

**City of Taylorsville  
Planning Commission Meeting  
Minutes  
Tuesday – February 26, 2008  
Pre-Meeting - 6:00 P.M.  
Regular Session – 6:30 P.M.  
2600 West Taylorsville Blvd – Council Chambers**

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**Attendance:**

**Planning Commission**

Scott Bolton, Chair  
Keith Sorensen, Vice Chair  
Kristie Overson  
Stacey Staley  
Bruce Holman  
Angelo Calacino  
Ted Jensen  
Garl Fink (Alternate)

**Community Development Staff**

McGrath, Director  
Michael Meldrum, Principal Planner  
Dan Udall, City Planner  
Jean Gallegos/Admin Assistant/Recorder

**PUBLIC:** Jason Smith, Elliott Smith, Eldon Haacke, Mike Sanders, Jeff Randall, Dee Hanson, Les Matsumura, Jessica Kasparian-Gomez

[18:39:04](#)

**WELCOME:** **Commissioner Bolton** welcomed those present, explained the process to be followed this evening and opened the meeting at 6:30 p.m.

**SPECIAL PLANNING COMMISSION MEETING**

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| <p>1. 5C08 <b><u>Pangea (America First Federal Credit Union) – 2715 West 5400 South</u></b> – Preliminary Conditional Use Permit. (Michael Meldrum/Principal Planner)</p> |
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***NOTE:*** *Due to the possibility of appeal of the Planning Commission's decision to deny this application, most testimony given regarding this item is being transcribed as it was recorded during the public hearing portion of the meeting.*

1.1 **Mr. Meldrum** presented this item. The applicant has submitted Preliminary Conditional Use Permit plans for review by the Planning Commission. Staff indicated at the Feb 12, 2008 Planning Commission meeting that the applicant had voluntarily requested that this item be continued to the Feb 26, 2008 Planning Commission work session meeting and be heard as a special item. Staff received an E-mail from the representative of America First Federal Credit Union on Thursday, Feb 21, 2008, stating that the architect, Mike Sanders, had reported that the credit union had not approved of any of the renderings that pulled the building to the corner. The credit union has requested that their original submittal be reviewed by the Planning Commission. Staff has also been informed by the applicant that the credit union has declined to show any of the site plan options that would pull the building to the corner. [18:39:45](#) **Mr. Meldrum's presentation follows:**

- The site contains 1.57 acres and there are 21,896 square feet of landscaping or approximately 32% of the site. The applicant also shows 58 parking stalls on the site plan drawing, which is double the minimum required by the zoning ordinance. The drive through area itself contains space for stacking for up to 34 vehicles. The applicant has provided a sidewalk for connectivity from 5400 South to the building site, however, that is not reflected on the landscape plan. Those two plans need to match in their detail. Site circulation is adequate throughout the site. All drive aisles are a minimum of 25' in width and would allow for two-way traffic. It is staff's understanding that each drive through bay will have two teller stations and also that there will be a total of ten standard drive through stations for use by clients and also two drive through teller lanes, for a total of 12 drive through spaces. [18:41:35](#)

- The dumpster enclosure is shown on the site plan at the entrance of the drive through area and must be constructed of materials that match the main building.
- The original drawings submitted by America First Federal Credit Union and represented by Great Basin Engineering, showed the building located 74.5' from 5400 South and 92' from 2700 West and the building is 100' from Road "A". The proposed building contains 5,390 square feet with six drive through bays for a total of 12 spaces. The applicant has shown the drive approach on 2700 West as a full access driveway and it is Staff's understanding that no additional information has been made available from UDOT at this time. However, Staff has given the Commission this evening a copy of the contingent approval from UDOT that was recently submitted by the applicant to Staff. The Commission has had an opportunity to read that letter which contains the technical review conditions from UDOT.
- The applicant indicates there were a couple of reasons why the credit union has declined to pull the building to the corner. One reason was that the topography of the lot and maintaining appropriate drainage and access to the site – a significant engineering challenge. Second reason given by the credit union was to have a set number of parking stalls on the site, which they have maintained with the applicant seen this evening. The applicant has submitted a detailed landscape plan.
- All landscaping meets the minimum requirements designated by zoning ordinance. The applicant has also provided a color material sample board that shows the stacked rock pattern, similar to what has been used on the City Hall building. They also have brought tonight a scale model of the building they intend to construct on the site and I imagine that the architect would invite you to take a closer look if you so desire.
- The building department had several comments, included in the staff report – those conditions are applicable at the time of building permits so when they submit for building permits, the requirements would need to be met.
- The Unified Fire Authority has provided five comments, which are also included in the staff. Briefly, they are (1) A minimum of two fire hydrants are required; (2) A lock box is required; (3) Fire extinguishers will be required and specified the type which would be required; (4) New and existing buildings have approved address numbers plainly legible and visible from the street fronting the property. He goes on to explain the height and minimum width of those numbers; (5) That parking can only be in marked stalls. [18:45:03](#)
- **Staff has included five findings of fact as follows:**

**Findings of Fact (5C08):**

1. The building is not pulled to the corner as recommended (not required) by the City Center Small Area Master Plan.
2. The applicant has provided twice the number of parking stalls as is required by ordinance.
3. The landscape plan includes berming to shield and screen the parking area from both 5400 South and 2700 West.
4. Adequate site circulation is provided.
5. A technical review of the proposed Conditional Use Permit is required prior to submitting for Final Conditional Use Permit review.

**Staff Recommendation:** Staff recommends the Planning Commission review the proposed Preliminary Conditional Use Permit application (5C08) and determine what action is appropriate. Should the Planning Commission determine that approval is warranted, staff recommends the following conditions:

1. Receive approval and remain compliant with all applicable reviewing agencies.
2. The Conditional Use Permit is subject to review upon substantiated and unresolved complaints.
3. A letter from UDOT approving the location of "Road A" must be submitted.
4. A sight obscuring fence or wall six feet in height is required along the south property line.
5. Enhanced landscaping along the south property line between the commercial use and the proposed future land use as an additional buffer is required.
6. Provide an updated landscape plan with the Final Conditional Use Permit application that specifically shows how the parkstrip will be reclaimed.
7. All landscaping must be maintained in good condition.
8. Provide a site lighting plan with the Final Conditional Use Permit application.
9. Provide building elevations for all four sides of the proposed building.
10. Provide a color materials sample board with the Final Conditional Use Permit application.

11. Complete the technical review process prior to submitting an application for a Final Conditional Use Permit.

1.2 **DISCUSSION:** [18:46:19](#)

