



**REVISED  
BLUFFDALE CITY PLANNING COMMISSION  
MEETING**

**July 6, 2016**

Notice is hereby given that the Bluffdale City Planning Commission will hold a public meeting **Wednesday, July 6, 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 June 15, 2016 meeting of the Planning Commission.
4. **PUBLIC HEARING, CONSIDERATION AND VOTE** on a Conditional Use Application for an Accessory Dwelling Unit located at approximately 15184 South Skyfall Drive, Handcrafted Homes, LLC, applicant.
5. **PUBLIC HEARING, CONSIDERATION AND VOTE**, on a Preliminary and Final Subdivision Plat Application for Taylor Acres for six (6) residential lots in the R-1-43 Zone located at approximately 1950 West 14400 South, Greyfrairs Estates, LLC applicant.
6. City Council Report.
7. Planning Commission business (planning session for upcoming items, follow up, etc.).
8. Adjournment.

**Dated: July 1, 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  
Kory Luker  
Nick Berry  
Von Brockbank

**Others:** Jennifer Robison, Senior Planner  
Gai Herbert, Community Development Assistant

**Excused:** Johnny Loumis, Jr.  
Grant Crowell, City Planner/Economic Development Director

**BUSINESS MEETING**

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

**1. Invocation and Pledge.**

Jack Asay offered the invocation. The Pledge of Allegiance was recited.

**2. Public Comment.**

There were no public comments.

**3. Approval of Minutes from the June 15, 2016, Meeting of the Planning Commission.**

Brad Peterson moved to approve the minutes from the June 15, 2016, meeting of the Planning Commission, as printed. Nick Berry seconded the motion. Vote on the motion: Nick Berry-Aye; Kory Luker-Aye; Connie Pavlakis-Aye; Von Brockbank-Aye; Brad Peterson-Aye. The motion passed unanimously.

**4. PUBLIC HEARING, CONSIDERATION AND VOTE on a Conditional Use Application for an Accessory Dwelling Unit Located at Approximately 15184 South Skyfall Drive, Handcrafted Homes, LLC, Applicant.**

Senior Planner, Jennifer Robison, presented the staff report and stated that accessory dwelling units are allowed in the R-1-10 zone, which is the zoning of the subject property. She then gave an overview of the location of the subject property. She indicated that the home is currently under construction by Handcrafted Homes. The future homeowners were present at the meeting. Mrs. Robison stated that conditional uses are administrative decisions and the proposal under consideration is a permitted use in the zone with conditions. Therefore, if conditions are needed to mitigate the impact of the proposal, the Planning Commission can impose those conditions.

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Mrs. Robison next reviewed the requirements for accessory dwelling units specified in Section 11-20-5 of the City Code. She stated that the basement will have just one accessory dwelling unit. There will be a one-car garage dedicated to the proposed accessory dwelling unit to provide off-street parking. There will be a rear entry to the apartment so that the renters have their own private access. There will also be a stairwell within the home to provide access to the apartment. Mrs. Robison stated that the application meets all of the criteria specified in the City Code.

In response to Chair Peterson's question as to whether or not the owners are going to live upstairs, Mrs. Robison deferred that question to the applicants. Chair Peterson stated that his question was precipitated by a rumor that he had heard that the owners were going to rent the upstairs as well, which violates the City Ordinance.

In response to Commissioner Pavlakis' question regarding the size of the primary dwelling, Mrs. Robison stated that the primary dwelling is 2,382 square feet spread over the ground floor and the upstairs floor. The accessory dwelling unit will be 995 square feet.

In response to Commissioner Pavlakis' question regarding who the actual applicant is, Mrs. Robison stated that the homebuilder made the application, and the homeowners wanted to attend the meeting as well. Discussion then ensued on requirement number 8 of 11-20-5 regarding the non-transferability of the conditional use. If the builder is the applicant for the conditional use permit, the homeowners would have to submit a separate application for the conditional use. Mrs. Robison stated that she would confer with the City Attorney to receive clarification on the technicalities of the issue because the home builder completed the application on the owners' behalf as their agent.

Chair Peterson opened the public hearing.

Laura Lewis gave her address as 1529 Westbury Way, in Lehi, and identified herself as one of the owners of the home under construction. She confirmed that she and her family plan to live in the upstairs portion of the home. She also acknowledged that she realizes they cannot rent out the entire home.

