



**AGENDA
BLUFFDALE CITY PLANNING COMMISSION
May 6, 2014**

Notice is hereby given that the Bluffdale City Planning Commission will hold a public meeting **Tuesday, May 6, 2014**, at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah. Notice is further given that access to this meeting by Planning Commissioners may be by electronic means by telephonic conference call. The Agenda will be as follows. Please note that all times listed on the Agenda are provided as a courtesy and are approximate and subject to change.

PLANNING COMMISSION BUSINESS MEETING - 7:00 P.M.

1. Invocation and Pledge.*
2. Public comment (for non-public hearing items).
3. Approval of minutes from the April 1, 2014, and April 15, 2014 meeting of the Planning Commission.
4. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on amending 11-9C-2 and 11-2-2 of the Bluffdale City Code to allow "Recreation and Entertainment, Outdoor" and associated definition as a Conditional Use in the Heavy Commercial Zone. Brandon Neff, applicant.
5. City Council report.
6. Planning Commission business (planning session for upcoming items, follow up, etc.).
7. Adjournment.

Dated: May 2, 2014

A handwritten signature in blue ink that reads "Grant Crowell".

Grant Crowell, AICP
City Planner/Economic Development Director

In compliance with the American Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City at least 24 hours in advance of this meeting at (801)254-2200. TTY 7-1-1.

*Contact Gai Herbert if you desire to give the Invocation.

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Present:

Members: **J. Lee Bertoch, Chair**
 Johnny Loumis, Jr.
 Brandon Nielsen
 Connie Pavlakis
 Brad Peterson

Excused: **Von Brockbank**

Others: **Grant Crowell, City Planner/Economic Development Director**
 Jennifer Robison, Associate Planner

BUSINESS MEETING

Chair J. Lee Bertoch called the meeting to order at 7:15 p.m.

1. Invocation and Pledge.

Brad Peterson offered the invocation.

Johnny Loumis, Jr., led the Pledge of Allegiance.

2. Public Comment.

There were no public comments.

3. Approval of Minutes from the April 1, 2014, and April 15, 2014, Meetings of the Planning Commission.

Brad Peterson moved to approve the minutes from the April 1, 2014, and April 15, 2014, meetings of the Planning Commission, as printed. Connie Pavlakis seconded the motion. Vote on the motion: Brad Peterson-Aye; Connie Pavlakis-Aye; Johnny Loumis, Jr.-Aye; Brandon Nielsen-Aye; J. Lee Bertoch-Aye. The motion passed unanimously.

4. Public Hearing, Consideration, and Vote on Amending 11-9C-2 and 11-2-2 of the Bluffdale City Code to Allow "Recreation and Entertainment, Outdoor" and Associated Definition as a Conditional Use in the Heavy Commercial Zone, Brandon Neff, Applicant.

Associate Planner, Jennifer Robison, presented the staff report. Mrs. Robison reviewed the proposed text amendment as presented in the meeting packet. She explained that the application only seeks to change a use in the Heavy Commercial Zone. She identified on the zoning map the areas zoned Heavy Commercial. Mrs. Robison then referenced the new General Plan and the language it contains regarding commercial uses, which include activity centers, retail offices,

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personal service, entertainment, and public facilities. The General Plan indicates that recreational and entertainment uses should be located in commercial areas.

It was reported that the Heavy Commercial Zone is one of the most open zoning district for nearly every type of commercial use. Mrs. Robison referenced language contained in the State Code on conditional uses. The request before the Planning Commission calls to allow "Recreation and Entertainment (Outdoor)" in the Heavy Commercial Zone as a conditional use. Proposed uses would then require a site plan that would demonstrate the efforts included to mitigate safety concerns. The proposed text amendment also includes a definition of "Recreation and Entertainment (Outdoor)", which is subject to change at the Planning Commission's behest. The text amendment would apply to all heavy commercial zones in the City. The proposed use does not exist in any of the other zones in the City.

Mrs. Robison next reviewed the current Heavy Commercial Zone ordinance, which includes both permitted and conditional uses. The proposed conditional use was requested because the applicant wishes to establish an outdoor recreational facility that currently does not exist in Bluffdale.

Chair Bertoch opened the public hearing.