- **Commissioner Overson** - I have a couple of questions. I want to clarify that the site plan and grading plan are correct but the landscape plan reflects a different rendition. **Mr. Meldrum** - Yes the grading and site plans do match. It is the landscaping plan that is different. He believed that was due to the fact that they were drawn by different individuals but he deferred to the applicant to answer that question. **Commissioner Overson** - Another question I have is that there is a bus stop on 2700 West that she guessed is in close proximity to the proposed ingress/egress and wanted to know how that would be handled. **Mr. Meldrum** - good question, however, one for which there is not a specific answer. I don't know exactly where that was located but feel like it was closer to the corner rather than the drive approach to the project. That is something that the applicant will need to deal with in the final conditional use review with staff and during the technical review process. **Commissioner Overson** - So, if that had to be removed or relocated, is that the responsibility of the applicant? **Mr. Meldrum** - The applicant would be responsible to do that with UTA.
- **Commissioner Calacino** – It may be a technicality and there will be a more technical review forthcoming as this project proceeds but there needs to be accessible ramps in several locations. All these new drive approaches for the continuation of the sidewalk for accessibility and the potential sidewalk kicking out to the northwest where the new street will be intersecting. **Mr. Meldrum** - Those will be required through the technical review process. Staff may also suggest that with the bus stop located in that area, it may be beneficial to have a sidewalk that connects to 2700 West to accommodate people coming from the bus stop.
- **Commissioner Calacino** - The other two questions are: Setbacks from property, minimum of 20' in this zone, correct? **Mr. Meldrum** - Correct, except that rear property lines are 10'. **Commissioner Calacino** - So, is there a clarification in there if that is just from the building or to, for instance, parking, etc.? **Mr. Meldrum** - That is the building setback. **Commissioner Calacino** - So what do we typically do for parking? **Mr. Meldrum** - Parking typically can't be within the first 20'. **Commissioner Calacino** - Then it has to meet the same setback. **Mr. Meldrum** - Correct. **Commissioner Calacino** - So there have to be some corrections made on this plan because it shows 19 ½' along 2700 West. The final comment I have is, the drive approach that extends out to 2700 West, looks like it is trying to work with the existing location of the curb and gutter but there but it widens as you go north but it narrows as you go south. Is there some discussion about continuing or moving that curb and gutter west so there is more width right there? **Mr. Meldrum** - Yes, the City Engineer has discussed that as a requirement to pull that back so it would actually be 7' wide between the existing curb and gutter and where the property line for this piece is. **Commissioner Calacino** - Thank you.
- **Commissioner Overson** – Mr. Meldrum mentioned that there is twice the amount of parking as needed – should we say that is too much parking and we only need half that, but as I read, the credit union says how much they need. So if there is a difference, how is that resolved? **Mr. Meldrum** - Our code does not provide a maximum number of parking stalls allowable on a site but it does have a minimum number and they have met the minimum. Whether it is appropriate to have as many as they have or not is something the Commission may discuss under the conditional use parameters. [18:51:32](#)

1.3 **APPLICANT ADDRESS:**

- **Jason Smith representing Pangea**. Good evening. My name is Jason Smith, I'm with Pangea Development Company. I would like to introduce a couple of my associates that are here with us tonight as well: My business partner with Pangea, Elliot Smith is here. Also Eldon Haacke, who is an owner of the property and co-developer for the property, is with us. Representing America First Federal Credit Union (AFCU) is Mike Sanders, who is their architect, Jeff Randall from Great Basin Engineering and also Dee Hanson, who is the broker for AFCU, are here as well. Mike Sanders and Jeff Randall will address the Commission to answer some of the questions that were brought up. We appreciate them being here tonight. [18:52:27](#) **Mr. Smith's comments:**

1. We appreciate staff's report and appreciate the opportunity we have had to work with them in preparing this application. In doing so, we have met with them several times and we have worked hard in conjunction with the Staff to provide a very complete and thorough application and as Staff has mentioned, our application is complete and we appreciate that and their help in that process. During this application process, we have made great efforts to cross our "T's" and dot our "I's" in order to assure our submittal is not only complete but also that it is in compliance with the required Taylorsville City ordinances. We appreciate some of the items that were brought up this evening and some of the questions the Commission posed and obviously those issues will be addressed with the technical review before our final application submittal. During this process, we have also reviewed the conditions for approval for a preliminary approval for a conditional use and we feel that we meet all of these conditions for approval by providing a valuable contribution to the community in which we will be located, by having no detrimental impacts to the vicinity of the development, by complying with the necessary codes and regulations and also by conforming to the general plan of the City.
2. Because our application is complete and is in compliance with Code, we ask that the Commission consider the application based on its current merits-based on the merits we have submitted tonight. In doing so, we ask that the Commission consider the conditions for approval and based on our compliance with these conditions grant a yes or no recommendation, obviously we would prefer the yes recommendation. We have presented all the necessary information for this preliminary application as I mentioned earlier and a decision by the Commission to table this item would not result in any additional information that we could present to the Commission other than what has currently been presented and if a decision to table this item were selected, it could possibly result in the City of Taylorsville losing a very valuable business that would provide significant benefit to the community. We ask the Commission to take that into consideration.
3. Regarding our site plan, we have consulted with several engineers to arrive at the current site plan for the entire property for the mixed use development and in doing so, we found that our site plan is somewhat constrained due to our need to provide two access points to the proposed residential use on the remaining portions of the property. If we were to deepen that corner lot to the south, we thought about that and thought, you know some of our users might benefit a little more if we can deepen that to the south and in looking at that we realized that would not be viable because it would render the residential use unusable because those access points are constrained and do constrain our site plan a little bit. Now, the approximate dimensions of our corner lot because of that have been established for over a year now. We have been working with different engineers and looking at different ways we could do it. We have put a lot of thought and effort into the site plan and in designing this corner lot here, we knew that whatever user it would be, we would not be able to deepen that lot further to the south.
4. We met with the Planning Commission a couple of months ago to redefine some of the exact lines based on America First's needs and in doing so, we knew that even though we were designing those lines based off of the needs of America First [18:55:50](#) that those lines would be the lines that any user there would basically need to conform to because of our inability as a developer to adjust that lot based on the other uses we are proposing for the mixed use development. Now, we have read, in considering our site plan, that kind of let's you know how we came up with the lines that have been drawn but also in considering our site plan, we read and studied and City Center Small Area Master Plan and we understand that the City has a desire for us to pull the building to the front. That is something that we know and recognize. As soon as the AFCU expressed interest in this property and in occupying the corner, we let them know of the City's desire to do that. AFCU's engineers explored the possibility but determined early on that it would not be viable for various engineering, business, operational, traffic flow, parking and safety reasons, that Mike (Sanders) will discuss shortly after my comments.
5. However, during our application process, Staff persisted in their request for us to pull the building to the front. To try to accommodate that request, AFCU voluntarily pulled themselves from the February 12<sup>th</sup> meeting to re-examine that possibility as mentioned in the Staff report. AFCU, at that time, invested additional time and money in an effort to meet that request of the City and try to accommodate the City's request. However, after additional extensive engineering and architectural work was done, AFCU arrived at the same conclusion. That pulling the building to the front would not allow them to meet their minimum business operational requirements. Because of that, AFCU has made an effort to create a more attractive landscape, to try to at least accommodate what Taylorsville City is trying to do and some of the look and feel that Taylorsville City is looking for.

They have made significant efforts and doubled the amount of landscaping required, along with berming and extensive planting, to make it a beautiful and attractive site for the community. And to try to do the best they can to accommodate what Taylorsville City is trying to do.