Commissioner Brockbank reiterated the need to clarify whether the homebuilders are the actual applicant or acting as the agent for the homeowners. Mrs. Robison agreed to review the application and visit with the City Attorney. In response to Commissioner Pavlakis' question as to why the home builders submitted the application instead of the homeowners, Ms. Lewis stated that the builders indicated that they would deal with the issue for the owners. In response to Commissioner Pavlakis' question regarding whether the owners have closed on the home, Ms. Lewis replied in the negative. Commissioner Pavlakis noted that as a result, the homeowners cannot yet apply for the conditional use permit.

Commissioner Brockbank clarified for Ms. Lewis that the Planning Commissioners are trying to ensure that the Lewis family does not find itself out of compliance with the City Code when they rent out the apartment. Commissioner Pavlakis added that typically the actual property owner has to apply for the conditional use permit, so she did not want the Lewis family to have to deal with

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legal complications. Ms. Lewis expressed her appreciation for the Planning Commissioners' efforts to make sure the conditional use permitting process is done correctly.

Chair Peterson stated that since the home is still under construction, it might be better to take time to review the application to make sure the Lewis family is shown on the application as the homeowner so that they don't have to pay a second application fee. Mrs. Robison stated that the meeting would not have to be re-noticed since the public hearing had already taken place.

Melodee Chen gave her address as 1539 Foliage Lane, in South Jordan and stated that if people are following the City Code, particularly with regard to off-street parking, she was okay with the application.

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

**Chair Peterson moved to table the application so that staff can ensure that the homeowners are included on the conditional use application. Von Brockbank seconded the motion. Vote on motion: Von Brockbank-Aye; Kory Luker-Aye; Nick Berry-Aye; Connie Pavlakis-Aye; Brad Peterson-Aye. The motion passed unanimously.**

Commissioner Pavlakis noted that the Lewises have to close on the home before they are the actual owners. Mrs. Robison stated that she would confer with the City Attorney regarding all of the legal technicalities associated with the application.

Chair Peterson stated that the item will tentatively be included on the next meeting's agenda scheduled for July 20. All of the conditions have been met; however, the issues associated with requirement number 8 of Section 11-20-5 of the City Code need to be clarified.

**5. PUBLIC HEARING, CONSIDERATION, AND VOTE on a Preliminary and Final Subdivision Plat Application for Taylor Acres for Six (6) Residential Lots in the R-1-43 Zone Located at Approximately 1950 West 14400 South, Greyfriars Estates, LLC, Applicant.**

Senior Planner, Jennifer Robison, presented the staff report and stated that the application has already undergone extensive review. It first went before the Board of Adjustment to receive approval for a variance for the street offset distance from Frost Court, which is on the south side of 14400 South. The subject property is zoned R-1-43; therefore, the proposed lots will each be one acre in size. One of the issues that will need to be considered is the connection of the subject property to adjacent properties. In addition, the applicant is asking for a private road.

Mrs. Robison next reviewed the proposed plat layout. The applicants were requesting a cul-de-sac that does not connect to any other property. The width of the proposed private street is 36 feet. The cul-de-sac is 52 feet wide to allow for turnaround of fire and emergency vehicles. The developer will provide curb, gutter, and sidewalk in the entire subdivision and on 14400 South.

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Mrs. Robison overviewed some of the potential access options for adjacent properties. Given the location of the property off of 14400 South, Mrs. Robison stated that staff is of the opinion that the proposed layout is the best option.

With regard to the street offset variance that was approved by the Board of Adjustment, Mrs. Robison stated that the current offset is currently 27.06 feet, which fits within the requirement stated and approved by the Board of Adjustment. The developer will also provide a 10-foot right-of-way dedication to the City for future widening of 14400 South. The Board of Adjustment imposed conditions of approval for the variance. The most important condition was that the developer construct a 3/4 intersection that prohibits any left turn egress movement onto 14400 South. That will be accomplished with the construction of some sort of island to prevent left turns.

A traffic study was conducted for the applicant. It was subsequently reviewed by the City Engineer, who then submitted recommendations to the Board of Adjustment when the variance was granted. The conditions from the Board of Adjustment will need to be carried forward in the approval process for the proposed subdivision.

