City of Taylorsville
Planning Commission Meeting
Minutes
October 9, 2012
Work Session – 6:00 p.m. and Regular Meeting – 7:00 p.m.
2600 West Taylorsville Blvd – Council Chambers

Attendance:

Planning Commission
Garl Fink, Chair
Anna Barbieri
Dale Kehl
Ted Jensen
Steven Faurschou
Dan Fazzini, Jr.
Israel Grossman
Curt Cochran (Alternate)

Community Development Staff
Mark McGrath – Director
Michael Meldrum – Principal Planner
Jean Gallegos – Admin Asst/Recorder
Excused: Dan Udall – City Planner

PUBLIC: Ray W. Plumhof, Norman Wendel, Roy Harris, Raila Hawkes, Marko Bravo, Stan Covington, Bonnie Gates, Ken Gates, Kris Weston, Dona Larsen, Judith Adams, Jade Streeter, Diana Hansen, Joyce Rawson, Mark Howard, Kay McClellan, Candy Carter, Barbara Eames, Marilyn McKay, Rhedera Boss, Steve Rose, Brian Peinor, Julie McWhorter, Curtis Kimball, Bruce Markosian, Dalen Strumph, John Lopez, Edward White, Gary Herman, Patrick Juhlin, Scott Wilmarth, Peter Williams, Gregg Williams, Connie Smith, Rich Martinson, Dan Clayton, Shawna Roper, Jim Busby, Angela Mouretsen, Marilyn Foote, Mary Pepper, Kat Reel, Fawn Smith, Gelino Mitchell, Lee Spatten, Bette Killingen, Carol Bamgarner, Margarita Gonzales, J. Stenger, Rex (last name unreadable), Garrett Soliz, Ana Archuleta, Harold Goode, L. Wangsgaard, Kelli Hainsworth, Darryl Hainsworth, Brian Holt, Shauna Mayne, David Matyjasik, Dave Maimrosa, Jenny Herman, Christy Mitchell.

WELCOME: **Commissioner Fink** assumed duties as Chair and welcomed those present, explained the process to be followed this evening and opened the meeting at 7:00 p.m.

CONSENT AGENDA

Agenda/File #	Application	Applicants	Action
1.	Non-conforming Structure Determination	IHC/Debi Carillo 5770 S 1500 W	Approved as presented.

MOTION: 19:02:33 Commissioner Jensen - I move for approval of the Consent Agenda as presented
SECOND: Commissioner Barbieri

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Fink	Chair
Fazzini	AYE	Barbieri	AYE	Cochran	Alt
Kehl	AYE	Grossman	AYE		
Motion passes 6 to 0.					

MOTION: Commissioner Jensen - I will make a motion to alter the order of the Agenda and move #4 to be heard second. 19:03:27
SECOND: Commissioner Fazzini

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Fink	Chair
Fazzini	AYE	Barbieri	AYE	Cochran	Alt
Kehl	AYE	Grossman	AYE		
Motion passes 6 to 0.					

CONDITIONAL USE

This item was heard second per above motion.

4. 34C12 – **Markosian Auto (Bruce and Nick Markosian) – 4238 South Redwood Road** – Used Car Sales (Michael Meldrum/Principal Planner)

2.1 **Mr. Meldrum** presented this item. 19:04:14 **Mr. Meldrum** showed several images of the site and advised that the applicant proposes two different uses on this site – A used car sales office/display lot and a Meineke Service Center. The applicant has met with representatives of the City of Taylorsville several times during the last few months. The property currently has a group of buildings that total 5,067 square feet.

- The applicant intends to use the existing space and also construct a 5,107 square foot addition on the south side of the existing buildings. There is one connection through a door between the existing and proposed buildings.