6. In considering our submittal of this application, we continued to study the small area master plan and found that as Staff mentioned, pulling the building to the corner is a "recommendation". Because it is only a "recommendation", we felt comfortable in submitting our application as one that meets all the conditions of approval based on the fact that is a "recommendation".
  7. We wanted to obtain additional clarification of the small area master plan before submitting our application and eventually sought the advice of the City Attorney, John Brems. In an E-Mail received from him, he mentioned that his opinion is that our proposed use is not precluded by the small area master plan and he further counseled that the City could legitimately say the small area master plan is only advisory and could thereby ignore it.
  8. So based on the information we received, we feel our application is complete and that it is in compliance with all codes and ordinances and that it meets all conditions for approval, in spite of our inability to pull the building to the corner as recommended in the small area master plan. Please know that we recognize that is something that the City wants and we made our best efforts and invested significant time and money to meet that demand but as will be expressed later, for various reasons it was not feasible. Because of that and the reasons I mentioned, we ask the Commission to decide on our application based on this information and based on the information regarding the small area master plan. As I mentioned earlier, I appreciate the comments that were brought up and some of the questions the Commission had regarding our site plan and appreciate my mentioning and clarifying that a lot of those issues will be resolved during the technical review process before our final submittal and we will be happy to work with Staff, with the City Engineer, to obviously meet those requests and complete those issues that were brought up. At this point, I would like to turn some time over to Mike Sanders and also to Jeff Randall, who represent AFCU as their architect and engineer and they will elaborate a little bit more on the project and be happy to field any additional questions that the Commission has. [19:00:07](#)
- **Mike Sanders, Architect for this project.** [19:00:52](#) **Mr. Sanders** - My name is Mike Sanders. I am the architect for American First Credit Union. **(Mr. Sanders comments follow:)**
1. The credit union has been looking at Taylorsville for some time and looked at several sites. We really like this site and it has some kind of challenges to it and Jeff Randall will talk about the topography aspects of it. We laid it out and the developer has been very good to work with us on developing this thing and making sure we get all things we need. We have this question on every site we have, of a tremendous demand for parking – usually double what is required in the City. But on the other hand our facility is small enough that we have always more landscaping than is actually required. We have double parking but also double the landscaping because our building is quite small relative to the function. But we move a lot of people. We don't move that many people everyday but we do move a lot of people several times. Once a building is established and we have everyone in the area that knows where we are and are using us, two or three times a month, the parking and stacking for the drive-up will be in kind of demand. So we do move a lot of people. The parking, of course, is mainly for loans and for people using the inside of the building.
  2. We have recently, I'm not sure if your are familiar with Jordan Landing Branch, but that one was the last one where we used single stacking in our drive-up, where we have a kiosk for every aisle but the thing is huge. In fact Mike (Meldrum) worked with us on that one (while working for West Jordan City) and the drive up portion of the building was literally larger than the building, in masse. Even though it has columns and has a lot of openness to it, it was huge.
  3. What we did was start investigating the possibility of double stacking. We did a trial on an existing branch in Sandy and it was so successful that we do it now in all of our branches. We have double kiosks which reduces the size of the canopy for the drive up. We can move as many people and it doesn't take as large a footprint as it did before.
  4. I think there are a few little glitches – we have been wrestling with this thing, adjusting and tweaking it, so there are a few little things that need to be changed on the landscaping but the landscaping for America First Credit Union is always a top notch job. They want to be a great neighbor and they

want to look sharp in the vicinity they are in. The landscaping layout is very appropriate and will be really beautiful on that corner and I think the way we have handled it, it buffers that parking.

5. Along, for instance, 5400 South, we slid the building forward a little bit so that we do have two lanes of parking on partial, but we got it closer and have a single lane of parking running all the way across. Pushed it up so we consumed part of that parking on one side to alleviate the parking on the front but the planting and berming along 5400 South and along 2700 West we think will soften that parking dramatically.
6. We did investigate the possibility, as Jason (Smith) mentioned, of putting it on the corner. We looked at that in several aspects. The flow of the site is just too tight to make that thing function well. So, from a business standpoint, we could not get the proper stacking we were looking for and it just made it nearly impossible to get the pedestrians into the building flow successfully without crossing dramatic amounts of traffic. So, from a business and safety standpoint, America First decided this is not a good option.
7. They want to be here and they really like this site and I think we have adjusted this site so many times trying to accommodate the desires of the City and still being able to function the way they normally function and provide you with a beautiful site has been our goal and I think we have come to that point. We will make the little tweaks between the civil and the landscaping certainly before we submit for final.

#### **DISCUSSION:**

- **Commissioner Bolton** - Which site is the correct site? The civil plans or the landscaping plan? **Mr. Sanders** - The civil plan is accurate. We will have the walkway come in from the corner. **Commissioner Bolton** - We have a plan in our submittal package. **Mr. Meldrum** - It is C1.1 in your packet.
- **Commissioner Jensen** - What is your current plan in regards to signage? **Mr. Sanders** - We haven't investigated that fully. We understand that we can have monument signs. We don't have a problem with that. We really like a tower sign but I don't think that will work here, so we would work with Mike (Meldrum). We haven't located them. We know we can probably have one on each street so they can be seen from both streets. Pole signs are preferred because we can get more visibility from them but if we can have a monument sign on both streets, we always do them out of the same material as the building. The same way with our little building enclosure for the dumpster behind. **Commissioner Jensen** - You are doing a good job on the design – I like your design.
- **Commissioner Sorensen** - [19:07:49](#) I am curious. Only 12 of the total parking spaces do not require pedestrians to cross through a traffic lane. Why would that be? Only 12 of the 58 parking spaces are adjacent to the building. All the rest require pedestrians to cross through traffic. **Mr. Sanders** - That is fairly standard. It is an advantage for us to push it back and have double lanes on both sides but in this case we couldn't do that. But I think what you are referring to is my comment when we were talking about the security issue on crossing the flow of traffic when we pulled the building forward. The problem was that to get it across where we have a tremendous flow for stacking, we had to cross that and so it becomes a security issue. Here, the flow in the parking lot is going to be heavy but not usually very rapid so that is not a security issue – hasn't been in the past. **Commissioner Sorensen** - I was just curious because it is not common.
- **Commissioner Overson** [19:09:04](#) - Comment - I applaud your landscape in that you have more than doubled what the requirement is. I appreciate that and think every bit of living or of green that we can get in our City is certainly appropriate, so I applaud that. Also for clarification, these elevations are not quite right are they? **Mr. Sanders** - They are very close. They are not exactly like the building model. Like I say, this thing is constantly being tweaked. **Commissioner Overson** - That is all right. I just want to be sure. What I am looking at here and what I see on the model are two different things. I would like to know if you explored the possibility of making a separate building for the building and for the drive up? **Mr. Sanders** - Yes. That is when we pulled it forward, that was what we would do. They would have to be separated. It was the only way we could make it work if we did that because you still have to have the parking adjacent to the building because you enter from the back of the building from the parking area. So you end up with the building in the front

and the parking in between that and the drive up. **Commissioner Overson** - I have seen that done before and wondered if that was an option you had explored. **Mr. Sanders** – Oh yes, that is what we explored, separating them.

- **Commissioner Overson** - [19:10:36](#) Another question and perhaps Mr. Smith needs to answer this, I'm not sure. Just with regard to the south property line, could you just briefly remind me – that would be residential immediately to the south, is that correct? **Mr. J (Jason) Smith** - That is our proposed use, that is correct. Obviously, we haven't gone very far down the road with that. **Commissioner Overson** - But that is your plan. So you don't see a reason why there should not be some kind of a fence on the southern edge of this. **Mr. J. Smith** - We understand Staff's recommendation on that and we understand the reasoning behind that. **Commissioner Overson** – Thank you.
- **Commissioner Sorensen** - Another question. Is your model accurate? Your finished floor elevation would be about a foot higher than the elevation of the drive through? **Mr. J. Smith** - Yes – that is correct.
- **Mr. Jeff Randall (Great Basin Engineering)** – The topography on this site is actually a fairly large challenge. From the intersection to the access coming off the proposed new road there is approximately 25' of fall across this site. The topography is definitely a challenge. With the way the site plan is currently, the finished floor of the building will be approximately 11 to 12 feet above the intersection, with a 4 to 5' retaining wall in the front and some landscaping. It will also require some retaining in the back. We are trying to take a slope and balance it so we have some fill in the front and cut in the rear. It is definitely a challenge. As we looked at pulling the building to the corner, it actually drove the building up even higher above the street and so that was one of the other constraints as we pulled it to the corner. It was pushing the building considerably above the street, with some extremely large retaining walls right up next to the street. **Commissioner Sorensen** - So essentially you are going to make your grade transition around the perimeter of the landscape strip along 5400 South and 2700 West. Take about 10' out of the grade at those locations? **Mr. Randall** - Correct. [19:12:48](#) For example, as we get, say half way, 5400 South comes up so quickly - you can see it on the grading plan where the rocks are around the corner. That is where the majority of the grade that we have to make up is. As we come up 2700 West and up 5400 South, we pretty much match grades with the streets in this area (indicated on displayed site plan). It is mostly on the corner where we are trying to make up that grade. **Commissioner Sorensen** - I have got to tell you, I don't see that the placement of the building on the site, moving it forward or keeping it where it is, is going to have that much of an impact. You are still going to have the grade transition you will have to deal with.
- **Commissioner Bolton** – I have questions for the civil engineer if I may, that are a little more technical. In reference to the preliminary UDOT approval of this, a couple of things on there are significant. Have significant impact on it. Reference #2 in their report is due to the proximity of the hill to the west, which is 5400 South, where there seems to be a site distance issue they are concerned about. Are you able to mitigate that without relocating the entrances? **Mr. Randall** – Yes. Another comment they have in there that impacts the site distance calculations is that UDOT is recommending that the median on 5400 South be extended to restrict this new road on the site to a “right in” – “right out”. With that, it restricts the left turn movements and the site distance problems that would come with the left turn movements. We would be solely looking at site distance in regards to a right turn out or a right turn in. With the right turn out, we will be looking as far as if they can see far enough up that hill. We have not done those calculations yet. We feel that with the speed on 5400 South and the distance back to that hill, we should be able to meet those requirements.
- **Commissioner Bolton** - Also, one of their report requirements was #3 C, that their typical site section – they don't want a slope treatment steeper than a 6 to 1 side slope within the right-of-way. Are you able to obtain that with your various grade separations running along 5400 South and are they aware of the necessity for a 4 to 6' high wall as you said? **Mr. Randall** - Yes, 6 to 1 slope within their right of way should be fine. Their right of way is directly approximately 1' behind the sidewalk and all of our slopes and retaining walls will be back on the private development, outside of their right of way, so there we should have no problem meeting that requirement.