In response to Commissioner Brockbank's question regarding the restriction on the left turn egress, Mrs. Robison stated that the restriction would apply only to the proposed subdivision. In response to Commissioner Brockbank's concern about enforcement of the left turn egress restriction, Mrs. Robison stated that installing a raised island was one of the conditions imposed by the Board of Adjustment. She reiterated that the offset variance is in place.

When Chair Peterson asked if Lot 101 would be less than one acre in size when the road is widened, Mrs. Robison replied in the negative and explained that the 10-foot easement has already been factored in to ensure that Lot 101 remains one acre and the easement is not part of the lot.

Mrs. Robison next noted that the dotted lines on the plat indicate where the homes would have to be built on each lot in order to meet the 125-foot width requirement.

In response to Commissioner Brockbank's request for an explanation of what the lines above the Parry properties mean, Chair Peterson indicated that one is a 15-foot irrigation easement and the other is a 10-foot public utility easement.

In response to Chair Peterson's question as to whether the Board of Adjustment discussed the impact on the size of the lots if the private road were widened, Mrs. Robison stated that the purview of the application was only the intersection offset. She added that there have been several concepts considered by the applicant. She believes that the applicant wishes to keep the lots at one acre to meet the zoning requirement and have a narrower private road. The road doesn't impact the City in any way because the HOA would be responsible for street maintenance.

In response to Commissioner Berry's question regarding the size of the Parry's lots, Mrs. Robison stated that she did not know the answer because they are not on the plat. Commissioner Brockbank was concerned that if the road was widened onto the Parry properties, it might render the lots less than one acre each. Mrs. Robison deferred the question to the applicant. The applicant indicated

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that the two lots total 2.11 acres, so the widening of 14400 South would leave the lots non-conforming with the lot size zoning requirement.

Chair Peterson opened the public hearing.

The applicant, Ken Milne, gave his address as 13037 South Galloway Cove, in Riverton and noted that his plan has gone through numerous iterations to create something that would be acceptable to the City. With regard to the width of the private road, he stated that land dedication needed for the widening of 14400 South has impacted the size of the road going out. There will not be a park strip or sidewalk on the east side of the road that runs along the Parry property. However, there will be a park strip and sidewalk on both sides of the road along the rest of the cul-de-sac. This situation is similar to what was done on Phases 2 and 4 of Bluffdale Heights. If the Parrys decide to improve their property, they could access the cul-de-sac and have two one-acre lots. But if the City widens the road, the two Parry lots would be less than one acre each. Mr. Milne stated that his goal is to build something that conforms to the conditions that currently exist.

In response to Commissioner Brockbank's question regarding irrigation, Mr. Milne identified the location of the current irrigation and noted that he plans to bury the line and bring it back up at the head gate. Discussion ensued on the locations serviced by the irrigation line. It was noted that the proposed subdivision will not negatively impact the area's irrigation system.

Mr. Milne stated that although the subdivision will not be gated, he wants to have a private road in order to mitigate the impact of the heavy traffic that exists on 14400 South.

In response to Commissioner Pavlakis' question regarding snow removal, Mr. Milne stated that the six homeowners will enter into a Home Maintenance Agreement that will specify their responsibility for snow removal. There will also be an HOA.

In response to Chair Peterson's question as to whether consideration had been given to making the lots smaller in order to have a wider road, Mr. Milne stated that he did but he could not get staff approval for the smaller lots because the R-1-43 zone requires a one-acre minimum lot size. Commissioner Pavlakis thanked Mr. Milne for keeping the lots at one acre. Chair Peterson remarked that he would not be opposed to taking 10 feet from the front of the lots to make a wider road, which would be safer. Chair Peterson does not like private dead-end streets and felt that Bluffdale already has too many.

When Commissioner Berry asked if the Parry lots would be part of the subdivision and HOA if they decided to develop their two lots. Mr. Milne stated that he would be open to that option because it makes more sense from a safety perspective.

In response to Commissioner Pavlakis' question regarding planned improvements along the east side of the road where the Parry property is located, Mr. Milne stated that there will be a full fence there. There will also be a six-foot masonry wall along the front with a nice entrance. In response to Commissioner Pavlakis' question regarding the existing trees, Mr. Milne stated that they will be removed because they are Chinese Elms and Russian Olives.

