Planning Commission Meeting Minutes
May 12, 2020
Pre-meeting – 6:00 p.m. – Regular Session – 7:00 p.m.
2600 West Taylorsville Blvd – Council Chambers

Attendance:

Planning Commission
Marc McElreath - Chair
Kent Burggraaf – Vice Chair
Don Quigley
Anna Barbieri
Lynette Wendel
David Wright
Gordon Willardson
Don Russell (Alternate)

Community Development Staff
Wayne Harper – Director/Economic/Community Dev
Jim Spung – Senior Planner
Mark McGrath – Community Development (Remote)
Stephanie Shelman – Deputy City Attorney (Remote)
Jean Gallegos – Admin Assistant/Recorder

Kim Horiuchi – Communications Director

Due to the COVID-19 virus, and the Governor issuing Executive Order 2020-1 regarding public meetings, the Taylorsville City Planning Commission is holding virtual meetings until further notice. Elected Official Governance During Local Emergency, states no anchor location will be provided for the public to physically attend such electronic meetings. Any person who wishes to view this meeting may do so by accessing the video at **https://www.taylorsvilleut.gov/government/planning-commission/planning-commission-livestream.**

All Commissioners except Commissioner Willardson were remote, as was City Councilman Ernest Burgess and applicants. There were no citizens present at this meeting.

1. The Briefing Session to review the Agenda was conducted by **Mr. Jim Spung**. The Agenda contains a Consent Agent for Review and Approval of the Minutes for April 14, 2020. The remainder content was a General Plan Amendment and a Zoning Map Change for property at 4202 South Riverboat Road to be presented by Jim Spung and a General Plan Amendment and a Zoning Map Change for property at 3397 West and 3399 West 4700 South to be presented by Karyn Kerdolff.

REGULAR SESSION – 7:00 P.M.

2. **Commissioner McElreath** opened the meeting by outlining procedures to be adhered to while conducting this meeting electronically in order to comply with 2020 Executive Order #1, Covid-19 Elected Official Governance During Local Emergency, wherein no anchor location would be provided for the public to physically attend such electronic meeting. That notice was given that any person wishing to view this meeting could do so by accessing the video. Notice was further given that person(s) wishing to make a public comment during the electronic meeting could submit comments via email to jspung@taylorsvilleut.gov no later than thirty minutes prior to the start of the regularly scheduled electronic meeting time, to be added to the public record. He then outlined the items on the agenda for this evening and opened the regular session and asked for discussion or a motion for the Consent Agenda which consisted of the Planning Commission Minutes for April 14, 2020.

CONSENT AGENDA

2.	Review/approval of the Minutes for April 14, 2020.

The Minutes for April 14, 2020 were moved to the next Planning Commission meeting for approval as they were inadvertently left off the packet sent to the Commissioners for review.

GENERAL PLAN MAP AMENDMENT

3.	2G20 - Recommendation to the City Council for a General Plan Map Amendment for the Property Located at 4202 South Riverboat Road from Business Park to Medium-Density Mixed-Use. (Jim Spung/AICP/Senior Planner)

3.1 **Mr. Spung** presented this item. Byron Prince is representing Ivory Development in requesting to change the Proposed Land Use Map designation in the City's General Plan for the property at 4202 South Riverboat Road from "Business Park" to "Medium-Density Mixed-Use." The applicant is seeking this General Plan Map amendment to allow for the development of 142 townhome units, two commercial buildings, each with a 20,000 square foot footprint, a fitness/daycare center, a playground, and a multi-purpose field. **Mr. Spung** explained the challenge this presents with the lack of appropriate access, wherein there needs to be two points of secure access for public safety. **Mr. Spung** showed some images of proposed structures for this project. In Staff's Analysis, the General Plan is the comprehensive long-range vision for the City and in this particular case, the designation is "Business Park". This request is specifically considering if that designation should be changed to "Mixed Use". The subject property is within one of several designated master plan study areas that are currently underway as part of the larger General Plan update effort. The City has contracted with KGRW and Associates and other consultants to provide a preferred scenario for this specific area. That study is currently underway and nearing completion. The Small Area Master Plan will identify the appropriate land use scenarios and development intensity to further to promote the goals and objectives of the City. To assure consistency with Goal 3-1 of the General Plan, Staff strongly recommends that the General Plan Map Amendment Request not be approved until update efforts are completed and a clear strategy is defined for this specific area and Goal 3-1 states, "Achieve efficient use of land and public infrastructure and promote economic sustainability through the use of a coordinated and deliberate land use strategy."