- **Commissioner Overson** [19:15:51](#) I have a question, maybe it is the engineer I need to ask. Maybe Commissioner Bolton asked this in a technical way but I'll just ask it in a "man in the mall" way. I have to preface this by saying that I'm not sure about the other Planning Commissioners but my personal opinion is to respect the vision of the City Center Small Area Master Plan and have this building moved forward to the corner. My question is with regard to the grading – so on the corner and what we are going to see – are we going to see some kind of retaining wall? Obviously there is landscaping and so forth but it is going to be built up quite a bit right? **Mr. Randall** - Correct. **Commissioner Overson** – So, then wouldn't we be seeing a retaining wall and some very lovely landscaping and cars, because it will be elevated and the cars will be parked there along the street. **Mr. Randall** - That is correct. **Commissioner Overson** - So, we are not going to have a real nice view of the building because it is pulled back and we are seeing an elevated parking lot with cars. Help me understand what the grade difference is between the sidewalk and up where we will see the parking area. What is that difference? **Mr. Randall** - Okay. We are really looking at a site line coming in from the intersection. Due to the larger landscape area we have on the corner, we are able to slope the landscaping up for a majority of that grade transition and put a approximately 4' high retaining wall in there. The mass of the building, I believe, how tall does it get Mike (Sanders) – 35'? **Mr. Sanders** – About 30'. **Mr. Randall** - 30 to 35' tall roughly speaking. The mass of that building as well, so as you are looking at the site line, you will still be able to see a majority, if not all of the building due to the mass of the building. I think that is something Mike (Sanders) can talk about a little bit more, if we need to. **Commissioner Overson** - I appreciate that clarification – thank you. [19:18:17](#)
- **Commissioner Bolton** – One other thing that the landscaping plan shows is berming along 5400 South [19:18:34](#) . Are you going to be able to place any type of berming with your 6 to 7 to almost 10' of vertical differences in that area? **Mr. Randall** - In looking at it, and that is one thing I was looking at before this, I would say approximately half of our frontage towards the new road, we should be able to get the berming in there with the grading. We can look at the walls as well and some other stuff we can look at that I know the credit union has handled in the past, is some of the planting material can be moved up near the parking stalls to act as a screen or buffer to the cars as well instead of placing it all down next to the sidewalks. I know we have placed some near the parking stalls as well to act as buffer to the cars as well.

#### 1.4 **SPEAKING:**

1. **Jessica Kasparian-Gomez** [19:20:10](#) **Ms. Gomez** has lived in Taylorsville all her life. She came to the town meeting and was asked what she would like to see on the corner. She thought about it and made her own drawing. She had talked with a friend of hers who is a professional landscaper in California about landscaping issues. She would love to see homes built on this site because her elderly parents live near this site and she is talking care of them. She also has a critically ill child to care for. Financially she felt she would never be able to move out of her present residence. Therefore, she is very concerned about this City. She said she is aware that it is all about money and realized that the City needs money on which to run. She expressed concern about having that building on 2700 West. When Ralph Blake started developing this area years ago, he wanted to keep a pristine home town feel and she wished she would have become involved sooner. She feels America First is a great product and she liked their building in Murray on 45<sup>th</sup> South and 13<sup>th</sup> East but did not like the one in West Valley. It would be great for Taylorsville and wondered if Taylorsville City would entertain the idea of re-locating this project Her preference for American First is to locate their project on the northwest corner of the City Center site and leave the other corner strictly for residential. She has approached people in the real estate business and they felt certain homes would sell well on the southwest corner of 27<sup>th</sup> and 54<sup>th</sup>.
2. **Les Matsumura** -[19:23:41](#) I represent several hats tonight, as a citizen in Taylorsville and residing in District #4 as a Council Member over District #4 and as Chair. The last one I am not speaking as the Chair representing the Council, I am speaking as a Councilman and a citizen representing District #4. I know there has been a lot of talk about the small area master plan and we have had a lot of conversations about that as a Council through the past years and there have been a lot of, you might recall, debate over what the small area master plan should be and what it should reflect. I completely understand the concern some of you have about relating or tying in this property to that other property. My point of view is that it is not a requirement, it was a guide and that is how I have always supported that issue and hopefully you won't make that the only pertinent decision in making your process. The

other concern I have and I understand the citizen's comment. I have known her family for probably 25 years or so. I have been in Taylorsville almost 35 years and I agree it would be nice if we could keep everything like it was but things move on. I used to live on Redwood Road right across from Taylorsville High School and I used to go pheasant hunting where Taylorsville High School is. Edo Rotini used to kick me out of there once in awhile but things have changed and the City of Taylorsville is a wonderful place to live. We have some challenges in Taylorsville. This is a nice, nice project and I support it 100% because I have seen they have made effort. They even tabled the whole plan so that they could go back and try to come up with a solution to meet your recommendations. That put their project even further behind. I think as it is now, it is a good project. I support them and I support them because it is a good process and a good building and enhances Taylorsville's economic value. As we develop the City Center, we will help tie in the two projects together and I think everyone will be happy. I appreciate your direction and your individual concerns but I am encouraging you to approve this project. Definitely do not table it. I don't think you would do that to the developers and America First. Just say yes or no tonight and let's move ahead with this. [19:26:35](#)

