

**City of Taylorsville
Planning Commission Meeting Minutes
August 8, 2023
Pre-meeting – 6:30 p.m. – Regular Session – 7:00 p.m.
2600 West Taylorsville Blvd – Council Chambers**

Attendance:

Planning Commission

Don Quigley, Chair
Cindy Wilkey, Vice Chair
Marc McElreath
Lynette Wendel
Gordon Willardson
David Wright - Excused
Don Russell – Excused
David Young (Alternate)

Community Development Staff

Jim Spung – AICP – Senior Planner
Terryne Bergeson – Planner 1
Jean Gallegos – Admin Assistant/Recorder

CITIZEN'S/GUESTS PRESENT: Ernest Burgess, Bob Knudson, Russell Nelson, Hugo Delirosa, Marcela Ayala.

BRIEFING SESSION – 6:30 P.M.

Mr. Spung opened the briefing session and turned the time over to **Ms. Bergeson** to review her two items on the Agenda, which were (1) – Consideration of a preliminary conditional use permit and site plan for the construction of a car wash at 3621 West 5400 South; and (2) – Consideration of a conditional use permit to operate a reception center at 2596 West 4700 South, Taylorsville, Utah.  After her presentations she answered the Commissioner's questions.

Commissioners took a break at 6:50 p.m. and returned at 7:00 p.m.

Commissioner Quigley gave the welcome statement and opened the meeting.



REGULAR SESSION – 7:00 P.M.

CONSENT AGENDA

2. Review/Approval of Minutes for July 11, 2023.

MOTION: [Commissioner Wilkey](#) – I move to approve the Minutes for July 11, 2023, as written.

SECOND: [Commissioner Wendel](#)

VOTE: All Commissioners present voted in favor.  Motion passes.

3. 12C23/CUP-000323-2023 - Public Hearing and Consideration of a Preliminary Conditional Use Permit and Site Plan for the Construction of a Car Wash at 3621 West 5400 South, Taylorsville, Utah. (Terryne Bergeson/Planner 1).

- 3.1 **Ms. Bergeson** presented this item.  Russell Nelson, Hailey Peterson (Lonestar Builders) and Danny Lange (Elevate Engineering) are requesting preliminary approval of a Non-administrative Conditional Use

Permit and Site Plan for the construction and operation of a Quick Quack Carwash at 3621 West 5400 South, Taylorsville, Utah.

- 3.1.1 Site changes include closing the two driveways fronting 5400 South, construction of a 94-foot tunnel carwash with 14 vacuum stalls, and installation of new landscaping.
- 3.1.2 Subject property is 34,412 square feet on the southwest corner of 3600 West 5400 South. The existing structure, shed, and carwash building has been vacant (formerly the speedway convenience store). Fuel tanks and gas pump canopies were removed by the property owner in 2022 and applicants received an environmental report showing no contamination.
- 3.1.3 The property is in the Community Commercial (CC) zoning district and has a General Plan Designation of also Community Commercial. The Taylorsville Land Development code lists a "car wash" land use as permitted with the approval of an administrative conditional use permit, or if within 250 feet of residential, permitted with approval of a non-administrative conditional use permit.
- 3.1.4 This site is currently vacant and any development on the property will increase the traffic at this location. Access to the site would require customers entering from the south to turn left into the parking lot and right to enter queuing lanes. A vehicle entering from the north would be required to make a sharp right turn from Whitewood Lane to enter the queuing lanes. Eight stacking spaces are provided per City requirements. A traffic study was not requested as part of the application.
- 3.1.5 Noise from vacuums and tunnels is a concern with the residential zone. The applicant has submitted a sound study that demonstrates the levels for residential would not exceed the established 100 DBA maximum based on the most recently submitted concept plan.
- 3.1.6 The commercial building to the west is built on the property line and site does show landscaping and a tree proposed near the parking lot of the neighboring use, with no room to plant significant buffering between the tunnel exit lane and the neighboring building.
- 3.1.7 Fencing separating the proposed use and residential rear yards is an existing solid masonry wall that meets City requirements.
- 3.1.8 Applicants have submitted multiple revisions to meet key City requirements such as 15' front and 10' landscape buffers as well as space for stacking of four vehicles per lane.
- 3.1.9 The location of the queuing lanes does not meet the requirements of City Code because "Queuing lanes shall not be located between the building and the street unless there is no alternative for location of the building and queuing lane(s) on the site". The applicant's response was "After discussing with Engineering and City personnel, it has been determined that there are no other options available, because the only way to move the queuing lanes from the current location would cause a right-hand turn going into the car wash tunnel. For reasons of safety, customer and car wash property damage, and liability, Quick Quack does not approve of right-hand turns going into the car wash tunnel. That causes their employees to constantly cross back and forth over the queuing lanes to get to the driver's side of vehicle for check-in. Right-hand turns also greatly reduce the visibility of the driver when navigating the site. Across the hundreds of car washes currently owned by Quick Quack, a left turn has proven to significantly decrease the probability of these risks from occurring. For these reasons, the queuing lanes and left-turn into the car wash tunnel, as presented are the only option for this site."