3.2 **FINDINGS**:

3.2.1 This application was initiated by Bryon Prince on behalf of Ivory Development.

3.2.2 The applicant is requesting to amend the proposed Land Use Map in the General Plan for the property at 4202 South Riverboat Road (Parcel 21-02-226-007-0000) from "Business Park" to "medium-Density Mixed-Use."

3.2.3 The proposed concept plan includes 142 townhome units, two commercial buildings, each with a 20,000 square foot footprint, a stand-alone fitness/daycare center, a playground, and a multi-purpose field.

3.2.4 The subject property is within the Industrial (ID) zoning district.

3.2.5 The proposed General Plan Map amendment is not consistent with the current Industrial (ID) zoning designation.

3.2.6 The City Council is the decision-making authority for a General Plan Map Amendment request and may adopt or reject the amendment as it deems appropriate pursuant to Chapter 13.06 and other applicable sections of the Taylorsville City Code.

3.3 **STAFF RECOMMENDATION**: Staff does not recommend additional conditions be considered with this request.

Staff recommends the Planning Commission sends a negative recommendation to the City Council to amend the proposed Land Use Map in the General Plan for the property at 4202 South Riverboat Road (Parcel 21-02-226-007-0000) from "Business Park" to "Medium-Density Mixed-Use", based on the Findings as outlined in this Staff Report.

3.4 **PUBLIC COMMENTS**: **Commissioner McElreath** opened the public hearing and asked if there had been any comments received by Staff prior to this meeting about this application, to which he was informed there had not. **Commissioner McElreath** then asked for comments from the applicants.

3.5 **APPLICANT ADDRESS**: **Mr. Bryon Prince** represented the applicant and said this is an unusual site for industrial use. That they have been in talks with City Staff to identify a vision for the site and the City. The proposal tonight is consistent with the land use study currently underway. He added that this would be a "for sale" use and not a "rental product". He explained the proposed site plan and said that there is a big demand for child-care services in the City, which would be included, along with a fitness center. There would be fields for soccer, etc., and other amenities. The Jordan River Parkway would be enhanced. They do have a vision to add a secondary access, probably out to 4500 South and talks regarding that have been in progress.

3.5.1 **Commissioner Quigley** commented that he liked the concept, with incorporating residential with commercial, along with the child-care element. He wondered if the applicant had been in discussion with Murray City regarding a bridge across the Jordan River there. **Mr. Prince** advised they have been discussing this with Murray City but their final answer was no, that it would not be considered at this time. **Commissioner Quigley** felt that was unfortunate because he did not feel it would negatively affect their property to the east. He did feel the General Plan change should be finished before consideration of this proposal.

3.5.2 **Mr. Prince** asked that consideration be given to the fact that the higher density residential would produce greater annual revenues for the City. That he has met with the Taylorsville City Council regarding a visit to the site and asked that the Planning Commission consider doing the same.

3.5.3 **Commissioner Wendel** thanked Mr. Prince for their patience regarding this proposal but added that their obligation as a Planning Commissioner must consider the impact things will have 25 years in the future. She added that she was in favor of mixed development but felt the need to wait to see what the General Plan update entails before making a decision on this. That Taylorsville is 98% developed right now, so every single piece of property must be valued. She expressed that she was not confident in changing the zone at this time. **Mr. Prince** asked for her suggestions on how to make their proposal better and she advised adding more walkability and to take more advantage of the nearby public transportation venues and felt their idea of adding sporting event fields against the Jordan River Parkway was good.

3.5.4 **Commissioner Burggraaf** was not in favor of forwarding a proposed recommendation to the City Council regarding this proposal until the Commission has had a chance to review the proposed changes to the General Plan, which he anticipated would be sometime this summer. He expressed that he did feel this was a good site for this type of plan.

3.5.5 **Commissioner McElreath** asked if Option #4 goes across private property and was informed by **Mr. Prince** that it does, and they would need to secure an easement. **Mr. Prince** said essentially what he was trying to show was how they could provide the secondary car access. One would be off Riverboat Road and the other through different scenarios of adjacent lanes and parking lots out to 4500 South.

3.5.6 **Commissioner Russell** asked Mr. Prince what their timetable looked like. **Mr. Prince** said the steps would obviously be to seek approval from the City Council for tonight's proposal and then work with Staff on a subdivision design. They would move forward immediately with site development, looking at a completion date in 2021 on the first phase of the commercial and residential development. They have done a lot of market analysis and have identified potential partners and through working with Utah Care, a child-care broker and developer have determined there is a great need in this area for child-care centers. Their goal would be a building that is multi-functioning fitness center and child-care facility included.

