



**BLUFFDALE CITY PLANNING COMMISSION
MEETING AGENDA
Wednesday, November 1, 2023**

Notice is hereby given that the Bluffdale City Planning Commission will hold a public meeting on **Wednesday, November 1, 2023, at 6:00 p.m., or as soon thereafter as possible** at the Bluffdale City Hall, 2222 West 14400 South, Bluffdale, Utah. This meeting may also be broadcast live to the public on the City's website www.bluffdale.com. Notice is further given that access to this meeting by Commission members may be via electronic means via telephone conference call.

PLANNING COMMISSION BUSINESS MEETING 6:00 PM

1. Roll Call.
2. Invocation/Thought/Reading and Pledge of Allegiance.
3. Approval of the Planning Commission minutes from September 20, 2023, and October 4, 2023.

ADMINISTRATIVE ITEMS:

4. **CONSIDERATION AND VOTE** on a proposed Condominium Plat for Kings Cross 2, located at 14730 S 955 W, zoned HC and I-1, to create 38 condo units, Shivam Shah, Applicant (2022-57) – Staff Presenter, Ellen Oakman.
5. **CONSIDERATION AND VOTE** on a proposed Site Plan Application for The Centrum at Bluffdale for 6.72 acres located in the SD-X The Centrum at Bluffdale Zone located at 533 West 14600 South, LH Perry Investments LLC, Applicants (2023-02) – Staff Presenter, Jennifer Robison.

LEGISLATIVE ITEMS:

6. **PUBLIC HEARING, CONSIDERATION AND RECOMMENDATION** on proposed text amendments to the Bluffdale City Land Use Ordinance 11.220 regarding electronic message centers, specifically static electronic numeric display signs, Allied Electric Sign and Awning, Applicant (2023-37) – Staff Presenter, Ellen Oakman.

DISCUSSION ITEMS:

7. Planning Commission Training – Bridge Discussion – Michael Fazio, City Staff
8. Planning Commission Business (planning session for upcoming items, follow up, etc.).
9. Adjournment.

Dated: October 27, 2023

**Grant Crowell, AICP
Community and Economic Development Director**

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Present:

Members: **Erik Swanson, Acting Chair**
Ulises Flynn
Tina Griffis
Michael Kraupp
Kory Luker

Staff: **Grant Crowell, Community and Economic Development Director**
Michael Fazio, City Engineer
Ellen Oakman, Associate City Planner
Jennifer Robison, Senior City Planner
Courtney Petersen, AV Technician
Kjersti Jarman, Community Development Coordinator

PLANNING COMMISSION BUSINESS MEETING

1. Roll Call.

In the absence of Chair Debbie Cragun, Erik Swanson assumed the Chair and called the meeting to order at 6:00 p.m.

2. Invocation/Thought/Reading and Pledge of Allegiance.

Shivam Shah offered the invocation and led the Pledge of Allegiance.

3. Approval of the Planning Commission Minutes from September 20, 2023, and October 4, 4023.

Commissioner Kraupp moved to APPROVE the minutes from September 20 and October 4, 2023, as written. Commissioner Flynn seconded the motion. Vote on motion: Kory Luker-Aye; Tina Griffis-Aye; Michael Kraupp-Aye; Ulises Flynn-Aye; Erik Swanson-Aye. The motion passed unanimously.

ADMINISTRATIVE ITEMS

4. CONSIDERATION AND VOTE on a Proposed Condominium Plat for Kings Cross 2, located at 14730 South 955 West, Zoned HC and I-1, to Create 38 Condo Units, Shivam Shah, Applicant (2022-57) – Staff Presenter, Ellen Oakman.

Associate City Planner, Ellen Oakman presented the Staff Report and stated that the Commission previously reviewed the Development Agreement for the project, which was approved by the City

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Council on July 12. The Development Agreement addressed the developing road, the reasons for potential setback deviations, and landscaping that is partially due to the road taking away some of the developer's property. It was determined in the Development Agreement that site plan approval can be granted administratively. The application will create 38 separate, legal condominium units. The Condominium Plat was displayed. It consists of six buildings, three of which will be condominiumized.

The applicant, Shivam Shah, gave his address as 1801 East Pioneer Road in Draper. He reported that the main reason for the application was due to market limitations. The request was to allow them to sell off some of the units, if necessary, in the future.

