Planning Commission Staff Report

File #19C23-CUP-000343-2023

Consideration of Modification or Revocation of a Conditional Use Permit for a Reception Center and Extended Hours of Operation

CITY OF TAYLORSVILLE UTAH

Department of Community Development

Date:	June 2, 2026
Meeting Date:	June 9, 2026
Agenda Item:	Public Hearing and Consideration of Revocation or Modification of a Conditional Use Permit for a Reception Center with Extended Hours of Operation at 4164 S. Carriage Square (4156 S. 1785 W.)
Subject Property Address:	4164 S. Carriage Square
Applicant:	Cassie Vallejo (Healthy Vibes)
Applicant Agent:	N/A
Author:	Terryne Bergeson, Planner II
Zoning Designation:	CC
General Plan Designation:	Commercial Corridor (CC)
Parcel #:	21091010010000 (Parcel Address: 4156 S. 1785 W.)

Attachments:

Exhibit A: Zoning Map
Exhibit B: General Plan Map
Exhibit C: Subject Property
Exhibit D: Vicinity Map
Exhibit E: Approval Emails and Letter
Exhibit F: Approved PC Minutes 6-27-23
Exhibit G: Original Staff Report

Summary:

In 2023, Cassie Vallejo applied for a Non-Administrative Conditional Use Permit (CUP) to operate a reception center at 4164 S. Carriage Square. The location is within 250 feet of a residential zone, which requires operation past 10 pm to be reviewed and approved in the CUP application. The request to operate a reception center with extended hours of operation was presented to the planning commission June 27, 2023. The applicant originally requested the following:

> *"My plan is to run a little event center for small events, birthday parties, baby showers, some work or family gatherings, private events, workshops. I would like to be able to let the guest bring their own alcohol not serve or sell. I would like my business hours to be from 8 am-1 am if possible, but if not, at least 12 am."*

After receiving public comment and discussing the application, the commission granted approval of both requests subject to thirteen conditions which will be outlined further in this report.

During the first public hearing, it was acknowledged that events had taken place and disrupted neighbors prior to approval of the CUP and business license. This informed some of the conditions of approval, such as a shutdown time for live music and requiring security guards. Since receiving CUP and business license approval, the city has received noise complaints as well as reports that events have continued past the approved 12 am operating time on Fridays and Saturdays.

City staff is requesting that the planning commission review the conditional use permit for the reception center use and extended hours at this location, per §13.33.070, which states: *"The planning commission… upon a staff recommendation… may hold a hearing upon the question of modification or revocation of a conditional use permit granted under or pursuant to the provisions of this section."*

Adjacent Land Uses

North	South	East	West
CC- Carriage Square	CC- Carriage Square	CC-Carriage Square	R-1-8- Residential

Analysis:

Chapter 13.33 provides criteria for review and approval for conditional uses. This specific application was approved with conditions intended to mitigate noise and late disturbances by establishing reasonable hours of operation, requiring the presence of security to ensure that operations aligned with city approval, as well as clear adopted standards for allowed noise levels. The conditions were intended to mitigate impacts to "the morals, peace and good order, comfort, convenience, and aesthetics of the city and its present and future inhabitants and businesses."

The original conditions of approval were:

1. *The applicant must comply with all requirements of all applicable reviewing agencies.*
2. *The conditional use permit is subject to review and revocation upon substantiated complaint or citation.*
3. *Any changes to the structure will require a building permit.*
4. *Compliance with applicable building and fire codes must be maintained.*
5. *The applicant shall remain compliant with all business licensing requirements.*
6. *The business must conform to Salt Lake County's noise ordinance, Community Noise Pollution Control.*
7. *Customers/ hosts may serve alcohol according to DABS rules for private events only.*
8. *The sale of alcohol or hosting of public events is prohibited.*
9. *The maximum number of occupants has been determined by the fire marshal. Occupancy cannot exceed forty-nine (49).*
10. *Events held on Friday and Saturday, and any associated music shall terminate by 12 am; the property shall be completely vacated by 1 am.*
11. *All other nights are subject to regular business operating hours; events shall terminate by 10 pm.*
12. *Live music shall be terminated by 10 pm on all nights.*
13. *A licensed security guard is required to be onsite for the full duration of the time that any customer or renter has access to the building.*

Since approval, the city has received sporadic complaints related to noise complaints and operating hours. The applicant has been informed via letters and in person conversations that complaints were received and reminded of the conditions of approval. In 2025 when staff began receiving reports of activities occurring after approved operating hours, staff requested that police respond and document observations. Since the typical police procedure for noise complaints does not generally include writing a report, some disturbances were not immediately reported to code enforcement or planning department. However, after additional coordination and a new resident complaint at the end of March 2026, the timeline below has been created.