1.5 **DISCUSSION:** Closed for discussion. 19:26:50

- **Commissioner Calacino** - [19:26:56](#) - Mike (Meldrum), can you remind what the City's clear view triangle is on the corner. I remember something to the affect that you intersect the property lines and go back 45' and do your diagonal and nothing in that clear view triangle area can be over 3' tall. **Mr. Meldrum** - It is 2 ½' in height and 30' back along each of the streets. **Commissioner Calacino** - Is that every street or is there a difference between local, collector arterial? **Mr. Meldrum** - I am not aware that there is any difference between local, collector or arterials. **Commissioner Calacino** - I am just concerned that if we start getting retaining walls out on the corner – it says they are out of the clear view triangle but I am just nervous that maybe has not been checked. **Mr. Meldrum** - I actually have looked at that and it is outside of the clear vision area. [19:27:45](#) **Mr. McGrath** - Excuse me Mr. Chairman. Can I just correct one thing – each leg is actually 40' and it is any two public streets.
- **Commissioner Bolton** - I am confused. It is 40' measured from what point to what point? **Mr. McGrath** - If you take the corner of the property and draw a lien 40' in each direction, then the triangle that is formed by those two lines. **Mr. Meldrum** - 40' leg going down each street. **Commissioner Bolton** - Thank you. **Commissioner Calacino** - Is that along property line or back of curb or edge of asphalt? **Mr. McGrath** - It is the property line.
- **Commissioner Bolton** - I have another question for Staff. The last time we looked at the subdivision plat we addressed most of my questions regarding the access road rather than the site plan but one of the questions came up in the traffic report for the access along 5400 South. Staff did provide a copy of it, but did the traffic report take into consideration the high amount of traffic that this site is going to generate? **Mr. Meldrum** - What the traffic study did was take the most intense use that could be located on the site and based their traffic generation numbers off of that. **Commissioner Bolton** - What I am seeing from the applicant is that they have a cueing for 34 cars and double the amount of parking, 58 stalls. That is possibly higher intensity than you would think for a certain size building on there. I wondered, from Staff's point of view, if they jive. If this use on this corner is actually represented. **Mr. Meldrum** - I understand what you are saying and the City Engineer has not indicated that there has been any discrepancy between those two and they do match. [19:30:18](#)
- **Commissioner Sorensen** - Mark (McGrath). If I understand correctly, the small area master plan was adopted by ordinance by the City Council. **Mr. McGrath** - Correct. **Commissioner Sorensen** - So it is a documented ordinance, which I think is important to recognize. That makes it a little more than a "guide" as was suggested by the City Council Chair. **Mr. McGrath** - That was adopted in 2003, in I believe, July.
- **Commissioner Calacino** - Mr. Chair, I have a couple of comments.
  1. First and foremost, I applaud the efforts of the applicants, architects and engineers, etc. They do what they do and have done a good job of it. However, I am just very frustrated and have been frustrated since day one because I have heard comments like, well, we can't do this because this is where a certain item is or we can't do that because this is where a property line is. I went on record from the beginning saying that the site should be designed to accommodate a use and that use should go through some type of preliminary

approval process and then you lay out property lines. Personally, I think this has gone backwards from day one and feel that no matter what we say or do tonight, that the cards have been dealt and from whatever the case may be, I personally think it is a complete lack of respect for the City as a whole.

2. We have ordinances and we have general plans and small area master plans for a reason. Those plans are put through a lot through a lot of time and scrutiny to create a vision of what this community wants. The only reason the general plan or small area master plan is a guideline or recommendation is because that is what State law says. But they have as much weight in my mind as an ordinance because that is the document that sets out the vision – like the painting on the wall, laying out the course this City is trying to set for itself. It is like the direction you set on a ship when you set sail to a new country. You are trying to achieve a certain goal and set something down on record as to how to get there, it is your path or how you want to get some place. When you basically just ignore it or try to go in every direction around it to not have to comply with it, it really frustrates me.
3. If that is the direction the City is going – if we are not going to try to adhere to the documents that we put out there and ask the people of this City to weigh and consider and make a decision on as to what they want and direction they want for the City and then someone says, “Oh well, we are just going to ignore it because there is a little word, technicality that says you “may” but not “shall” I take issue with that. I think the residents of the City have spoken – that is what they want. They want to see certain architectural and characteristic features within this City to create an identity. Everyone says how wonderful the City is to live in but it can only get better if we try to reach that goal.
4. I know this site has challenges. It is not to anyone’s imagination and you can see that from day one but when you arbitrarily set down a line on a piece of paper because that is what the developer wanted since day one and are not going to budge from that and here we are six months later looking at the same thing we looked at the zone change. I am saying why did we waste all of our time? Who is appeasing who here? We continued the item for two weeks to give the developer something to do. If you ask me, America First Credit Union told their architect just to sit tight – we are going with the plans from September and we are going to get what we want, regardless of what the Planning Commission says. That is what I feel like. I feel I like we have been slapped in the face because I don’t even have a drawing in front of me to show that an honest effort was made to look at a different layout. I am very frustrated and I feel a lack of respect for the City as a whole.
5. There are buildings all over the County that are moving towards creating a more pedestrian friendly environment. America First is one of those. One in particular sits in Sandy on 9400 South and State Street. Two major streets, with the Expo Center on one corner, Jordan Commons on the other and their building sits right on the corner with no landscaping – basically with a 10 or 15’ sidewalk. More or a urban environment. We are still going to have a suburban environment because we have 10’ of landscaping, even through it might be 10’ in the air. I applaud the efforts – it will work but in my opinion as a Planning Commissioner, I think it is contrary to what the small area master plan says it should be. I don’t believe an honest effort was ever made to address our issues and concerns on that particular item. It has been the way the developers wanted it from Day one and that is all we have seen and that is all we are going to get and regardless of what we decide tonight, that is what we are going to get. The only option we probably have is to ask for increase in landscaping to hide the cars that are going to be 10’ in the air and put a wall on the south to protect whatever residential goes in and make sure we get as many more pedestrian access points as possible. Thank you. [19:35:54](#)

- **Commissioner Overson** - [19:36:04](#) A couple of things I am concerned about that we didn’t discuss and one is reclaiming the park strips. I think it is important that pedestrians feel safe and it is visually pleasing to have park strips that are living and growing. To me that is important and we didn’t talk about that. I am quite impressed with the presentation this evening and have no doubts this is going to be a successful corner. Personally, I would like to see that we adhere to the vision of the City and have this pulled up to the corner like what is in the plan for the City Center Small Area Master Plan. The properties compliment each other and I think that we should respect the vision of the City Center Small Area Master Plan. It would be more visually pleasing to have the building up closer to the corner than a parking lot.

- **Commissioner Jensen** - [19:37:28](#) The first thing I need to say is I work for a bank – actually for a company owned by a company that owns many banks. So I have all sorts of reasons why I could vote against this professionally. I am not standing to gain anything by it at all and I just wanted to let the Commission know that for the record. I am not in it for the sake of my job. As I have gone through this and gone over it, I feel that a lot of times compromise is usually the best way to go. I recognize that the developer has gone to some length to meet the criteria. We can't really say how much they have and have not done but we have to take them at their word. They have tried to move it to the front. They have asked for two weeks on their own to work on it and figure it out. I have no reason to doubt that they didn't give it an honest effort. I recognize the topography of the site. I really appreciate that. I am very very grateful that they have recognized that there are residents in that area and that they are willing to go with a monument sign instead of a pole sign. I am grateful to see the berming. I am grateful to see the double landscaping. I am grateful to see the mention of reclaiming the park strip. I think that it is a good compromise. I think it matches with the residences to the east and matches with what buildings and residences are already to the west. I feel it probably even matches those going to the south. So I don't really see a large need to have it come to the street. I recognize that in an idea world that would be great. I would be nice to have all of 5400 South that way but the only way to get that is to rebuild all the homes that were just built and I don't see that as a realistic possibility and I don't think we are really losing anything by having it back from the street. In fact, personally, I think the more view of the intersection we can give them since there is a hill involved there, it is probably for the best. So I think both sides have compromised and I think it is a good effort and worthy of this site and worthy of our consideration.
  
