

**City of Taylorsville
 Planning Commission Meeting
 Minutes
 Tuesday – March 11, 2008 – 7:00 P.M.
 2600 West Taylorsville Blvd – Council Chambers**

Attendance:

Planning Commission

Scott Bolton – Chair
 Keith Sorensen – Vice Chair
 Ted Jensen
 Bruce Holman
 Angelo Calacino
 Kristie Overson
 Stacey Staley
 Alternate: Garl Fink

Community Development Staff

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

PUBLIC: Boy Scout Troop 1993 – Taylorsville-Murray area, Jerry Rechtenbach

[19:05:50](#)

WELCOME: **Commissioner Bolton** welcomed those present, explained the process to be followed this evening and opened the meeting at 6:00 p.m. He outlined the items on the Consent Agenda and asked if there were anyone in the audience wishing to speak to any of them. There being none, he asked for a motion regarding the Consent Agenda.

CONSENT AGENDA

Agenda/File #	Application	Applicants	Action
1. Review/approval of Minutes for February 26, 2008			Approved as presented.
2. 10H08	Home Occ – Beauty Salon (Dan Udall/City Planner)	Rosa Urcino 4775 S. 2200 W.	Approved with staff recommendations.
3. 2S08	Two-Lot Subdivision (Michael Meldrum/Principal Planner)	William Thorup and Sharon West 5168 S. 1130 W.	Approved with staff recommendations.

MOTION: **Commissioner Overson** - I move for approval of the consent agenda as outlined consisting of Minutes, File #10H08 and #2S08. [19:06:53](#)

SECOND: **Commissioner Calacino**

Commissioner Bolton restated the motion.

<u>VOTE:</u> <u>Commissioner Fink</u>	<u>AYE</u>	<u>Commissioner Calacino</u>	<u>AYE</u>
<u>Commissioner Overson</u>	<u>AYE</u>	<u>Commissioner Sorensen</u>	<u>AYE</u>
<u>Commissioner Jensen</u>	<u>AYE</u>	<u>Commissioner Staley</u>	<u>AYE</u>
<u>Commissioner Bolton</u>	<u>AYE</u>	<u>Motion passes unanimously.</u>	

SUBDIVISIONS

4.	6S07	<u>Matthew Robison – 1574 West 6235 South</u> – Six Lot Subdivision (Final) Michael Meldrum/Principal Planner
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[19:07:42](#)

4.1 This item was presented by **Michael Meldrum/Principal Planner**. The applicant received preliminary subdivision plat approval on Aug 14, 2007 and has completed the technical review process. He is now ready to move forward with the final subdivision plat application. The applicant desires to construct six single-family homes on lots to be developed under the Planned Unit Development. The subject property contains 1.48 acres. The PUD section of the zoning Ordinance allows for the development of a project in any zoning district, subject to the approval of a conditional use permit. The applicant has complied with all requirements of the Planning Commission

regarding the subdivision plat. During the preliminary subdivision plat review, there was some discussion of altering the configuration of the subdivision plat. The Planning Commission did not require any specific change to the configuration or orientation of the proposed lots. Staff has discussed the landscape plan with the applicant. The applicant does not intend for the home owner's association (HOA) to maintain any front yard landscaping with the exception of the entry feature. Each home owner will be responsible for the maintenance of the landscaping on their property. The landscape architect has provided a typical landscape plan for the front yard of each home. The landscaping may be reversed depending on where the driveway is located. The applicant has shown a landscape feature at the entrance to the subdivision as required by the Preliminary Subdivision Plat approval granted by the Planning Commission.

Findings of Fact:

1. That the applicant has proposed six single-family homes on 1.48 acres.
2. That the subject property is proposed to be developed as a Planned Unit Development with six lots.
3. That the proposal is compliant with the General Land Use Plan map which calls for "low density residential".
4. The subdivision request is consistent with surrounding development and will provide a transition between the town home development on the west and additional single-family homes to the east.

Staff Recommendation: Staff recommends approval for the following reasons:

1. That the proposed subdivision creating six lots is compatible with the "low density residential" general plan designation.
2. That the proposed subdivision creates a buffer between the single-family lots to the east and the town home development to the west.
3. That the proposed subdivision is compatible with the single-family subdivisions to the north, south and east.
4. The applicant has provided an entry feature to the development that will be maintained by the Home Owner's Association.

4.2 **APPLICANT ADDRESS: Matthew Robison, 3524 East Golden Eagle Circle, Eagle Mountain, Utah. Mr. Robison** advised that the HOA will not maintain the front yards but will regulate that it be done by owners. **Commissioner Jensen** wanted to know if the lot at the northwest corner would still be joining this subdivision. **Mr. Robison** said it would have access through Elderberry Subdivision but would actually be part of the Miller Subdivision. [19:12:53](#)

4.3 **SPEAKING:** No one came forward.