Kory Luker moved to APPROVE the Condominium Plat for Kings Cross 2, located at 14730 South 955 West, zoned HC and I-1, to create 38 condo units subject to the following conditions:

- 1. That all requirements of the City Codes and adopted ordinances are met and adhered to.**
- 2. That a Land Disturbance Permit and SWPPP Plan is approved prior to any Pre-Construction Meeting.**
- 3. That the project adheres to all requirements of the International Fire Code.**
- 4. That the applicants or owners apply for signage permits in accordance with City Codes.**

The motion was seconded by Commissioner Griffis. Vote on motion: Michael Kraupp-Aye; Ulises Flynn-Aye; Kory Luker-Aye; Tina Griffis-Aye; Erik Swanson-Aye. The motion passed unanimously.

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5. CONSIDERATION AND VOTE on a Proposed Site Plan Application for The Centrum at Bluffdale for 6.72 Acres located in the SD-X The Centrum at Bluffdale Zone located at 533 West 14600 South, LH Perry Investments, LLC, Applicants (2023-02) – Staff Presenter, Jennifer Robison.

As the applicants had not yet arrived, the order of the agenda items was modified.

Ulises Flynn moved to POSTPONE this agenda item until later in the meeting. Tina Griffis seconded the motion. The motion passed with the unanimous consent of the Commission.

The Commission addressed the next agenda item and then the above matter.

Matt Swain from Perry Development was present along with the Project Architect. Senior City Planner, Jennifer Robison, presented the Staff Report and stated that The Centrum project was discussed previously and presented to the Planning Commission in 2022. At that time, a rezone was proposed to enter into a Special District. In early 2022, the City Council approved the rezone of 6.72 acres to SD-X. The subject property was shown on a map displayed. The Code includes exhibits that came with the adoption of the zoning, which provided a conceptual plan. Previously, some public hearings were held at which time several area residents were concerned about traffic issues with Rising Star Way.

The Planning Commission recommended to the City Council at the time that they enter into a Development Agreement, which they did. A few issues remained to be resolved with the site plan. The Conceptual Site Plan that was approved with the zoning shows the residential in purple and the commercial in light pink. The intent of this meeting was to look at the residential component. Staff, however, was looking at the entire site for all of the utilities, improvements, and accesses. Access needs to go through the commercial because there are integral parking areas associated with the project. The applicants will then come back for Phase 2 of the commercial buildings and each pad will go through a site plan process for each area. Amenities included a pool, pickleball, and amenities inside the building. A trail was also proposed along the west side of the property. A convenience store was originally proposed, which was not supported by the residents. As a result, the applicants removed it and added an extra pad.

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Elevations and renderings were presented that were updated to show the new building colors. It was noted that both accesses on the south end will be entrance only. Various colors and materials were proposed. The five commercial pads were shown although six were considered in the Concept Plan. The ordinance specifies that due to market demand, they could have up to 20,000 square feet. What is proposed was more in line with what the City was looking for on the commercial side.

The total area of the site is 6.72 acres. A portion of the right-of-way is required to be dedicated for the expansion of Rising Star Way, which has been agreed to. The existing canal is also within the boundary which is .4-acre in size. Phase 1 is 3.72 acres, which is the residential area. The building is four stories with 252 units. The maximum building height is 80 feet. 504 parking stalls are proposed on two levels beneath the building. Phase 2 will be the commercial. It was noted that an access is required for the residential portion. The building elevations were shown. The proposed building materials included concrete, clear glass, brick, and fiber cement board. A dog wash was envisioned as well as a mail drop. The project layout was presented that utilizes the property well.

For the entire site, the developers have been asked to complete all of the improvements along Porter Rockwell Boulevard with Phase 1. As they look at each individual pad, they will address the landscaping. Exhibit C of the Development Agreement addresses Rising Star Way. The intent was for the City to participate in some improvements with the developer. A traffic analysis was conducted as well. The plans for the intersection were presented. The applicants have been in contact with the Utah Department of Transportation (“UDOT”) and received approval. It was noted that UDOT owns Porter Rockwell Boulevard. The City owns the portion of Rising Star Way that will be expanded. On-street parking will also be provided for residents. On the lower portion of Rising Star Way is an existing 60-foot right-of-way that will remain. The landscaping, however, will be adjusted. Mrs. Robison stated that this is a Special District, so a different standard was set for the project.

City Engineer, Michael Fazio, reported on the status of the light at Rising Star Way and stated that a few years ago the City worked with UDOT who agreed to allow the City to install a traffic signal as soon as possible. It is part of the Corridor Agreement, so they will not have to wait until it is warranted. The City will fund the installation of the light, which will be done once improvements are

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completed on Porter Rockwell Boulevard and Rising Star Way. Mr. Crowell stated that there is a plan for a partnership with the developer.