- **Commissioner Bolton** In general I am surprised with the amount of parking and asphalt required for such a small building, especially to accommodate a use that is only once or twice a month – showing almost a 60' wide asphalt drive lane. There is one of these similar in my neighborhood with another credit union. I drive by there four or five times a day, including the last Friday of the month when a lot of people get their pay checks. I have never seen those lanes busy. I was in there this Saturday and there were two cars, maybe in there. I see so much asphalt. I see so many reasons to not justify so much parking but I assume the owner knows his business better than anyone and if he wants to pay for the asphalt instead of the grass, there is a cost associated with that and they are willing to do that. Environmentally it is creating a huge heat island. Storm drain requirements and detention are going to be taken care of through a series of 48" pipes which really just take it off the asphalt and put it in the system and doesn't really treat it. There are a lot of things about this site that I am unhappy with. The complete disregard for anything to do with the Small Area Master Plan. As I go through the chapters, it talks about making it a gathering place, pedestrian friendly – more oriented towards pedestrians rather than traffic. The color palette – which is a red brick if I remember right. I am not sure if that ties in with the character or vision of the City Center. There is just not a lot that I see that even attempts to go into the small area master plan. I wasn't on the Planning Commission when that master plan was enacted but the time and effort put in by the Planning Commissioners, City Council members and City Staff, to have it not respected or having no parts of it implemented into the design of a critical important corner of Taylorsville City is just troubling. [19:42:46](#)

1.6 **MOTION: Commissioner Overson 19:43:15** - I would like to make a motion regarding File #5C08 that we deny the application based on comments heard this evening by Commissioners and testimony given by the applicants and the citizen input. I move that we deny this based upon the fact that it does not respect the vision of the City Center Small Area Master Plan.

**SECOND: Commissioner Calacino**

**Commissioner Bolton** restated the motion – We have a motion to recommend denial for the Conditional Use Permit Application for 5C08 based on the fact that it does not respect the vision of the City Center Small Area Master Plan [19:44:11](#)

**VOTE:** Commissioner Holman AYE Commissioner Calacino AYE  
Commissioner Overson AYE Commissioner Jensen NAY  
Commissioner Sorensen AYE Commissioner Staley NAY  
Commissioner Bolton AYE Motion to deny passes 5 to 2.

**COMMENTS: Commissioner Overson** – I think this is a very worthwhile project and I know it will be wonderful when it is finished. I just think it needs to be pulled up closer to the street. It has nothing to do with anything else. **Commissioner Bolton** - I would like to go on record in saying that the Planning Commission two weeks ago did not table this item. It was tabled at the request of the applicant. This is the first time we have seen an official site plan for this

piece of property. Commissioner Jensen - I would also like to point out that the other properties on the adjoining City Center area are not necessarily compliant with the City Center Small Area Master Plan, so I don't see the need to have just one corner compliant and not the entire area abutting the city center. Commissioner Calacino - I think we just need to start off development in this area in the right way and by doing that we need to comply with the vision that was set in motion years ago and until someone can demonstrate the vision is wrong or needs to be changed, that is the path that this Commission should follow in reviewing projects. When development starts occurring on the City property, it will be in compliance with the master plan. 19:46:42

2. 2Z08 <u>City of Taylorsville</u> – Recommendation to the City Council to Amend Chapter 13.48 of the Zoning Ordinance titled Signs, regarding electronic message center signs. (Michael – Principal Planner)	Meldrum
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19:47:01

2.1 Mr. Meldrum presented this item: There has been great concern generated over the quantity of electronic message center signs proposed within Taylorsville over the last several months. In an effort to reduce the concern, Staff has authored a proposed Zoning Ordinance Text Amendment. The intent of this ordinance is not to prohibit these types of signs but rather to further define this type of sign and provide a set of criteria that the Planning Commission can use in evaluating the proposals. Criteria that are important in Staff's opinion, include the following:

1. Light study (brightness of the sign).
2. Traffic analysis.
3. Size of the electronic message center/electronic video center portion of the sign.
4. Amount of motion included on the sign.
5. Height of the sign.
6. Location of the sign.
7. Hours of operation.
8. Consolidation of signs.

**Findings of Fact:**

1. There has been concern from the Planning Commission regarding electronic message center signs.
2. Establishing criteria for the review of electronic message center and electronic video center signs will provide clarification for both the Planning Commission and applicants.

**Staff Recommendation:** Staff recommends that the Planning Commission forward a positive recommendation to the City Council for File #2Z08:

1. Establishing criteria for the review of electronic message center and electronic video center signs will provide clarification for both the Planning Commission and applicants.
2. Separating electronic message center and electronic video center signs with established criteria addresses potential negative impacts on adjacent properties in a residential zone or residential land use.
3. Requiring a specified setback (buffer) between a commercial use and a residential zone or residential land use will mitigate potential negative impacts on such properties.
4. Placing a proportional limit on the size of both the electronic message center and electronic video center sign limits the potential negative impact on adjacent properties.

2.2 **DISCUSSION:** Mr. McGrath apologized for not being able to coordinate with Mr. Meldrum regarding the final version of this ordinance and offered the following additional comments:

- Mr. McGrath said that looking at the chart in the ordinance section under "sign" it says ground or projecting on premise pole sign. Was it the intent to not allow these as a monument sign? Mr. Meldrum said when he wrote that it was his intent that the ground sign be a monument sign and that the language needs to read monument sign. Commissioner Bolton also read that to indicate the sign is positioned "on the ground". Mr. Meldrum advised that had been his thinking when he wrote that. The intent is to allow both monument signs and pole signs.
- Mr. McGrath recommended clarification under "size" which is the same definition for any ground or projecting sign. Mr. Meldrum advised that actually in the C-2 and C-3 zoning districts, a total of 256

square feet is currently allowed. This new ordinance reduces that size by half and in the C-2 zoning district, only 50% of that 128 square feet could be used as a message center and in the C-3 zoning district, only 25% could be used as a video screen. [19:52:37](#)

- **Mr. McGrath's** last question was in reference to "height" where the current code stipulates the maximum height at 30'. Reading this new proposal, it indicates that the height shall not exceed the height of the building with which it is associated and he suggested putting in a maximum height for consistency. **Mr. Meldrum** said his reasoning for what he wrote was if there is a single story building, there was no reason to require a 45' high sign. For a two story building, that would be in proportion with the sign, so he did not see a need to actually put a specific number but would do so if that is the wish of the Commission. **Commissioner Bolton** asked what the maximum building height is for C-2 or C-3 and **Mr. McGrath** informed him it was 30' for a sign. **Mr. Meldrum** added that for a building, it can go up to 75' with a conditional use. **Questions/suggestions follow:**

1. **Commissioner Bolton** was in favor of capping the allowable sign height and **Mr. Meldrum** said he had no problem doing that.
2. **Commissioner Jensen** said that there may be a definition on how the height of the building is measured as well. For instance on the Furniture Warehouse the ridge of the building has varying heights. He suggested making it "as high as the roof". **Mr. McGrath** said that for a flat roof, it would be the highest point of the building. On a pitched roof it would be the mid point of the pitch measured from grade.
3. **Commissioner Sorensen** said to visualize the streetscape, with signs varying in height from 20' to 45' as you go down the street and for that reason he would like to see a cap on height requirement, suggesting 30'.
4. **Mr. Meldrum** asked if the preferred language should read: "shall not exceed 30' in height or the height of the building, whichever is lesser". Commissioners agreed with that definition and it will be included in the final document.
5. **Commissioner Overson** asked if the computations for sign size included one side or both sides and Mr. Meldrum said it is back to back and is not computed separately. **Commissioner Overson** wanted to know if a traffic analysis would always be required and Mr. Meldrum said it would be.
6. **Commissioner Sorensen** said that he has noticed that other cities, especially West Valley City, are moving towards allowing only monument signs.
7. **Commissioner Jensen** would like a definition added showing the difference between electronic message center and electronic video center signs and also a definition of motion. He also wanted to make sure that video center signs must be back away from the traffic lights at intersections.
8. **Mr. McGrath** advised that this is just the first step in completely rewriting the sign ordinance but that it is important that the issue of electronic signs be addressed now. Staff feels that these proposed provisions will protect the City from having to accept something really objectionable.