- 3.1.10 A tree survey shows there are several trees on site ranging from 16" to 30" in diameter, that are in acceptable condition, however, all trees at the location are marked as conflicting location and slated to be removed or are in poor condition. The submitted landscape plans show replacement of the same number of trees, but as 2" caliper.
- 3.1.11 **Ms. Bergeson** showed some proposed elevations and a proposed landscape plan along with a tree survey. Also that the applicant has submitted a sound decibel study which meets Salt Lake County Noise Ordinance levels and felt the area most impacted by noise levels would be the commercial area to the north end. The applicant had to make some previous site plan adjustments, the first being to allow for the right amount of stacking, which by Code requires space for four vehicles and they also have submitted a "desert scheme" to incorporate more natural colored stones on the building. She advised the applicant has agreed to shorten the tunnel by about 20', with an escape lane included. However, with the inclusion of that escape lane, none of the existing trees could be retained.
- 3.1.12  She then went over Staff's proposed motions to approve or table for more information and closed her presentation. 

3.2 **FINDINGS:**

- 3.2.1 This application was initiated by Russ Nelson, on behalf of Quick Quack Carwash.
- 3.2.2 The subject property is one lot with an area of approximately .79 acres.
- 3.2.3 The subject property is in the Community Commercial (CC) zoning district.
- 3.2.4 The subject property is in the "Community commercial" designation in the City's General Plan.
- 3.2.5 This conditional use permit request is consistent with current zoning and General Plan designations.
- 3.2.6 The applicant is requesting approval to construct a new tunnel carwash facility owned and operated by Quick Quack Carwash.
- 3.2.7 The site layout places queuing between the building and Whitewood Lane.
- 3.2.8 Staff has identified potential spillover into Whitewood Lane as a potential negative impact.
- 3.2.9 The Planning Commission has the authority to decide that there is no alternative location.
- 3.2.10 The proposed use includes tunnel carwash air driers and vacuum facilities, which may increase noise levels.
- 3.2.11 Sound study demonstrates acceptable noise levels per SLCO sound ordinance for residential properties.
- 3.2.12 To mitigate potential noise impacts on adjacent commercial properties, staff recommends that landscaping be designed in a way that can help mitigate noise levels.
- 3.2.13 Tree survey and landscape plans have been submitted that show nearly all existing trees will be removed.
- 3.2.14 Staff recommend requiring that the applicant preserves certain mature trees and incorporate additional trees in landscape plans.
- 3.2.15 Exhibits have been reviewed by City departments and review agencies and have been determined to be in general compliance with City Standards. Any outstanding review comments will be addressed prior to final approval.
- 3.2.16 Staff and review agencies have identified conditions of approval to be considered by the Planning Commission prior to preliminary approval. (They are listed below).
- 3.2.17 The Planning Commission is the decision-making authority for preliminary non-administrative conditional use permit review. Final review authority is granted to the Director, unless otherwise directed by the Planning Commission.

