

City of Taylorsville
Planning Commission Meeting Minutes
September 10, 2024
Pre-meeting – 6:00 p.m. – Regular Session – 6:30 p.m.
2600 West Taylorsville Blvd – Council Chambers

Attendance:

Planning Commission

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

City Staff

Jim Spung – Senior Planner
Terryne Bergeson – Planner
Jamie Brooks – City Recorder

CITIZEN'S/GUESTS PRESENT: Ernest Burgess, David Canas, Elias Canas, Richard Canas, Bob Knudsen, and Jackie Larsen

BRIEFING SESSION

1. Briefing Session to Review the Agenda. (Jim Spung)

The briefing began at 6:01 p.m. Mr. Spung discussed the upcoming conference of the American Planning Association as well as a speech to be presented by Charles Marohn, author of *Escaping the Housing Trap*.

He also provided an update regarding the Station Area Plan.

Planner Terryne Bergeson provided an overview of Agenda Items #3 and #4.

Regarding Item #3, she explained that the parcel which once housed *Incredible Toy* had been vacant since 2021. The applicant was not the property owner but instead was the new tenant who wished to open a used car lot, which required a zone change. Chair Wilkey expressed concern that there was insufficient room for people to move about on the north side of the property. Ms. Bergeson responded that issue would be addressed during the site plan review. Also, on the second page of the staff report, there was a reference to a notice that was sent to the public on April 28, 2024. It was actually done on August 28th.

In response to an earlier question from Chair Wilkey, Mr. Spung indicated that the lot was approximately 80' wide and roughly 320' deep. The roadway leading to the back of the property was about 20'-21' wide.

Commissioner Wendel commented that Redwood Road was starting to "look a lot like State Street." She wondered what that would mean 20, 30 or 40 years in the future.

 Regarding Item #4, Ms. Bergeson indicated the amendments related to density, landscaping and the table of uses. The original development agreement was adopted in 2015. Since then, some changes became necessary based on resident preferences and market feedback, but these changes resulted in the number of units falling below the minimum density at completion. Therefore, staff had proposed some changes to clarify the standards and also allow some flexibility so that it would still comply with Taylorsville Municipal Code Chapter 13.38.

Rather than returning to the planning commission before constructing each building, it was being recommended that staff provide the review once the Commission approved the master plan. It was determined that the minimum density was not being met because it was being calculated only using the parcels which would be developed with residential units because the front undeveloped parcel would never have any residential units, and the extended care facility should not be included in the calculations. Therefore, new language was being added to clarify that the density was to be calculated using any property that was designated as retirement community property and also had residential units on it.

Commissioner Wendel felt this was like "double-dipping," if just a percentage of the overall acreage was being considered and they did not wish to account for any other structures or open space which might be there. But then they still came in below our density even when we reduced the number of acres we were using in the calculation.

Commissioner Young pointed out that the minimum density could be reached if an additional story was added. He wondered if the planning commission could ask that they do that. If so, he would like to.

Commissioner Wendel felt that the developer should be held to their original agreement regarding the density. The city had held onto the property for 25 years while they searched for the right project, and now there was double-dipping—similar to smoke and mirrors. Additionally, she wished for the planning commission to retain its authority to review future proposed changes.

GENERAL MEETING

Chair Wilkey called the meeting to order at 6:31 p.m. She read the welcome statement to those who were present.

Consent Agenda

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| 2. Review and Approval of the Meeting Minutes from July 9, 2024 and August 13, 2024 |
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MOTION: Commissioner Wendel moved to approve the minutes as presented from the July 9, 2024 and August 13, 2024 Planning Commission meetings. The motion was seconded by Commissioner Russell and passed unanimously.

Zoning Map Amendment

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| 3. Public Hearing and Recommendation to the City Council for a Zoning Map Amendment for the Property at 4768 S Redwood Road in Taylorsville, Utah from Community Commercial (CC) to Boulevard Commercial (BC); Applicant: Elias Canas (5Z24 - DCA-000481-2024 / Terryne Bergeson, Planner) |
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 Ms. Bergeson explained that the property located at 4768 South Redwood Road was a deep commercial lot with a small building that had been used for small retail-- most recently Incredible Toy. Applicant Elias Canas contacted the city to inquire about opening a used car dealership at the location. The property was zoned Community Commercial which prohibited that type of use. The applicant (potential tenant) had applied for a zoning map amendment with the permission of the property owner, and requested the property zoning designation be changed from Community Commercial to Boulevard Commercial, which would allow the operation of a used car dealership with the approval of a non-administrative conditional use permit and business license.