3.5.7 **Commissioner Quigley** said he appreciates the fact that the developer is asking for input from the Commissioners regarding the mixed use because he felt that definitely should be the main focus here. His question was there were two 20,000 square foot office buildings being planned and wondered if there was a chance on the first level with an exterior entrance there, to have some type of retail, bodega or eating facility there. **Mr. Prince** that is being considered and has been discussed at length. The biggest challenge is that this is a very large property (24 acres) and they have not been able to find an "anchor" tenant yet to kick off the development. Ivory's commitment would be to build the entire road to the round-about at the end, start the development of the residential and then have this a scaled down commercial pad which would be more easily marketable and hopefully attract more retail to the buildings, including some quick serve food businesses. That once there is a clear vision for the site then the commercial could be expanded. **Commissioner Quigley** commented that this project is ideally located next to great transit connections, including the Trax station on 3900 South and the anticipated Bus Rapid Transit System which is proposed to run down 4500 South.

3.5.8 **Commissioner Wright** asked if there were a different kind of zone suggested, what else would fit there besides mixed. **Mr. Spung** said the challenge is that right now there can't be an educated answer to that because the consultants hired by the city are in the middle of doing a pertinent study. The current General Plan shows this site as business park.

3.5.9 **Commissioner Barbieri** added Ivory always does a good job on their projects but would prefer to wait for the General Plan study to be finished and then address this.

3.6 **PUBLIC COMMENTS**: **Commissioner McElreath** opened the public hearing.

3.6.2 **Ralph Johnson** representing Sorenson Associates, asked to address the issues raised this evening. He said they have had a chance to look at the General Plan study and it makes suggestions about the great need for residential. His Number 1 point was that Staff wants to see residential where people live within the community. That is what is included in the draft, but he wasn't sure what the final version would include. His second point was concerning the economic impact on the City. That Bryon Prince has worked with different entities in this regard. Third, there is access to the property. The southern end of the property is being proposed. People will be able to walk along the river and other directions. Fourth, discussion about the use of access. One of which could be used in an emergency. He said he appreciates the comments and the interest people have in planning for the future. That Sorenson Associates wants to be a good partner and fully cooperate. Fifth, he asked that rather than reach a decision to say no, study it, and work together to investigate it thoroughly.

3.6.3 **Mr. Spung** advised that staff had received no public comments regarding this proposal.

3.7 **Commissioner Burggraaf** wanted to know why the applicant has been able to read the initial review of the General Plan changes but the Commission has not. He added that means the Commission has a lack of enough information because they have not seen what is contained in the Plan that pertains to this site. **Mr. Spung** deferred the answer to that to Mr. Wayne Harper, Economic Development Director because he has not seen the Plan either.

3.7.1 **Wayne Harper** said when the City entered into the contract the City has with KGRW, one requirement was an interim report to the City Council on the status and progress and their initial findings and a presentation on some of the concepts on which they were working. That back in January 2020. It was presented in a City Council meeting. Nothing was formal but it elucidated some of the items they were studying. Since that time, they have met with Staff and with the Mayor and are revising many of the recommendations based on the input they received from the City Council and additional economic and market analysis that they have conducted since that time. It is the normal process conducted when a contract is given out by the municipality. That briefing is what the applicant was referring to and nothing official. It was an interim report and was posted on the City's web page. **Commissioner Burggraaf** said with that he wonders if the Commission is not then premature in making a decision. Based on some of the discussion and questions there seems to be a momentum to make a negative recommendation. He advised that he is torn because he wants to make a positive recommendation except for the fact that important information has not been given to the Commission. **Mr. Harper** said that is a good point but since that interim presentation, he has seen at least four different options for the Sorenson Research Park that the consultant is looking at. The applicant was informed of the status of this and was asked if they wanted to move forward and they said they would like to do so, even before the study is finished.

3.7.2 **Commissioner Quigley**, **Commissioner Wendel**, and **Commissioner Barbieri** all said they agreed with **Commissioner Burggraaf** and that they were was supportive of this development but wanted to see the study first before making the recommendation.

3.8 **MOTION: Commissioner Wendel I move that we table File 2G20 until we get further information regarding the small area studies that have either been proposed to City Council or intended to be completed in the near future. Commissioner Quigley – Commissioner Wendel, could we also add to that motion that we would strongly encourage the applicant to continue to have discussions with the Staff and to also advance some of their thoughts and processes too based on tonight's discussion. Could we include that in the record? Commissioner Wendel – I support that amendment.**
SECOND: Commissioner Quigley – I would be willing to second then with that amendment and I would hope that the applicant is still on-line and hearing what we are talking about because I would like to see this discussion continue.
ROLL CALL VOTE: Commissioner Quigley – AYE, Commissioner Wright – AYE, Commissioner Barbieri – Aye, Commissioner McElreath – Aye, Commissioner Burggraaf – Aye, Commissioner Wendel – AYE, Commissioner Willardson – No.

