properties to the west; and

WHEREAS, proper notice was given and a public hearing was held pursuant to Section 10-9a-207, Utah Code Annotated; and

WHEREAS, the City Council finds that after the public hearing, that there is good cause for the plat amendment, and that neither the public nor any person will be materially injured by the proposed plat amendment and that the approval is in the best interest of the health, safety and welfare of the citizens of West Valley City; and

NOW THEREFORE, BE IT ORDAINED by the City Council of West Valley City, State of Utah, as follows:

Section 1. The amendment to lot 5 of the Colt Plaza III Subdivision located at approximately 2938 South Glen Eagles Drive and as shown in Petition No. S-18-2014, is hereby approved.

Section 2. This Ordinance shall have no force or effect on any rights-of-way or easements of any lot owner, and the franchise rights of any public utilities shall not be impaired thereby, nor shall it have any force or effect on 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.

Section 3. The City Recorder is hereby directed to record this Ordinance with the Salt Lake County Recorder's Office.

Section 4. This Ordinance shall become effective immediately upon posting as required by law.

PASSED AND APPROVED this _____ day of _____ 2014.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER



COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT

November 13, 2014

Joe Cunningham
2917 S Glen Eagles Drive
West Valley City, UT 84128

Dear Mr. Cunningham:

The West Valley City Planning Commission voted on November 12, 2014 to recommend to the City Council approval for a plat amendment for lot 5 of the Colt Plaza III Subdivision on application #S-18-2014. The property is located at approximately 2938 S 5600 W.

Any conditions attached to this approval will need to be satisfied one week prior to the date set for hearing before the City Council. You will be notified by the City Recorder of the date and time your application will appear on the City Council agenda.

If you should have any comments or questions, please feel free to contact our office at 963-3311.

Sincerely,



Steve Lehman, AICP
Current Planning Manager

SL/nc

S-18-2014

**Colt Plaza III Subdivision – Lot 5 Amended and Extended
2938 South Glen Eagles Drive
C-2 Zone
1 Lot**

BACKGROUND

Mr. Joe Cunningham, is requesting an amendment to lot 5 of the Colt Plaza Phase 3 Subdivision. The purpose for the plat amendment is to extend the subdivision by including the two properties to the west.

STAFF/AGENCY CONCERNS:

There are no staff or agency concerns with this application as they have been addressed as part of the original subdivision application. It should be noted that the applicant will need to coordinate engineering and utility issues when the property does develop.

ISSUES:

The Colt Plaza III Subdivision was recorded with the Salt Lake County Recorder's Office in January 2006. The original subdivision plat consisted of 5 lots. To the west of lot 5 are two properties that were previously used for residential and agricultural purposes. These properties recently came up for sale and were purchased by the applicant.

In October 2014, the applicant submitted a zone change application with the Planning Commission. The request was to rezone these properties from the A zone to the C-2 zone. A change that the applicant believes is prudent given its limited access and lack of visibility from 5600 West.

Mr. Cunningham would like to extend the boundary of the original subdivision by including these two parcels. The intent is to consolidate lot 5 with the two parcels creating one large lot. At a future date the property will be developed with a commercial use.

Access will be gained from Glen Eagles Drive to the east. At the present time, lot 5 is serviced from a 25-foot access drive. This is the same drive that will provide access to the new lot. Currently, there are no plans to develop this property in conjunction with vacant land to the north. However, should the property owners come up with a plan to utilize both properties for a joint venture, access could then be gained from the north as well.

STAFF ALTERNATIVES:

- A. Approve the plat amendment as submitted.
- B. Continuance to allow for more discussion regarding the application.

Applicant:

Joe Cunningham
4139 S Colt Court

Discussion: Steve Lehman presented the application. Jack Matheson stated that the access is a 25 stem and asked if it's treated like a flag lot. Steve replied yes and indicated that it will have easements for water, sewer, etc.

Joe Cunningham, the applicant, stated that he may eventually work with the property owner to the north and do a joint development but added that these lots can be developed successfully on their own as well. He stated that there is open access to the surrounding properties and has good visibility in conjunction with the building. Mr. Cunningham indicated that the rear parcel will likely be storage units and the building will be a lighter commercial type use. He indicated that the property owner to the north is not sure about selling his property but Mr. Cunningham stated that he will hold off on developing the site until he gets a definitive answer.

Motion: Commissioner Woodruff moved for approval.

Commissioner Thomas seconded the motion.

Roll call vote:

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

Unanimous-S-18-2014-Approved

S-18-2014 Petition by **JOE CUNNINGHAM** requesting a **plat amendment** for lot 5 in the Colt Plaza III Subdivision. This application will amend and extend lot 5 to create a larger building lot. The property is located at approximately 2938 South 5600 West and is zoned C-2. (Staff-Steve Lehman at 801-963-3311)



