

**City of Taylorsville
 Planning Commission Meeting
 Minutes
 Tuesday – February 9, 2010 – 7:00 P.M.
 2600 West Taylorsville Blvd – Council Chambers**

Attendance:

Planning Commission

Scott Bolton, Chair
 Ted Jensen
 Nathan Murray
 Kristie Overson
 Ernest Burgess
 Steve Faurschou
 Garl Fink
 Dan Fazzini, Jr. (Alternate)

Community Development Staff

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

PUBLIC: Dama Barbour, Brett E. Morris, Sharon R. Morris, Curtis Shields, Debbie A. Budge, Angela Bridge, Katia Lopez, Kris Pasker

WELCOME: **Commissioner Bolton** 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. He asked if there were anyone wishing to speak to the item on the Consent Agenda, consisting of the Minutes for January 12, 2010 and there being none, asked the Commission for a motion regarding the Consent Agenda. [19:00:37](#)

CONSENT AGENDA

Agenda/File #	Application	Applicants	Action
1.	Review/approval of Minutes for January 12, 2010		Approved as presented.

MOTION: **Commissioner Overson** - I move for approval of the Consent Agenda consisting of the Minutes for January 12, 2010 as presented. [19:01:15](#)

SECOND: **Commissioner Fink**

Commissioner Bolton restated the motion to approve the Consent Agenda, consisting of the Minutes for January 12, 2010, as presented.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Fazzini	AYE
Murray	AYE	Burgess	AYE	Bolton	AYE
Overson	AYE	Fink	AYE		
Motion passes unanimously.					

HOME OCCUPATION

2.	2H10	Curtis Shields – 3646 West Englewood Drive (4985 South) – Making Pet Coffins. (Dan Udall/City Planner) 19:01:46
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2.1 **Mr. Udall** presented this item. The applicant is requesting to make pet coffins for a home occupation with no customers coming to the home. Normally home occupations with no customers coming to the home are reviewed by City Staff and are not presented to the Planning Commission. Because of the nature of the business, the Community Development Director has requested that this home occupation be presented to the Planning Commission. The hours of operation of the home occupation are from 10:00 a.m. to 4:00 p.m., Monday through Friday. The applicant is making pet coffins in his attached garage. The applicant is routing, drilling and cutting plastic into components. The pet coffin parts are sent to pet stores, veterinary clinics and are sold on the internet, therefore, parts are mailed to customers. No mail carriers come to the single-family home. The customers assemble the parts when they are received. Staff is concerned about the noise generated from making these coffins. Staff does not want the home occupation to diminish the residential character of the neighborhood. The applicant may need to address the noise issue with the Planning Commission. The applicant has stated that the garage door will be shut when any machinery is in operation. The applicant is cutting plastic, so chemicals may be an issue, however, the Fire Authority did not mention that this was an issue during their review. There is a three car driveway on the site.

Findings of Fact for File #2H10:

1. That the applicant is proposing a pet coffin home occupation as a conditional use in the R-1-8 zone.
2. The home occupation meets all code requirements.
3. No customers are coming to the single-family home.
4. That noise is being generated from the business.

Staff Recommendation: Staff recommends approval with the following conditions:

1. Receive approval from and remain compliant with all applicable reviewing agencies.
2. That the home occupation is subject to review upon substantiated and unresolved complaint.
3. That the only signage allowed is a three square foot sign attached to the single-family home.
4. Hours of operation are from 10:00 a.m. to 4:00 p.m., Monday-Friday.
5. That no customers can come to the home occupation.
6. That the applicant lives in the home and only the applicant residing in the home can be employed for the occupation.
7. ~~[Deleted by Motion] That outside lighting is provided.~~
8. Alterations to the site shall not be made to change its residential character.

2.2 **APPLICANT ADDRESS:** Curtis Shields. [19:04:51](#) Mr. Shields indicated that the garage is insulated with Styrofoam. Also that if there are any complaints at all, he will cease operating this home occupation. He had read the staff report and saw no issues. Commissioner Fink expressed concern about proper ventilation and Mr. Curtis said that would not be an issue because there will be no problem with sawdust type debris. There would only be small plastic chips, with no molding nor chemical process involved. Commissioner Burgess asked about storage and Mr. Curtis responded that he would have 4' x 8' sheets of plastic standing against the wall inside the garage and nothing else.