Brandon Neff gave his business address as 790 West 14600 South and identified himself as the applicant. He explained that the property has a natural lake area that would be used for his proposed wakeboarding business. He described the nature of his proposed business and showed a video of this type of recreational facility. Discussion ensued on the type of equipment used and the towers that will be located at each end of the lake. The body of water on the site is about 680 feet long and 300 feet wide. A geothermal well will be drilled to ensure consistency of the water level and temperature. The speed range for wakeboarding will be 1 to 25 mph. In response to a question raised regarding the impact of wind on the water, Mr. Neff stated that the water is situated low enough that the surrounding area provides a good windbreak. Mr. Neff stated that his goal is to create a family-fun atmosphere.

In response to Chair Bertoch's question regarding the quality of the water, Mr. Neff stated that the water will be kept clean. He explained that that is one of the reasons motorized watercraft will not be allowed on the water. The well water especially will ensure regular water flow, which will prevent the water from becoming stagnant. The discharge ends up in the Jordan River. Discussion ensued on the pipe route used to discharge the water into the Jordan River.

In response to Commissioner Pavlakis' question, Mr. Neff explained that there are plans to have buildings in the area. He was currently working with City Planner/Economic Development Director, Grant Crowell, and Associate Planner, Jennifer Robison, on a potential site plan if the conditional use text amendment is approved.

In response to Commissioner Loumis' question regarding the applicant's immediate plans, Mr. Neff stated that the first priorities will be to establish a sandy beach area with beach volleyball and cabanas and install the cable system for the wakeboarding.

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Commissioner Pavlakis asked about the angle of the drop at the edge of the lake. Mr. Neff stated that currently it is fairly steep and drops off by three to four feet. He would need to mitigate that condition by tapering the drop-off. Commissioner Pavlakis asked about the condition of the lake over the past several years. Mr. Neff stated that in the summer the water level drops because it is fed by a natural spring and much of the water is siphoned off by other water users. One of the reasons he plans to drill a well is to keep the water level more consistent and the water cleaner.

Chair Bertoch asked Mr. Neff if he foresaw any problems with the Army Corps of Engineers. Mr. Neff responded in the negative and added that representatives from the Army Corps of Engineers have inspected the site and submitted a letter of support.

Acknowledging that this is not a site plan hearing, Commissioner Pavlakis nonetheless asked if Mr. Neff intends to have fencing around the area. Mr. Neff stated that the beach will serve as the perimeter.

In response to Commissioner Peterson's question regarding the size of the property owned by the applicant, Mr. Neff identified the areas he owns or will own and the portions he is leasing.

In response to Chair Bertoch's question regarding the anticipated parking that will be available, Mr. Neff was unsure at this point. Mr. Crowell added that this is a unique request and Mr. Neff has met on numerous occasions with Mr. Crowell and the DRC. Parking was discussed as well as access and the surrounding property. It was noted that these issues will be addressed in the site plan.

In response to Commissioner Loumis' question on the anticipated cost to participants, Mr. Neff stated that it will depend on the investment he has to make to get the business up and running.

Jordan McCormick identified himself as a representative of Sesitech, the manufacturer of the cable systems used for wakeboarding lakes. Mr. McCormick indicated that customers pay for time. The cost ranges from \$20 to \$35 per hour and depends on the location and type of package purchased. The system is excellent and keeps people very engaged in the water. Mr. Neff indicated that he is looking at ways to keep his costs down so that he can pass those savings on to customers. Commissioner Loumis observed that wakeboarding is becoming extremely popular and he was optimistic that this type of business will thrive. Mr. McCormick stated that in 2008, there were eight wakeboarding cable parks in North America. Currently there are 70, which indicates that the sport is becoming immensely popular.

In response to Chair Bertoch's question about whether this type of business will interfere with other heavy commercial uses, Mr. Crowell stated that due to the uniqueness of the subject property, the proposed use will be very feasible as a conditional use if any concerns that might arise can be mitigated. Mr. Neff stated that his goal is to provide a high-quality destination recreational activity.