- A portion of the proposed building will be used as a waiting area for customers who come into the Meineke portion of the business. Both the minor auto repair use and the used car sales uses are listed as Conditional Uses in Section 13A-08-02 of the Taylorsville Land Development Code.
- The applicant proposes gating on the east side of the buildings to close off the back portion of the buildings. The fencing shown on the materials sample board does not meet the requirement of a sight obscuring fence. There is an existing 8 foot high block wall located on the west property line to provide separation between this commercial property and the residential properties to the west. The block wall wraps around onto the north property line for approximately 80 feet.
- A 12-foot wide landscape strip runs along the west property line providing building setback and a softened transition to the block wall. The landscaping on the west also contains six trees. Along the east property line there is a 10-foot wide landscape strip. There is no landscaping on the south side of the property. The east side of the property currently has 25' of landscaping (grass). There is one tree located along the Redwood Road (east property line) street frontage. A linear portion of this area will be included in the Redwood Road beautification program and will be dedicated to the City for such purposes.
- The applicant proposes to install additional landscaping in the front of the building and around the raised (ramped) vehicle display along Redwood Road. The breakdown of the landscaping is as follows: Existing is 22, 242 square feet; upgrade to existing is 1,605 square feet; and new is proposed at 3,33 square feet. The total area to be landscaped upon completion of the proposed project is 27,170 square feet or 19,25%. The new landscaping will be located to the north of the existing building and to the south of the new construction.
- The applicant has proposed to use four different exterior building finishes. Starting from the left side of the colored rendering, the first material is a hone-faced concrete block (Inca Tan); the next material is a whit stucco (EIFS); the third element is a weathered corrugated metal; the fourth material is a painted split-faced block (gray); the end cap of the building (right side) is a white stucco (EIFS). The proposed exterior building materials are compliant with the design guidelines.
- A lock box (Knox box) system will be required for all gates to allow emergency vehicle access at all times. The applicant must coordinate this system with the Fire Marshal. The Fire Marshal has stated that there are sufficient hydrants located on or near the subject property.
- In addition to the sales of used automobiles from the subject property, the applicant also proposes to have a Meineke car service center. Servicing will be limited to minor automotive repairs and service as allowed by the Boulevard Commercial zoning district.

2.2 **Staff recommends approval of File 34C12 with the following conditions**:

1. Comply with the requirements of all reviewing agencies.
2. Obtain a building permit prior to any construction.
3. Obtain and maintain a current City of Taylorsville business license.
4. All landscaping must be properly maintained.
5. Site lighting adjacent to the residentially zoned properties must either be shielded and directed away from them or not turned on.
6. The Final Conditional Use Permit is reviewed administratively.

2.3 **DISCUSSION**: **Commissioner Barbieri** wanted to know if the presently situated light poles would remain and **Mr. Meldrum** said that was correct because the light study shows they are in compliance. **Commissioner Fink** said that he would like to see more trees and **Mr. Nick Markosian** felt that one of the most attractive things about this site is the openness from Redwood Road. That if more trees are required, they would like them to be required elsewhere on the site and not along Redwood Road. **Commissioner Fazzini** suggested replacing some of the aging trees with new ones. **Commissioner Kehl** 19:13:36 felt the proposal being presented will be a great addition to this portion of the City.

2.4 Applicants were present and had no comments:

2.5 No one in the audience came forward to speak to this proposal.

2.6 **MOTION: Commissioner Fazzini - Based on the Findings of Facts and including the six conditions proposed in the Staff Report, I move that Item 34C12 be approved.**
SECOND: Commissioner Jensen

VOTE					
Commissioner	**Vote**	**Commissioner**	**Vote**	**Commissioner**	**Vote**
Faurschou	**AYE**	**Jensen**	**AYE**	**Fink**	**Chair**
Fazzini	**AYE**	**Barbieri**	**AYE**	**Cochran**	**Alt**
Kehl	**AYE**	**Grossman**	**AYE**		
Motion passes 6 to 0					

GENERAL PLAN MAP AMENDMENT

2. 2G12 – **Woodside Homes – 4235 South 2700 West** – General Plan Map Amendment from Professional Office to Medium Density Residential. (Michael Meldrum/Principal Planner) 19:17:51

2.1 **Mr. Meldrum** presented this item along with the zoning map change. 19:18:18 Woodside Homes has filed applications with the City of Taylorsville to amend the Land Use Map and change the zoning for 19.4 acres of property located at approximately 4200 S. 2700 W. The density proposed on the property is 7.7 dwelling units per acre. This property is

currently under the ownership of American Express. The property owner has met with Staff to discuss the sale of this property because they do not have need of it.