NOTE: Commissioner Willard's no vote was because he felt there was no sense in tabling this without another access road provided.

ZONING MAP AMENDMENT

4.	8Z20 – Recommendation to the City Council for a Zoning Map Amendment for the Property Located at 4202 South Riverboat Road from Industrial (ID) to Mixed-Use (MU). (Jim Spung, AICP/Senior Planner)

4.1 **Mr. Spung** presented this item. He gave brief presentation saying the context for this item is a recommendation for a zoning amendment for the same property as the previous item from Industrial to Mixed Use. From Staff's point of view something that would need to happen before this application can have action on it is the General Plan update. Staff also found a couple of concerns with the proposed concept that for the mixed use designation they are seeking the proposed plan doesn't meet the standards of that district with regards to specifically Section 13.23.260 of the City Code on their specific design standards and criteria for the mixed use zone. Staff has identified several standards that are not met based on the concept drawings for that district. For those reasons, Staff is recommending denial of this request.

4.2 **FINDINGS:**

4.2.1 This application was initiated by Bryon Prince on behalf of Ivory Development.

4.2.2 The applicant is requesting a Zoning Map Amendment to rezone the property at 4204 S. Riverboat Road (Parcel 21-02-226-007-0000) from Industrial (ID) to Mixed-Use (MU).

4.2.3 The proposed concept plan includes 142 townhome units, two commercial buildings, each with a 20,000 square foot footprint, a stand-alone fitness/daycare center, a playground, and a multi-purpose field.

4.2.4 The subject property is within the "Business Park" designation in the City's General Plan Proposed Land Use Map.

4.2.5 The proposed zoning Map amendment is not consistent with the adopted General Plan.

4.2.6 The proposed concept plan does not comply with the Mixed-Use (MJ) zoning district development standards established in Section 13.23.260 of the Taylorsville Land Development Code.

4.2.7 The City Council is the decision-making authority for a Zoning Map Amendment request and may adopt or reject the amendment as it deems appropriate pursuant to Section 13.04.030 and other applicable sections of the Taylorsville City Code.

4.3 **CONDITIONS OF APPROVAL**: Staff does not recommend that additional conditions be considered with this request.

4.4 **STAFF RECOMMENDATION**: Staff recommends the Planning Commission sends a negative recommendation to the City Council to amend the Zoning Map for the property at 4202 South Riverboat Road from Industrial (ID) to Mixed-Use (MU), based on the Findings as outlined in the Staff Report.

4.5 **DISCUSSION**: **Commissioner Burggraaf** said it seemed appropriate to him that with the tabling of the preceding item, that this item should also be tabled. There could be public comments but for some reason the application changes, the public comments may be moot. When this item is brought back up public comments can be taken at that juncture. It was his inclination to table this issue and not spend a lot of time on it when it is somewhat contingent on the previous issue. **Commissioner Quigley** agreed.

4.6 **APPLICANT ADDRESS:** **Commissioner McElreath** then recognized the applicant, **Ralph Johnson** to speak. Mr. Johnson said that his comments were like he said before, so he felt the idea of tabling this would be allowance and encouragement for interaction between the applicant and Staff would be advisable in getting this information to the Planning Commission. He felt it was a good idea to continue to study it, so he supported the proposed motion to table this along with the General Plan modification application and work together and see what can be uncovered.

4.7 **PUBLIC COMMENTS**: **Commissioner McElreath** asked if because this was noticed as a public hearing would there be a need to opened the public hearing and Stephanie Shelman (Deputy City Attorney), replied because it has been noticed as a public hearing scheduled for tonight, it will need to be opened for public hearing and then closed again if there are no comments. But there did need to be a public hearing tonight. **Commissioner McElreath** then opened the public hearing for File 8Z20 for a recommendation to the City Council for a zoning map amendment for property located at 4202 South Riverboat Road. He asked Staff if they had received any comments from the public, to which **Mr. Spung** advised Staff had received no comments for this application. There being no further public input for this item, **Commissioner McElreath** then closed the public hearing and opened the meeting for discussion or a motion by the Planning Commission.

4.8 **MOTION: Commissioner Quigley – I would like to make a motion that we also continue or table File 8Z20 until we have the completion of the Master Plan Study and per the discussion on the previous file.**
SECOND: Commissioner Wright.
ROLL CALL VOTE: Commissioner Quigley – AYE, Commissioner Wright – AYE, Commissioner Barbieri – Aye, Commissioner McElreath – AYE, Commissioner Burggraaf – AYE, Commissioner Wendel – AYE, Commissioner Willardson – AYE. Motion passes unanimously.