2.3 **SPEAKING:** None.

2.4 **MOTION:** Commissioner Overson - This seems to be a straight-forward operation, with the only potential problem being the noise level. The applicant, Mr. Curtis, has assured the Commission that he will monitor that situation. Therefore, based on the findings of fact and testimony of the applicant, I move for approval of File #2H10 with staff recommendations, removing #7 which says that outside lighting is provided, as being unnecessary in this instance.

SECOND: Commissioner Fink

Commissioner Bolton restated the motion to approve File #2H10 based on staff recommendations 1-8, with elimination of #7 as being unnecessary.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Fazzini	AYE
Murray	AYE	Burgess	AYE	Bolton	AYE
Overson	AYE	Fink	AYE		
Motion passes unanimously.					

CONDITIONAL USES

- | |
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| 3. 1C10 Brett Morris – 6505 South 1460 West – Conditional Use Permit for a Detached Garage.
(Dan Udall/City Planner) 19:08:32 |
|---|

3.1 Mr. Udall presented this item. The applicant is proposing a 1,040 square foot oversized accessory building on a 26,062 square foot property located at 6505 South 1460 West within a residential neighborhood. The accessory building is proposed to be in the rear yard with a driveway extending to the accessory building. The building is proposed to be 17' high measured from the lowest original ground surface to the mid-point of the pitched roof between the peak and the lowest part of the eaves. On lots that are more than 15,000 square feet, all accessory buildings larger than 864 square feet are a conditional use permit. Also, any accessory building proposed to be higher than 16' measured from the lowest original ground surface at any point on the perimeter of the building to the mid-point from the peak to the lowest part of the eaves is a conditional use. This structure is proposed to be 17' high. The accessory building meets all building setback regulations. The accessory building is proposed to be 5' from the side yard property line and 52' from the single-family home. The home is red brick and the proposed accessory building is not architecturally compatible with the home, therefore, the Planning Commission has the option of disapproving the use. However, the proposed materials seem to be acceptable and the building is setback 52' and cannot be seen very well from the street. [19:12:16](#)

Findings of Fact:

1. That the accessory building is a conditional use in the A-1 zone.
2. That the applicant is requesting a 1,040 square foot accessory building. The proposed accessory building, including the existing accessory building covers less than 25 percent of the rear yard.
3. That the applicant is requesting a 17' high accessory building that should be compatible to the existing single-family home.
4. That the accessory building will not adversely affect the surrounding area.
5. That the accessory building meets all building setbacks.

Staff Recommendation: Based on the above findings of fact, staff recommends approval with the following conditions:

1. That the accessory building is reviewed upon substantiated and unresolved complaint.
2. Receive approval from and remain compliant with all applicable reviewing agencies.
3. That no business can be conducted in the accessory building.
4. That the final conditional use is approved by Staff.
5. That the accessory building will be constructed as proposed.
6. That a paved concrete driveway be extended to the accessory building.