- The property is currently zoned PO (Professional Office) which was established by the City Council on July 11, 2012. Previously, the property was in an R-M (multi-family and office) zoning district. For several years, the property has been designated on the City's General Plan map as Professional Office.
- The Planning Commission is tasked with making a recommendation to the City Council for both a General Land Use amendment and a Zone Change request. The concept plan submitted by the applicant shows general ideas of how they would like to develop the subject property and is subject to change. The Planning Commission will have opportunity to review the development details in a subsequent public hearing if the zone change and land use amendments are granted by the City Council. It is the Planning Commission's responsibility to evaluate these two applications based on their merits and whether or not the requested changes are appropriate.
- The current General Plan designation on the subject property is Professional Office. The applicant proposes to change the General Plan designation to Medium Density Residential. The Medium Density Residential General Plan designation allows from 6 to 8.9 dwelling units per acre. The Land Use and Annexation chapter of the General Plan document describes residential land use categories as: "areas for people to live as well as provide for complementary and/or compatible neighborhood oriented uses."
- The applicant requests a zone change from PO (Professional Office) to RM-6 (Multi Family Residential). The applicant is seeking to develop this property as a PUD (Planned Unit Development). According to Section 13A-20-07 of the Taylorsville Land Development Code the maximum density for a PUD in the RM-6 zoning district is 12 dwelling units per acre.
- The medium density residential land use designation is established for residential development with a density of between 6 and 8.9 dwellings per acre. The General Plan stated: "Land assigned the MDR classification typically contains townhouse and condominium type developments as well as higher density single family dwelling neighborhoods (i.e. R-1-5 zoning districts)." The proposed density of 7.7 dwelling units per acre is consistent with this land use designation.
- A concept plan showing a potential layout for the proposed development has been submitted by the applicant. Two connections to the north are proposed, both of which would utilize existing streets that are currently stubbed. The westernmost connection is proposed at Dutch Draw Circle and the easternmost connection is proposed at 2440 West. These stub streets were developed with the Village II development. A single road connection to 2700 West is proposed with this application. No connections are proposed to the south or east of the development With regard to ingress/egress, Section 13A-21-10 of the Taylorsville Land Development Code states that at least two points of ingress/egress shall be provided for each subdivision or PUD project unless the project has one or more of the following: (1) A single cul-de-sac, hammerhead, or other approved turnaround approved by the UFA and City Engineer that complies with all development standards herein; (2) An emergency access approved by the Director; (3) The future extension of a stub street that will provide additional access, including a temporary turnaround approved by the UFA and City Engineer.
- The concept plan contains a mix of townhome units and single-family dwellings. According to the legend on the concept plan there are 54 townhome units and 95 single-family lots. The minimum lot area is 2,730 square feet. It is unclear if the minimum lot area is inclusive of both housing types.
- Section 13A-20-06 of the Taylorsville Land Use Development Code states: "This section calls for substantial compliance with the intent of the General Plan and Land Development Code regulations and other provisions of this Code related to the public health, safety and efficient use of land." There are several specific requirements that are specified in the Taylorsville Land Development Code that will be addressed with and by the Planning Commission during the Non-Administrative Conditional Use review.
- With regard to open space, Section 13A-20-06 C.2. states: Open Space. Unless otherwise approved by the Planning Commission, common and private open space shall be provided and shall not cover less than 40% of the gross site are. The required open space shall be land areas that are not occupied by buildings, structures, parking area, streets, or alleys and shall be accessible by the residents. Said open space shall be devoted to landscaping, preservation of natural features, patios, and recreational areas. Private open space (that is provided for each dwelling unit for personal use) shall be located immediately adjacent to, attached to, or within the dwelling unit it is designed to serve, and shall be for the exclusive use of the residents of the dwelling unit. Common open space may be distributed throughout the planned unit development and need not be in a single large area. Landscaped roof areas or decks attached to individual units may not be calculated as part of required common open space. These areas may include, but are not limited to: 30% or greater slope areas, fault zones, flood plain, high water table, utility corridors, and wetlands. These areas may only be included as open space when they have been designed as an integral part of the project.
- Staff has concerns with the lack of useable open space shown on the concept plan. The backs of dwelling units (both townhomes and single-family) are turned toward the North Jordan Canal. The legend on the concept plan states that a "freeway easement" is located along I-215. The homes in this area also back to the easement or open space. These two areas account for just below 50% of the open space calculated in this development. The canal area contains 2.4 acres and the freeway easement contains 1.1 acres for a total area of 3.5 acres or 44.9% of the 7.8 acre total open space. It is Staff's opinion that as shown on the concept plan these two areas do not qualify as open space since they have not been designed as an integral part of the project as required by ordinance.
- The proposed conceptual layout of the single family portion of the application does not fully take into consideration the requirement for both public and private streets to contain 50 feet of right-of-way. Private streets require a minimum of 26 of pavement. Private lanes are only permissible for a maximum of two lots with a right-of-way minimum of 25 feet, of which 20 feet must be paved.
- Projects that seek approval as a Planned Unit Development (PUD) must show a high commitment to excellence, ensuring better quality of life for future residents. Building materials, roof materials, and building design are required to be reviewed by the Planning Commission. Regarding Planned Unit Developments, Section 13A-20-06 states: "Purpose. The purpose of the planned unit development is: (1) To encourage a quality living environment through greater flexibility of design than is possible solely through the typical application of zoning regulations; (2) To encourage a more efficient use of the land and the preservation of greater proportions of open space for recreation and visual use than is otherwise