5. 1G20 – Recommendation to the City Council for a General Plan Amendment for the Property Located at 3397 West and 3399 West 4700 South from Medium Density Residential to High Density Residential. (Karyn Kerdolff/GIS Planner)

5.1 **Ms. Kerdolff** advised she would be presenting information for both Items 1G20 and 7Z20 together but that there would be a need for separate motions. First is the recommendation to the City Council for a General Plan amendment for the subject properties. The second is a recommendation to the City Council for a zoning amendment for the same properties. The two parcels are located along 4700 South, next to the canal. The current zoning is R-1-8 and Limited Commercial. The General Plan for these two parcels calls for Medium Density Residential and the proposal is to change that to High Density Residential. Presently there is Medium Density Residential to the left, Low Density Residential to the south as well as to the east and these properties are right on the border to West Valley City to the north. For zoning, to the south and west is R-1-8, to the east is R-1-6. The essential difference between the Medium and High-Density Residential designations in the General Plan is the range of dwelling units per acre. Medium Density is between 6-8.9 units per acre (which would include town homes and condominium style development), with the major difference being the High Density Residential would be greater than 8.9 units per acre. **Ms. Kerdolff** reviewed the Findings for the General Plan Change and the Zoning Map Change simultaneously.

5.2 **FINDINGS**: (File #1G20 – General Plan Amendment)

5.2.1 This application was initiated by Robert Thompson on behalf of Utah Land Company.
5.2.2 The applicant is requesting a General Plan amendment from Medium-Density Residential to High-Density Residential for the parcels generally located at 3399 W 4700 S (Parcel ID 21-08-226-002-0000) and 3397 W 4700 S (Parcel ID 21-08-226-1-0000)
5.2.3 The proposed subdivision will have twenty-three lots varying in size.
5.2.4 The applicant's request aligns with the General Plan amendment findings and housing goals.
5.2.5 The applicant's request aligns with Moderate Income Housing Plan.
5.2.6 The applicant's request provides additional residential housing types, helping to provide greater housing diversity.
5.2.7 A General Plan amendment must be approved or denied by the City Council.
5.2.8 The applicant's request addresses a currently underutilized property along 4700 South.

5.3 **CONDITIONS OF APPROVAL**: None given

5.4 **STAFF RECOMMENDATION:** None given

5.6 **Stephanie Shelman** (Deputy City Attorney) commented that this must be handled the same as the first two items. It was noticed as a public hearing, so there must be a public hearing conducted.

5.7 **Commissioner McElreath** opened the public hearing for File #1G20, Item #5. **Ms. Kerdolff** read the contents of four E-Mails received in opposition to changing the General Plan to allow apartments. The E-mails were from Devin Slade, Nicole Wilson, Wendy Jones and Robert Turner and copies are on file in the Planning Department, City of Taylorsville. **Ms. Kerdolff** then read the contents of five E-Mails received in opposition to changing the zoning to allow high density development on that site. Those E-Mails were from Bryce Telford, Shawn Huffman, Christopher Grow, Janet Stewart and Susan Ison and copies are on file in the Planning Department, City of Taylorsville. Most of the concerns centered around increasing the traffic, insufficient parking available and encouraging criminal problems. There was less concern with town homes than apartments.

5.8 **APPLICANT ADDRESS**: **Robert Thompson** said as far as the site goes, it is unique given that part of it is zoned commercial which because it is mid-block doesn't entirely make a lot of sense to him. There is commercial zoning on one side and residential on the other side. In the initial meeting with Staff it was determined that they are working on updating the General Plan currently. Previously Staff had informed him that what could be updated would fit for the higher density residential. He wanted to make it very clear that these are not apartments. They are "for sale" units and look very much like a residential home, in fact it is more of a lifestyle that people are choosing to live in town homes to get away from the upkeep and in finding an appropriate place to age in place. As far as what the landowners are wanting, they are trying to figure out what needs to be done in order to sell the property. This would essentially be a down zoning from a commercial to a residential use, which he felt would be a benefit to the neighborhood. There is an access to a bus stop on 4700 South. This minimal number of units would not impact the traffic on 4700 South. A typical project that has been approved was Muirbrook (Hamlet Homes) with road widths of 30'. The other thing to keep in mind is this has 20' driveways, a 26' wide alley and then another 20'. Effectively that means there is over 60', which is much different than other projects that are similar in nature. That is critical from a traffic standpoint as to how many parking stalls there are. It fits into what the City is trying to do as far as their housing affordability goals are. This would be a product that is not at the highest price point but certainly not going to decrease property values compared to other homes in the area. He asked Staff to show the image of proposed elevations to give a visual of what these would look like, which they did. He reiterated that these are not apartments. People who are buying townhomes are those that may not necessarily be able to afford single family homes on larger lots, but they still need a place to live that fits their lifestyles. These units will look more like single family sites than apartments. He felt this would be a great project for the City. He wanted to make the point that as you get closer to a highly trafficked road like 4700 South, it is difficult to transition, and this type of proposal would buffer the neighborhood and assure that transition is accomplished.