3.2 **APPLICANT ADDRESS:** **Brett Morris**, [19:12:34](#) **Mr. Morris** advised that they did not feel the difference in the color and architecture of the garage as compared to the home, would be a problem. That the home is over ten years old and at that time he had planned to put in a cinder block garage later, with the pad having already been poured several years ago. They initially planned to build a storage shed out of cinder block in the back yard. At that time, he realized the difficulties of running electrical or insulation with cinder block along with factoring in the cost of framing the inside. At that point he decided that it made more sense to do a frame type building. There are gray landscaping boulders; gray patio pavers and this garage would fit in well with the existing color scheme of the back yard. **Mr. Morris** also advised that the plan shows the height being 17'6" and not 17'. **Commissioner Fazzini** asked about potentially paving where some of the gravel is located. **Mr. Morris** said that it is basically a gravel driveway right now. **Commissioner Fazzini** then asked if he planned to pave all the way up to the existing driveway or leave a drainage space in between. **Mr. Morris** said that the nature of the drainage is that the lot slopes from south to north. As it goes down the drive, the flow would gravitate into the back yard to the north of the garage. **Commissioner Fazzini** wanted to know if that meant there would be gravel left in there. **Mr. Morris** replied that he anticipated pouring concrete over that area as well. **Commissioner Fazzini** said his concern was with the total width of the driveway and asked staff what the maximum width is for a paved surface. **Mr. Udall** said that 35' is the maximum width allowed. **Commissioner Fazzini** commented that if it is paved from one edge to the other, it would exceed that maximum allowable width and said that existing driveway looks to be approximately 20' wide. **Mr. Morris** said there was a possibility that the 35' width would be exceeded. **Commissioner Fazzini** suggested that he work with staff on that particular issue. **Mr. Morris** then asked if that meant there needed to be an open area and if that meant it would be left gravel. He had always assumed that the whole thing would eventually be paved and hadn't given any thought to another option. **Mr. Udall** said that staff would work this out with the applicant. **Commissioner Murray** had a couple of questions i.e., would the garage door be white? **Mr. Morris** said that was correct. **Commissioner Murray** said that what is being proposed looked like it had a "hip" roof just like the residence and suggested that the applicant match the shingles on the roof, include the white fascia and match the windows. The roof pitch being proposed is a 6/12, similar to the house. **Commissioner Overson** wanted to be sure no one would be living in the structure and that this would not be used as a business. **Mr. Morris** replied that no one would be living there and it would not be used for a business. [19:17:09](#)

3.3 **SPEAKING:** None

3.4 **MOTION:** **Commissioner Murray** - I move for approval of File #1C10, for an oversize accessory building. [19:17:37](#)
SECOND: **Commissioner Overson**
Commissioner Bolton restated the motion to approve File #1C10 with staff recommendations
Commissioner Murray: My motion would be to include staff recommendations. **Commissioner Overson** - That is acceptable to me as having seconded the motion. [7:18:55](#).
Commissioner Bolton - The motion has been amended to include six staff conditions.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Fazzini	AYE
Murray	AYE	Burgess	AYE	Bolton	AYE
Overson	AYE	Fink	AYE		
Motion passes unanimously.					

4. 3C10 **Katia Lopez – 2271 West 6200 South** – Conditional Use for a Commercial Day Care.
 (Michael Meldrum/Principal Planner) [19:19:32](#)

4.1 **Mr. Meldrum** presented this item. The applicant is requesting approval for a conditional use permit to convert a house to a commercial child day care. The request does not involve a zone change amendment. The land use is listed as a Conditional Use in the A-1 zoning district. The property, as currently configured, contains 0.52 acres and is located at 2271 West 6200 South. Extensive remodeling on the interior will be required to meet building and fire code requirements. The applicant and her architect have been made aware of the requirements of the building and fire code in a meeting facilitated by the Community Development Department. It was noted that there was no direct entry to the front of the home but rather it is located on the side. [19:21:26](#)

Findings of Fact for File #3C10:

1. The property has mature landscaping.
2. A change in use is requested on the property.
3. The request is a Conditional Use in the A-1 zoning district.
4. The request does not change the current zoning or general plan land use on the property.
5. Ten regular parking stalls, including one handicap accessible stall are proposed for the project. A minimum of 10 parking stalls are required.
6. Extensive remodeling on the interior of the home will be done by the applicant if approval for the Conditional Use Permit is granted.

Based on the above Findings of Fact, Staff recommends approval with the following conditions:

1. Comply with the requirements of all reviewing agencies.
2. Obtain a building permit for construction/remodel as required by the City's Building Official.
3. The Conditional Use Permit is subject to review upon substantiated and unresolved complaint.
4. Provide a detailed lighting plan with the Final Conditional Use Permit application.

5. The driveway will be limited to one-way traffic due to the 12' width. The westernmost drive will be the entrance and the easternmost drive will be the exit. Signage indicating the direction of travel must be installed.
6. Staff is authorized to conduct the Final Conditional Use Permit review.
7. **[Added by Motion] That the east-side play area must be fenced with a solid barrier fence.**

4.2 **DISCUSSION:** **Commissioner Overson** commented that in the staff report it was suggested making the driveway access right-in/right-out, which would be determined by the City Engineer. **Mr. Meldrum** asserted that was correct. **Commissioner Overson** added that the Commission would then assume that this will be okay and if not, the City Engineer will make the necessary corrections. **Mr. Meldrum** said that if there is an issue with it, the City Engineer will use his guidelines and standards to make any determination that would vary from what is being shown this evening. **Commissioner Jensen** wanted to know if the existing structure is multiple floors and **Mr. Meldrum** replied that it was a two story home, however, the applicant will not be using the second floor and would block that area off so that it could not be used for the day care business itself. Some of the area may be used for employee's office space, which is compliant with what the fire code requires.