2.3 **SPEAKING:** None.

2.4 **MOTION:** **Commissioner Jensen** - I recommend that we approve File #2208 as a positive recommendation to the City Council with staff recommendations, with additions as follows: (#3) – add definitions under analysis; (#4) Use the wording "monument sign" instead of "ground sign", possibly adding a distinction between "display" area and "sign" area, so that we clear up any confusion there; (#5) Placing a 30' maximum height on a sign; (#7 include some of reference to "flashing" in regards to "motion", so that they are together; possibly considering moving video signs so many feet back from a semaphore/stop sign. [20:14:57](#)

**SECOND:** **Commissioner Calacino** - I'll second the motion and ask for clarification. One is on the building height – I think we had 30' or the height of the building, whichever is less, so they actually have an option there but it will always be the lesser of the two. If we are going to do the distance back from a stop sign, I would rather not be arbitrary. We need to figure what the distance is going to be, perhaps liken it to how far you can park from a stop sign multiplied by

three. Commissioner Jensen suggested 200' from a stop light and asked if that were enough time to (1) react; (2) hit the brake and (3) stop? Commissioner Sorensen – The majority of roads in the City are State of Utah highways and there is a minimum of 150' between encroaches. Thinking in terms of where do you approach it, this separates buildings and I am wondering how that would fit in with the suggested distance of 200'. There must be a formula there. Commissioner Calacino - How about if we say it just has to be set back from the semaphore the distance of the right-of-way. Across roads like Redwood Road, it is 106 – 130' right of way. That would be consistent with whatever the right-of-way of the street that the sign is on. Mr. Meldrum - Commissioner Jensen – Did you accept that change to your motion? Commissioner Jensen - Yes. 20:17:23 Commissioner Bolton restated the motion – to send a positive recommendation to the City Council for File 2Z08 – zoning ordinance text amendment based upon seven items as outlined in the motion with changes as discussed.

<u>VOTE:</u>	<u>Commissioner Holman</u>	AYE	<u>Commissioner Calacino</u>	AYE
	<u>Commissioner Ovrson</u>	AYE	<u>Commissioner Jensen</u>	AYE
	<u>Commissioner Sorensen</u>	AYE	<u>Commissioner Staley</u>	AYE
	<u>Commissioner Bolton</u>	AYE	Motion passes unanimously. 20:18:49	

3. 3Z08 City of Taylorsville – Recommendation to the City Council to Amend Chapter 13.42 of the Zoning Ordinance titled Planned Unit Development. (Mark McGrath/Director of Community Development)

3.1 Mr. McGrath presented this item. He presented his proposed Planned Unit Development Provisions text amendment for review/discussion and asked to be able to bring it back in the near future and reevaluate but to approve this version for now, which gives the City an element of protection on density issues. Most significant is the change to paragraph .050 Calculation of Density. 20:20:10 He recommended approval of the ordinance as presented and to be able to bring it back later to mature it. 20:21:44

- Commissioner Sorensen asked that Chapter .120 Open space – preservation and maintenance, be explained as pertains to the reference to the Salt Lake County Council. Mr. McGrath explained the reason that was included was if they are dedicating the land for a County Park. For example, if it were for a PUD adjacent to the Valley Regional Park across the street, which is a County facility. Commissioner Sorensen suggested adding “where appropriate”. Mr. McGrath said that he would clarify that in the ordinance but essentially what he was trying to say is if a parking being dedicated to the County, the County should approve – if dedicating it to the City, then the Taylorsville City Council ought to approve it. Commissioner Calacino said that on that subject just say dedication of land as public park or parkway system.
- Commissioner Bolton – commented that within the calculations of density, where it says the gross area shall not include dedicated to road right-of-ways. Most PUD’s are coming in with private roads and wanted to know if there were some way to clarify that issue, because there is usually no right of ways associated with private roads. Mr. McGrath said it could say something along the lines that gross area shall not include area dedicated to public or private road right of ways. Commissioner Bolton said that usually on private roads, there is no road right of way, especially in a PUD. Mr. McGrath suggested using the term roadway rather than right of way. Commissioner Sorensen suggested saying “proposed” rather than “dedicated”. Commissioner Bolton was agreeable with that statement.
- Commissioner Calacino added that the definition for roadway is measured from back of curb to back of curb and right of way is just that, right of way. He asked for the correct definition from the transportation code. Commissioner Calacino simplified it to say those areas proposed to be used for roadways. 20:25:33
- Commissioner Bolton asked for clarification regarding paragraph .080 on density and height. He felt Item A should be better placed within .050 on the calculation of density, to which Mr. McGrath agreed. Commissioner Bolton the addressed the building heights (B and C in same paragraph) saying he was not clear on the intent. Mr. McGrath advised that what he trying for was getting the highest intensity of a PUD in the middle of the PUD in order to reduce the potential impact on the neighbors. There is a proposal for a senior community on 4700 South and 2200 West that will be coming before the Planning Commission shortly which will be impacted by this ordinance in that it is proposed to have three and four story buildings. Commissioner Calacino felt those items should just be under basic design guideline areas – to just reword B and C a little bit and move them under general planned unit development requirements. Intensity of the development should be in the middle, not on the periphery. Say basically

that the development's design at the boundary should match or be similar to its abutting use and move that to paragraph .110 - General Planned Unit Development Requirements.

- **Mr. Meldrum** asked Mr. McGrath if he intended to put preliminary concept approval under paragraph .090 or if that meant preliminary design approval? **Mr. McGrath** replied he took out the word "concept" in that sentence. **Mr. Meldrum** said on the next page, letter E under Part B, detailed landscaping plan including . . . (nothing was listed after the word "including"). **Mr. McGrath** said he would fix that and intended to add typical landscaping criteria there.
- **Mr. Meldrum** said the current PUD ordinance does not require exterior building material samples. **Mr. McGrath** said that it is something that has been required from applicants but is not ordinance-based. It has been included in the new version at being a discretionary requirement from the Planning Commission (.090 C.)
- **Commissioner Bolton** – Referred to .110 B relative to the minimum 15% requirement for dedicated common space and the reference further on in the paragraph which says that 50% of the total PUD site shall be open space not consisting of buildings, structures, streets, alleys and parking lots. **Mr. McGrath** said that one half of the land has to be not roof tops, roads, parking lots, etc. It must be open space, whether it is a park, landscaping around yards or a recreational facility such as a basketball court. He continued on to say a definition under the definition section should be included which differentiates between common open space and open space. **Commissioner Bolton** referenced .080 A which says "For residential and mixed use planned unit developments which maintain a common open space ratio of 20% or more . . . .", while requiring 50% or more in .110. **Mr. McGrath** clarified the issue by saying that the requirement is for 15% - if there is 20% or more, the Planning Commission can grant a density bonus up to 10% over what is allowed in that zoning district. The 50% is all open space; combined. It is their private yard, their front yard, back yard, parks, everything combined. The 15% is common open space such as parks, recreational facilities, gazebos. **Commissioner Calacino** said that it is active and passive basically. **Commissioner Bolton** said then that the common open space should be delineated on the drawings. **Mr. McGrath** advised that the common open space is essentially that open space that is shared amongst all of the owners. Open space is all open space combined. **Commissioner Bolton** then said that in their submitted requirements they should show the open space calculations. His concern is just to make the intent of the ordinance very clear. [20:34:16](#)
- **Commissioner Sorensen** [20:35:28](#) asked for clarification on .130 Exterior building materials with regard to the definition of masonry – which can be brick or block, **Commissioner Calacino** suggested defining masonry as brick, cultured stone but not standard concrete blocks. **Commissioner Bolton** wondered if specifying the type of material was the best way because projects can be done nicely with boards and siding, etc. **Mr. McGrath** said that is why it was left out at the end of the sentence and said the Planning Commission can waive the minimum masonry requirements and approve an alternate building material if there are special design merits attached to the project. **Mr. Meldrum** asked Mr. McGrath if he intentionally left off the rear facades, to which **Mr. McGrath** replied that he had.
- **Commissioner Bolton** [20:37:59](#) commented that with the Planning Commission review, he wondered if they could at least suggest seeing the conceptual stage. It is more of an informal discussion between the Commission and the applicants before they spend a lot of money unnecessarily. **Mr. McGrath** said that typically what staff does is, is anything that is large scale, potentially controversial or is maybe thinking outside the box, is when the applicant is encouraged to go through the conceptual review stage. If it is small scale, pretty straight-forward, it is not generally a requirement. **Commissioner Calacino** suggested adding a section outlining approval process and add conceptual along with preliminary and final approvals. **Mr. McGrath** asked if it would be okay to put conceptual in there and add a sentence at the end of it that says the Community Development Director can waive this requirement, if applicable, which was agreeable to Commissioner Bolton.
- **Commissioner Jensen** discussed paragraph .030 (6<sup>th</sup> sentence) – and felt it should say zoning regulations instead of district regulations. **Mr. McGrath** agreed inasmuch as earlier in the same sentence he had made a reference to zoning district and will make the correction to standardize the reference throughout.
- **Commissioner Jensen** then asked about paragraph .040 – minimum area. This time it says two acres and at previous times it has referenced three and four acre parcels. **Mr. McGrath** said the size depends on the community. When this was discussed previously it was suggested to go as high as five acres but the problem there is it eliminates practically every property in Taylorsville. He added that he is flexible in