3.3 **CONDITIONS OF APPROVAL:**

- 3.3.1 The Director is authorized to conduct the final non-administrative conditional use and site plan review.

- 3.3.2 The Planning Commission determines that the location of the queuing lanes is acceptable per Section 13.23.170(B)(2)(b).
- 3.3.3 Trees designated in the tree study as “retain if possible” be retained and any other mature trees be preserved if possible.
- 3.3.4 Updated landscape plans shall include trees in park strips.
- 3.3.5 All outstanding City department and review agency comments be resolved, and subsequent revisions comply with applicable City ordinance, codes, and standards prior to issuance of final non-administrative conditional use permit and site plan approval.

3.4 **APPLICANT ADDRESS:** Russell Nelson – Lonestar Builders.  Mr. Nelson advised his firm has built all Quick Quack car washes in Utah and as part of their mission to help the community, there will be an opening ceremony and fund raiser held to give back to the community. He added that the biggest reason to require a conditional use permit for this is the potential increased noise, and a block wall will help in that endeavor. That they are also considering putting in blowers that are less noisy but are very expensive. It is a serious consideration because they want to be good neighbors. They are also proposing to install a noise absorption liner to also help alleviate the noise. Mr. Nelson said they are willing to do what needs to be done to make this a good fit on this particular site. He added they are excited to be in Taylorsville. 

3.4.1 Commissioner Willardson wanted to make sure they have taken care that the soil is not contaminated due to this site having previously been a gas station. Mr. Nelson advised that the owner of the site has made sure everything along those lines has been resolved to meet State of Utah requirements. Commissioner Willardson then asked how many trees were going to be removed and Mr. Nelson said he was not sure at this point, that they are only building on the existing concrete pad and the plan is that the rest will be left as is as much as is possible. That 80% of the water used in the carwash will be constantly reclaimed.

3.4.2 Commissioner Wendel  asked for clarification regarding the trees. The Commission had been under the impression that there were three or four of those trees that would be remaining on the property but with the most recent site plan it shows that even those would be removed. Mr. Nelson said he was not certain and asked if she was saying that there were trees that were marked to remain but then the new landscaping plan has then removed. Commissioner Wendel believed that is how Staff presented it. Mr. Nelson said the new landscape plan came in very recently and he has not had a chance to really look at it yet but added they are very flexible on that. They want to make everything right and enhance the site. If they do remove a tree they will replace it with an equivalent amount of trees.  Commissioner Wendel said the new site plan definitely shows taking out all the trees. She added that this property is somewhat of a gateway into that well established neighborhood that contains many large trees. She was thinking like a neighbor in that case would that now there will be two carwashes at the entry point because there is already one two properties down from this. She asked Mr. Nelson how she as a Planning Commissioner could feel good approving another carwash at a gateway point and what could he offer to make that palatable and not have the neighbors feel like they are being commercialized. Mr. Nelson replied that Quick Quack always presents a nicely enhanced design, the employees wear white shirts and ties and are willing to enhance the landscaping far beyond what it is currently.  Patrons to the site will see great landscaping, a nice monument sign. The site will be very busy because people enjoy coming to these carwashes. Commissioner Wendel asked if he would be open minded to installing some wider trees rather than the typical 2” plantings. Mr. Nelson said they would definitely look at that again. It may have been they rushed the landscaper for the site plan being finished. They would like to be able to keep more of the mature trees and will look at that. If, for some reason, they must be removed, they will replace them. Commissioner Wendel felt that the issue of saving the trees is very important. They want the developer and the City to

both be happy with this proposal should the Planning Commission approve it.  She then asked Mr. Nelson how shortening the tunnel would change function. Mr. Nelson said it does compact things a little inside there but there won't be a compromise on quality or quantity. They have other carwashes that function well with even shorter tunnels.