Matt Swain identified himself as the Director of Commercial Development for Parry Commercial who is the owner/developer/contractor. They are excited to get going. The overall timing was discussed. Mr. Swain stated that approval of the application will allow them to move forward with the master utility design work and the common parking lot infrastructure, which will allow them to have developed pads for the retail buildings. They have had a lot of interest in the retail buildings. They hope to pull a Land Disturbance Permit in the near future to begin work on the site. With regard to the buildings, they expect to go vertical in the spring of 2024 on some of the retail buildings. The residential building is a very large investment and a single monolithic project. They will not be able to move forward until the market changes. Architecturally, they would like to have the full residential building permitted and ready to build by next spring. The hope was for the buildings to be occupied by late next year. Mrs. Robison stated that there will be a project plat due to the dedication. Site plan approval will allow the applicants to begin construction and site work.

Ulises Flynn moved to APPROVE The Centrum at Bluffdale Site Plan Application 2023-02 subject to the following conditions:

- 1. That all requirements of the City Code and adopted ordinances are met and adhered to for the project.**
- 2. That the site plan complies with the Bluffdale City Engineering Standards and Specifications and recommendations by the City Engineer and Public Works Department for all relevant construction and plat drawings.**
- 3. That all construction drawings be approved and stamped by the City Engineer prior to any construction of improvements.**
- 4. That the project adheres to all requirements of the International Fire Code and all other requirements of the City Fire Marshal.**

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5. That all private open space, landscaping, and parking areas be owned and maintained by the owners and all improvements be installed as per approved plans.
6. No parking is permitted on Porter Rockwell Boulevard, Bluffdale Boulevard, (14600 South), or Rising Star Way at any time during the construction period of the project or for the owners or users of the project when completed.
7. That the applicant receives Final Subdivision Plat approval by the Land Use Authority for the project prior to recordation of the Final Plat.
8. That the applicant completes final designs with the City Engineers and Utah Department of Transportation (“UDOT”) for the construction and expansion of Rising Star Way and the intersection of Porter Rockwell Boulevard (“PRB”) as required by the Development Agreement (Resolution 2022-06).
9. That all future commercial buildings for Phase 2 of the project are subject to the requirements of all City Codes and require site plan approval for each building either as a stand-alone building or multiple buildings combined for a site plan application. Each site plan will be approved by the appropriate Land Use Authority as required by ordinance.

The motion was seconded by Commissioner Griffis. Vote on motion: Michael Kraupp-Aye; Ulises Flynn-Aye; Kory Luker-Aye; Tina Griffis-Aye; Erik Swanson-Aye. The motion passed unanimously.

LEGISLATIVE ITEMS

6. **PUBLIC HEARING CONSIDERATION, AND RECOMMENDATION on Proposed Text Amendments to the Bluffdale City Land Use Ordinance 11.220 Regarding Electronic Message Centers, Specifically Static Electronic Numeric Display Signs, Allied Electric Sign and Awning, Applicant (2023-37) – Staff Presenter, Ellen Oakman.**

Ms. Oakman presented the Staff Report and stated that the proposed text amendment is intended to serve as a minor update to the Electronic Message Center portions of the Sign Code by creating a new

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sub-definition for “Static Electronic Numeric Display Signs”. These types of signs are static and controlled electronically rather than manually. They are similar to a gas price sign that is changed daily. A bank sign was another example. The section on Electronic Message Center was expanded to include the new definition. Three sections of the Sign Code were amended as well to change the Sign Code, create a definition, and apply illumination and other standards to amend the Prohibited Signs Section and add an exception on bans for Electronic Display Signs to allow Static Electronic Numeric display signs. Allied Electric Sign and Awning applied for the change in order to offer gas price display signs to their customers. Specific restrictions were identified. For example, it cannot occupy more than 50% of the sign face, can display only numbers and symbols, the display shall change no more frequently than once every 12 hours. It also may not scroll, blink, or flash like other Electronic Message Center signage. Verbiage was added to address how the Electronic Message Center component operates as well as illumination standards.

Community and Economic Development Director, Grant Crowell reported that a Constitutional test prohibits the regulation of content. What is described is a type of sign. He explained that these types of signs are allowed in other areas. Legal issues that arose were addressed by the City Attorney.

