



**BLUFFDALE CITY PLANNING COMMISSION  
MEETING**

**May 4, 2016**

Notice is hereby given that the Bluffdale City Planning Commission will hold a public meeting **Wednesday, May 4, 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 7:00 PM**

1. Invocation and Pledge.\*
2. Public comment (for non-public hearing items).
3. Approval of minutes from April 20, 2016 meeting of the Planning Commission.
4. **PUBLIC HEARING, CONSIDERATION AND VOTE**, on a Plat Amendment for the Green Hills Subdivision, located at approximately 2765 West 14400 South, Vaughn & Lori Howells, applicant.
5. Discussion Item: Transitional Development Standards
6. City Council Report.
7. Planning Commission business (planning session for upcoming items, follow up, etc.).
8. Adjournment.

**Dated: April 29, 2016**

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: Brad Peterson, Chair  
Connie Pavlakis  
Johnny Loumis, Jr.  
Nick Berry  
Von Brockbank**

**Excused: Kory Luker**

**Others: Grant Crowell, City Planner/Economic Development Director  
Jennifer Robison, Senior Planner  
Paul Douglass, Associate Planner  
Courtney Lemperle, Development Coordinator**

**BUSINESS MEETING**

Chair Brad Peterson called the meeting to order at 7:00 p.m.

**1. Invocation and Pledge.**

Connie Pavlakis offered the invocation. The Pledge of Allegiance was recited.

**2. Public Comment.**

There were no public comments.

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

**Connie Pavlakis moved to approve the minutes from the April 20, 2016, meeting of the Planning Commission, as amended. Johnny Loumis, Jr., seconded the motion. Vote on motion: Johnny Loumis, Jr.-Aye; Nick Berry-Aye; Connie Pavlakis-Aye; Von Brockbank-Aye; Brad Peterson-Aye. The motion passed unanimously.**

**4. PUBLIC HEARING, CONSIDERATION, AND VOTE on a Plat Amendment for the Green Hills Subdivision, Located at Approximately 2765 West 14400 South, Vaughn and Lori Howells, Applicants.**

Associate Planner, Paul Douglass, presented the staff report and stated that the applicants who own Lot 2 of the Green Hills Subdivision. They wish to add on to their lot a portion of the lot to the west of them, Lot 1, thereby creating the need to adjust the property boundaries. The Green Hills Subdivision is in the R-1-43 zone, which requires a minimum of one acre per lot. The neighbors currently have a 1.301-acre lot. The applicants are seeking to purchase a .3-acre portion of the neighboring lot. That parcel will then be exactly one acre, thereby still meeting the one-acre requirement of the R-1-43 zone. The applicants' lot will increase from 2.223 acres to 2.523 acres.

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The applicants obtained letters from the different utility companies verifying that the proposed change will not impact the current easements or setbacks that are in place.

In response to Commissioner Brockbank's question regarding whether the other homeowners have signed off on the change to the subdivision, City Planner/Economic Development Director, Grant Crowell, stated that the requirement pertains only to the affected properties. The change affects only Lots 1 and 2, so permission from the owners of the other lots in the subdivision is not necessary. In response to Chair Peterson's question regarding the number of homes that are in the Green Hills Subdivision, Mr. Douglass indicated that there are five.

Chair Peterson opened the public hearing.

Maryann McCabe gave her address as 14538 South Valley Crest Way. She asked for a visual clarification of where the proposed change will take place. She also asked why the applicants are expanding their property. The applicant, Vaughn Howells, explained that the property he wants to add is currently a weed patch and he wants to own it so that he can take care of it. In response to a question raised by Ms. McCabe, Mr. Howells indicated that he may store trailers on the additional property.

