



**AGENDA
BLUFFDALE CITY PLANNING COMMISSION
MEETING**

February 3, 2016

Notice is hereby given that the Bluffdale City Planning Commission will hold a public meeting **Wednesday, February 3, 2016**, at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah. Notice is further given that access to this meeting by Planning Commissioners may be by electronic means by telephonic conference call. The Agenda will be as follows. Please note that all times listed on the Agenda are provided as a courtesy and are approximate and subject to change.

PLANNING COMMISSION BUSINESS MEETING

1. Invocation and Pledge.*
2. Public comment (for non-public hearing items).
3. Approval of minutes from January 20, 2016 meeting of the Planning Commission.
4. **CONSIDERATION AND VOTE** on an Amended Site Plan for 58 Townhomes for amended building elevations located at approximately 14700 South Rising Star Way within The Marketplace at Independence Master Planned Community, D R Horton, Applicant.
5. City Council Report.
6. Planning Commission business (planning session for upcoming items, follow up, etc.).
7. Adjournment.

Dated: January 29, 2016

A handwritten signature in blue ink that reads "Grant Crowell".

Grant Crowell, AICP
City Planner/Economic Development Director

In compliance with the American Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City at least 24 hours in advance of this meeting at (801)254-2200. TTY 7-1-1.

*Contact Gai Herbert if you desire to give the Invocation.

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Present:

Members: **Connie Pavlakis, Vice Chair**
 Kory Luker
 Nick Berry
 Von Brockbank

Excused: **Brad Peterson**
 Johnny Loumis, Jr.

Others: **Grant Crowell, City Planner/Economic Development Director**
 Jennifer Robison, Associate Planner
 Gai Herbert, Community Development Assistant

BUSINESS MEETING

In the absence of Chair Brad Peterson, Vice Chair Connie Pavlakis called the meeting to order at 7:02 p.m.

1. Invocation and Pledge.

Von Brockbank offered the invocation. The Pledge of Allegiance was recited.

2. Public Comment.

Connie Robbins gave her address as 14455 South 2585 West and asked when the Planning Commission Members typically receive their meeting packet. Vice Chair Pavlakis stated that they usually receive it by the Friday prior to the meeting. Ms. Robbins opined that the Planning Commission Members should receive the packets at least 1.5 or 2 weeks before the meeting so that they have ample time to study the items to be covered at the meeting. She believed the City Council should observe the same time frame. Her opinion was based on what she observed with the Summit Academy issue that came before the Planning Commission and City Council.

Ms. Robbins next asked City Planner/Economic Development Director, Grant Crowell (1) why he believes the City needs the roundabout; and (2) what level of authority the Planning Commission has in the approval of the roundabout and the widening of 14400 South. Mr. Crowell explained that the City Council identifies their long-range Transportation Plan in the Capital Facilities Plan. The widening of 14400 South has been in the City Council's Capital Facilities Plan. Developing that plan and the necessary budget falls within the purview of the City Council. Those issues do not go through the Planning Commission; however, the public has the opportunity to attend City Council Meetings and participate in the public hearings associated with the Capital Facilities Plan.

Those issues are based on traffic modeling and future growth predictions and the City Council sets priorities about what things need to be done and in what order. With regard to the roundabout, Mr. Crowell stated that it has been an item of discussion. The intersection at 14400 South and 2200

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West has a problem with two-way stops because many east and westbound drivers stop when they shouldn't and four-way stops do not keep traffic moving. Consequently, the Engineering Department began discussing with the City Council the possibility of placing a roundabout at that intersection. The City Council was receptive to that idea and asked the Engineering Department to begin looking acquiring property for a roundabout. Ms. Robbins thanked Mr. Crowell for his explanation and clarification of the planning and approval process.

With regard to the roundabout, Commissioner Brockbank asked Mr. Crowell if it was considered before Summit Academy was proposed. Mr. Crowell didn't know when the original discussions on the roundabout began, but stated that discussions on alternatives for the intersection began before Summit Academy became an issue because of the problems associated with the east and west traffic. In addition, both 14400 South and 2200 West are slated for improvement in the Capital Facilities Plan.