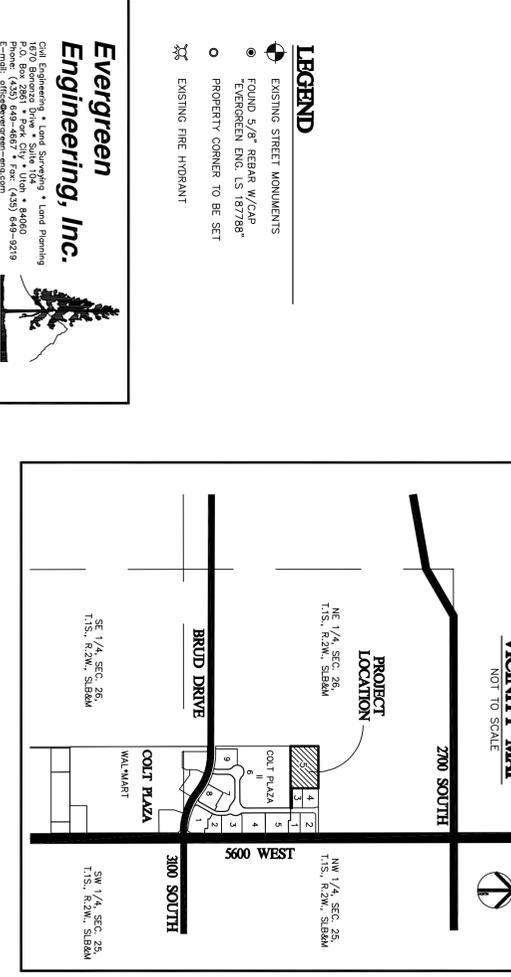
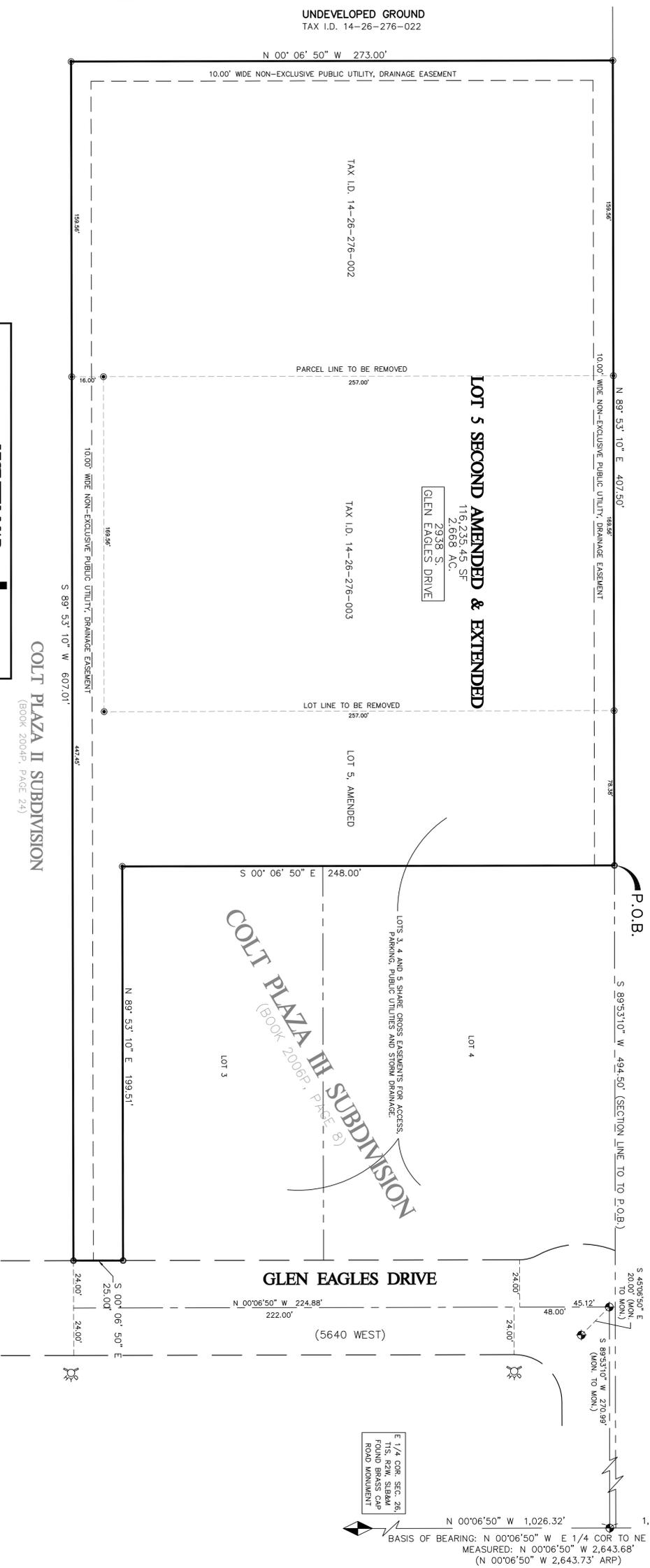
S-18-2014 Petition by **JOE CUNNINGHAM** requesting a **plat amendment** for lot 5 in the Colt Plaza III Subdivision. This application will amend and extend lot 5 to create a larger building lot. The property is located at approximately 2938 South 5600 West and is zoned C-2. (Staff-**Steve Lehman** at 801-963-3311)



COLT PLAZA III SUBDIVISION, LOT 5 SECOND AMENDED & EXTENDED

UNDEVELOPED GROUND
TAX I.D. 14-26-229-004

UNDEVELOPED GROUND
TAX I.D. 14-26-276-002



CHAIR, WEST VALLEY CITY PLANNING COMMISSION	SALT LAKE VALLEY HEALTH DEPARTMENT	GRANGER-HUNTER IMPROVEMENT DISTRICT	WEST VALLEY CITY ENGINEER	APPROVAL AS TO FORM	CITY COUNCIL APPROVAL	RECORDED
APPROVED AND ACCEPTED BY THE WEST VALLEY CITY PLANNING COMMISSION ON THIS DAY OF _____ A.D. 20__.	APPROVED AND ACCEPTED BY THE SALT LAKE VALLEY HEALTH DEPARTMENT ON THIS DAY OF _____ A.D. 20__.	APPROVED AND ACCEPTED BY THE GRANGER-HUNTER IMPROVEMENT DISTRICT ON THIS DAY OF _____ A.D. 20__.	I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE. DATE: _____ WEST VALLEY CITY ENGINEER _____	APPROVED AS TO FORM ON THIS DAY OF _____ A.D. 20__.	PRESENTED TO THE WEST VALLEY CITY COUNCIL AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED. DATE: _____ TIME: _____ BOOK: _____ PAGE: _____	NUMBER: _____ STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: _____

COLT PLAZA III SUBDIVISION, LOT 5 SECOND AMENDED & EXTENDED

— A 1 LOT COMMERCIAL SUBDIVISION —

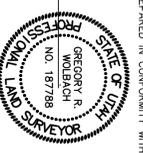
A PARCEL OF LAND LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, WEST VALLEY CITY, SALT LAKE COUNTY, UTAH

- NOTES**
1. DEVELOPER, DT CAPITAL DEVELOPMENT, LLC (CARE CUNNINGHAM) ADDRESS: 2917 S. GLEN EAGLES DRIVE, #5, WEST VALLEY CITY, UTAH 84128.
 2. BASIS OF BEARING: FOUND AND ACCEPTED SECTION MONUMENTS IN 5600 WEST ROADWAY AS SHOWN HEREON.
 3. THE PURPOSE OF THIS PLAT IS TO INCLUDE ADDITIONAL LAND INTO COLT PLAZA III SUBDIVISION, LOT 5 AMENDED.
 4. BOUNDARY CORNERS, UNLESS SHOWN OTHERWISE HEREON, OFFSET PINS TO BE SET IN TOP BACK OF CURB ALONG GLEN EAGLES DRIVE OR 5/8\"/>

OWNERS DEDICATION AND CONSENT TO RECORD

I, GREGORY B. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE PERFORMED A SURVEY OF THE HEREON LAND INTO AN AMENDED LOT, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS 'COLT PLAZA III SUBDIVISION, LOT 5, 2ND AMENDED & EXTENDED'.