Vaughn Howells gave his address as 2765 West 14400 South and indicated that there will not need to be a transfer of water. He indicated that he has one-fifth of one share of water. When Chair Peterson sought to confirm that the neighbors also have one-fifth of one share of water, Mr. Howells explained that the HOA supplies the water. It was his understanding when he and his wife bought the property four years ago that their property was 2.25 acres in size. Chair Peterson noted that the Howells are part of the HOA so the water shares were turned over to the City and stay with the subdivision. Discussion ensued on how water shares are determined and appropriated. Senior Planner, Jennifer Robison, explained that the appropriation of water shares varies from canal company to canal company. She also noted that the waters shares are in the name of the subdivision, not the property owners. Because the applicants are not adding property to the subdivision, there are already enough water shares available.

Noting that the Howells have rights as property owners to do as they see fit with their property, Chair Peterson requested that Mr. Howells explain what he and his wife plan to do with the extra property. Mr. Howells explained that it was a weed patch, so he just bought it to keep the weeds down. He did not have any immediate plans for the property.

In response Ms. McCabe's question to as to whether another business or house will go on the extra property, Chair Peterson himself replied in the negative. Chair Peterson added that the lot next to the Howells is just over one acre and the Howells have bought a portion of that lot, which will leave the neighboring lot at exactly one acre. The request is just a plat amendment for a boundary change. In response to a question raised by Commissioner Berry, Mr. Howells indicated that they have already finalized the purchase of the property.

There were no more public comments. Chair Peterson closed the public hearing.

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**Nick Berry moved to forward a positive recommendation to the City Council for the Green Hills Amended Subdivision Plat, Application 2016-16, subject to the following:**

**Conditions:**

- 1. That all requirements of the City Code and adopted ordinances are met and adhered to for this subdivision.**
- 2. That all requirements of the originally approved final plat for The Green Hills Subdivision are in effect and enforceable with the approved Plat Amendment application.**
- 3. That the utility locations are shown on the final plat, as recommended by the City Engineer.**

**Findings:**

- 1. That this application conforms to the City of Bluffdale Subdivision ordinance and Utah State code requirements regarding plat approval.**

**Johnny Loumis, Jr., seconded the motion. Vote on the motion: Von Brockbank-Aye; Nick Berry-Aye; Connie Pavlakis-Aye; Johnny Loumis, Jr.-Aye; Brad Peterson-Aye. The motion passed unanimously.**

Mr. Crowell noted that this item will go the City Council at its May 11 meeting.

**5. Discussion Item: Transitional Development Standards.**

City Planner/Economic Development Director, Grant Crowell, facilitated the discussion and stated that the discussion was precipitated by public comment received at the April 6, 2016, Planning Commission Meeting. Accordingly, Mr. Crowell included the language that currently appears in **11-16-20: TRANSITIONAL DEVELOPMENT STANDARDS FOR USES ABUTTING RESIDENTIAL ZONES**. He noted that the ordinance does not include the requirement for a 10-foot wall or exactly what happened in the Woodbury project because it was its own zone, Gateway Redwood. The language provided in the ordinance establishes the baseline. Mr. Crowell noted that the person who made the public comment lives in Bluffdale Heights, where there has been a lot of development activity of different uses in the surrounding area that have had a significant impact on the subdivision.

Mr. Crowell stated that buffering takes many factors into account, not just distance. For example, landscaping and lighting at the property line are likewise important. Sometimes buildings can be used to create a buffer. In addition, HC zoning allows tall buildings.

In response to Chair Peterson's question about how negotiable transitional standards are from project to project, Mr. Crowell explained that there are different standards in a project, so the

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transitional standards could be treated differently in different areas. For example, Independence has additional landscaping requirements, which are set at 20% rather than 15%.

Mr. Crowell noted that 10-foot walls are large and expensive, and he doesn't believe they are a good application in every case. In the case of the Smith's property, there was 100-foot buffer that was negotiated a decade ago. The applicants asked to get the real estate back because the roads were moving in addition to other factors. The 100 feet turned into a 10-foot wall and 20 feet of buffer, along with other requirements. Thus, it would not be feasible to apply that situation to other projects. On the west side of Redwood Road, the Smith's project will be a catalyst for development. The transitional standards will be the subject of discussion and negotiation.