provided for in the zoning regulations; (3) To encourage good neighborhood and housing design by utilizing a variety of dwelling type and site arrangement plans to give imagination and variety in the physical pattern of the development.

2.2 **Findings of Facts**:

1. The applicant is requesting a Land Use Amendment from Professional Office to Medium Density Residential.
2. The applicant is requesting a Zone Change from PO (Professional Office) to RM-6 (Residential Multi-Family).
3. The subject property contains 19.4 acres.
4. The submitted concept plan shows 7.8 acres of open space.
5. The open space is not integrally designed with the development.
6. There are 149 dwelling units proposed.
7. There is no sound barrier wall along I-215 along the frontage of this property.
8. The requested density is 7.7 dwelling units per acre.
9. The proposal eliminates the potential for office development on the subject property.
10. The submitted plans do not comply with the purpose statement for a PUD.

2.3 **Staff Recommendation**:

Zone Change. It is Staff's recommendation that the Planning Commission consider forwarding a negative recommendation to the City Council for the requested zone change based on non-compliance with the purposes section of a planned unit development (Section 13A-20-06).

General Plan. It is Staff's recommendation that the Planning Commission consider forwarding a negative recommendation to the City Council for the requested Land Use Amendment based on deficient compliance with the guiding principles for amending the land use map, which are: (1) Promote economic sustainability; (2) Support alternate modes of transportation including pedestrian; (3) Create safe attractive neighborhoods and protect residential quality of life.

2.4 **DISCUSSION:** **Commissioner Fazzini** wondered what the status of the canal is because some of it is right-of-way and some of it is owned by the canal company. **Mr. Meldrum** advised that he was not sure of the answer to that question but that it looks like it is part of the property as an easement. **Commissioner Fink** said that it looks like the canal is underground as it goes into this village. **Mr. Meldrum** said that it goes under the road then continues on above ground. It goes out to 4100 South and then crosses under the road.

2.5 **APPLICANT**:

- **Peter Evans with Woodside Homes**. 19:28:18 He advised that they applied for a zoning change and General Plan amendment because they felt like submitted use is more compatible with the surrounding uses which are residential. They felt like this would not be a great site for offices or industrial. It has been for sale as that for a long time with little or no interest being expressed by anyone. They felt like it would make a good residential component of the City. They recognize that there are a lot of details that still need to be worked out and their understanding of the process was that they submit a conceptual site plan with a broad brush of what is anticipate asking for during the PUD submittal. They asked for a land use change to be compatible with the PUD submittal and then when the PUD application is submitted, that is when a lot of the details could be worked out. To the extent that there are obvious details lacking in what has been submitted to the City as conceptual or connections made or integrated open space, he apologized for the oversight on his part. He didn't know it would be discussed during the zone and land use change hearing. **Commissioner Barbieri** asked why he felt it would not be appropriate for office use and he said that was market driven. **Commissioner Barbieri** asked how long the property had been on the market and **Mr. Evans** replied that it had been available since the early 1980's, according to representatives from American Express. 19:30:17

- **Scott Wilmarth (CBRA Real Estate)** 19:31:29 **Mr. Wilmarth** said that the property has been listed with them between 12 and 18 months now but not as an office use. It has been listed as an office use since the 1980's. 19:31:59 **Mr. Evans** said that there were some comments made about how long the property was listed because of a lack of sign . He said that just because there was no sign did not mean it was not available for sale. 19:32:53 **Commissioner Fazzini** said that he respected the fact that this is not a complete plan tonight but the City brought up some concerns in the Staff Report also reflect concerns people on the Commission have. He hopes that many of those concerns are addressed as this moves forward. One especially notable concern is the lack of easily accessible open space, another is the limited available parking due to the narrow streets and having only two parking stalls in the driveway with two in the garage. **Mr. Evans** said all those issues would be dealt with as this moves forward, however, said that additional parking will be provided on the site.