4.4 **MOTION: Commissioner Sorensen** [19:13:20](#) **Based on the Findings of Facts stated in the staff report, I move to approve File #6S07, with conditions 1 through 4 in staff recommendation.**

SECOND: Commissioner Holman [19:14:10](#)
Commissioner Bolton restated the motion.

<u>VOTE: Commissioner Fink</u>	<u>AYE</u>	<u>Commissioner Calacino</u>	<u>AYE</u>
<u>Commissioner Overson</u>	<u>AYE</u>	<u>Commissioner Sorensen</u>	<u>AYE</u>
<u>Commissioner Jensen</u>	<u>AYE</u>	<u>Commissioner Staley</u>	<u>AYE</u>
<u>Commissioner Bolton</u>	<u>AYE</u>	<u>Motion passes unanimously.</u>	

5. 5S05 **Bob Roberts – 4795 South 3600 West** – Six-Lot Subdivision (One-year Extension)
(Dan Udall/City Planner)

[19:14:30](#)

5.1 **Dan Udall** presented this item. The applicant is requesting a one-year extension of preliminary subdivision approval for a 6-lot residential subdivision at 4795 South 3600 West. Section 12.08.010 C. states: "Within one year after receiving approval of the preliminary plat by the Planning Commission, submit the original and one copy of the final plat to the Planning Commission for final approval or disapproval, as the case may be. The Planning Commission may grant a one-year extension of such time period if the request for extension is received prior to the expiration date. In approving any extension, the Planning Commission may review and modify or amend the original approval conditions and requirements" The applicant received preliminary subdivision approval on April 12, 2005. After that date, the applicant received an amended preliminary approval of the subdivision plat on March

14, 2006. On March 13, 2007, the Planning Commission approved a one-year extension of the preliminary subdivision. The applicant is now requesting an additional one-year extension. The applicant is not requesting any changes to the amended preliminary plat that was approved by the Planning Commission on March 14, 2006. No changes were made to the plat when the Planning Commission approved the one-year extension in March of 2007. The applicant will meet all conditions as outlined by the Planning Commission.

Findings of Fact:

1. That Lots #2 and #4 are considered deep lots.
2. That Lot 6 is greater than a half acre and is not considered a deep lot.
3. That the applicant is requesting a one-year extension of the approved preliminary plat.

Staff Recommendation: Staff recommends approval with the following conditions that were approved with the preliminary subdivision: (Note: #10 was added this evening).

1. That the applicant receives approval from all applicable agencies.
2. That the subdivision receives final approval from city staff.
3. If any land is to be dedicated on 3600 West, then the subdivision shall be recorded by plat map that meets all state, county and city requirements. The recording instrument shall be consistent with city requirements, including any notes that are required by the Planning Commission and also with the requirements of the Salt Lake County Recorder's Office.
4. That the project receives storm drain approval from the City Engineer.
5. That the developer bonds for any street improvements, if necessary, and pays storm drain fees before recording the subdivision.
6. That all street improvements required by City Ordinance will be installed to city standards. This includes all sidewalk, park strip, curb, gutter, street surface, curb ramps and tie-ins to existing improvements.
7. That the applicant plants at least two trees per lot along the private road.
8. That the proposed subdivision obtains approval from the building department on grading requirements.
9. Any subdivision amendments proposed after the initial recordation are reviewed and approved by the Planning Commission. The amendment must then be recorded with the Salt Lake County Recorder's Office.
10. **[Added by Staff] That the front or side yard building setbacks adjacent to the private road are measured from the edge of the private road to the single-family homes.** [19:16:02](#)

5.2 **APPLICANT ADDRESS:** Not present.

5.3 **SPEAKING:** None came forward.

5.4 **MOTION: Commissioner Overson** [19:21:12](#) - **Based on the Findings of Fact in staff report, I move for approval of the one-year extension for File #5S05 with the conditions in staff report, noting that there is an added condition that the front or side yard building setbacks adjacent to the private road are measured from the edge of the private road to the single-family homes. Staff stipulates that the applicant has been advised of condition #10.**

SECOND: Commissioner Calacino

<u>VOTE:</u>	<u>Commissioner Fink</u>	<u>AYE</u>	<u>Commissioner Calacino</u>	<u>AYE</u>
	<u>Commissioner Overson</u>	<u>AYE</u>	<u>Commissioner Sorensen</u>	<u>AYE</u>
	<u>Commissioner Jensen</u>	<u>AYE</u>	<u>Commissioner Staley</u>	<u>AYE</u>
	<u>Commissioner Bolton</u>	<u>AYE</u>	<u>Motion passes unanimously.</u>	