4.3 **APPLICANT ADDRESS:** **Katia Lopez** [19:24:02](#) advised that the City of Taylorsville is going to buy her property as part of the revamping of 6200 South at that location. That she had found this new property and will remodel it with appropriate building permits. **Commissioner Murray** expressed concern with the main entrance being on the side of the building and that the amount of landscaping is inadequate to provide a proper buffer. **Ms. Lopez** said that there is a small area of green in front of the home. **Commissioner Murray** advised that the site plan suggests that would go away. **Mr. Kris Pasker – PGAW Architects** (applicant's architect) joined Ms. Lopez at this point and advised that they plan on keeping the existing tree and maintaining 5' of landscaping. **Commissioner Murray** felt that the tree was a necessary safety buffer between vehicles and the home. [19:25:52](#) **Commissioner Overson** addressed two concerns, one being she did not understand where the entrance would be located and if there would be a sidewalk or safe walkway for parents parking, getting their children out of the vehicle and escorting them to the building in a safe manner. **Mr. Pasker** said that they have not been able to go inside the home to see what would be needed and decided instead to go through the conditional use process first and deal with the floor plan of the home and find out what is the most advantageous plan for the day care and which can legally be done within the building codes in the future. **Commissioner Overson** said the main concern is the safety of the children. **Mr. Pasker** said that the entrance to the home would likely be through the new portion where there will be an attachment between the building and the garage and remove part of the front of the garage. Most likely that makes the most sense and will be the best opportunity to address an entry. **Commissioner Overson's** other question was concerning the fence that surrounds this property. Being a day care provider, the applicant must have a secure fence and if the fence is in need of some slats or in need of some repair, that must be done to assure the safety of the children. **Ms. Lopez** said that she plans to install a 6' high fence. **Mr. Pasker** said that right now it does conform but needs to be made non-climbable and felt that was what Commissioner Overson was addressing with the requirement for slats. **Commissioner Jensen** expressed concern with the parking lot and **Mr. Pasker** assured him the problems he alluded to would be taken care of. [19:30:48](#)

4.4 **SPEAKING:** **Benjamin Behunin**. (Lives immediately east of the proposed day care) He asked if there was a proposed figure for the number of students attending this day care and was informed by **Mr. Meldrum** that it would be approximately 50 students. **Mr. Behunin** was concerned with that because he felt it would mean an additional 50 cars coming and going from this location. He also was concerned about the noise pollution that 50 students would create for him. He did not feel the chain link fence was adequate and suggested a solid noise barrier type fence be installed instead. [19:33:46](#) He felt his quality of life would be negatively impacted if this use is allowed on this particular site. **Commissioner Fink** asked him if the existing day care was not presently located a short distance from his home to the east and **Mr. Behunin** replied that was true and even on that site, he can hear the children. He wanted to go on record as being opposed to this application.

4.5 **APPLICANT READDRESS:** **Ms. Lopez** stated that Mr. Behunin's contention that there would be 50 cars involved with this use is incorrect. [19:35:49](#) That the total hours of operation are 12 and the number of children attending at a given time is spaced out over that time. **Commissioner Overson** asked her if the children were outside all at the same time and **Ms. Lopez** said that they go out one class at a time, for 20 minutes each. **Commissioner Jensen** asked if there was supervision available while the children were outside and **Ms. Lopez** said that there always was. **Mr. Meldrum** felt that this is a good use for this property and added that he would like to see all the people involved sit down and talk. There are things that can be done on the site to alleviate the neighbor's concern, i.e., planting additional trees, erecting sound walls. **Commissioner Faurchou** asked if there were any type of traffic study conducted on ingress/egress to this property and **Mr. Meldrum** advised that to the best of his knowledge, there was not. **Commissioner Overson** agreed with Commissioner Murray's previous comment that there were things that could be done to add a buffer between the day care and the neighbor to the east. She felt that there is room for compromise and suggested that the applicant install a solid vinyl or wooden fence to buffer some of the noise along the east side. With regard to the parking, if she were dropping off children there, she would probably go into the church lot and walk her children over to the day care. [19:43:20](#) **Commissioner Bolton** agreed that a solid barrier fence should be installed.