I, FURTHER CERTIFY THAT THIS RECORD OF SURVEY IS A CORRECT REPRESENTATION OF THE LAND SURVEY I FURTHER CERTIFY THAT THIS RECORD OF SURVEY IS IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW.



PRINT DATE: OCTOBER 9, 2014
DRAWING FILE: 09-1018-2006R001.DWG
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LEGAL DESCRIPTION

TOGETHER WITH THE FOLLOWING TWO (2) DESCRIBED PARCELS:

PARCEL 1: TAX PARCEL NO. 14-26-276-001
BEING THE EAST 1/4 CORNER AND 742.44 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE WEST 159.56 FEET; THENCE SOUTH 273 FEET; THENCE EAST 159.56 FEET; THENCE NORTH 273 FEET TO THE POINT OF BEGINNING.

PARCEL 2: TAX PARCEL NO. 14-26-276-003
BEING A PARCEL 3,061.46 FEET NORTH AND 742.44 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 257.00 FEET; THENCE EAST 169.56 FEET; THENCE NORTH 457 FEET; THENCE WEST 169.56 FEET TO THE POINT OF BEGINNING.

COMBINED THREE (3) PARCELS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 26, THENCE ALONG THE EAST LINE OF THE SOUTHEAST CORNER OF SAID SECTION 26, A DISTANCE OF 1,327.36 FEET; THENCE ALONG THE EAST LINE OF THE SOUTHWEST CORNER OF SAID SECTION 26, THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26, NORTH 0°06'50" WEST A DISTANCE OF 1,193.32 FEET; THENCE LEAVING SAID EAST LINE SOUTH 89°53'10" WEST A DISTANCE OF 494.50 FEET TO THE TRUE POINT OF BEGINNING. SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE WEST LINE OF GLEN EAGLES DRIVE, SAID DRIVE BEING ON THE AND OF RECORD IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER'S OFFICE, ENTRY NUMBER, 9608034, BK 2008P, PG 8); THENCE ALONG THE BOUNDARY OF SAID LOT 5, AMENDED THE FOLLOWING FOUR (4) CALLS: 1) SOUTH 0°06'50" EAST A DISTANCE OF 248.00 FEET; 2) NORTH 89°53'10" EAST A DISTANCE OF 194.51 FEET TO THE WESTERN RIGHT-OF-WAY LINE OF GLEN EAGLES DRIVE; 3) ALONG SAID WESTERN RIGHT-OF-WAY LINE SOUTH 89°53'10" WEST 607.01 FEET; THENCE NORTH 0°06'50" WEST A DISTANCE OF 272.00 FEET; THENCE SOUTH 89°53'10" EAST A DISTANCE OF 407.50 FEET TO THE POINT OF BEGINNING.

CONTAINS: 116,235.45 SQUARE FEET OR 2,668 ACRES, MORE OR LESS.

ACKNOWLEDGMENT

STATE OF UTAH) DT CAPITAL, LLC, A UTAH LIMITED LIABILITY COMPANY
COUNTY OF SALT LAKE) TORBR, LLC, A UTAH LIMITED LIABILITY COMPANY
ON THE _____ DAY OF _____, 2014, CARE CUNNINGHAM PERSONALLY APPEARED BEFORE ME, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE THAT HE EXECUTED THE FOREGOING OWNERS DEDICATION, MY COMMISSION EXPIRES _____
(PRINTED NAME) A NOTARY PUBLIC COMMISSIONED IN UTAH SIGNATURE _____

SURVEYORS CERTIFICATE

I, GREGORY B. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE PERFORMED A SURVEY OF THE HEREON LAND INTO AN AMENDED LOT, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS 'COLT PLAZA III SUBDIVISION, LOT 5, 2ND AMENDED & EXTENDED'.

ITEM#: _____
FISCAL IMPACT: _____
FUNDING SOURCE: _____
ACCOUNT #: _____
BUDGET OPENING REQ'D _____

ISSUE:

S-16-2014 – Moose Landing Subdivision Lot 1 Amended and Extended

SYNOPSIS:

Applicant: Joe Cunningham
Proposal: Final Plat Approval
Location: 4133 South Colt Court
Zoning: R-1-8
Lots 3

BACKGROUND:

Mr. Joe Cunningham, is requesting a plat amendment to lot 1 of the Moose Landing Subdivision. The purpose for the plat amendment is to create one new building lot within the original subdivision. The Moose Landing Subdivision was recorded in June 1999. The original plat consisted of 11 lots on 4.6 acres.

The proposal will include a modification to lot 1 of the Moose Landing Subdivision and from the adjacent parcel fronting 4100 South. The end result will be the addition of a new building lot to be known as lot 1B.

Lot 1 as originally platted is approximately 12,471 square feet. The parcel to the north is approximately .48 acres in size. While it has a detached garage, the owners have apparently agreed to sell the southern portion to help in the creation of a new lot. The remaining portion of their property will be part of the new subdivision and will be known as lot 1C.

When the original subdivision was recorded, lot 1 had a boundary that included property on the west side of what will be lot 1C. This is the area that is nicely landscaped with a meandering sidewalk and pine trees. The developer of Moose Landing wanted a nice entry into the subdivision, and this was the chosen method.

In order to keep this entry feature in place, the northwest portion of lot 1B will have the same configuration. Staff assumes that Mr. Cunningham will make provisions to ensure that this area is well kept and maintained.

Access to the new lots will be gained from Colt Court. Public improvements along this right-of-way were installed by the developer of the original subdivision. Any damage to existing improvements, or damage associated with new construction will need to be repaired by the builder of the new lot. The applicant and/or builder of the new lot will also be responsible to coordinate the new drive approach on lot 1B.