DISCUSSION ITEM

6. **Mr. McGrath** discussed the procedures to be followed during the Planning Commission/Staff presentation in answer to the appeal filed by Pangea before the City Council for the America First Federal Credit Union site, 2715 West 5400 South. **Mr. McGrath** advised that Commissioner Bolton will speak for the majority vote and Commissioner Jensen will represent his vote in dissent. **Mr. McGrath** advised that staff's role will be neutral but will supply the Commission with pertinent aerial photos, maps, ordinances, etc. **Commissioner Calacino** suggested making several points the Commissioners want to make and comments to that effect follow:

- **Commissioner Sorensen** suggested the following:

1. He wanted to make sure the City Council knows the Planning Commission decision was neither arbitrary nor capricious and was based on compliance with the City Center Small Area Master Plan.
 2. Also to stress that the master plan is much more than just a "guide".
 3. He also would like the precedence addressed which would ensue with any deviation from this or any master plan.
 4. There are currently no conditions placed on the site and if for some reason the City Council approves the appeal, there needs to be conditions set.
 5. Commissioner Sorensen felt there were still site plan place variations which would accommodate the master plan and not create a hindrance for the applicant. \
 6. He went on to say that as current designed, the site is firmly oriented towards accommodating vehicles at the expense of the aesthetics of the building placement . [19:27:50](#)
 7. Public transportation has been given no credence.
 8. He felt it appropriate to emphasize and soften the streetscape. Inasmuch as the building will be very visible, it makes the streetscape very important. It is the front door to the home of the City.
 9. Implementation of the City Center Small Area Master Plan is a reality to be dealt with and has to start somewhere and this application is as good a place to start as any.
- **Commissioner Calacino** suggested including the items suggested by Commissioner Sorensen and adding:
 1. The Commission is responsible for weighing and considering the facts regarding every application that comes before it and to try to identify negative impacts.
 2. The mission of the Commission is not to prevent any particular group from developing in the City – just to make sure all possibilities are looked at.
 3. The City incorporated because it was not satisfied with how the County allowed development and as a City is still trying to create an identity.
 4. If the developer's appeal is upheld, it will set a precedence that the City doesn't care about their own ordinances and master plans. That cannot be stressed enough. There is no reason to have a guiding document, which bounds us by state regulation, and then "ignore" it. Non-compliance without just cause with the City Center Small Area Master plan is a major issue and no such reason has been given by this developer.
 5. There needs to be pedestrian connectivity included and conditions put in place regarding the south boundary of this site.
 6. The applicant self-imposed their perceived hardship by proceeding with the zone and general plan changes with no particular site plan envisioned.
 - **Commissioner Overson** expressed concern that what happens on this particular corner will certainly impact what happens on the City Center property. [19:32:20](#)
 1. She was very concerned about the precedence which would be set should the City Council overturn the Planning Commission's decision.
 2. She wanted to be very clear that she had no objections to the use, just the placement of the building away from the corner and to make sure if the City Council approves the appeal, that reasonable standards be placed for the applicant's adherence.
 - **Commissioner Bolton** commented that subdivision review for the site is separate from the America First Federal Credit Union parcel, so the Commission will still have to deal with that when it comes before the Commission. The City Center Small Area Master Plan is a "guiding" document but a lot of time and effort was put in to it and that should be emphasized.
 - **Commissioner Staley** recommended keeping the Planning Commission presentation as simple as possible and not to make it personal and emotional.
 - **Mr. McGrath** suggested focusing on the fact that it has nothing to do with the land use but rather hinges on site plan issues. [19:44:43](#)

DISCUSSION OF CITY COUNCIL MEETING: The events of the last City Council meeting were discussed during the pre-meeting by **Commissioner Jensen** . [19:48:34](#)

OTHER BUSINESS: [19:49:08](#) **Mr. Udall** brought up a proposal from Nelson Laboratories wherein they want to build a bridge across South Jordan Canal and have submitted a request for installation of a pre-cast culvert, however, it must be built before April 1st, when the water is turned into the canal. Commissioners felt they did not have enough information to be able to make any kind of recommendation and needed to see a formal application including recommendations from Staff and the Canal Company. They understood the time constraints but said that proper procedures are in place and must be followed. **Mr. McGrath** said he had not been briefed on this proposal prior to Mr. Udall bringing it up before the Commission this evening, therefore, could not comment.

ADJOURNMENT: By motion of **Commissioner Sorensen**, the meeting was adjourned at 8:00 p.m.

Respectfully submitted by:

Jean Gallegos/Administrative Assistant to the
Planning Commission

Approved in meeting held on April 8, 2008.