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In response to Commissioner Brockbank's question regarding a perimeter fence, Mr. Milne stated that he thinks the cost of the houses may make one necessary. In response to Commissioner Brockbank's question regarding the offset roads, Mr. Milne stated that one was approved at the end of 2015. He added that the farther apart the offset roads are, the worse things become until the offset is 150 feet. The street will have a raised "pork chop" curb to prevent left-turn egress. In response to Chair Peterson's question regarding the findings of the Engineer's study, Mr. Milne stated that up to 36 feet would be acceptable provided that the pork chop is placed at the intersection at 14400 South to force a right-out egress. The proposal was subsequently approved by the Board of Adjustment.

Marylou Roeling gave her address as 2070 West 14400 South and stated that she is directly west of the subject property. She asked what will happen to her property, especially because she does not believe her fence line matches up with the lines on the drawings based on her observation of what the surveyors have done on her property. Mrs. Robison stated that the lines on the drawing are not exact since they are based on information provided by the County. Surveys are done whenever there is a question. Mr. Milne assured Ms. Roeling that his property line does not go through her home. He explained that she has to maintain her one acre and she cannot encroach onto her property at all.

Ms. Roeling asked how the right turn only pork chop will impact her when she leaves her driveway. In response to Chair Peterson's question as to how the widening of the road is going to affect her when it gets a lot busier, she asked how wide the road is going to be, because her home is currently 25 to 30 feet from the current road. Chair Peterson noted that the pork chop will not affect her as much as the increased east-west traffic on 14400 South.

Commissioner Pavlakis noted that she lives on Frost Court, which is on the south side of 14400 South. She stated that the traffic in and out of her cul-de-sac is minimal based on the number of homes. Mr. Milne's subdivision will have even fewer houses and she did not believe the traffic generated by the new subdivision will have a significant impact. However, the new school and the widening of 14400 South will have a significant impact. Ms. Roeling noted that people can turn right or left out of Frost Court; however, the residents of the proposed subdivision will only be able to turn right, which will result in them passing in front of her home each time they leave the subdivision. Ms. Roeling stated that the traffic generated by cars and bikers is already a major problem. Chair Peterson noted that the cars and bikers on 14400 South have the right of way. He added that 14400 South is going to get busier and busier with traffic coming out of the proposed subdivision.

In response to Ms. Roeling's concern about the widening of the road will affect her property, Chair Peterson observed that no decisions have yet been made as to how the road will be widened. He urged Ms. Roeling to be proactive and voice her concerns to the City Council early rather than wait until the road addition has been staked out. With regard to the minimum setback required when a road is widened, Mrs. Robison stated that there is no ordinance that specifies the minimum distance. Chair Peterson stated that as Redwood Road has been widened over the years, there are some homes

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that are just a few feet from the road. Mrs. Robison stated that the citizens could express their concerns when the widening of 14400 South is considered by the City.

Ms. Roeling reiterated her concern about the west-only turn from the subject property and stated that she believes the residents should be able to exit in both directions. Chair Peterson explained that the close proximity to Frost Court makes a left turn out of the subject property too risky. For that reason, the City Code includes specifications that deal with staggered intersections. Commissioner Pavlakis added that a similar egress requirement has been imposed on the school that is going in nearby.

In response to Ms. Roeling's question as to whether a block wall will be built between the subdivision and her home, Mr. Milne stated that there will be a wall but he did not know what the material of the wall will be yet. He expressed concern for Ms. Roeling regarding the widening of 14400 South.

Bill Roeling gave his address as 2070 West 14400 South and stated that the six-foot fence will obscure the view coming out of his driveway. Mr. Milne stated that the Roelings' view from their driveway will actually be better than it is now because the trees will be removed and the curb, gutter, and sidewalk will provide additional clear view.

Jack Asay gave his address as 2039 West 14400 South. Mr. Asay stated that the water meter is 15 feet inside his property and his home is 150 feet off the road. Because of this, he was not overly concerned about the widening of the road. He did, however, want to know more about the secondary water plan for the subject property. Chair Peterson noted that Mr. Milne is required to turn over to the City a water share for each lot. Mrs. Robison stated that new school is putting in a dry water line so that one day the City can continue the provision of irrigation water when the road is widened.

In response to Mr. Asay's question regarding the timeline for the widening of 14400 South, Mrs. Robison stated that his question needs to be directed to the City Council. She added that the roundabout will be part of the improvement project; however, the timing of the road improvement is up to the City Council. Commissioner Pavlakis added that the City Engineer has stated that design for the roundabout has not yet begun. Mrs. Robison stated that there are preliminary designs but nothing has been decided.