- **Commissioner Jensen** added that what is being discussed this evening is not how many homes, trees or how big the streets will be but rather discussion will center around the General Plan amendment and zone change and the decision must be made by this body to forward either a positive or negative recommendation to the City Council to do that. 19:40:13 **Mr. Meldrum** added that public notices will be sent to the surrounding property owners before the hearing in front of the City Council.

2.6 **SPEAKING**:

- **Curtis Kimball** - 19:41:50 **Mr. Kimball** is an attorney by profession. He advised that he objects to both the General Plan amendment and zoning change as it is contrary to what surrounding residents wanted when they purchased their properties. The proposed plan does not account for the buffer strip in place, including landscaping and trees. The home owners surrounding this site very much want that preserved. **Commissioner Kehl** advised that he would like to see a copy of the covenant that says that American Express must take care of that buffer. At that point, the HOA President – not further identified) gave a copy of that agreement to Mr. Meldrum.

- **Edward White** – 2462 Dutch Draw Drive. 19:48:30 **Mr. White** said that everyone is aware that at some point, this property will be developed and he was concerned with obtaining the best project available

- **Ana Archuleta** - 19:50:08 **Mrs. Archuleta** said she was opposed to the General Plan and zoning change, mostly due to the danger it would create for the number of children involved, along with lack of environmental protection assured for existing animals, open space and trees. Back in the early 2000's, Taylorsville City made a commitment to protect the wildlife lands between 4100 South and 5400 and she was concerned with that commitment being honored. She had moved into the adjoining complex because it had the cherished views of open space, the trees and environment – it is very beautiful there, very unique to this area of Taylorsville. Also, she recommended that an environmental impact study be conducted before any authorization of this project is given.

- **Commissioner Kehl** - 19:51:30 asked to respond to Mrs. Archuleta saying that she had made a statement that Taylorsville City made a commitment to wildlife and wanted to know if that was documented anywhere. **Mrs. Archuleta** said it was. It is called a sensitive area overlay zone dated May 21, 2003. **Mrs. Archuleta** said that she would make a copy of that document available to the Commission. **Commissioner Kehl** asked her to restate the geographic area included in that document and she replied, 4100 South to 5400 South. **Commissioner Kehl** advised that the Commission would like to see that document.

- **Jenny Herman** 19:52:42 She said that the back yard of her home faces that vacant lot. She has lived in her home for 21 years and when she bought the home she knew that field was basically owned by American Express. Also that it was one of the reasons why she purchased her home. She advised that she had seen many positive things happening in Taylorsville, adding that it was would be nice if that vacant lot were used for a project like the one built by Unified Laboratories in that area., which would provide much needed jobs. She felt that adding 149 more homes here would be counter productive to her qualify of life by adding higher noise levels and increased traffic.

- **Norman Wendel** 19:55:37 **Mr. Wendel** was concerned about keeping the green belt intact. He felt the concept plan is extremely flawed. If the neighbors are going to be happy with this, the green belt needs to stay. It was a requirement placed on American Express when they developed their new parking area. He had concerns about the parking and felt some of the home sites are certainly undersized when compared with their proposed plan. There needs to be more study done and suggested that some time be taken with Woodside Homes to see if there can't be a more viable solution here. He also suggested that the parking lot isn't being fully utilized by American Express, which might be sold for this development instead. That would add another street, which would allow the two entrances needed. 19:58:45

- **Margarita Gonzalez** addressed the Commission and wondered if any traffic studies had been done relative to this proposal. If not she felt that should be done before anything further is contemplated. There is a bus stop on 2700 West where children walk to and from and wait for this bus daily. Also, she did not feel the present real estate market would support this size of residential proposal. **Commissioner Barbieri** asked her how many units are located in Village II and she replied that there were 275.