- 4.6 **MOTION:** **Commissioner Jensen - I move for approval of File #3C10 based on the findings of fact and with six staff conditions, adding #7 that the east side play area must be fenced with a solid barrier fence.**
SECOND: **Commissioner Fink**
Commissioner Bolton restated the motion to approve File #3C10 based on findings of fact, with six staff conditions, adding #7 that the east side fence be a solid barrier type.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurchou	AYE	Jensen	AYE	Fazzini	AYE
Murray	AYE	Burgess	AYE	Bolton	AYE
Overson	AYE	Fink	AYE		
Motion passes unanimously.					

5. **Recommendation to the City Council Regarding the Wasatch Choices 2040 Growth Principles.**
 (Mark McGrath/Director of Community Development) [19:47:04](#)

5.1 **Mr. McGrath** presented this item. He said that last year representatives from Wasatch Front Regional Council (WFRC), Envision Utah, and Salt Lake County, addressed the Taylorsville Planning Commission regarding Wasatch Choices 2040. Wasatch Choices 2040 is a four county (Salt Lake, Davis, Weber and Utah) transportation and land use vision document that attempts to address anticipated growth in the region over the next thirty years. The Wasatch Choices 2040 document identifies ten strategies that will facilitate more efficient and orderly growth, including:

1. Develop a local land reuse strategy
2. Provide incentives for contiguous growth and infill
3. Preserve future transportation and utility corridors
4. Create walkable commercial and mixed-use districts
5. Plan for transit oriented development
6. Plan for and build neighborhood friendly elementary schools
7. Create a plan for workforce housing
8. Interconnect roadways and pedestrian paths
9. Plan for job centers and economic development readiness
10. Plan to minimize development and maximize conservation on and near critical lands

5.4 **DISCUSSION:** After a short discussion between staff and the Commissioners, **Mr. McGrath** recommended forwarding a positive recommendation to the City Council to adopt a resolution supporting the Wasatch Choices 2040 growth strategies.

5.5 **MOTION: Commissioner Murray - I move that we recommend adoption of the Wasatch Choices 2040 Growth Principles to the City Council as presented this evening.**
SECOND: Commissioner Fink
Commissioner Bolton restated the motion to send a positive recommendation to the City Council for adoption of the Wasatch Choices 2040 Growth Principles.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Fazzini	AYE
Murray	AYE	Burgess	AYE	Bolton	AYE
Overson	AYE	Fink	AYE		
Motion passes unanimously.					

6. **Request for motion regarding cancellation of the March 23, 2010 Planning Commission meeting.**
 (Mark McGrath/Director of Community Development)

6.1 **Mr. McGrath** presented this item, explaining that due to a scheduling conflict for the Chambers, it will be necessary to cancel the March 23, 2010 Planning Commission work shop meeting.

MOTION: Commissioner Fink - I move that the work session scheduled for March 23, 2010 be cancelled.
SECOND: Commissioner Jensen
Commissioner Bolton restated the motion to cancel the Planning Commission meeting scheduled for March 23, 2010.

VOTE					
Commissioner	Vote	Commissioner	Vote	Commissioner	Vote
Faurschou	AYE	Jensen	AYE	Fazzini	AYE
Murray	AYE	Burgess	AYE	Bolton	AYE
Overson	AYE	Fink	AYE		
Motion passes unanimously.					

CITY COUNCIL MEETING DISCUSSION: Discussion of the previous City Council meeting was discussed in the pre-meeting.

OTHER BUSINESS: None.

ADJOURNMENT: By motion of **Commissioner Jensen** the meeting was adjourned at 8:50 p.m.

Respectfully submitted by:

Jean Gallegos, Admin Asst/Recorder for the
 Planning Commission

Minutes were approved in meeting held on March 9, 2010.