Commissioner Flynn asked how the proposal will interact with current established rules. Mr. Crowell stated that it will allow these types of signs throughout the City. There may, however, be different dimensional standards allowed in other zones. Ms. Oakman suggested that the amendment remain simple as the proposed change impacts the entire Sign Code and not just a Special District.

Commissioner Flynn asked about the difference between this kind of signage and options that are currently allowed. Mr. Crowell stated that the typical alternative is backlit signage. He discussed signage concerns such as light spillage, color, providing optimal conditions for both sunset and nighttime conditions, and potential impacts on drivers. While some communities prohibit signage that is lit, most people have come to expect and are attempting to find the best way to accommodate it. Ms. Oakman emphasized that this is a conservative step, and the proposed text includes provisions for programmed automatic dimming or brightening of signage 30 minutes before or after sunrise and sunset to accommodate the cycle rather than listing specific times.

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Commissioner Kraupp asked if the proposal was made based on the regulations of surrounding communities. Mr. Crowell confirmed that staff conducted research and some language was taken from West Valley City, which has a more developed Signage Illumination Standard. The proposal does not address specific illumination levels in nits. As a result, the City may have to invest in equipment to measure nit levels. The timing of sunsets and sunrises is known, and compliance is easy to establish.

Commissioner Kraupp asked if the Commission will address signage illumination in a piecemeal manner or if it would be better to address the issue in an overarching manner. Ms. Oakman suggested that they only touch on this type of sign and doubted that the community will support all Electronic Message Centers being permitted. Commissioner Kraupp expressed concern with continually revisiting the issue going forward. Mr. Crowell explained that more illumination-related issues will likely arise but the proposal addresses an applicant's specific concern and limiting the scope. He warned that in the future the Commission may have to address an applicant who requests full Electronic Message Centers on monument signs. The current proposal is not intended to go further than the scope of the application. Mr. Crowell commented that signage can be very impactful.

Acting Chair Swanson opened the public hearing.

Tracy from Allied Electric Sign and Awning reported that they are working with 7-Eleven to obtain gas price signs. Commissioner Flynn asked what type of technology is to be used. Tracy stated that it is a static LED that does not flash, move, or change. Tracy lives in Eagle Mountain where they have the Dark Sky Initiative and commented that these types of signs are allowed and are not bright.

Staff received no public comments on the request.

There were no further public comments. The public hearing was closed.

Ulises Flynn moved to forward a POSITIVE recommendation to the City Council for Text Amendment Application 2023-37 subject to the following findings:

1. **That the proposed use is consistent with other similar EMCs in the City.**
2. **That the proposed use is of interest to many similar businesses in the area.**

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3. **That the proposed use facilitates business development and opportunity in the community.**

Michael Kraupp seconded the motion. Vote on motion: Michael Kraupp-Aye; Ulises Flynn-Aye; Kory Luker-Aye; Tina Griffis-Aye; Erik Swanson-Aye. The motion passed unanimously.

The Commission next discussed agenda item number 5 after which they followed the agenda as printed.

DISCUSSION ITEMS

7. **Planning Commission Training – Bridge Discussion – Michael Fazio, City Staff.**

Mr. Fazio reported that the project has been underway for many years with a total of \$33 million in funding. The options considered were discussed with the most plausible alternative being to go under the railroad tracks. The Jordan Salt Lake City Canal is nearby and takes water to Salt Lake City. The best alternative was shown in blue and will go straight across. This option was determined to be the least expensive and least intrusive. With respect to traffic, 22,000 Average Daily Trips (“ADT”) were anticipated. It was noted that Redwood Road currently has 20,000 to 30,000 ADTs. While studying alternatives, the only known method is the traditional method. The option of a shoefly was considered, which would allow a train to be shifted onto the train tracks while the bridge is built. The cost estimate is \$70 million, which is infeasible. Another alternative was found to go under the railroad tracks through the use of two box culverts.

Mr. Fazio reported that a Construction Manager/General Contractor (“CMGC”) was selected. Because it is such a complex project, the contractor was selected in advance. The qualifications and experience of CMGC exceeded other contractors with the scoring being very high. On August 17, 2023, the City Manager signed a contract with Ralph L. Wadsworth Construction who has built numerous bridges along Bangerter Highway. They joint ventured with Stacy and Witbeck, a major railroad constructor, which made the project possible. The Verona System of bridge construction reduced the cost to \$35 million, which represented a huge savings to the City. The proposed schedule is very aggressive with completion expected by 2025.