The subject property was a single parcel fronting Redwood Road and containing approximately 25,700 square feet. An existing 1,800 square foot building with an attached rear garage fronted on Redwood Road, 30 feet from the property line. The back half of the parcel was undeveloped and was an open lot screened by fencing. The front half of the lot was paved and striped, used in the past as parking for the retail use. Required improvements would be determined during a site plan review process. The application did not seek any change to the General Plan designation. The application was not for permission to open a used car lot. Instead, it was for a rezone. If the rezone were to eventually be approved by the city council, the applicant could *then* apply to operate such a business. Ms. Bergeson pointed out that forwarding a positive recommendation regarding the zoning request would not approve the concept development plan. Instead, a zoning change simply established the legal mechanism for the applicant to pursue development approvals based on the underlying zoning.

Commissioner Quigley asked how soon the applicant could try again if the city council did not approve the rezone once it got to them. Mr. Spung responded that it would be one year.

 Applicant Elias Canas addressed the planning commission along with his two brothers Richard and David Canas. They explained that the property was currently vacant, and they wished to put it to good use and make it look nice. They also hoped to sell cars at more reasonable prices than were currently available.

Commissioner Russell asked if the applicant currently had a car dealership, or if there was another dealership anywhere nearby. They did not currently have a dealership, but their cousin had recently opened one at 1820 W 2300 S.

Commissioner Quigley pointed out that this was a zoning change application. They were not yet addressing whether a used car lot should be approved. Chair Wilkey agreed.

Chair Wilkey opened the public hearing. However, there was no one (in person or online) who expressed a desire to speak, so she closed the public hearing.

Commissioner Wright felt the proposed zoning designation seemed in harmony with the rest of the neighborhood.

Commissioner Wendel was concerned about the area remaining stagnant for future generations.

MOTION: Commissioner Quigley moved to forward a negative recommendation to the City Council for File #5Z24 – DCA-000481-2024, a Zoning Map Amendment for the Property Located at 4768 S Redwood Road a presented.

The motion died for lack of a second.

MOTION: Commissioner McElreath moved to forward a positive recommendation to the City Council regarding on File #5Z24 – DCA-000481-2024, a Zoning Map Amendment for the Property Located at 4768 South Redwood Road in Taylorsville, Utah, from Community Commercial to Boulevard Commercial, Subject to the Information and Findings in the Staff Report. The motion was seconded by Commissioner Willardson.

Commissioner Willardson: Yes
Commissioner Russell: Yes
Commissioner Quigley: No
Commissioner McElreath: Yes
Commissioner Wright: Yes
Chair Wilkey: Yes
Commissioner Wendel: Yes

Motion passed 6-1

Zoning Text Amendment

4. Public Hearing and Recommendation to the City Council for a Zoning Text Amendment to Chapter 13.38 of the Taylorsville Municipal Code, Updating Regulations in the SSD-X Bennion Point District (Summit Vista), Related to Density, Landscaping, and the Table of Uses; Applicant: Andy Hubbard of Great Basin Engineering; (File 4Z24 – DCA-000479-2024; Terryne Bergeson, Planner)

 Ms. Bergeson explained that the Summit Vista retirement community project first received approvals in 2015 through the adoption of a Development Agreement and site-specific development standards, Chapter 13.38 SSD-X Bennion Point Zoning District. Construction on the project had continued since then, with the final building for phase one almost complete. Permitting for phase two was now underway, with the property owner's agents receiving preliminary approval for a non-administrative conditional use permit on August 13, 2024. The applicants were working through the building permit process for the first neighborhood 2 building, RB2.1. Construction was anticipated to begin at the end of 2024.

As the project had incrementally developed over the years, the developers had made changes in response to market feedback and resident preferences such as providing larger gathering spaces and redesigning some landscaping. One significant change had been an increased demand for 2-bedroom units, resulting in the total unit count falling below the minimum density.

Updated information for the overall project was provided with the non-administrative conditional use permit application. Staff review determined that the new anticipated density at full build-out would not be achieved. To comply with the minimum density listed in the ordinance, a very significant increase in unit count would be needed in phase three. After discussion with applicants and staff, it had been determined that the minimum density listed in the governing ordinance could be amended so the project would be on track to comply with density requirements at completion, while still maintaining the commitment to create a quality, high-density senior living project. Amendments to the SSD that were proposed were intended to allow an easier application process for development of future phases, clarification and flexibility for the overall density and future development, and minor updates to landscaping.

Currently, each time a change was proposed, a review was conducted by the planning commission. Staff wished to streamline the process so that the commission would approve the master plan for each phase, but then allow sub-phases would be reviewed and approved by staff.