June 27, 2023

- Public hearing and conditional approval.
- Conditions discussed and established, follow-up email sent.
- Reminded of noise ordinance and how to ensure compliance.

September 7, 2023

- Corrected approval letter emailed (corrected to include security guard condition).

January 4, 2024

- GOTY-2024-537: Police respond to noise disturbance. Open/ closed response. No report generated.

July 27, 2025

- Anonymous complaint to planning department regarding an event taking place past 1:26 am. Time stamped photo provided. (Saturday night event continuing into Sunday morning.)
- Staff advised complainant to contact police for after-hours complaints.
- Staff discussed with PD and code enforcement to respond to after-hours complaints and document responses to track incidences.

August 6, 2025

- Ordinance updates required all reception centers to post Business Information Form in case of emergency response to after-hours events.
- GN-08-25-35612: Code case opened after failed attempts to contact owner and post form in visible location. Case remained open and became tracking for several violations:
    - Aug 6- courtesy notice regarding Business Information Form mailed, returned undeliverable.
    - Aug 9- noise complaint (added to case and PD response, below).
    - Nov 4- case updated to include operation without license, notice of violation mailed and returned undeliverable.
    - Dec 9- received anonymous complaint regarding weekend event at 1:45 am. Documented in case, more discussion with complainants and PD about process to document violations.
    - Form was posted, license renewed, applicant informed of reports and violations and reminded of conditions of approval. Case closed mid-December 2025.

August 9, 2025

- GOTY-2025-23009: Police receive noise complaint.
    - Time of complaint 1:01 am. (Saturday night event continuing into Sunday morning.)
    - Police responded to noise disturbance. Open/ closed response. No report generated.

March 28, 2026

- Resident reported noise disturbance past approved operating hours.
- GN-02-26-36050: Complaint added to new code case. Notice of violation mailed to property owner and business owner, fines to start accruing if other noise complaints. All letters unclaimed.
- GOTY-2026-8125: Police respond to the location. From officer's report:
    - Dispatched at 1:03 am. (Saturday night event continuing into Sunday morning.)
    - Approaching officers reported music could be heard at intersection of 4100 South and Redwood Road.

- 10 individuals present at time of police contact.
- Officers called owner who stated she "would contact security to have the gathering shut down and individuals leave."

Below are excerpts from the Salt Lake County noise ordinance, which assigns limits on noise levels by receiving property and time of day. Applicable to this report is the top row, limiting noise measured at a Type A property (single-family) between the hours of 10 pm and 7 am, to be no louder than "5 dBA above ambient sound not to exceed 50 dBa." For reference, according to Hearing Health Foundation, 50 decibels is average for room noise, and typically quieter than background music.

Table 1a

Maximum Permissible Sound Pressure Levels (L_{eq}) Table

Receiving Property Use*	Between 10:00 p.m. and 7:00 a.m.	Between 7:00 a.m. and 10:00 p.m.
Type A	5 dBA above ambient sound not to exceed 50 dBA	10 dBA above ambient sound not to exceed 60 dBA
Type B	5 dBA above ambient sound not to exceed 55 dBA	10 dBA above ambient sound not to exceed 65 dBA
Type C	5 dBA above ambient sound not to exceed 70 dBA	10 dBA above ambient sound not to exceed 70 dBA
Type D	5 dBA above ambient sound not to exceed 75 dBA	10 dBA above ambient sound not to exceed 75 dBA

***See Appendix A referencing property use examples.**

Noise Area Classifications

Type A **Property Use Activities/Examples**

- Single family residential structure that does not share a common wall with residential or any other use.