Bruce Kartchner gave his address as 14078 Deer Haven Cove and identified himself as a former member of the City Council. Mr. Kartchner indicated that the City Council did not discuss the roundabout until after the plans for the school began. Staff may have discussed it earlier because different ideas had been discussed for a long time, beginning when plans for Independence were brought to the City. Vice Chair Pavlakis clarified that the roundabout under discussion was for the intersection at 14400 South and 2200 West near the new Summit Academy that the City Council recently approved. Mr. Kartchner stated that the City Council never discussed that roundabout during his tenure that ended December 2015.

Vice Chair Pavlakis asked Mr. Crowell to discuss the possibility of getting meeting packets out sooner. Mr. Crowell stated that it would not work to have the packets prepared that far in advance of a meeting because of the way noticing decisions are made and how staff prepares for their work week. The City Council also gets their meeting packets the Thursday or Friday before their next meeting. Mr. Crowell noted that if the Planning Commission doesn't have adequate information in the meeting packet and needs more time to consider an issue, they have the latitude to continue an item to the next meeting.

Vice Chair Pavlakis asked Mr. Crowell to provide clarification on the deadlines staff needs to meet. Mr. Crowell clarified that he was referring particularly to the deadlines associated with the City Council Meetings because Mrs. Robbins had mentioned the City Council, as well. Mr. Crowell stated that there are statutorily mandated noticing deadlines for certain items, such as zone changes. Over the past 20 years of his career, Mr. Crowell had tried many different ways of preparing packets and ultimately they end up going out the Friday before the meeting. It is advantageous that meetings are now on Wednesdays to give the Planning Commission and City Council more time to review the meeting packets. Mr. Crowell added that according to State law, some things can be added to the agenda 24 hours in advance of the meeting unless they are required to be noticed. State law requires noticing of zone changes, general plans, and plat amendments.

In response to Vice Chair Pavlakis' question regarding when the meeting packet is placed on the Utah Public Meeting Notice website, Mr. Crowell stated that the packet is not posted to that site. The agenda and statutorily required noticing items, however, are posted there. Vice Chair Pavlakis

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noted that she was able to get the entire meeting packet for the City Council on the Utah Public Meeting Notice website. That would have been done by the City Recorder even though it is not required. Mr. Crowell was not aware that the City Recorder had done that and thought it was a great thing. He added that when the City website is revised, it would be good for meeting packets to be posted there.

Commissioner Brockbank suggested that the City Council would benefit from receiving a copy of the Planning Commission Meeting packet. It would give them an extra week to review what is being considered by the Planning Commission in advance of the City Council Meeting. Mr. Crowell noted that the City Council Members have access to Dropbox already, so that would not be an issue. He stated that the City Council Members could be added to the email notification that the meeting packet is available in Dropbox. That way, they would get the Planning Commission Meeting packets one week in advance of the City Council Meeting. Vice Chair Pavlakis requested that when Community Development Assistant, Gai Herbert, emails the Planning Commission Members to notify them that the meeting packet is in Dropbox, she also include the City Council Members in that email, as well.

There were no further public comments. Vice Chair Pavlakis closed the public hearing.

3. Approval of Minutes from the January 20, 2016, Meeting of the Planning Commission.

Kory Luker moved to approve the minutes from the January 20, 2016, meeting of the Planning Commission, as amended. Nick Berry seconded the motion. Vote on motion: Kory Luker-Aye; Nick Berry-Aye; Von Brockbank-Aye; Connie Pavlakis-Abstained. The motion passed unanimously with one abstention. Connie Pavlakis abstained as she was not present at the January 20 meeting.

4. CONSIDERATION AND VOTE on an Amended Site Plan for 58 Townhomes for Amended Building Elevations Located at Approximately 14700 South Rising Star Way within The Market Place at Independence Master Planned Community, D. R. Horton, Applicant.

Associate Planner, Jennifer Robison, presented the staff report and stated that the above item is an amendment to a site plan that was approved on December 9, 2014, for Solis Homes to construct 141 townhome units. Subsequent to that time, D.R. Horton purchased a portion of the project, which includes 58 townhome units. For the sake of the public record, the City Planning Department has deemed it prudent to make minor changes to the site plan, specifically the elevations, for the Planning Commission's approval. The landscaping plan and all other previously approved elements to the site plan will not change.