designating the allowable size. He felt two acres was big enough to actually get a cohesive design but not so big that it eliminates everything in the City. This is actually an increase in size over what is presently allowed at a half acre. Staff is presently working on an "infill ordinance" that would deal with smaller properties.

- **Commissioner Jensen** asked about paragraph .090. In the past particularly with areas along the river, approvals had not been received from appropriate entities before coming to the Commission, which he would like added as a requirement before preliminary approval. **Mr. Meldrum** said that some things i.e., the CLOMAR (Conditional Letter of Map Revision) require City approval first, so that would be a problem. **Mr. McGrath** asked Mr. Meldrum if it would be possible to get that approval after preliminary so it could be a requirement for the final approval, to which **Mr. Meldrum** replied that would not be a problem, adding that it could be required along with the technical review submittal as well. **Mr. McGrath** advised he would add a statement in paragraph .100 regarding agency approvals and will add that if any agency approval isn't consistent with the preliminary approval, they will have to obtain an amendment to the preliminary approval.
- **Commissioner Jensen** directed attention to the last page of the document, Item E at the top of the page. **Mr. McGrath** said that is an attempt to maintain the integrity of what a planned unit development is – something planned as a cohesive unit. **Commissioner Jensen** suggested changing "complex" to "unified" in that sentence, to which **Mr. McGrath** agreed.
- **Commissioner Jensen** referred to paragraph .180 A – saying it mentions in the 2<sup>nd</sup> line "and specifications as approved by the Planning Commission" and he wondered if that allows for leeway when issues are left to Staff to resolve. **Mr. McGrath** allowed that does cover that issue and inflicts the "common sense" rule. [20:48:46](#) **Commissioner Jensen** said that on the very last line under .180 D, it said that approval shall expire if construction does not begin within one year. He thought the current approval covered the permit for two years. **Mr. McGrath** advised he would change that to two years because technical planned unit developments are conditional use permits. He will also make that consistent with the conditional use section which says two years from the date of the preliminary approval. **Commissioner Jensen** added a comment that all references throughout the plan should be worded the same in order to make it consistent terminology. **Mr. McGrath** added one such inconsistency in that he has referred to the Commission as the Planning Commission and in other areas as the Planning and Zoning Commission, which he will also fix.
- **Commissioner Sorensen** referenced paragraph .180 A where it says that plans and specifications as approved by the Planning Commission he felt that plans and specifications are not approved by the Planning Commission and suggested changing that reference to say "documents". [20:51:54](#)

3.2 **SPEAKING:** None.

3.3 **MOTION:** [Commissioner Sorensen](#) - I move to forward a positive recommendation to the City Council to approve Chapter 13.42, Planned Unit Developments, with all the adjustments discussed this evening and as presented by staff. [20:52:39](#)

**SECOND:** [Commissioner Calacino](#)

[Commissioner Bolton](#) restated the motion to forward a positive recommendation to the City Council to approve File 3Z08, for a text amendment to Chapter 13.42, Planned Unit Development Ordinance with changes as discussed.

<b>VOTE:</b>	<a href="#">Commissioner Holman</a>	AYE	<a href="#">Commissioner Calacino</a>	AYE
	<a href="#">Commissioner Overson</a>	AYE	<a href="#">Commissioner Jensen</a>	AYE
	<a href="#">Commissioner Sorensen</a>	AYE	<a href="#">Commissioner Staley</a>	AYE
	<a href="#">Commissioner Bolton</a>	AYE	Motion passes unanimously.	

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**PLANNING COMMISSION WORK SESSION**  
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1. Discussion concerning the 2007 Planning Commission Survey. [20:53:12](#)

1.1 **Mr. McGrath, Director of Community Development** presented this item and opened it up for discussion/comments. He prefaced that by saying that the City sent out questionnaires to citizens to solicit their input for their perception of the Planning Commission process. He added that most comments were extremely positive, however, there were a couple of applicants that felt they had not been treated with appropriate respect during the meeting they attended.

2. **OTHER MATTERS:**

2.1 **Commissioner Jensen** commented that the Mobile Homes Park Home Owners Association met and approved the Mobile Home Ordinance. [21:05:00](#)

2.2 **Mr. Meldrum** advised the Commissioners that the applicant who had applied for a Foster Dog Permit withdrew her application because the dog in question had been adopted. She is still interested in pursuing having another dog the foster dog care application should the occasion arise. He continued on to say that when the present Code, it is not set up to handle or address what she is intending, because each animal would be required to have their own foster animal conditional use permit. It is not a foster animal permit for any animals that she brings into the home, it is specific to the animal. That poses some issues for her and I am not sure she will actually pursue this matter. **Commissioner Jensen** felt it may be in the area which needs changing because the original intent of that permit was to allow people to take the dogs them rather than have the burden placed on the animal shelter to take care of them and euthanize them. So it is intended to let the animals keep living until they can be adopted. So that implies there will be some kind of rotation. So we might need to make a change there to make that work better. She is the first such applicant. **Mr. Meldrum** added that it is the first one he had seen also. **Commissioner Calacino** suggested making it a home occupation for foster care. **Commissioner Overson** asked if there were not an amount of permits that were applied for. **Mr. Meldrum** said that there is nothing in the current code that does that. That might be worthwhile looking at. **Commissioner Overson** said it was interesting because she had neighbors attend the meeting who were opposed to this use. **Mr. Meldrum** said that was one of several E-mails exchanged between the two over the last couple of weeks. She raised the point that she wasn't sure that she wanted to go through the stress of having to come to meetings on a regular basis and subject herself to the associated stress.

3. **CITY COUNCIL MEETING DISCUSSION: Commissioner Bolton.**

**ADJOURNMENT:** By motion of Commissioner Calacino, the meeting was adjourned at 9:47 p.m. [21:36:12](#)

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Jean Gallegos, Admin Asst/Recorder for the  
Planning Commission

Approved in meeting held on March 11, 2008