- **Shorty Good** 20:01:51 **Mr. Good** commented on the public notice going out to just 300' of the proposed project. His concern with that is there is only one entrance and one exit in and out of Village II presently, which is Dutch Draw. Therefore, he felt that the public notice should have included any residences within 300' of Dutch Draw, not of the proposed project. His property will be impacted by the traffic that is going to occur on Dutch Draw. He then commented on what Village II is, which is not just a Planned Unit Development. The history of Village II started in the 1970's and including the property that American Express owns now, was part of the original concept of Village II. The original developer went bankrupt and so the property was sold to Village II. The roads that are in the current Village II were built based upon that original plan. His recommendation is that the City does not allow this project to use any of the roads that are in Village II because it was not part of the original plan for Village II. Village II has covenants and whatever covenant restrictions exist in Village II need to remain there including what happens to the roads in Village II. **Commissioner Fink** said the only thing contrary to what Mr. Good just said is that those are public roads. **Commissioner Kehl** asked Mr. Meldrum to explain the 300' noticing requirement for public noticing. **Mr. Meldrum** said that the City notices from the boundary of the property that is subject to change, not how many access points there are or are not into a development. He understands what Mr. Good is saying about there only being one entrance/exit, however the ordinance does stipulate that it is within 300' of the subject property being changed. **Mr. Good** felt that Dutch Draw was certainly going to be impacted with change and should have been included in the public noticing. **Commissioner Kehl** asked Mr. Good about the documents he had referred to that are still active and that control property that is not part of the existing Village II. He asked Mr. Good if he knew where they are and how they can become available to people that make these decisions. **Mr. Meldrum** said that he had a copy of the covenants, which were recorded in 1983. Generally the Statute of Limitations runs for 25 years and he did not know if these documents were still enforceable or not. He did not know if they had been renewed. 20:05:06

- **Brian Holt** 20:05:27 **Mr. Holt** expressed agreement with everything previous stated by his neighbors thus far. He added two things; one is the school system. He has lived in Village II for 19 years now and all of his children have attended Taylorsville Elementary and Eisenhower Junior High Schools. If the 149 proposed units become available, there is already a student crunch on the school system now. He did not know if that had been noted by anyone yet. Also, the second thing is the sound barrier wall along I-215. People in Village II were supportive of that wall at the time. It was the right thing then but underestimated it because if you happen to travel to the east side, they have 60' walls built on hills. This particular section of freeway sound barrier was built to be in accordance with the old statute. Once I-15 was built in the late 1990's it implemented a flow of traffic that I-215 had never seen, thus greatly increasing the traffic. If that area is sold, he wondered who was going to be responsible to determine adequacy of the sound wall.

- **Ken Gates**. **Mr. Gates** had wanted to add the fact that there is a real problem with access to the property. It is very limited. His concern is emergency vehicles and snow removal units.

- **Christy Mitchell** 20:08:10 **Ms. Mitchell** brought up the issue of Village II. She commented that they are not just houses but are people's homes. They are a community and take care of each other. There is a very very dangerous intersection close by at 4100 South and 2700 West. Also on the other side of 2700 West there is a sign for development property for residential homes across from American Express. That would be a double impact on Village II. She was very concerned for safety of the children. She felt the impetus of this proposal should be to help rebuild the City with jobs and not build more homes that will be vacant.

- **Diana Hansen.** She bought her home about seven years ago and the draw for her at that time was that it was tucked back, secluded, for a country-living effect. However, if Dutch Draw is opened up, and is the only way to enter the site, it is going to be a thoroughfare and take away the county feel. She was also concerned for the safety of the children who must walk along that road daily.

- **Roy Harris**. **Mr. Harris** said that one thing that has not been addressed yet is that the Post Office is going to stop delivering mail with their trucks in the community and are going to put up boxes throughout the Community. That will cause people to have to drive to their mail box and back. 20:10:15

- **Steve Rose**. 20:11:05 **Mr. Rose** mentioned the bridge over Dutch Draw has a blind spot. There is a stop sign posted but there still is a serious potential safety hazard. Most traffic would certainly pose a big problem there When he bought his home, one of the big selling points was that there was one way in and out, which gives people a certain sense of security. American Express security vehicles drive in his area, checking the gates, etc. The homes are town homes and the space is very limited, with very small lots. Then here comes a proposal to add houses right up to the fence line. He is concerned about fence issues and maintenance thereof. He added that since this development would be affecting their private community and talking about public roads coming into the Community, would it be possible for the rest of the Community to receive future public notices. **Commissioner Fink** asked Mr. Meldrum to take care of that issue. **Mr. Meldrum** said that it could probably be done with any subsequent public hearings. **Commissioner Kehl** suggested the neighbors address that with Mr. Meldrum separate from this public meeting. He said that the community seems to be close enough knit here that the word will certain get out.