Mrs. Robison reviewed photos of the revised elevations, which were approved by the Aclaime Independence Design Review Committee (AIDRC), as required by the Development Agreement. D.R. Horton plans to begin construction as soon as possible and complete the entire project at one time. Therefore, staff specified that the landscaping around the perimeter of each building needs to be completed as was done for the other site plans. Mrs. Robison next reviewed the landscaping

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plan, the original elevations, and the parking plan. It was noted that the townhomes are rear-loaded alley type units. The front of the units will face the corridor. There will be on-street parking on just one side of the street. The no parking zone will be marked with a red curb. The footprint of the buildings will not change. Mrs. Robison reiterated that the only change to the original site plan is the elevations.

Commissioner Brockbank expressed concern regarding on-street parking and asked how many stalls are provided. Mrs. Robison did not know but added that the garages are two-stall units. Commissioner Brockbank's primary concern was the amount of visitor parking that will be available.

Commissioner Brockbank was concerned about parking where the cul-de-sac is located. Mrs. Robison stated that there is some parking available there, but the radius portion will have red curbs to allow for vehicles to turn around. She reiterated that the parking plan was previously approved by the Planning Commission.

In response to Commissioner Luker's question regarding whether the townhomes will have basements, John Linton of D.R. Horton stated that they do not.

In response to Commissioner Berry's question regarding the location of parking stalls, Mrs. Robison reviewed the site diagram, which includes the parking stall locations. The rest of the parking will be on one side of the street. Mrs. Robison noted that the units are single-family dwellings.

In response to Vice Chair Pavlakis' question regarding the snow removal plan, Mrs. Robison stated that there is a snow removal plan included in the project plan.

Vice Chair Pavlakis invited Mr. Linton to address the Planning Commission. Mr. Linton first expressed his appreciation for the Planning Commission's time to review the site plan. He added that he has color schemes available for the Planning Commission to review.

Commissioner Brockbank reiterated his concern regarding visitor parking, particularly when the residents have family members come to visit. Mr. Linton stated that D.R. Horton is stepping into the project and added that the parking plan was approved when Solis Homes presented the original site plan. He noted that the cul-de-sac will allow for additional parking. There will also be parking along the street.

In response to Vice Chair Pavlakis' question regarding driveways, Mr. Linton stated that each unit has a two-car garage; however, there is no driveway for additional off-street parking.

Vice Chair Pavlakis invited public comment. There were no public comments.

Commissioner Luker stated that he lives in a neighborhood similar to the one under consideration. Now that his son is old enough to drive, his family has three cars and only two places to park cars. The City charges \$400 to tow cars, which is a steep penalty. Therefore, since the plan is to park on

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the street, he asked why the residents are being penalized for parking on the street. Mr. Crowell acknowledged Commissioner Luker's question and noted that this is particularly an issue during the winter when street parking rules are more stringent to allow for snow removal. Mr. Crowell added that people should visit with the City Council about this situation.

In response to Vice Chair Pavlakis' question regarding Commissioner Luker's situation, Commissioner Luker stated that his car was towed before the snow fell in September or October. Vice Chair Pavlakis asked if the development agreements have specified requirements for signage and curb painting for no parking areas. Mr. Crowell responded that the signage is left up to the City to decide. With regard to his neighborhood, Commissioner Luker stated that the HOA has established parking regulations, so people can have their car towed by the HOA or the City.

Commissioner Brockbank noted that the Planning Commission's hands are tied because the site plan has been previously approved. Vice Chair Pavlakis added that the parking plan and associated issues are not D.R. Horton's responsibility.

Kory Luker moved to approve the site plan for the D.R. Horton 58 Townhomes, Application 2016-07, subject to the following:

Conditions:

- 1. That all requirements of the City Code, adopted ordinances, adopted building and fire codes, approved Marketplace Aclaime at Independence Final Subdivision Plat A and DA requirements are met and adhered to for this site plan.**
- 2. That all site plan features and building architecture shall adhere to the approved site plan and the conditions of the AIDRC approval.**
- 3. That all street trees shall be installed in the park strips prior to the issuance of a certificate of occupancy for all dwellings in accordance with the approved Landscaping Plan.**
- 4. That all park strips, trees, landscaping, irrigation and maintenance is the responsibility of the HOA.**
- 5. That the applicant submits a landscaping phasing plan that illustrates minimum landscaping installation around each constructed building and associated park strip landscaping, prior to the final inspection for any constructed building or dwelling in the project. The City Planner shall approve the landscaping phasing plan and no certificate of occupancies for any structure shall be issued unless all landscaping is installed pursuant to the approved landscaping and phasing plan.**
- 6. That any permit for additional fencing within the project shall be approved by the AIDRC prior to submitting application to the City.**