The original soils report for the Moose Landing Subdivision indicated that ground water was encountered at a depth of 9 feet. Recommendations outlined in the original report will apply for the new lot. To staff's knowledge, there have been no indications of high water table and or problems associated with ground water in general.

RECOMMENDATION:

The Planning Commission approved this application.

SUBMITTED BY:

Steve Lehman
Current Planning Manager

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

AN ORDINANCE APPROVING THE AMENDMENT OF LOT 1 IN THE MOOSE LANDING SUBDIVISION.

WHEREAS, the City is in receipt of petition S-16-2014, proposing an amendment to lot 1 in the Moose Landing Subdivision located at approximately 4133 South Colt Court; and

WHEREAS, the purpose for the amendment is to create an additional building lot; and

WHEREAS, proper notice was given and a public hearing was held pursuant to Section 10-9a-207, Utah Code Annotated; and

WHEREAS, the City Council finds that after the public hearing, that there is good cause for the plat amendment, and that neither the public nor any person will be materially injured by the proposed plat amendment and that the approval is in the best interest of the health, safety and welfare of the citizens of West Valley City; and

NOW THEREFORE, BE IT ORDAINED by the City Council of West Valley City, State of Utah, as follows:

Section 1. The amendment to lot 1 of the Moose Landing Subdivision located at approximately 4133 South Colt Court and as shown in Petition No. S-16-2014, is hereby approved.

Section 2. This Ordinance shall have no force or effect on any rights-of-way or easements of any lot owner, and the franchise rights of any public utilities shall not be impaired thereby, nor shall it have any force or effect on 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.

Section 3. The City Recorder is hereby directed to record this Ordinance with the Salt Lake County Recorder's Office.

Section 4. This Ordinance shall become effective immediately upon posting as required by law.

PASSED AND APPROVED this _____ day of _____ 2014.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER



WEST VALLEY CITY

Unity Pride Progress

COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT

November 13, 2014

Joe Cunningham
2917 S Glen Eagles Drive
West Valley City, UT 84128

Dear Mr. Cunningham:

The West Valley City Planning Commission voted on November 12, 2014 to recommend to the City Council approval for a plat amendment to lot 1 of the Moose Landing Subdivision on application #S-16-2014. The property is located at 4133 S Colt Court.

The motion for approval is subject to the resolution of any staff or agency concerns.

Any conditions attached to this approval will need to be satisfied one week prior to the date set for hearing before the City Council. You will be notified by the City Recorder of the date and time your application will appear on the City Council agenda.

If you should have any comments or questions, please feel free to contact our office at 963-3311.

Sincerely,

Steve Lehman, AICP
Current Planning Manager

SL/nc

S-16-2014

Moose Landing Subdivision - Lot 1 Amended and Extended.

4133 South 4695 West

R-1-8 Zone

.83 acres

BACKGROUND

Mr. Joe Cunningham, is requesting a plat amendment to lot 1 of the Moose Landing Subdivision. The purpose for the plat amendment is to create one new building lot within the original subdivision. The Moose Landing Subdivision was recorded in June 1999. The original plat consisted of 11 lots on 4.6 acres.

STAFF/AGENCY CONCERNS:

All public infrastructure has been installed as part of the Moose Landing Subdivision and along 4100 South. New construction on lots 1A and 1B will need to comply with all building permit approvals and road cut permit approvals with the City's Engineering Division. The applicant will need to coordinate all other utility services as they may apply.

ISSUES:

Mr. Cunningham is proposing a plat amendment to create an additional building lot within the Moose Landing Subdivision. The proposal will include a modification to lot 1 of the Moose Landing Subdivision and from the adjacent parcel fronting 4100 South. The end result will be the addition of a new building lot to be known as lot 1B.

Lot 1 as originally platted is approximately 12,471 square feet. The parcel to the north is approximately .48 acres in size. While it has a detached garage, the owners have apparently agreed to sell the southern portion to help in the creation of a new lot. The remaining portion of their property will be part of the new subdivision and will be known as lot 1C.

When the original subdivision was recorded, lot 1 had a boundary that included property on the west side of what will be lot 1C. This is the area that is nicely landscaped with a meandering sidewalk and pine trees. The developer of Moose Landing wanted a nice entry into the subdivision, and this was the chosen method.

In order to keep this entry feature in place, the northwest portion of lot 1B will have the same configuration. Staff assumes that Mr. Cunningham will make provisions to ensure that this area is well kept and maintained.

Access to the new lots will be gained from Colt Court. Public improvements along this right-of-way were installed by the developer of the original subdivision. Any damage to existing improvements, or damage associated with new construction will need to be repaired by the builder of the new lot. The applicant and/or builder of the new lot will also be responsible to coordinate the new drive approach on lot 1B.

The original soils report for the Moose Landing Subdivision indicated that ground water was encountered at a depth of 9 feet. Recommendations outlined in the original report will apply for the new lot. To staff's knowledge, there have been no indications of high water table and or problems associated with ground water in general.

STAFF ALTERNATIVES:

- A. Approve the amendment of lot 1 in the Moose Landing Subdivision subject to a resolution of staff and agency concerns.
- B. Continue the application to address issues raised during the hearing.

Applicant:

Joe Cunningham
4139 S Colt Court

Discussion: Steve Lehman presented the application. Barbara Thomas asked why the narrow piece of property is dedicated to lot 1B instead of lot 1C. Steve replied that it was part of the original lot 1 and that the property owner of lot 1C likely doesn't want the responsibility of it since it was not part of the original subdivision.

Joe Cunningham, the applicant, stated that he wanted to limit the access of the Baptist Church onto this street. The landscaping will help keep the appearance of the subdivision nice and will prevent confusion.

Motion: Commissioner Woodruff moved for approval subject to the resolution of staff and agency concerns.