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Mr. Fazio stated that the project is much more complicated than he anticipated due to other complications. The method is solid and well proven in Europe where it is used frequently. Staff has worked with Salt Lake City and stated that Rocky Mountain Power has a major power line corridor in the area in addition to gas, fiber, and water lines throughout. To accomplish what is planned, they will have to shift Noell Nelson Drive to the east. Staff has been working with Salt Lake City Canal Company on the box culvert that is to be built.

Mr. Fazio reported that the entire canal was measured and surveyed. The canal can carry approximately 200 cubic feet per second before it spills over. However, due to various restrictions, the City applied for and was granted a variance for the height of the box culvert. For the volume to be carried, however, Salt Lake City Canal Company insisted on 300 cubic feet per second, which required the box culvert to be enlarged to a width of 17 feet.

Mr. Fazio reported that he recently returned from Toronto where he learned more about the process and saw examples of where the Verona Method has been used. Feedback has been outstanding and there have been no problems with the method. He and the contractors met with the team in Toronto and were told that to be successful, certain conditions must be met. For example, it must be designed for speeds of 65 MPH even though the trains will go faster than 30 MPH. In addition, the ballast may only be processed by Union Pacific Railroad. They are now preparing to resubmit the application. Mr. Fazio stated that this method has never been used in the United States.

Mr. Crowell commended Mr. Fazio for his efforts. Mr. Fazio would continue to provide the Commission with updates going forward.

8. Planning Commission Business (Planning Session for Upcoming Items, Follow-Up, Etc.)

Mr. Oakman reported on the required Planning Commission Training and stated that 12 meetings equate to two hours. Commission Members who are short of attending 12 meetings could complete 30 minutes of extra credit and inform Ms. Oakman when it is done. Mr. Crowell and Mrs. Robison offered to provide a status report prior to Ms. Oakman going on maternity leave. Ms. Oakman urged the Commission to get current prior to her departure. It was reported that there is one Planning Commission Meeting remaining for the year that is scheduled for December 6, 2023.

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Mr. Crowell reported that an email was sent regarding a Regional Planning Workshop that will take place in Herriman. The Wasatch Front Regional Council (“WFRC”), the City’s regional planning partner, reminded staff this week to invite Planning Commission Members to attend. Currently, projects are scheduled to the year 2050. Mrs. Robison was working on the Parks Plan Update, which will be available at the City Council Work Session scheduled for next Wednesday at 6:00 p.m. The Community Survey Results will also be discussed as well as the Parks Plan. The meeting was being noticed as a joint meeting with the Planning Commission.

Messrs. Fazio and Crowell were working on an Update Study of a Long-Range Transportation Plan. They looked at models and what the City’s roads might look like in the future.

9. Adjournment.

The Planning Commission Meeting adjourned at 7:25 p.m.



Kjersti Jarman, Community Development Coordinator

Approved: _____ December 6, 2023 _____

NOTICE OF PUBLIC HEARINGS

Notice is hereby given that a Public Hearing will be held before the Bluffdale City Planning Commission at a regularly scheduled meeting on Wednesday, November 1, 2023, at 6:00 p.m. and before the City Council on Wednesday, November 8, 2023 at 7:00 p.m. at the Bluffdale City Hall, 2222 West 14400 South, Bluffdale, Utah, for the purpose of receiving public comment on proposed text amendments to the Bluffdale City Land Use Ordinance 11.220, Signs and Outdoor Advertising, regarding Electronic Message Centers, specifically, gas price display signs, Allied Electric Sign and Awning, Applicant. In addition to attendance in person, if you have any comments or concerns, there are several additional ways to participate in the meeting as follows:

1. **View** meeting on the City's website: www.bluffdale.com
2. **Email** your comments to for the Planning Commission and include the name of the applicant(s) in the subject line of the email to planningmeetingcomment@bluffdale.com
3. **Email** your comments to councilmeetingcomment@bluffdale.com for the City Council and include the name of the Applicant(s) in the subject line of the email.
4. **Mailed** written comments will be accepted. Please mail to the following:

Ellen Oakman – Associate Planner
City of Bluffdale Planning
2222 West 14400 South
Bluffdale, Utah 84065

For further information, please contact Ellen Oakman at eoakman@bluffdale.com or 801-849-9473. In compliance with the Americans with Disabilities Act, individuals needing assistance or other services for this meeting should contact Bluffdale City Hall at least 24 hours in advance of such meeting at 801.254.2200. TTY 7-1-1. The City's website is located at www.bluffdale.com.