CLOSED PUBLIC HEARING

- **Commissioner Fazzini** 20:14:58 suggested at least sending a copy of the public notice to the attorney for the Home Owner's Association who then can disseminate it further if the City doesn't want to send it to every residence.

- **Mr. McGrath** added that the noticing requirements are based on City and State Law and if it is going to be sent to more than 300', the City has to pay the postage. Therefore, he would have to look into this further. **Mr. Meldrum** interjected that he had just had a conversation with one of the members of the audience this evening and found it may be possible to send it to the HOA and have them distribute it. 20:15:59 He continued on to say that for clarification purposes, there is a separate road other than Dutch Draw that is being proposed in the application. It didn't make sense for people in the proposed development to drive up to Dutch Draw to get out onto 2700 West when it could be accomplished on their own road. 20:17:36

- **Commissioner Jensen** commented that five or six years ago, the Commission talked about this exact same property and he wanted to make a recommendation to American Express. Back then, noting the triangular shape on the southwest corner and there was a big parking lot along the northwest side. Back then he had suggested that the property would be more marketable if they would take the northwest parking lot and put in the triangular shape on the right and make that a straight line through the middle. That way people could be parked along the other side of the canal and have a nice rectangular more easily marketable shape, which would include more frontage along 2700 West. 20:17:55 He felt that if American Express would do that and market it a little longer as professional office or commercial it would work out to their advantage. **Commissioner Jensen** continued on to say, with that in mind, the Commission worked long and hard hours on General Plan and Zone Ordinance changes and put a lot of thought into that. There was intent for what they did and he wanted to keep it that way. This property and the UDOT property on 6200 South at 3200 West are the only big places in Taylorsville left. The rest of it is built out and if homes are put in both of those places, the City will need to ask for more Police, more Fire Department personnel and for that there needs to be commercial to support the cost. It is good to have enough commercial to support the budget. That is why he would like to see it left on the market a little while longer as commercial. **Commissioner Jensen** commented on the questions that were brought up such as snow removal, environmental impact, traffic access for everybody, a question on the effects on the bus stop and the need for further research into the Village II covenants to determine whether they are any way binding on this property. There are also questions about the bridge. Therefore, he felt there were still too many unanswered questions. He suggested that the property be straightened out as he suggested and marketed as commercial a little while longer.

- **Commissioner Fazzini** 20:21:08 asked Mr. Meldrum to explain if this gets developed in whatever manner, how impact fees work and were there any for Taylorsville that would apply and secondly address any concerns about the two roads being that close together if it would impact any standards. **Mr. Meldrum** said that there are standards and one individual who spoke this evening talked about the traffic study. He added that a traffic study has not been done and submitted to the City. The applicant may have done that on their own but he was not aware of if such a thing has been done. As far as impact fees go, there are Police impact, Fire impact and park impact fees that are charged on a per lot or per unit basis. **Commissioner Fazzini** asked if it pertained to Granite School District in anyway. **Mr. McGrath** advised that there are no impact fees for the school district.

- **Commissioner Kehl** 20:22:41 advised that as stated earlier, residential would be more compatible with that area. Everything from 5400 South to this property is some sort of commercial use between I-215 and 2700 West. That whole area in there right now is commercial. He asked Mr. McGrath when the last time was that the General Plan was reviewed and included leaving this area in Professional Office. **Mr. McGrath** said that it was less than a year ago and was adopted by the City Council in 2012. **Commissioner Kehl** said that means that this Commission and the City Council have reviewed it and at that time, decided that it was in the best interest of the City and for the impact of everybody involved, that this is the appropriate zone.