Pages 7 & 22 from Salt Lake County Health Department Community Noise Polluion Control

While a decibel meter was not used when Taylorsville police department responded on March 28, 2026, music heard over 600 feet away at the nearest intersection indicates that the business was likely violating Salt Lake County noise ordinance (condition #6). Details in the police report also substantiate that this business was violating conditions #10 (events cease by 12 am Friday and Saturday nights) and #13 (security present anytime a customer has access to the building). Considering the police report and the timeline above, since approval of the original CUP, the applicant has demonstrated noncompliance with conditions relating to business license requirements and the conditions of approval.

Despite conversations and warnings from city staff, violations of conditions of approval related to operating hours, presence of security guards, and substantiated noise complaints have continued.

§13.33.070 Modification or Revocation states: "*The planning commission… upon a staff recommendation… may hold a hearing upon the question of modification or revocation of a conditional use permit granted under or pursuant to the provisions of this section. The planning commission may modify the conditions under which the conditional use was granted or revoke the conditional use permit if the commission finds…*
D. One or more of the conditions of the permit have not been met.
…
E. The holder or user of the conditional use permit has failed to comply with any city, state or federal law governing the conduct of the use."

The planning commission may consider modifying conditions related to the operating hours, additional conditions to mitigate noise impacts, such as requiring the applicant to provide a sound study and making building modifications to soundproof the building. However, based on repeated contact with city departments, the extreme noise disturbance substantiated by police officers on March 28, 2026, demonstrating noncompliance with conditions of approval (lack of security, operating past operating hours, repeated noise complaints), staff recommends the planning commission revoke the conditional use permit for the reception center.

Public Comment

A public notice was mailed to all property owners within 300 feet of the subject property, as well as a certified letter sent to the business owner's mailing address. As of June 2, 2026, no public comments have been received.

Findings

1. A conditional use permit was granted to Cassie Vallejo on June 27, 2023 for a nonadministrative conditional use permit to operate a reception center at 4164 S Carriage Square.
2. The original application included a request and approval to operate past 10 pm on Friday and Saturday nights.
3. City staff has received photos and complaints, as described above in the timeline of this staff report, that events continue after the approved hours of operation.
4. City staff has received complaints that music is played at levels that disrupt neighbors, past approved operating hours, as described in the timeline in this staff report.
5. Taylorsville Police Department has responded to calls to this location after 12 am, indicating events continue past the original approved operating for this use.
6. At 1:03 am on March 28, 2026, Taylorsville police officers responded to a noise complaint and stated that while approaching, music could be heard 600 feet away and confirmed that Healthy Vibes was the origin of the noise.
7. The loud music at the time reported violates the Salt Lake County noise ordinance, and the original condition of approval for this application related to mitigating noise impacts to surrounding areas.

8. Security guards were not present or were not facilitating vacating the premises by 1 am, as required in the conditions of approval.
9. Presence of individuals at the location at the time reported by police officers indicates that the event had continued past 12 am, the original approved operating hours for Friday and Saturdays for this use.
10. Despite multiple warnings, notices, code enforcement actions, and opportunities to come into compliance (including mailed and direct communications regarding cases GN-08-25-35612, GOTY-2024-537 and GOTY-2025-23009), violations of original conditions of approval #6, #10, and #13 have persisted, as most recently documented in the GOTY-2026-8125 police response.
11. The planning commission may consider modification or revocation of the conditional use permit if it finds that one or more of the conditions have not been met.
12. The planning commission may consider modification or revocation of the conditional use permit if it finds that the holder or user of the conditional use permit has failed to comply with laws governing the conduct of the use.
13. Any other business licensed at this location is subject to the regular approved operating hours not to exceed 10 pm, and any other applicable city, state, and federal laws governing the use.

Staff Recommendation

Staff is recommending that the approval be revoked for the conditional use permit for a reception center with extended hours of operation extension based on the information presented by this report.

Recommended Motion

I move that we revoke the approval for File #19C23-CUP-000343-2023 for a conditional use permit to operate a reception center with extended hours of operation for the property located at 4164 S. Carriage Square (or 4156 S. 1785 W.), based on the information and findings in the staff report.