Although Commissioner Wendel understood that Summit Vista was not considered "affordable housing," she wondered if there was any reason to believe that if the density were to be increased, the costs could be lowered.

Mr. Spung responded that would be a reasonable thing to consider, although staff had not spoken to the developer about that possibility. However, the buildings themselves were quite expensive, so adding a floor would certainly increase the costs.

Chair Wilkey asked if the applicant was present, but he was not. She then opened the public hearing.

Jackie Larsen asked if any public roadways would be blocked off once this phase was complete. Ms. Bergeson responded in the negative. Then in response to an earlier statement made by Commissioner Wendel, Ms. Larsen commented that increasing density would not make the housing units more affordable. Instead, it would merely increase the profits of the developers.

There was no one else who expressed a desire to speak either in person or online, so Chair Wilkey closed the public hearing.

Commissioner Wright expressed concern about the recommended administrative changes in the review process, and said he could not recommend approval of the application because of those.

Mr. Spung wished to clarify that the draft would still require the planning commission to approve each phase as a master plan, but instead of returning for each building within those phases, staff would provide future approvals.

Commissioner Wendel was very adamant that the planning commission retain their current approval authority. Since Summit Vista tended to add only one building per year, she pointed out that it would not be overly burdensome for the commission. She also felt the city should hold firm on the density requirement as it was what was agreed upon.

Commissioner Quigley felt that the proposal was in opposition to what Mark McGrath had previously told the commission regarding the city's needs. Ms. Bergeson responded that the entire community development had reviewed the proposal, including Mr. McGrath.

Chair Wilkey commented that when the developer appeared the previous month, it was made very clear that there were concerns about the density. So for them to not even attend this meeting "kind of feels like we got blown off."

Commissioner McElreath said he was leaning towards requiring that the developer maintain the original agreement.

When the possibility of modifying the recommendation was raised, Commissioner Wright recommended **not** removing the planning commission's oversight.

MOTION: **Commissioner Wendel moved to forward a negative recommendation to the City Council for a Zoning Text Amendment to Chapter 13.38 of the Taylorsville Municipal Code Amending Regulations in the SSD-X**

Bennion Point Zoning District. The motion was seconded by Commissioner Wright.

Commissioner McElreath wished to confirm that the motion was to not approve *any* part of the application. Commissioner Wendel indicated that was correct. She pointed out that there were three different components of the application and there appeared to be issues with each of the three. Because she was concerned both with the density and the suggested removal of commission authority, she was not interested in amending her motion.

Commissioner McElreath asked about the likelihood that the city council would be made aware of their concerns. Mr. Spung explained that their concerns were typically shared with the city council.

Commissioner Quigley: No
Commissioner Wendel: Yes
Commissioner McElreath: Yes
Chair Wilkey: No
Commissioner Willardson: No
Commissioner Wright: Yes
Commissioner Russell: No

Motion failed 3-4

Commissioner Quigley commented that unlike in 2015, they now had some familiarity with this developer. He said they did good work, and he had no problem with what they were now proposing.

Chair Wilkey stated she was less concerned about the proposed density than she was about allowing administrative approval. She wished for the planning commission to continue to review each sub-phase.

Commissioner Wendel pointed out that Summit Vista helped to shift ownership of single-family homes in Taylorsville.

Commissioner Quigley reiterated that the developer was doing good work, and he did not wish for the city to get in the way.

Commissioner Wendel pointed out that Taylorsville's need for density had increased since 2015, so she hated to see the project's density decrease at all.

MOTION: Commissioner Wright moved to forward a positive recommendation to the City Council for File #4Z24 – DCA-000479-2024, a Zoning Text Amendment to Chapter 13.38 of the Taylorsville Municipal Code Amending Development Regulations in the SSD-X Bennion Point

Zoning District, except for the land use components in Sections A, B and C. The motion was seconded by Commissioner Russell.

Commissioner Russell: Yes
Commissioner Wright: Yes
Chair Wilkey: Yes
Commissioner Quigley: Yes
Commissioner Wendel: No
Commissioner McElreath: Yes
Commissioner Willardson: Yes

Motion passes: 6-1

CITY COUNCIL MEETING DISCUSSION

Commissioner McElreath updated the rest of the commission on the items discussed at the August 21st city council meeting, after which Commissioner Young reported on the September 4, 2024 meeting. He asked Council Member Ernest Burgess to share information regarding the Taylorsville Dayzz report.

ADJOURNMENT

MOTION: Commissioner McElreath moved to adjourn. The motion was seconded by Commissioner Wright and passed unanimously.

The meeting adjourned at 8:05 p.m.


Jamie Brooks, City Recorder