Chair Peterson explained that the dumpster on the Smith property will be near the 10-foot wall and will not be far from the residential area, contrary to what is specified in Paragraph B.10. Mr. Crowell stated that if that requirement was changed as one of the basic standards, it would need to occur as a text amendment. In the case of the Woodbury project, the negotiation process has led to a different scenario.

Chair Peterson noted that the transitional standards are difficult to remember, so for future reference, he requested that they be included in the meeting packet when future site plans for commercial projects are reviewed and considered, especially when they occur next to a residential area. Mr. Crowell stated that he could do that, adding that they do not apply to the Woodbury project. He explained that staff will also be sure to review those standards as part of their staff report, but they will include the transitional standards as an appendix to it.

Commissioner Pavlakis noted that in reading the ordinance, she noticed items that should be aligned better with some of the more current things that have been done. For example, in Paragraph B.2, she asked if there is a reason that industrial isn't included in that paragraph. Mrs. Robison stated that it would be possible to make that change.

Commissioner Pavlakis next addressed the parking lot screening requirement found in Paragraph B.4. The maximum allowed in residential areas is currently eight feet; therefore, she believes that height would be the minimum requirement to separate a residential and commercial area. Chair Peterson stated that it would depend on the fencing material. Commissioner Loumis stated that the fences serve as a noise buffer, especially with a dumpster. It is also a lighting barrier, even though there would be directional lighting. Commissioner Pavlakis noted that as more commercial development comes in, the crime rate will also increase. She felt that higher fences provide better protection in residential areas.

Mr. Crowell noted that Paragraph B.4 doesn't require fencing along property lines, rather just along parking areas. As a result, the Planning Commission would have to decide whether to propose changing the requirement to fencing along any property line. Mrs. Robison added that staff could visit with the Police Department about this issue and see what they recommend. Chair Peterson stated that some businesses blend in well with a neighborhood, so an eight-foot wall would be more of an abrupt transition and would not be as aesthetically pleasing in some cases. Commissioner Pavlakis clarified that she was thinking more along the back lines of commercial buildings.

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Mrs. Robison next asked if there is enough in the ordinance as it currently stands on basic topics dealing with fencing, lighting, screening, etc. Commissioner Pavlakis believed that fencing was not adequately addressed, especially if the City plans to obtain what it wants to out of developments.

With regard to the Woodbury project, Commissioner Berry asked how easy it is to override the ordinance. Mr. Crowell did not see it as an override but rather as a policy decision that was made in the ordinance for Woodbury. Chair Peterson noted that the Planning Commission can approve a change that is equal to or better than what is specified in the ordinance. Mr. Crowell added that it is up to the land use authority, which can be the City Council, Planning Commission, or staff.

Chair Peterson stated that the consensus of the Planning Commission was to add a fencing provision. Mr. Crowell explained that perimeter landscaping is not required on commercial sites, however, sometimes perimeter landscaping helps provide a buffer. He added that every site is so unique that it is difficult to have identical requirements for each one. Mr. Crowell noted that there is a landscaping ordinance in the City Code, but it addresses landscaping around the building, not the perimeter of the property itself. Commissioner Pavlakis stated that perhaps something could be added to address perimeter landscaping. Mr. Crowell stated that architects and landscape architects generally do a good job of dealing with a site, so he did not want to make the ordinance overly complicated. They need guidance because the City has concerns about the transitions of the different pieces of property.

Chair Peterson added that in the Paragraph B.6 on pollution, something also needs to be added about noise. With regard to the Woodbury project, the noise from the speaker at the fast food drive-through window was of particular concern. He did not know if that would be addressed in terms of decibels or hours of operation. Commissioner Berry asked if Chair Peterson's concern was more appropriately addressed in Paragraph B.6 or Paragraph B.8, which addresses mechanical equipment. Mr. Crowell noted that Redwood Road is louder than any drive-through window, so it would be difficult to set a decibel standard.