- **Commissioner Barbieri** commented that she felt it was commendable for everyone to come out this evening for this public hearing and offer such well thought out comments. She also expressed appreciation to American Express for putting such a nice, well-cared for buffer between them and Village II and for their well maintained building and site, along with bringing so many needed jobs into the City. She advised she would like to see the property retain its current zoning and find another employer for the site. She addressed the neighbors present and said that one day something will go in there and while American Express needs to make a profit on this land, they have also been willing to listen to comments, so the lines of communication are open. 20:25:04

- **MOTION: 20:25:56 Commissioner Jensen - I will make a motion to send a negative recommendation to the City Council for File #2G12 – General Plan Map Amendment from Professional Office to Medium Density Residential and suggest to American Express to straighten out the property lines and make it more rectangular in shape, which he felt would make it more palatable for sale in the Professional Office zoning. .**
  SECOND: Commissioner Faurschou

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Fink	Chair
Fazzini	AYE	Barbieri	AYE	Cochran	Alt
Kehl	AYE	Grossman	AYE		
Motion passes 6 TO 0					

ZONING MAP AMENDMENT

3. 5Z12 – **Woodside Homes – 4235 South 2700 West** – Zoning Map Amendment from PO to RM-6. (Michael Meldrum/Principal Planner)

3.1 **Mr. Meldrum** presented this item with the proposed General Plan Amendment.

3.2 **MOTION: Commissioner Barbieri 20:27:20 I propose sending a negative recommendation to the City Council regarding File 5Z12, a Zoning map amendment from Professional Office to RM-6.**

3.3 **SECOND - Commissioner Kehl**

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Fink	Chair
Fazzini	AYE	Barbieri	AYE	Cochran	Alt
Kehl	AYE	Grossman	AYE		
Motion passes 6 - 0					

DISCUSSION: **Commissioner Jensen** asked to make a comment. 20:28:12 He thanked the people from American Express for their patience and listening to comments. He hoped that they would find a buyer interested in a professional office type development for this property real soon. **Mr. McGrath** offered that it is unknown where this proposal will go from here, whether the applicant will choose to go back to the drawing board or proceed to the City Council with the negative recommendation from the Planning Commission. That current Utah Law says that this is the public hearing for this item, so there will not be a public notice for the City Council, however, given the interest displayed this evening , Staff will make sure that communication exists with the Home Owner's Association when it is known where this application is going. He re-emphasized that this is just a recommendation to the City Council and they will make the final decision. 20:29:06

CITY COUNCIL MEETING DISCUSSION: **Commissioner Grossman** said most of the discussion at the last City Council meeting was centered around joining the Fire District. 20:31:19 That the citizen comment portion turned out to be very informal with the City Council members. It was far less controversial than the original public hearing. Actually Councilman Overson had changed her mind and decided to basically stay with the UFA as it is rather than joining the District. There was a lot of talk about control in that the City would be giving their taxing authority to a separate entity and no one wanted that to happen. It was also discussed that either way this goes there will be a tax increase in order to fund any remodeling or construction of a new fire station. The figures amounted to 6 million dollars if the City stayed with the UFA compared with 4.5 million dollars with the Fire District. **Commissioner Fazzini** added he had attended other meetings on this and it was pointed out that if the ballot initiative goes through it will push it out two years. **Commissioner Grossman** said that it also had to be considered that if they get the required number of verified signatures, the City must come up with 1.9 million dollars immediately to cover the Fire Authority costs. **Mr. McGrath** said that there are questions about what exactly people are being asked to sign. There have been statements made that the petitions actually contain inaccurate information. **Commissioner Fink** asked which way the City Council was leaning right now. **Mr. McGrath** advised that Councilman Johnson has gone on record as being opposed, Council person Overson appears to be changing her mind from being in favor to being opposed based on comments she has received. The other three Councilmen have not commented on record what they intend to do, however, in the

original vote they all three supported joint the District. **Commissioner Kehl** felt that the Council is going in the right direction and it is a disappointment to him that 2500 people, the required number for the petition, are not informed of all the facts and can still over-ride the people elected in the City to make these types of decisions by signing a petition. **Commissioner Grossman** added that he felt that the timing of the District proposal was poor, mostly because it was a very short sighted decision with very little thought put into it and almost no information disseminated to the citizens of Taylorsville. **Commissioner Kehl** said that he still didn't like the fact that a citizen petition can over-ride the decisions by elected officials. He was in favor of removing it from the agenda for this year's budget and look at it again next year. **Commissioner Fazzini** agreed that there are flaws in the system that includes petitions, which can be easily manipulated.

OTHER BUSINESS: **None.**

ADJOURNMENT: By Motion of **Commissioner Barbieri** the meeting adjourned at 8:42 p.m. 20:41:33

Jean Gallegos

Respectfully submitted by Jean Gallegos
Administrative Assistant/Recorder for the Planning Commission

Approved in meeting held on Feb 12, 2013.