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7. **That for each building permit submittal, the City requires a certification in the form of a grading and drainage plan for each lot, stamped and certified by a professional engineer. This should be submitted with the site plan and building permit. No building permit shall be issued without this.**
8. **That after construction, before a certificate of occupancy is issued, the builder shall submit a certification by a Professional Civil Engineer that the lot was actually graded according to the initial engineered plan and that no construction has interfered with that plan.**
9. **That all units shall provide address numbers on the front and rear of each individual unit for safety and unit identification.**

Nick Berry seconded the motion. Vote on the motion: Kory Luker-Aye; Nick Berry-Aye; Von Brockbank-Aye; Connie Pavlakis-Aye. The motion passed unanimously.

5. City Council Report.

Mr. Crowell stated that the City Hall site plan and the zone change to the City Park were approved. The new City logo was also selected and approved. Mr. Crowell displayed a picture of the new logo. A roll-out and style guide for the logo were forthcoming.

On February 17, 2016, the Planning Commission and City Council will have a joint meeting to discuss a concept plan for a large project on the Staker property south of Porter Rockwell Boulevard and north of Camp Williams Road, on the east side. This area has been under discussion for many years.

The City Council also discussed a parcel that was previously owned by the Jordan School District. The developer wants to do a project similar to Spring View Estates. It will require a change to the General Plan and zoning to have lots ranging from 10,000 to 13,000 square feet. Mr. Crowell identified the location on a map and stated that it will be near Loumis Parkway. The City Council seemed amenable to the concept. The zoning would change from R-1-43 to R-10 with an overlay, as was done at Porter's Place. In response to Commissioner Brockbank's question regarding the open space requirements for the proposed project, Mr. Crowell stated that there are no open space requirements for the R-1-10 zone.

Mr. Crowell added that the CRO will be returning for discussion.

Discussion ensued on the importance of maintaining properties that allow for horses because they are an important part of Bluffdale's culture. Vice Chair Pavlakis added that it is important that Bluffdale maintain its open spaces to preserve the open country feel of the City. She noted that even people in high density areas have chosen to live in Bluffdale because of the open spaces that exist. She wanted to see that characteristic maintained.

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Mr. Crowell noted that on Tuesday, February 2, the Board of Adjustment met to discuss a variance for an offset intersection that is less than the required minimum of 150 feet. The variance was for a development of six one-acre lots to be located across from Frost Court.

Mr. Crowell noted that the City's volume of building permits is at primarily for lots that are smaller than one acre. In fact, last year the City issued 256 dwelling permits, of which the ratio was 3-to-1 for single-family to multi-family buildings.

6. Planning Commission Business (Planning Session for Upcoming Items, Follow Up, Etc.).

Commissioner Brockbank asked about Debbie Holt's property for which she was requesting a vacation of the land in front of her. Mr. Crowell stated that she was still trying to gather relevant information.

Commissioner Brockbank inquired about the cost of a roundabout that is being considered for the intersection at 14400 South and 2200 West, including the cost of acquiring the needed property. He believes the Planning Commission needs to be well informed when that project comes to fruition. Mr. Crowell remarked that it is not typical for infrastructure projects to provide that information to the Planning Commission because it is a City Council decision. He directed the Planning Commission to inquire with the City Engineer. He noted that 14400 South is definitely slated to be widened, so property acquisition will have to take place.

In response to Vice Chair Pavlakis' question about why a roundabout is needed, Mr. Crowell stated that it has been part of the Capital Facilities Master Plan for some time. There is increasing background traffic and more buildings going into the area, which will add to the traffic and increase the needs.

Commissioner Berry next asked what would happen if the City refused to widen the street, especially since it is a City street that connects to other cities. Mr. Crowell stated that it is the City's street, so the City has control over it. The State's role would only be if it is determined to be a state road, which takes an act of the Joint Highway Commission. The City is discussing the possibility of Porter Rockwell Boulevard becoming a state road, which could result in the scenario where a local road becomes a state road. The State could also ask the City to take back 14600 South, or a portion thereof. He commented that it is rare for a road classification to change. As for the Herriman issue, the City Council has unequivocally stated that 14400 South will not connect to Herriman in the currently adopted plan, even though Herriman has it connecting to Bluffdale's border on their plan. It was understood, however, that over time, plans can change.