Mr. Crowell stated that some of the Codes are going on four years old and were written by multiple authors, most of which are not present at the meeting. He added that standards can be difficult to define and enforce, especially with regard to offensive odors. Commissioner Pavlakis and Chair Peterson suggested that the offensive odors be identified as those coming from sewage, garbage, or something that has not been kept up. Mr. Crowell stated that there are provisions for nuisances, including noise ordinances.

In response to Commissioner Pavlakis' question about how odors from home occupations would be addressed, Mr. Crowell stated that the first line of enforcement would be whether the person is in compliance with the Home Occupation Code, which includes a number of provisions, some of which are more enforceable than others. Beyond that, a Code Enforcement evaluation would be the next step. Mr. Crowell urged caution regarding home occupations because it could become a Pandora's box to evaluate home occupation rules in Bluffdale because many people move to Bluffdale because of the freedom that exists to have home businesses. He added that the best thing to do with home occupations is to identify a Code violation that is easy to prove.

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Commissioner Brockbank added that garbage pick-up is also an issue that can be monitored with a home occupation. Truck traffic violations can also be addressed. The key is to identify the evidence that is available when appearing before a judge.

Mr. Crowell stated that beyond home occupations, there would be other things that could be researched that would be simple fixes to facilitate development without causing harm. In response to Chair Peterson's question regarding the next steps, Mr. Crowell explained that the Planning Commission has provided good ideas that staff will use to develop text amendment proposals that will then be considered in a public hearing at a future Planning Commission Meeting.

In response to Commissioner Pavlakis' question regarding the language on setbacks, it was determined that they are fine at this point in time.

**6. City Council Report.**

It was reported that the City Council unanimously concurred with the Planning Commission's positive recommendation to vacate the trail easement at the Cascade Cove Subdivision.

With regard to the parking standards, the City Council tabled action and asked for more information. Steve McCutchan made a presentation and stated that he believes the City is requiring too much parking. Mrs. Robison was directed to conduct further research and analysis on the issue.

The SD zone will be included on the May 11 agenda. The City Council had not been apprised of the Planning Commission discussion unless they read the meeting minutes. Mr. Crowell was reminded that the City needs another fire station site, which is included in the project if the SD zone is approved. The Fire Chief wants a fire station on the east side of Bluffdale.

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

In response to Commissioner Loumis' question regarding the status of the Woodbury project, it was stated that they do not yet have a date. Mr. Crowell had heard that design is actively progressing.

In response to Chair Peterson's question regarding the timing of the installation of the traffic light, Mr. Crowell stated that the hope is that it will go in as soon as the road is deemed available. UDOT was on board with it.

Mr. Crowell explained that the property for the Smith's store hasn't closed yet because there are details being worked out, however, everything was moving forward. There are a lot of interested tenants for the other buildings on the site. There was to be a major retailer convention in Las Vegas from May 23 to 25 that Woodbury representatives will attend. Commissioner Loumis expressed the desire that Woodbury could be convinced to put in more sit-down restaurants than fast-food establishments. Mr. Crowell stated that they have a formula they use but they are well aware of the

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desires of the City. He noted that unfortunately there aren't a lot of sit-down restaurants that are in growth mode currently.

In response to Commissioner Berry's question regarding the railroad bridge, Mr. Crowell indicated that it is a state highway. The City is trying to convince UDOT that it should have a traffic signal, and there have been studies. However, they cost around \$200,000 to install. City Engineer, Michael Fazio, would be the best person to talk to get the current status. There will also be a roundabout. It was noted that land acquisition issues need to be resolved. Council Member Wingate was also actively working on the issue.

**10. Adjournment.**

The Planning Commission Meeting adjourned at 7:59 p.m.



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Gai Herbert  
Community Development Secretary

Approved: \_\_\_\_\_ May 18, 2016 \_\_\_\_\_