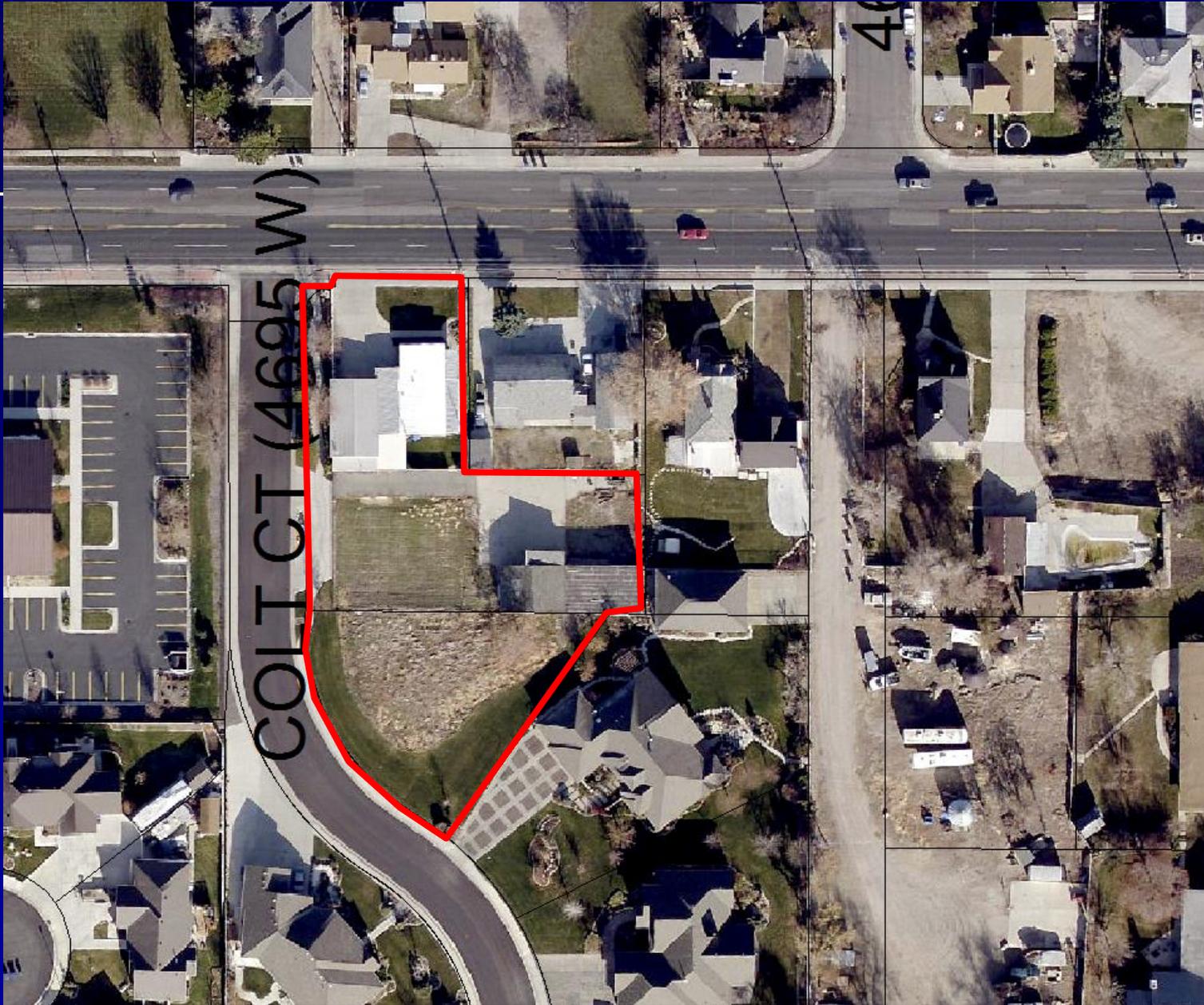
Commissioner Thomas seconded the motion.

Roll call vote:

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

Unanimous-S-16-2014-Approved

S-16-2014 Petition by **JOE CUNNINGHAM** requesting a **plat amendment** to lot 1 of the Moose Landing Subdivision. The application will amend and extend lot 1 to create an additional building lot. The property is located at approximately 4133 South Colt Court (4695 West) and is zoned R-1-8. (Staff- **Steve Lehman** at 801-963-3311)



ITEM#: _____
FISCAL IMPACT: _____
FUNDING SOURCE: _____
ACCOUNT #: _____
BUDGET OPENING REQ'D

ISSUE:

S-17-2014 – Colt Plaza Subdivision

SYNOPSIS:

Applicant: Joe Cunningham
Proposal: Final Plat Approval
Location: 3100 South 5600 West
Zoning: C-2
Lots 4

BACKGROUND

Joe Cunningham is requesting final subdivision approval for a commercial subdivision in the C-2 Zone. The subject property is located at 3100 South 5600 West. It is bordered on the west by what will be the Mountain View Corridor, the north by 3100 South, the east by 5600 West and the south by existing commercial development.

In November 2002, the subject property was divided by metes and bounds. It consisted of 5 parcels and was the catalyst for getting the City's first Walmart store. The property was originally divided by metes and bounds, which is a record of survey that creates legal descriptions that are used to subsequently divide property. It is generally used for commercial purposes and does not require road dedication.

Mr. Cunningham, is proposing to formally divide the property to create an additional commercial lot. In addition, the subdivision will establish cross access and parking easements on a recorded plat as opposed to documents that were previously recorded. Lots within the subdivision will accommodate a variety of commercial uses. Future land uses will be subject to the standards outlined in the C-2 zone and will be processed as either conditional or permitted uses.

Access will be gained from 3100 South. Although each of the three lots have frontage on 3100 South, access will be restricted to the two existing approaches approved for the original Walmart site plan. Internal access will be gained via the aforementioned cross access easements.

RECOMMENDATION:

The Planning Commission approved this application.

SUBMITTED BY:

Steve Lehman
Current Planning Manager



WEST VALLEY CITY
Unity Pride Progress

COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT

November 13, 2014

Joe Cunningham
2917 S Glen Eagles Drive
West Valley City, UT 84128

Dear Mr. Cunningham:

The West Valley City Planning Commission voted on November 12, 2014 to recommend to the City Council preliminary and final plat approval for the Colt Plaza Subdivision on application #S-17-2014. The property is located at 3100 S 5600 W.

The motion for approval is subject to the resolution of any staff and agency concerns.

