

**MINUTES**  
**WEST HAVEN PLANNING COMMISSION**  
**SEPTEMBER 24, 2008**  
**6:00 P.M.**

**PRESENT:**

*Phil Green, Chairman - excused*  
*Shawn Smith, Vice-Chair*  
*Marvin Pebley*  
*Shelly Rovira*  
*Brad Galvez*  
*David Anderson*  
*Vennesa Murray*  
*Steve Anderson, City Planner*

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**5:30 Work Session**

**AGENDA**

- 1. Invocation**
- 2. Action On Minutes** – September 10, 2008
- 3. Report** – Actions Taken By City Council on Planning Commission Recommendations
- 4. Public Hearing** – Rezone Request – 3910 S. 5100 W.; 3926 S. 5100 W.; 4000 S. 5100 W. – A-1  
Agricultural to C-2, Commercial – Roger Stokes & Justin Nielsen
- 5. Action on Public Hearing** – Rezone Request – 3910 S. 5100 W.; 3926 S. 5100 W.; 4000 S. 5100 W.
- 6. Concept Approval** – 3910 S. 5100 W.; 3926 S. 5100 W.; 4000 S. 5100 W. – Roger Stokes/Justin Nielsen
- 7. Final Approval** – Country Haven Phase 7 Amended – 3700 S. 3500 W. – Nilson Homes
- 8. Other Business**
- 9. Adjournment**

The Planning Commission met at their regularly scheduled meeting at the City Office. Vice-Chair Smith called the meeting to order at 6:00 p.m.

**1. INVOCATION** was offered by Commission Member Murray.

Vice-Chair Smith welcomed a Scout troop from the Rosewood Ward to the meeting.

**2. ACTION ON MINUTES OF SEPTEMBER 10, 2008:** Commission member Anderson moved to approve the minutes as written. Commission member Rovira seconded the motion. Commission member Rovira, aye; Commission member Murray, aye; Commission member Pebley, aye; Commission member Smith, aye; Commission member Galvez, aye; Commission member Anderson, aye. The vote to approve was unanimous.

**3. REPORT – ACTIONS TAKEN BY CITY COUNCIL ON PLANNING COMMISSION RECOMMENDATIONS:** Steve Anderson reported.

**4. PUBLIC HEARING – REZONE REQUEST- 3910 S. 5100 W.;3926 S. 5100 W.; 4000 S. 5100 W.; A-1 TO C-2:** Commission member Pebley moved to leave the public meeting and enter into a public hearing. Motion seconded by Commission member Murray. Commission member Rovira, aye; Commission member Murray, aye; Commission member Pebley, aye; Commission member Smith, aye; Commission member Anderson, aye; Commission member Galvez, aye. Vote was unanimous.

Vice-Chair Smith invited developers to present their request for rezoning prior to taking public comment. Mr. Stokes and Mr. Nielsen stated that they wished to rezone the property to commercial.

**Public Comment**

Mr. Vern Campbell questioned why Mr. Stokes wants to have commercial where there is an existing home on one of the lots.

**There was no other public comment.**

**Commission member Anderson moved** to leave the public hearing and return to the public meeting. **Motion seconded by Commission member Galvez.** Commission member Rovira, aye; Commission member Murray, aye; Commission member Pebley, aye; Commission member Smith, aye; Commission member Anderson, aye; Commission member Galvez, aye. Vote was unanimous.

**5. ACTION ON PUBLIC HEARING – REZONE REQUEST – 3910 S. 5100 W.; 3926 S. 5100 W.; 4000 S. 5100 W:** Commission member Galvez stated the request to rezone is consistent with the current general plan. Commission member Anderson asked if UDOT had been contacted. Steve Anderson stated that there is a new state law that requires UDOT to notify cities when they are interested in preserving a highway corridor. UDOT did contact West Haven City of their intent to preserve a corridor in this area. UDOT then has 30 days to respond if the city contacts them about a proposed development. West Haven City notified UDOT of the proposed development and did not receive a response from them. Mr. Nielsen stated that he and Mr. Stokes also contacted UDOT, and did not receive a response.

Mr. Stokes and Mr. Nielsen provided pictures of commercial buildings they are considering for development and stated that their plan is to develop professional office space. Planning members discussed with the developers the possibility of making the project a private development instead of a subdivision. The developers stated that they will consider that option.

**Commission Member Murray moved** to recommend approval of the rezoning from A-1 to C-2 for 3910 S. 5100 W., 3926 S. 5100 W., and 4000 S. with a condition that there will be a time limit of two years for construction to begin, or the property will revert back to the original zoning. **Commission member Pebley seconded** the motion. Commission member Rovira, aye; Commission member Murray, aye; Commission member Pebley, aye; Commission member Smith, aye; Commission member Galvez, aye; Commission member Anderson, aye. Vote to approve was unanimous.

**6. CONCEPT APPROVAL – 3910 S., 5100 W.; 3926 S. 5100 W.; 4000 S. 5100 W:** Mr. Stokes & Mr. Nielsen presented a conceptual plan for consideration. Developers stated that they would have stringent CCR's to insure an attractive development.

**Commission member Anderson moved** to recommend concept approval as a private development. **Commission member Galvez seconded** the motion. Commission member Rovira, aye; Commission member Murray, aye; Commission member Pebley, aye; Commission member Smith, aye; Commission member Galvez, aye; Commission member Anderson, aye. Vote to approve was unanimous.

**7. FINAL APPROVAL – COUNTRY HAVEN PHASE 7 AMENDED – 3700 S. 3500 W. – NILSON HOMES:** Nilson Homes was not in attendance at the meeting. **Commission member Pebley moved** to table Country Haven Phase 7 Amended. **Commission member Murray seconded** the motion. Commission member Rovira, aye; Commission member Murray, aye; Commission member Pebley, aye; Commission member Smith, aye; Commission member Galvez, aye; Commission member Anderson, aye; Vote to table was unanimous.

**8. OTHER BUSINESS:** Council member Tim Jensen discussed the proposed tree ordinance with the commission and the advantages to becoming a tree city USA. Planning members requested another copy of the proposed ordinance to review again now that they have a better understanding of what is being proposed.

Vice Chair Smith invited the scout troop in attendance to come forward if they had any questions. Scout James McClellan came forward and asked about the intersection at 3500 W. 4000 S. Steve Anderson stated that the bid for the intersection has been awarded to Granite Construction, and they are hoping to begin construction this fall. James also asked about a time frame for the Walmart Development. He was informed that the development is on hold.

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**9. ADJOURNMENT:** *Commission member Anderson moved to adjourn at 6:45 p.m. Motion seconded by Commission member Galvez. Vote to adjourn was unanimous.*

*Patricia Mikesell*  
Patricia Mikesell  
Deputy City Recorder

Date Approved: \_\_\_\_\_