Chair Peterson next asked Mr. Milne to address the secondary water issue. Mr. Milne explained that he has been required to put in a "dry system," which means that he will put in the pipes that will eventually tie into the City's system. No independent system that will go in and instead, the subdivision will be dependent upon the City's system. The ditch, which will be piped, will not be pressurized and will instead be a gravity flow. Mr. Milne added that the homes will be large and the owners will want to have their own sprinkling systems. In response to Chair Peterson's question regarding the minimum size of the homes, Mr. Milne stated that the CC&Rs have not been finalized, but he anticipated that they will have to be at least 3,000 to 4,000 square feet above grade.

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In response to the Roelings' issue of cars turning right only out of the subdivision, Mr. Milne identified where the curb and gutter will be located as well as with the park strip and sidewalk and where the wall will be built. He asked the Roelings how they will exit their driveway. When they indicated that they back out, he suggested they consider coming up with a way to leave their driveway going forward. Mrs. Roeling stated that there is no way they can turn around. Discussion ensued on possible options. It was noted that the Roelings have a challenge because of the level and speed of the traffic on 14400 South. Mr. Milne suggested that the Roelings install a "fish eye mirror" to help them when they back out.

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

Commissioner Brockbank did not like the pressure being put on the Parry property for the widening of the road but he had no say in the matter. He was concerned about the construction of a concrete wall when everyone knows 14400 South is going to be widened. He considered it to be senseless for the City to require it. Mrs. Robison stated that the City is not requiring the fence; instead, the developer is doing it for privacy purposes. Mr. Milne clarified that he is giving up 40 feet from the center line and the fence will be behind that. Commissioner Pavlakis noted that according to Mr. Milne, the drivable portion of the private street is not less than the City's street standard. The portion that is missing is the area where there will be no sidewalk or park strip on the east side of the road. As a result, it should not affect traffic. Commissioner Brockbank did not like the looks of that plan but understood that Mr. Milne had met the City's requirements. Commissioner Brockbank complimented Mr. Milne for not trying to put more than six lots in the subdivision. Chair Peterson did not like the fact that the subdivision land locks the property behind it but he knew of no good solution.

**Kory Luker moved to forward a positive recommendation to the City Council for the Taylor Acres Preliminary and Final Subdivision Plat Application #2016-29 subject to the following:**

**Conditions (From the Board of Adjustment):**

- 1. The variance shall allow an offset intersection up to 36.1' (as previously approved in the original variance).**
- 2. Curb and gutter along the property shall be placed at the final or build out to City Engineer recommendations.**
- 3. Taylor Ridge Lane shall be constructed as a ¾ intersection, prohibiting left-turn egress movements onto 14400 South while permitting right-turn egress and left and right-turn ingress.**
- 4. A raised island shall be placed at the entrance to the subdivision preventing any left movement when exiting subdivision.**
- 5. All other requirements and recommendations included in traffic impact study for the subdivision shall be followed.**

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**Conditions (From City Staff):**

- 1. All requirements of the City Code and adopted ordinances or modifications made by the Planning Commission and City Council shall be met and adhered to for the proposed subdivision.**
- 2. The plat shall comply with the Bluffdale City Engineering Standards and Specifications and all recommendations by the City Engineer and Public Works Department for all relevant construction and plat drawings prior to recordation of the final plat.**
- 3. The conditions of approval for the variance as described above shall be identified in all relevant construction drawings and approved by the City Engineer.**
- 4. The project shall adhere to all requirements of the International Fire Code.**
- 5. Prior to any grading of property or construction, a land disturbance permit shall be approved and construction activities coordinated with the City Engineer's office.**
- 6. Adequate secondary water shares shall be provided to the City prior to recordation of the final plat.**

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

**6. City Council Report.**

There was no City Council Report.

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

Mrs. Robison stated that the agenda item that was originally scheduled for tonight's meeting was delayed because of noticing issues. It will be re-noticed and placed on the next meeting's agenda.

There was brief discussion on the new website. Chair Peterson liked the feature that allows citizens to voice their concerns.

Mrs. Robison noted that Paul Douglass is no longer working for the City as an Associate Planner.

**9. Adjournment.**

The Planning Commission Meeting adjourned at 8:26 p.m.

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Gai Herbert  
Community Development Assistant

Approved: July 20, 2016