Any conditions attached to this approval will need to be satisfied one week prior to the date set for hearing before the City Council. You will be notified by the City Recorder of the date and time your application will appear on the City Council agenda.

If you should have any comments or questions, please feel free to contact our office at 963-3311.

Sincerely,

Steve Lehman, AICP
Current Planning Manager

SL/nc

S-17-2014
Colt Plaza Subdivision
3180 South 5600 West
C-2 Zone
4 Lots
21.6 Acres

BACKGROUND

Joe Cunningham is requesting preliminary and final subdivision approval for a commercial subdivision in the C-2 Zone. The subject property is located at approximately 3180 South 5600 West. It is bordered on the west by what will be the Mountain View Corridor, the north by 3100 South, the east by 5600 West and the south by existing commercial development.

ISSUES:

In November 2002, the subject property was divided by metes and bounds. It consisted of 5 parcels and was the catalyst for getting the City's first Walmart store. To remind the Planning Commission, a metes and bounds subdivision is a record of survey that creates legal descriptions to divide property. It is generally used for commercial purposes and does not require road dedication.

Mr. Cunningham, is proposing to formally divide the property to create an additional commercial lot. In addition, the subdivision will establish cross access and parking easements on a recorded plat as opposed to documents that were previously recorded. Lots within the subdivision will accommodate a variety of commercial uses. Future land uses will be subject to the standards outlined in the C-2 zone and will be processed as either conditional or permitted uses.

Access will be gained from 3100 South. Although each of the three lots have frontage on 3100 South, access will be restricted to the two existing approaches approved for the original Walmart site plan. Internal access will be gained via the aforementioned cross access easements.

Due to this application being a commercial subdivision, staff and agency comments will be better addressed during the conditional use and/or permitted use processes. The subdivision plat will contain easements and other information applicable to the division of property, but does not address site design issues typically found in commercial developments.

STAFF ALTERNATIVES:

Approve the Colt Plaza Commercial Subdivision subject to staff concerns.

Continue the application to address issues raised during the Planning Commission meeting.

Applicant:

Joe Cunningham
4139 S Colt Court

Discussion: Steve Lehman presented the application. Joe Cunningham stated that the remaining parcel was purchased, the gas station was removed, and he would now like to move forward with developing this. He indicated that he felt it would work better to divide the lot into three separate ones and the buildings will be built accordingly. Mr. Cunningham stated that there will be cross easements for drive, storm drains, and parking. Phil Conder asked if this will impact Walmart's storage. Mr. Cunningham stated that he has talked with Walmart and requested that they clean up their property. He indicated that he hopes having this lot developed will encourage them to do it quicker. Barbara Thomas stated that she likes that there are not separate entrances to each parcel.

Motion: Commissioner Matheson moved for approval subject to the resolution of staff concerns.

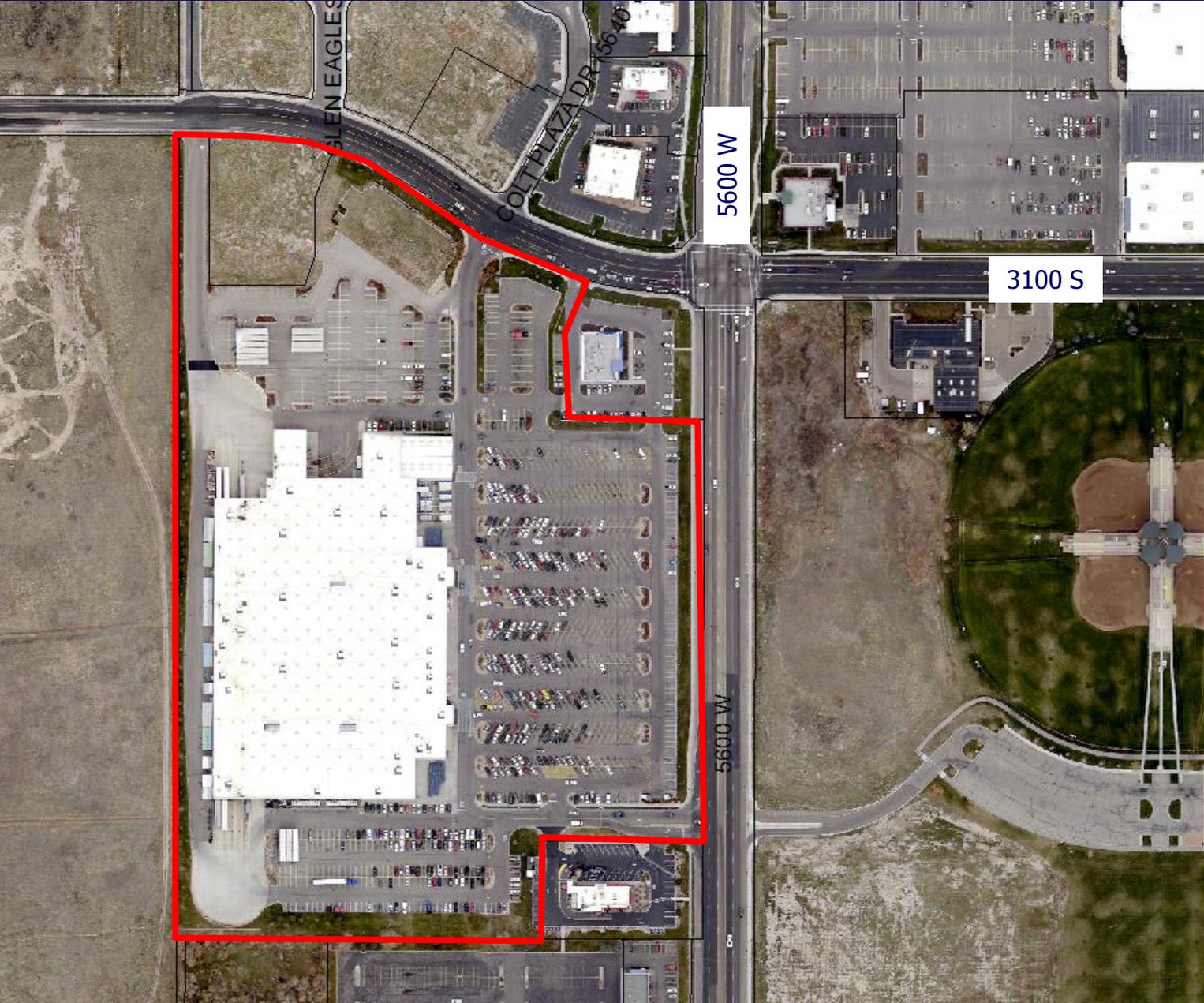
Commissioner Fuller seconded the motion.