5.9 **DISCUSSION**:

5.9.1 **Commissioner Quigley** wanted to emphasize that every negative comment received referred to these units as "apartments" and was wondering what the public notification wording said. He appreciated the developer clarifying that these are definitely "for sale" units and not rentals. His question for the developer was in looking at the proposed site plan, it did not see any driveways for Units #6 through #10. **Mr. Thompson** said he tried to keep that 20' driveway on as many units as possible but the way the canal jogs it makes is difficult to do. There are some units that have the 5' foot driveway but there is still 26' and then the 20' on the other side. **Commissioner Quigley** said that

was his concern because the length of a standard car is far more than 5' so basically the people who live in those units either have to park in the garage or somewhere else because there would be no room on the driveway. He said a 20' driveway accommodates a single car but a 5' driveway does not. **Mr. Thompson** said this project will have an HOA so there would be CCNR's. There can be no parking on the 5' driveway. Those would all have two car garages, so instead of using the garage as storage, it would have to be utilized for parking. **Commissioner Quigley** asked where vendors park when they come. **Mr. Thompson** said there would be parking stalls along the roadway, which is a 50' right of way. So, there is the potential to park along 3400 West or in the stalls along Chula Vista. **Commissioner Quigley** said that is one major problem the neighbors have that they do not want a bunch of vehicles parking along 3400 West. **Mr. Thompson** said that the development would meet all parking requirements per City Ordinance. He had Staff display the number of garage stalls being proposed. He felt that breaks down the parking and quantifies what the parking would look like. They propose to have 108 stalls throughout the project, that includes what would park in the garages, etc. **Commissioner Quigley** said he understands that but what is basically being said is that there is a total of four stalls for visitor parking for 11 units or their visitors will need to park out on 3400 West, which shows 8 stalls out there. **Mr. Thompson** said, for example if someone lives in one of those units, their guests are welcome to park in the driveway of those they are visiting. **Commissioner Quigley** said in the 5' driveways that would not be possible. **Mr. Thompson** said that was correct, they could not on the 5' driveways, he was just referring to all the others. **Commissioner Quigley** said that the square footage of the lot has been maximized but with insufficient parking space being allowed, especially if there is a party or gathering in a unit. There is no place for overflow parking. He said he would rather see the developer delete the middle section of the property and have only five units, give them all 20' stalls and add a common area for a playground and park space; make it a village.

5.9.2 **Commissioner Wendel** said that tonight's discussion is just about the General Plan, so she addressed that. She did not have an issue with looking at making this a residential zone but did have an issue with putting it at maximum high density, without it being an SSD because as Commissioner Quigley has said there is no green space, no community parking, it is maximized concrete and one responsibility of the Planning Commissioners is to preserve the character of the neighborhoods. She looked at the space and feels it is not very livable. There is no real place for pets or kids or guests to visit. In talking about approving a General Plan amendment, her recommendation is that she is highly receptive to the project with it being an SSD. She was not receptive to changing the General Plan or Zoning for this project unless it becomes a wonderful opportunity for the property owner, the developer, the City and the neighbors.

5.9,3 **Commissioner Wright** said he was looking at the description of medium density, which says medium density districts in residential areas are at the density of 6-8.9 units per acre. If using the 8.9 dwellings per acre times the size of the property, they are just a little below 23 units there. **Mr. Thompson** said this project is just under 12 units per acre. **Commissioner Wright** said he knows that is what is being proposed but is asking about medium density requirements. **Ms. Kerdolff** said as far as the General Plan designation, it goes up to 8.9. **Commissioner Wright** said then if it stays at medium density, which is what the General Plan says, then it would be just under 23 units per acre. That is where the project is right now, and medium density would meet that designation that it was felt this area could be. He added that he has not seen a compelling reason with this particular project to push it to the higher density. That didn't mean he was necessarily opposed to higher density but there would need to be some other things that would need to take place there as well, such as nicer amenities, somehow making it more livable for the people in there such as accommodating pet owners better and add more green space.

5.9.4 **Commissioner Willardson** felt no compelling reason to change the General Plan. He was aware of this particular site as he lives in the neighborhood. It is evident to him that people don't want this density and felt that the developer was trying to put too many people into too small of a space.