Vice Chair Pavlakis had heard that the strip at the west end of 14400 South is in the process of being dedicated to Herriman City. Mr. Crowell had heard the same rumor but had not confirmed it in the County Record yet.

In response to Commissioner Berry's question regarding the ownership of 14600 South, Mr. Crowell indicated that the State owns it east of Redwood Road to the freeway. It is not a high

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priority for UDOT as far as maintenance is concerned. Mr. Crowell stated that a major roundabout is being planned on the east side of the bridge where Noell Nelson Drive comes out.

Commissioner Brockbank asked if there had been any talk of rerouting 14600 South with the FrontRunner. Mr. Crowell stated that it is too costly and has not been brought up. A traffic light may be considered.

Vice Chair Pavlakis noted that the current City Ordinance requires noticing people who are within 1,000 feet of a proposed project; however, she would like to see the City expand its noticing area because she has seen issues such as the Smith's store and the new charter school that have had a much broader impact. Particularly, none of the residents on 2200 West were noticed even though they will be significantly impacted by the parking that will take place on the road. Therefore, she suggested that anything that is non-residential be noticed on a City-wide basis.

Commissioner Berry liked the idea and noted that City Council Member James Wingate is making an effort to post items of interest on the City's website. Mr. Crowell stated that the City's new web site will be more actively used and he preferred that to stuffing 3,000 envelopes. Vice Chair Pavlakis believed that Bluffdale residents deserve to be noticed in spite of the labor-intensive nature of preparing 3,000 mailings. In response to Mr. Crowell's assertion that much information can be posted on the website and thus accessed easily, Vice Chair Pavlakis stated that for the younger generation that method is effective, but for the older people who are not as tech savvy, that method is not as effective. She considered herself to be a representative of people, not streets, roads, and buildings, so older residents need to be included because they built the City through hard work. Mrs. Robison added that the City prints a newsletter, as well.

Vice Chair Pavlakis reiterated her request that staff create an ordinance that requires noticing on a broader scale because the applicants pay for the noticing. Mr. Crowell noted that the City recently paid a \$1,000 postage bill. Vice Chair Pavlakis replied that the new ordinance will need to include the applicants' obligation to pay for the postage required to notice their proposal. Mr. Crowell stated that the City does not have the technology to print postcards. At this point, staff folds the notices and places them in envelopes, which is a very labor-intensive process. Vice Chair Pavlakis stated that a folding machine costs \$500. Mr. Crowell noted that the City has a folding machine, but staff still has to stuff the envelopes.

Mr. Crowell stated that in other cities a large yellow sign has been more effective. Mr. Crowell asked if the Planning Commission wants to create a proposed noticing ordinance and send it to the City Council for consideration or confer with the City Council about the idea first. Vice Chair Pavlakis wanted to see the proposed ordinance first and then forward the recommendation to the City Council.

Commissioner Brockbank added that the purpose of notifications is to make those are affected by a proposal aware. His concern with the school was that it affects everyone who lives in Bluffdale as they travel down 14600 South. Many residents were not notified about the school who should have been. Vice Chair Pavlakis wanted the proposed ordinance to specify the parameters instead of

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having the noticing be a judgment call. The City has several members of staff who don't live in Bluffdale. As a result, they aren't as affected as the residents themselves.

In response to Mrs. Robison's question about the desired parameters, Vice Chair Pavlakis stated that she would like them to be City-wide. Mrs. Robison stated that site plans that are 15,000 square feet or greater require a public hearing with both the Planning Commission and City Council. She added that the City's noticing ordinance contains more requirements than State law requires. She noted that Bluffdale City is more proactive in its noticing than most cities. Discussion on the availability and use of mailing lists ensued.

Mr. Crowell stated that staff can draft a proposal that requires applicants for non-residential projects to develop their own mailing list and pay the cost for the entire mailing to be sent out. Vice Chair Pavlakis stated that it needs to be something that the City Council would seriously consider. Mr. Crowell added that the City currently has no City-wide mailing list. Vice Chair Pavlakis stated that the City should have one. Mr. Crowell added that it would be very difficult to keep the list current. Mrs. Robison added that the City currently requires applicants to provide a mailing list based on the County's records from the County Recorder's Office. Vice Chair Pavlakis reiterated that she believes it would be a good gesture on the part of the City to improve its noticing processes.

7. Adjournment.

The Planning Commission Meeting adjourned at 8:11 p.m.

Gai Herbert
Community Development Assistant

Approved: February 17, 2016