Roll call vote:

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

Unanimous-S-17-2014-Approved

S-17-2014 Petition by **JOE CUNNINGHAM** requesting **preliminary and final plat approval** for the **Colt Plaza Subdivision**. This subdivision will consist of 4 lots on 21.6 acres. The subdivision is located at 3100 South 5600 West and is zoned C-2. (Staff- **Steve Lehman** at 801-963-3311)



ITEM#: _____
FISCAL IMPACT: _____
FUNDING SOURCE: _____
ACCOUNT #: _____
BUDGET OPENING REQ'D: _____

ISSUE:

S-14-2014 – Highbury Place – Phase 10

SYNOPSIS:

Applicant: Ivory Homes
Proposal: Final Plat Approval
Location: 5012 West 2860 South
Lots: 23
Acres: 7.3
Zoning: R-1-8

BACKGROUND:

Nick Mingo, representing Ivory Homes, is requesting final plat approval for the 10th phase of the Highbury Place Subdivision. The proposed subdivision is located to the east of phase 9. Property to the north and east is vacant and will be platted as future phases of Highbury in the future.

This phase consists of 23 lots on 7.3 acres. Lot sizes range from 8,400 square feet to 15,360 square feet. The average lot size in this phase has been calculated at just over 10,000 square feet.

Access to the subdivision will be gained from Brixham Way, and Sandwell Drive. Both of these streets were dedicated as part of phase 9 to the west. Sandwell Drive will stub to the east for a future connection out to Corporate Park Drive.

All streets in the subdivision will be dedicated and will consist of a 54-foot right-of-way. This will allow a 5-foot parkstrip and 5-foot sidewalk. Ivory Homes has submitted a tree planting plan for the entire Highbury Place Subdivision. Ivory will provide home owners with a voucher to purchase and plat these trees. The residential HOA will ensure that trees are planted and maintained in accordance with the approved plan.

The Planning Commission and City Council have reviewed and approved a development agreement for the entire Highbury community. This agreement addresses dwelling size, building materials and other items related to the construction of residential homes. Staff believes that the requirements outlined in this agreement have created a unique community with a variety of housing options along with ample open space and recreational opportunities.

The subdivision is located next to an existing waterway along the south boundary of the subdivision. In previous phases, Ivory Homes has installed a semi private fence along the rear property lines adjacent to the waterway. This fence is constructed of a Trex post and wrought iron which allows visibility into the waterway. The same fence type will be installed along lots 1008-1011 in this phase that are adjacent to the waterway.

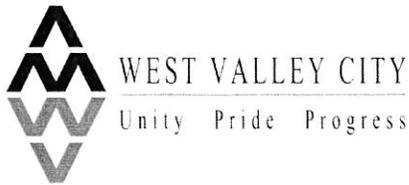
Ivory Homes is planning on installing basements for all homes. A soils report has been prepared which indicates that ground water was encountered at a depth ranging from 7-8 feet below existing grades. All homes are eligible for basements and will comply with the water table elevation as noted on the plat. In addition, Ivory will be installing a sub-drain system to provide an extra measure of protection for new home owners.

RECOMMENDATION:

The Planning Commission approved this application.

SUBMITTED BY:

Steve Lehman
Current Planning Manager



COMMUNITY & ECONOMIC DEVELOPMENT
DEPARTMENT

November 13, 2014

Ivory Development
Attn: Nick Mingo
978 E Woodoak Lane
Salt Lake City, UT 84117

Dear Mr. Mingo:

The West Valley City Planning Commission voted on November 12, 2014 to recommend to the City Council final plat approval for the 10th phase of the Highbury Park Subdivision on application #S-14-2014. The property is located at 5012 W 2850 S.

The motion for approval is subject to the following conditions:

1. That the subdivision be guided by the design standards and all exhibits of the development agreement dated December 2008.
2. That the developer contact the Salt Lake County Auditor's Office regarding the subdivision name and all street names associated with the development.
3. That compliance be made with Granger Hunter Improvement District i.e., water line extensions, connections, water rights and fire protection.
4. That the developer coordinate all matters associated with any irrigation or open ditch systems with the City Engineering Division. The developer shall coordinate with any water users and the City Public Works Department as part of this recommendation.
5. That the developer follow all recommendations outlined in the soils report. The proposed sub-drain system shall be reviewed and approved by the City Engineering Division.
6. That the proposed development comply with all provisions of the West Valley City Fire Department.
7. That the fence adjacent to the waterway be consistent with fencing materials used in previous phases adjacent to the waterways.

Any conditions attached to this approval will need to be satisfied one week prior to the date set for hearing before the City Council. You will be notified by the City Recorder of the date and time your application will appear on the City Council agenda.

If you should have any comments or questions, please feel free to contact our office at 963-3311.

Sincerely,



Steve Lehman, AICP
Current Planning Manager

SL/nc

S-14-2014
Highbury Place Subdivision – Phase 10
5012 West 2860 South
R-1-8 Zone
23 lots
7.3 acres

BACKGROUND:

Nick Mingo, representing Ivory Homes, is requesting final plat approval for the 10th phase of the Highbury Place Subdivision. The proposed subdivision is located to the east of phase 9. Property to the north and east is vacant and will be platted as future phases of Highbury in the future.

STAFF/AGENCY COMMENTS:

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modification to existing ditches or irrigation systems.
- Follow recommendations outlined in the soils report.
- Will need to address grading and drainage approvals of the preliminary plat.
- Will need appropriate easements for storm water and sewer connections.
- Revisions to plat required.
- Contact Salt Lake County for approval regarding street names and subdivision name.

Building Division:

- Follow recommendations outlined in the Soils report.

Utility Companies:

- Standard Utility Easements required.

Fire Department:

- Project to meet all fire codes relating to this type of development.