5.9.5 **Commissioner McElreath** advised that one of the public comments was a concern about parking on Simper Lane which is 3400 West. They talked about the width of that street and he wondered what that was and what was the plan to use it as part of the parking count in meeting City Code requirements. **Ms. Kerdolff** said street parking was not taken into consideration in the parking count but was in the garages and the number of stalls on the property. **Mr. Thompson** attested that was how they figured their parking count, using no street parking figures. **Commissioner McElreath** suggested that 3400 West be marked as "no parking" because the width of the street is so narrow at 28 feet wide, that it cannot safely accommodate parking anyway. He also questioned the different driveway dimensions being proposed as being insufficient to accommodate cars safely.

5.9.6 **Commissioner Barbieri** said Commissioner Wright made an excellent point regarding medium density for this site. It is an assumption that an HOA takes care of parking issues which is not the case anymore. There are many HOA's that say no parking on their own streets, but then the residents find other neighborhoods to park in. The lack of enough parking is a concern. She agreed that making this lower density would still be profitable for the developer, would work better and add more green space and more parking. **Commissioner Barbieri** suggested that if there is added traffic or parking that overspills here, it would go into residential areas while at the Muirhouse development it would go into a commercial area. That is a big difference.

5.9.7 **Commissioner Wendel** said that if under the General Plan the property owner and developer feel that they can do it at the medium density, it would be fully supportive for them to live within the ordinances of the medium density with what is right now in the General Plan. Should there be any interest in going over the 23 units for the property, she wanted to see the developer do an SSD. She did not see there being approval for 29 units and being able to accommodate a true lifestyle that should be promoted in Taylorsville

5.9.8 **Commissioner Burggraaf** said he wondered if perhaps the General Plan need not be amended but that the two lots as far as zoning is concerned, and it is not what the applicant is asking for, but perhaps look at, if the applicant is amenable to it, change the zone to two separate lots to RM-10 or if not that high of density, look at changing the zones to RM-8. The applicant may need to calculate that and may not want to move forward with it at that point but could always come back later for a zone change. The zone change does play into the legislative consideration of changing the General Plan.

5.9.9 **Mr. Thompson** said he had looked at the SSD similar to the one Hamlet Homes did at Muirhouse. The reason he did not ask for the SSD is under the zone being looked at, it required a wider road. The road itself is 30' and then there are 5' driveways. That is how Muirhouse is designed, whereas with this project, there is the 50' right of way, then 20' drive. Granted there is one that is 5' but with a 26' alley and then 20'. He felt that would work better than what the SSD would. He felt his present proposal would work better.

5.9.10 **Commissioner Wendel** said she is appreciative of the applicant's comments but the beauty of the SSD is to give the opportunity to negotiate almost every aspect of the development. So, determining roads, open space, density, all are available between the City and the developer to create through an SSD. Again, the SSD will need a positive recommendation from the Planning Commission and go to the City Council but it would not have to be the exact same SSD as Muirhouse. The Planning Commission is

able to provide a much better quality of life, promote profitability for the developers and continue to have the characteristics of what is enjoyed in Taylorsville and in the residential neighborhoods by doing the SSD. She went back to the medium density, which is already the zone and with which she is already content. If the developer feels they need something more than that she could only be swayed by having negotiations how to create that environment that works for profitability for the developer and for the characteristics that is needed for Taylorsville.

5.9.11 **Commissioner Burggraaf** asked the applicant if he had done the economics already to know whether they could change the zone to RM-10 or RM-8. He thought they might consider going to 20 units or 16 units possibly. **Mr. Thompson** said what it comes down to is what the land owners would be willing to sell the land for, which would impact from an economic standpoint. The piece that is commercially zoned warrants a higher value. It comes down to what the landowners would be willing to sell it for. **Commissioner Burggraaf** said what he was trying to get at is what the impact would be if the zone is not changed to a higher density. The SSD zoning was mentioned but that would levy a higher additional cost. He asked the applicant if he could move forward with less than 23 units. That it probably would be more like 20 units because of the existing canal. **Mr. Thompson** said that he knows the SSD zone does allow for higher density and might be an alternative scenario. He wanted to know if this could be tabled or just changed to an SSD. That he did not want to have to start over in the process. **Mr. Spung** advised that this was noticed for a public hearing for the zone change, so that would need to be amended and re-noticed. There would be no new fee for that change. **Mr. Harper** advised the applicant that they would have to come back to the Commission with a new application for an SDD.

5.9.12 **Commissioner Quigley** expressed that he thought the SSD may be good because there has been a lot of negativity due to the perception that this project would be apartments. He liked the proposed project because it would add an element of moderate-income housing to the area. He did feel the applicant needs to reduce down to 23 units, address the parking issues and add more common area. He expressed concern with adding too many SSD zones in the City. He had confidence that if the applicant will meet with Staff to work out some issues, that this will be an attractive project.