3.4.3 Commissioner Wilkey  asked what the volume everyday would be, and Mr. Nelson said usually stacking is the problem in slowing down access to and inside the carwash. He has found that carwashes are not usually a travel destination but rather something people do while out on other errands, so it is difficult to project volume. Commissioner Wilkey said her concern was the possibility of backing up onto the street. Mr. Nelson said that is why they do the site analysis and that shorter tunnels make the experience move more quickly. Commissioner Wilkey asked if he was open to conducting a traffic study and Mr. Nelson said they would do one if that is what the City desires.

3.4.4 Commissioner Quigley  commented that this location would not work if the applicant was not sure it would and did not see a problem with the queuing backing up. He continued that there are a lot of car washes going up lately in Taylorsville  and wondered if that was a concern to Mr. Nelson. Mr. Nelson said they are the 4th largest carwash in the country now and growing fast. They have been very good at finding sites that will be successful and having opened over 200 car washes nationally, with none of them failing, shows a pretty good trend and makes them be more competitive in doing the best job possible, which attracts and keeps the customers. Commissioner Quigley suggested they increase the amount of landscaping to better hide the commercial side of the business. He asked Ms. Bergeson to bring up the Google Earth map to show the number of trees on the site presently, especially along 3615 West and she did so. Commissioner Quigley noted that showed it was pretty barren and only noted two or three trees there. However, the latest landscape plan shows those trees will be removed. Ms. Bergeson said the original tree study showed some of the trees were already marked as poor quality and were scheduled for removal. When the need arose to add the escape lane, that took out the rest of the trees. Commissioner Quigley advised Mr. Nelson that the Commission would like to see more trees added and the landscaping improved substantially. Mr. Nelson said they will review the tree survey to see where it can be adjusted. Commissioner Quigley asked how many employees would be on site and Mr. Nelson said normally there would be 2 to 3 at any given time.  Commissioner Quigley added that he was not as concerned about the noise element because the dryers are situated away from the neighborhoods towards the commercial area, so did not see that as a problem.

3.4.5 Commissioner Wendel  felt that people feel a greater sense of security walking on a sidewalk if a tree is on the street side. She wondered if there was any opportunity available that the sidewalk could be created as a pathway instead of a City sidewalk that would make that park strip area wider so that better trees could be put in and get a better walkability experience by having the park strip wider. Mr. Spung answered that there are ways to do that but that is not something that Taylorsville has done in the past, for example a public access easement instead of dedicating that land as right of way. The other option is to say that more right of way is needed by expansion of the park strip. Traditionally that has not been done. Commissioner Wendel felt this corner was a great opportunity to consider because of the angle of the street coming in. Also, because the City is trying to encourage more pedestrianism in those spaces. She felt it would reduce the burden on the developer to provide a better experience with half as much landscaping. She would like that considered.  Mr. Nelson commented that they do have a great landscape plan in the works for this site.

3.5 Commissioner Quigley opened the public hearing and since no one came forward to speak, closed the public hearing and opened the meeting for discussion or a motion from the Commission. 

3.6 **DISCUSSION:**

3.6.1 **Commissioner Wendel**  said she would like to have a motion that could keep this project moving and asked Staff for suggestions as to how to add additional verbiage to take into consideration, maybe the opportunity of a different public access or a minimum of replacing the trees that will be removed, with a greater diameter tree. She felt there must be a minimum and request an optimal in the motion but was not sure what that would look like. Or does it have to specify a direct replacement and allow Staff to take it from there. She reiterated her strong feelings for protecting neighborhoods. **Mr. Spung**  added that as far as the motion goes, he felt the trees that have been marked as acceptable would be the only ones preserved because they are healthy. Of those, it appears there are a handful that fall outside the curbed/paved areas that are acceptable. **Commissioner Wendel** said then that maybe six trees or ten to replace then. **Mr. Spung** said that would be up to the Planning Commission. They could ask to reevaluate as to which trees are being removed that are existing and any that are replaced or removed be replaced with one for one caliper. So, if removing an 18" caliper tree, there would need to be two 9" caliper trees or three 6" caliper trees; however, the Planning Commission wants to word it. Typically, a tree that is new is 2" to 3" caliper. A larger caliper tree sometimes has difficulty establishing itself so that would not only be really expensive but there is no guarantee it will survive. **Mr. Spung**  said he would defer to the Planning Commission judgement as to what a reasonable standard for this would be. **Commissioner Wendel** asked if the new landscape plan shows at least 16 trees. **Mr. Spung** said that the Code does require a minimum number of trees per square foot of landscape. **Commissioner Quigley** asked Mr. Nelson what type of trees were being planned and **Mr. Nelson** answered off microphone and it was inaudible. **Commissioner Quigley** said to be sure to be mindful with regard to the line-of-sight issue when deciding on tree types. 