- Hydrants to be shown on plat.

ISSUES:

Ivory Homes is requesting final approval for the 10th phase of the Highbury Place Subdivision. This phase consists of 23 lots on 7.3 acres. Lot sizes range from 8,400 square feet to 15,360 square feet. The average lot size in this phase has been calculated at just over 10,000 square feet.

Access to the subdivision will be gained from Brixham Way, and Sandwell Drive. Both of these streets were dedicated as part of phase 9 to the west. Sandwell Drive will stub to the east for a future connection out to Corporate Park Drive.

All streets in the subdivision will be dedicated and will consist of a 54-foot right-of-way. This will allow a 5-foot parkstrip and 5-foot sidewalk. Ivory Homes has submitted a tree planting plan for the entire Highbury Place Subdivision. Ivory will provide home owners with a voucher to purchase and plant these trees. The residential HOA will ensure that trees are planted and maintained in accordance with the approved plan.

The Planning Commission and City Council have reviewed and approved a development agreement for the entire Highbury community. This agreement addresses dwelling size, building materials and other items related to the construction of residential homes. Staff believes that the requirements outlined in this agreement have created a unique community with a variety of housing options along with ample open space and recreational opportunities.

The subdivision is located next to an existing waterway along the south boundary of the subdivision. In previous phases, Ivory Homes has installed a semi private fence along the rear property lines adjacent to the waterway. This fence is constructed of a Trex post and wrought iron which allows visibility into the waterway. The same fence type will be installed along lots 1008-1011 in this phase that are adjacent to the waterway.

Ivory Homes is planning on installing basements for all homes. A soils report has been prepared which indicates that ground water was encountered at a depth ranging from 7-8 feet below existing grades. All homes are eligible for basements and will comply with the water table elevation as noted on the plat. In addition, Ivory will be installing a sub-drain system to provide an extra measure of protection for new home owners.

STAFF ALTERNATIVES:

- A. Grant final plat approval for the 10th phase of the Highbury Place Subdivision subject to the following conditions:

1. That the subdivision be guided by the development agreement dated December 2008.
 2. That the developer contact the Salt Lake County Auditor's Office regarding the subdivision name and all street names associated with the development.
 3. That compliance be made with Granger Hunter Improvement District i.e., water line extensions, connections, water rights and fire protection.
 4. That the developer coordinate all matters associated with any irrigation or open ditch systems with the City Engineering Division. The developer shall coordinate with any water users and the City Public Works Department as part of this recommendation.
 5. That the developer follow all recommendations outlined in the soils report. The proposed sub-drain system shall be reviewed and approved by the City Engineering Division.
 6. That the proposed development comply with all provisions of the West Valley City Fire Department.
 7. That the fence adjacent to the waterway be consistent with fencing materials used in previous phases adjacent to the waterways.
- B. Continue the application to address issues raised by the Planning Commission.

Applicant:

Nick Mingo
978 E Woodoak Lane

Discussion: Steve Lehman presented the application. The Planning Commission had no further questions or concerns.

Motion: Commissioner Thomas moved for approval subject to the 7 items listed by staff.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes

Commissioner Mills	Yes
Commissioner Thomas	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-S-14-2014-Approved

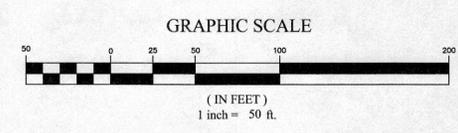
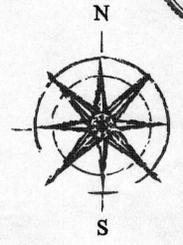
S-14-2014 Petition by **NICK MINGO, REPRESENTING IVORY HOMES**, requesting **final plat approval** for the 10th phase of the Highbury Place Subdivision. This phase consists of 23 lots on 7.3 acres. The subdivision is zoned R-1-8 and is located at approximately 5012 West 2850 South. (Staff- **Steve Lehman** at 801-963-3311)



HIGHBURY PLACE PHASE 10 P.U.D.

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 25
TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
WEST VALLEY CITY, UTAH

SURVEYOR'S CERTIFICATE
I, BRAD A. LLEWELYN, A PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 4938735 AS PRESCRIBED BY THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE AN ACCURATE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HERewith, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, PARCELS, AND STREETS TOGETHER WITH EASEMENTS TO BE HEREAFTER KNOWN AS HIGHBURY PLACE PHASE 10 P.U.D., AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.



NORTHWEST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN FOUND SALT LAKE COUNTY BRASS CAP

NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN FOUND SALT LAKE COUNTY BRASS CAP

NORTHEAST CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN FOUND SALT LAKE COUNTY BRASS CAP

(BASIS OF BEARING FOR HIGHBURY PARKWAY EXTENSIONS N89°48'42"W 2656.54')

N89°53'10"E 3643.46' (TIE)

(BASIS OF BEARING FOR THIS PLAT & HIGHBURY COMMONS AT LAKE PARK MEASURED N00°06'50"W 2643.46')

(BASIS OF BEARING FOR HIGHBURY PLACE PHASES 1, 2, 3, 4 & HIGHBURY COMMONS AT LAKE PARK MEASURED N00°06'50"W 2770.00' (TIE)

WEST QUARTER CORNER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN FOUND SALT LAKE COUNTY BRASS CAP

CENTER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN FOUND SALT LAKE COUNTY BRASS CAP

MEASURED N89°53'12"E 2655.10' -SECTION LINE- (ARP N89°52'29"E)



SUBURBAN LAND RESERVE INC. 14-25-226-025 ENTRY #10915102

PARCEL 14-25-226-026 SUBURBAN LAND RESERVE

SUBURBAN LAND RESERVE, INC. 14-25-226-025 ENTRY # 11822501

HIGHBURY AT LAKE PARK OWNERS COMPANY 14-25-226-024 ENTRY #11783579 (PARCEL 6)

71	72	73	74	75	76	12A	13A	14A	15A	16A	17A	18A
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PREPARED BY

FOCUS
ENGINEERING AND SURVEYING, LLC
502 WEST 8360 SOUTH
SANDY, UTAH 84070 PH: (801) 352-0075
www.focusutah.com

RECORDED #

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ SALT LAKE COUNTY RECORDER