5.9.13 **Commissioner Willardson** felt that the road referenced was not made to accommodate much traffic because it used to be a dead end street. He added that the high number of units would present more problems. He asked each Commissioner to go to the site and decide for themselves.

5.9.14 **Commissioner Wendel** asked that the City Legal Department give the Commission advice on how to move this forward. **Ms. Shelman** said she agreed with Mr. Harper that either way, if the Commission wants to reevaluate to work with the current zoning or go the SSD route, the application can be tabled and then come back with an amended application before anything goes to the City Council. **Mr. Thompson** said that seems like, given the comments heard tonight, the most appropriate route to take. **Commissioner Wendel** asked what the objective in the motion would be then. If the applicant is deciding to amend was there a need for action and if so, what would that be. **Ms. Shelman** said she would recommend tabling this instead of a yes or no decision being made tonight, knowing that it probably would be amended one way or the other. Either fit into the current zoning or to fit into an SSD. If that is what is known right now, she suggested tabling it as the most appropriate action.

5.10 **MOTION: Commissioner Wendel -** **I move that we table File ~~#7G20~~ #2G20 so that the applicant can make the proper amendments that he would like to the application, with recommendations of Staff.**
SECOND: Commissioner Barbieri. Commissioner Burggraaf – Friendly amendment. You said 7G20 but I believe it is 1G20. Commissioner Wendel - I will accept the friendly amendment. Correct to read 2G20.
ROLL CALL VOTE: Commissioner Quigley – AYE, Commissioner Wright – AYE, Commissioner Barbieri – AYE, Commissioner McElreath – AYE, Commissioner Burggraaf – AYE, Commissioner Wendel – AYE, Commissioner Willardson – AYE. Motion passes unanimously.

6. 7Z20 – Recommendation to the City Council for a Zoning Map Amendment to Rezone the Property Located at 3397 West and 3399 West 4700 South from R-1-8 and LC Respectively to RM-12. (Karyn Kerdolff/GIS Planner)

6.1 **Ms. Kerdolff** presented this item with the Request for General Map Change, File 1G70, in Item #5.

6.2 **FINDINGS**: (Item 7Z20)
- 6.2.1 This application was initiated by Robert Thompson on behalf of Utah Land Company.
- 6.2.2 A Zoning Map Amendment from Limited Commercial and R-1-8 to RM-12 (Residential Multiple-Family District)
- 6.2.3 The proposed subdivision will have twenty-three lots, varying in size.
- 6.2.4 The Zoning Map amendment is congruent with adjacent residential land uses.
- 6.2.5 A Zoning Map amendment must be approved or denied by the City Council.
- 6.2.6 The applicant's request provides additional residential housing types, helping to provide greater housing diversity.
- 6.2.7 The applicant's request addresses a currently underutilized property along 4700 South.

6.3 **STAFF RECOMMENDATION:** Staff recommends a positive recommendation to the City Council for a zoning Map amendment from Limited Commercial and R-1-8 to RM-12 based on the Findings and Conditions outlined in the Staff Report.

6.4 **Stephanie Shelman** (Deputy City Attorney) commented that this must be handled the same as the first two items. It was noticed as a public hearing, so there must be a public hearing conducted.

6.5 **PUBLIC COMMENTS**: **Commissioner McElreath** opened the public hearing on File 7Z20. There were comments received in opposition, which were reviewed during the public hearing for File 1G20 just previous to this item. **Commissioner McElreath** closed public hearing and asked for discussion from the Commission or a motion.

6.6 **MOTION: Commissioner Barbieri -** **I will make a motion to table File #7Z20 with Utah Land Company at 3397 West and 3399 West 4700 South for a zoning map adjustment. I move that we table that and give Mr. Thompson a chance to revisit how he would like to move forward.**
SECOND: Commissioner Burggraaf.
ROLL CALL VOTE: Commissioner Quigley – AYE, Commissioner Wright – AYE, Commissioner Barbieri – AYE, Commissioner McElreath – AYE, Commissioner Burggraaf – AYE, Commissioner Wendel – AYE, Commissioner Willardson – AYE. Motion passes unanimously.

CITY COUNCIL MEETING - **Commissioner Burggraaf** gave his report on what transpired during the City Council meeting he attended. **Commissioner McElreath** talked about the budget discussion the City Council had.

ADJOURNMENT: By motion of **Commissioner Don Quigley**, the meeting was adjourned at 9:38 p.m.

These Minutes were prepared by:

Jean Gallegos
_____
Jean Gallegos, Admin Assistant/Recorder for the
Taylorsville City Planning Commission

Approved in meeting held on July 14, 2020