In response to Commissioner Pavlakis' question regarding the availability of activities for children who aren't old enough to participate in wakeboarding, Mr. Neff stated that he knows of a four-year-old girl who wakeboards. Commissioner Pavlakis asked if the facility will be visible from the

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freeway. Mr. Neff responded that it will be if a person knows what to look for. As a follow-up to her question, Commissioner Pavlakis asked about signage. Mr. Neff was not overly concerned about signage and was confident that word-of-mouth advertising will be more than adequate. Mr. Neff added that he will start off fairly simply so that he can determine the interest level before making a substantial investment in the property. If the business is successful, he hopes eventually to install a wave machine so that people can surf as well.

With regard to the proposed text amendment to the "Recreation and Entertainment (Outdoor)" definition, Mrs. Robison reiterated that the activities enumerated in the definition are just ideas from staff. The Planning Commission can modify the list as they see fit. Commissioner Loumis suggested that canoeing be added. Discussion ensued on the different types of activities that would fall under the designation of "water sports."

Commissioner Pavlakis asked if the conditional use will also entail group rentals of recreational facilities. Mrs. Robison noted that the proposed definition includes accessory uses, which she believes will address the issue raised by Commissioner Pavlakis. Discussion ensued on all of the uses enumerated as permitted and conditional uses. Regardless of the designation, applicants are required to submit and secure site plan approval.

There were no further public comments. Chair Bertoch closed the public hearing.

Connie Pavlakis moved to forward a positive recommendation to the City Council for the Recreation and Entertainment (Outdoor) text amendments, Application #2014-19, based on the following:

Findings:

- 1. That the Bluffdale City General Plan identifies locating commercial entertainment activities in commercial zones.**
- 2. That the proposed use compatibility and intensity is similar to other uses allowed in the HC zone.**
- 3. That conditional uses are still required to meet the City ordinances and State Law requirements for mitigation of potential detrimental effects.**
- 4. That new commercial uses must adhere to City site plan regulations.**
- 5. The proposed text changes will not be detrimental to the health, safety, or general welfare of persons or property within the area.**

Johnny Loumis, Jr., seconded the motion. Vote on the motion: Connie Pavlakis-Aye; Johnny Loumis, Jr.-Aye; Brad Peterson-Aye; Brandon Nielsen-Aye; J. Lee Bertoch-Aye. The motion passed unanimously.

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Post-vote discussion ensued on the potential timeline of the facility and the technical aspects of installing the cable system. Mr. McCormick stated that he deals with cities throughout North America. He described tonight's Planning Commission Meeting, the positive outcome aside, as a thoroughly enjoyable experience.

5. City Council Report.

Mr. Crowell reported that there was a significant amount of discussion at the most recent City Council Meeting but not much Planning Commission business. There was discussion regarding a dog park, for which a committee was formed to develop policies.

It was reported that there is additional Independence property that needs to come before the Planning Commission. Property was also purchased for a school site.

Staff expressed concern about the proliferation of park proposals.

The City Council directed Mr. Crowell to prepare information for discussion on the use of private lanes and infill properties. It was reported that the DRC recently took a field trip to the City of Holladay due to their large number of private lanes.

Commissioner Peterson excused himself from the remainder of the meeting.

Chair J. Lee Bertoch announced that because of a job change, he will be unable to continue to serve on the Planning Commission. He expressed warm regards to Members of the Planning Commission and reported that he will soon begin working at the Salt Lake City International Airport. Mr. Crowell stated that with this change, Vice Chair Peterson will preside at the next Planning Commission Meeting and a new Planning Commission Chair will need to be elected.

Mr. Crowell resumed his discussion on private lanes and stated that he is conducting research on fire codes, building codes, and safety issues so that he can present recommendations to the City Council. Commissioner Pavlakis reiterated that she doesn't like the use of private residential lanes to access commercial property. Discussion ensued on the various and complex issues and concerns associated with private lanes. It was reported that the Fire Chief attends most of the DRC Meetings to give his professional perspective on safety.

In response to Commissioner Nielsen's question about whether or not UDOT will paint bicycle lanes on 14600 South, Mr. Crowell stated that that will not occur yet. Frustration was expressed at the fact that this need has not been addressed in a timely manner.

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

There was no discussion on the above agenda item.

7. Adjournment.

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The Planning Commission Meeting adjourned at 8:20 p.m.

Gai Herbert,
Community Development Secretary


Teddie K. Bell
City Recorder

Approved: 6/03/2014