3.6.2 **Commissioner Young** asked how many trees are presently on the site and was informed by **Ms. Bergeson** that there are 16 per the applicant's tree survey.

3.7 **MOTION:** **Commissioner Wendell**  I move that we approve File #12C23, CUP-000323-2023, a preliminary non-administrative conditional use permit and site plan to construct a new carwash facility at 3621 West 5400 South in Taylorsville, Utah, according to the Findings and Conditions outlined in the Staff Report, amending the condition that the acceptable retained trees should they be removed in future versions of the site plan, Staff will determine the appropriate replacement for those removed trees. 
SECOND:  **Commissioner McElreath**
ROLL CALL VOTE: **Commissioner Young** – AYE, **Commissioner Wilkey** – AYE, **Commissioner Quigley** – AYE, **Commissioner Wendel** – AYE, **Commissioner McElreath**, **Commissioner Willardson** - AYE Motion passes unanimously. **Commissioner Wright and Commissioner Russell were excused from tonight's meeting.**



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| 4. | 28C23 – CUP000354-2023 - Public Hearing and Consideration of a Conditional Use Permit to Operate a Reception Center at 2596 West 4700 South, Taylorsville, Utah. (Terryne Bergeson - Planner 1). |
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4.1 **Ms. Bergeson**  presented this item. The applicant, **Marcela Ayala**, is leasing the space in Westwood Shopping Center. She has applied for a business license to use the space to hold Zumba classes during daytime hours, and to operate a reception center in the evening hours. The property is in the Community Commercial (CC) Zone. Per the Land Use Table (1308.020), a reception center requires a non-administrative

conditional use permit granted by the Planning Commission. The parcel is zoned Community Commercial and has a General Plan designation of Community Commercial, which is compliant for the requested use. The applicant proposes the hours to rent the space for receptions will be Tuesday through Sunday from 2:00 p.m. to 12:00 a.m., depending on customer preference, holding events that are generally no longer than five hours long. The applicant has her certification for license to be an alcohol server and would be the person serving any alcohol brought in by the persons renting the facility for an event. She also provided a current license for a security person who would be working the events as stipulated. It is noted that the location is not within 300 feet of any residential zone and the requested hours are not in violation of any City ordinances. **Ms. Bergeson** advised she counted about 50 parking spaces which would be available for this use by the 80 attendees the applicant proposes to have for any given event.  She showed images of what the floor plan will look like. A public notice was mailed out to surrounding neighbors and businesses, with no comments received. **Ms. Bergeson** gave an overview of the center where this rental unit is a part of. It was noted that there are two other reception centers on this site. The applicant has indicated the maximum occupancy for these rented out events would be 80. **Ms. Bergeson** reviewed the Findings and Conditions of Approval aloud for those in attendance.

4.2 **FINDINGS:**

- 4.2.1 This application was initiated by Marcela Ayala.
- 4.2.2 Per 13.08.020, a Reception Center in the CC Zone requires a Non-Administrative conditional Use Permit granted by the Planning Commission.
- 4.2.3 The space will be available for customers to rent and host private events.
- 4.2.4 The applicant will allow customers renting the space to bring their own alcohol. Per DABS, permits are not required for this type of use. The event must be closed to the public. Tickets for entry cannot be sold and alcohol cannot be sold.
- 4.2.5 Applicant submitted documentation of alcohol-server course completion.
- 4.2.6 Applicant states she will remain onsite to serve alcohol.
- 4.2.7 Applicant provided a license for a security person hired to remain onsite during events.
- 4.2.8 Proposed hours of operation are Tuesday through Sunday until 12:00 a.m.
- 4.2.9 Conditional Use Permits are governed by Utah State Code and must meet the provisions outlined in 10-9a-507.
- 4.2.10 Staff has conducted an analysis of the site and received public input.
- 4.2.11 Staff has identified a list of proposed conditions to mitigate effects on the surrounding sites.

4.3 **CONDITIONS OF APPROVAL:**

- 4.3.1 The applicant complies with the requirements of all applicable reviewing agencies.
- 4.3.2 The conditional Use Permit is subject to review and revocation upon substantiated complaint or citation.
- 4.3.3 Any changes to the structure will require a building permit.
- 4.3.4 The applicant shall remain compliant with all business licensing requirements.
- 4.3.5 The business must conform to Salt Lake County's Noise Ordinance.
- 4.3.6 The center may only be used for private events.
- 4.3.7 Event attendance shall be limited to eight (80) people.
- 4.3.8 Alcohol use must be in compliance with DABS requirements and regulations.
- 4.3.9 Alcohol may only be served at private events by a person with active certification to serve alcohol.
- 4.3.10 Applicant must provide a licensed security guard(s) to remain onsite for the duration of an event during which alcohol is served.

4.4 **STAFF RECOMMENDATION:** That the application be approved for the Reception Center based on Conditions of Approval.

- 4.5 **APPLICANT ADDRESS:**  **Ms. Marcela Ayala**, with translator **Hugo DeLiroso** (brother-in-law). **Ms. Ayala** spoke in Spanish outlining her intentions with this business, and **Mr. DeLiroso** translated for her in English. She said she understood the process and has sufficient knowledge in order to operate this business through past experience. She is aware of all things with which she must comply and said there was no problem with any of them and she would completely adhere to all conditions of approval listed in the Staff report.
- 4.6 **Commissioner Quigley** wanted to make sure the applicant understands that if problems with the business occur, there is a process by which the City can revoke the permit if it becomes non-compliant. That it is always a challenge to operate a business that permits the use of alcohol and later hours of operation. He also wanted to note that security for these events in the past has not been taken very seriously and he wanted to emphasize the importance of that because sometimes the crowd causes problems. After his comments he opened the public hearing and asked if there was anyone wishing to speak in favor or opposition to this application. Since no one came forward, and there was no one on Zoom, he closed the public hearing and opened the meeting to the Planning Commission for discussion or a motion.
- 4.7 **MOTION:** **Commissioner Wendel** – I move that we approve File #28C23, a request for a conditional Use Permit to operate a reception center at 2596 West 4700 South, Taylorsville, Utah, subject to the Findings and conditions for approval as outlined in the Staff Report and discussed this evening.
SECOND: **Commissioner Willardson**
ROLL CALL VOTE: **Commissioner Young** – AYE, **Commissioner Wilkey** – AYE, **Commissioner Quigley** – AYE, **Commissioner Wendel** – AYE, **Commissioner McElreath**, **Commissioner Willardson** - AYE Motion passes unanimously. **Commissioner Wright and Commissioner Russell were excused from tonight’s meeting.**

CITY COUNCIL REPORT - Commissioners and Staff discussed during the Briefing Session what was discussed during the last City Council.

ADJOURNED: By motion of **Commissioner Wendel**, the meeting was adjourned at 8:21 P.M.

These Minutes were prepared and presented by:

Jean Gallegos

Jean Gallegos, Admin Asst/Recorder for the
City of Taylorsville Planning Commission.

Approved in meeting held on September 26, 2023.