Exhibit A

Zoning Map: 4156 S 1785W

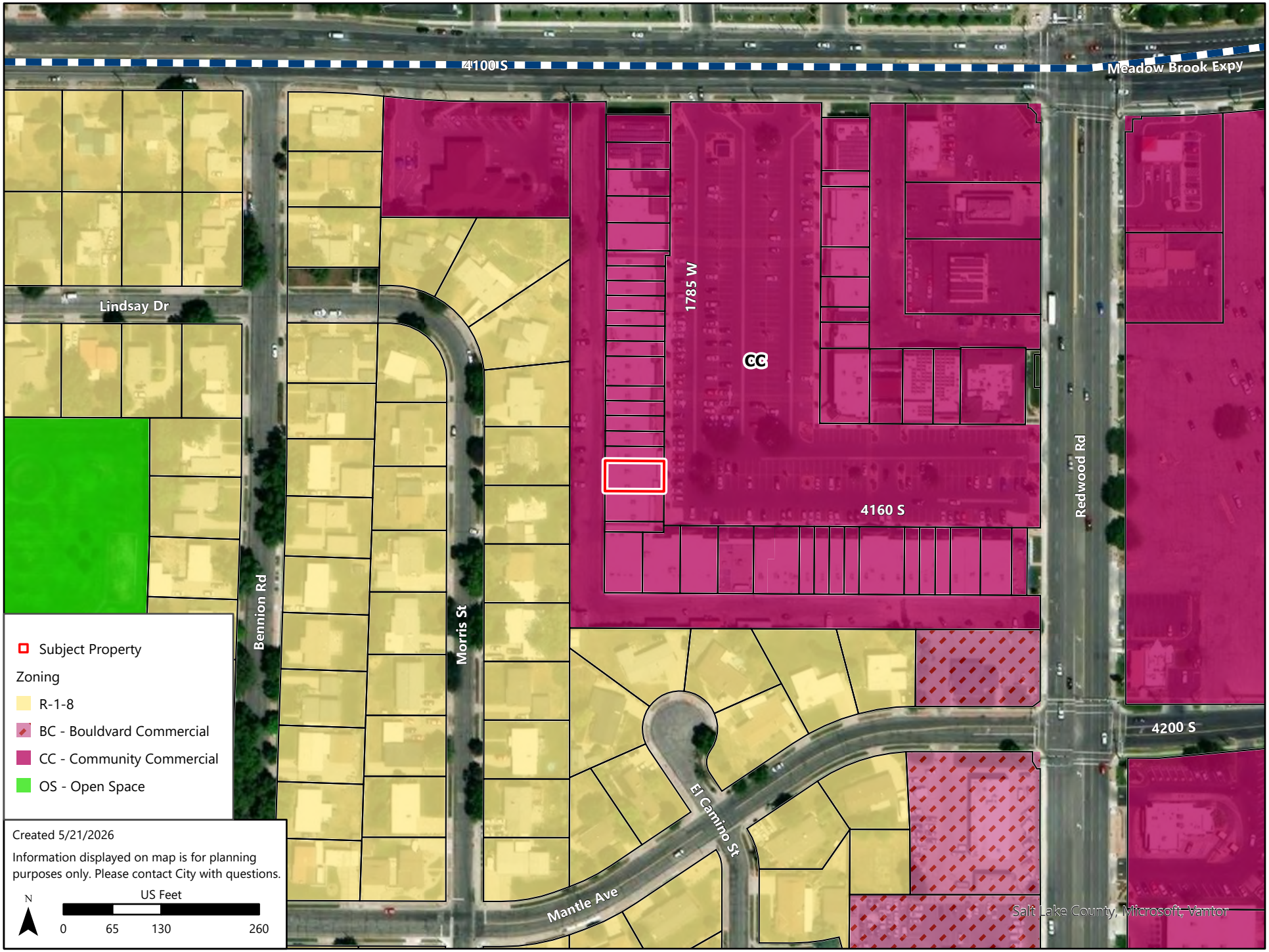


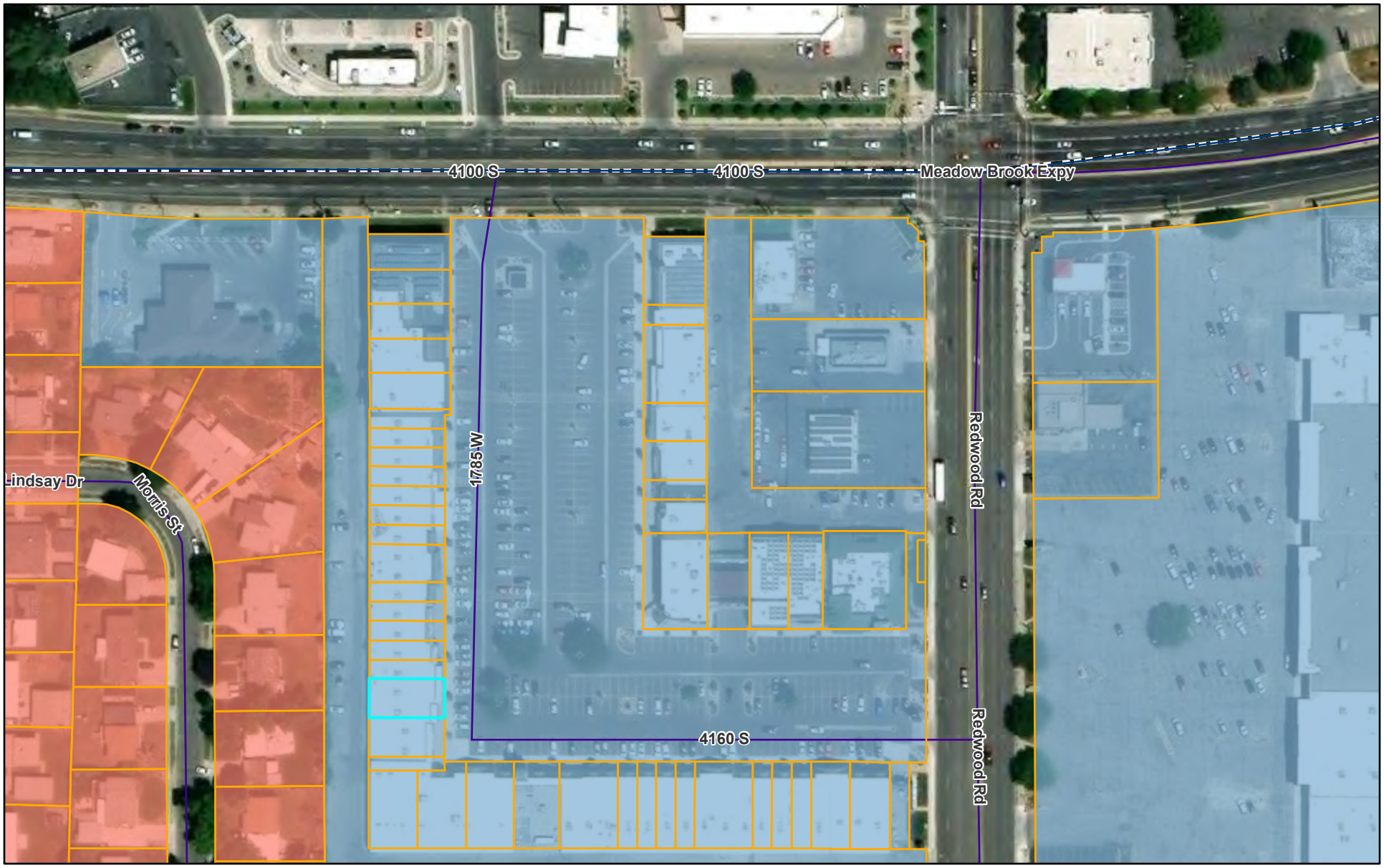
Exhibit D

Vicinity Map: 4156 S 1785W

Exhibit C

Site Map: 4156 S 1785W

ArcGIS Web Map



5/21/2026, 11:40:38 AM

Surrounding Municipalities

Taylorsville Parcels

Road Labels

Proposed Land Uses

RL - Residential Low Density

CC - Commercial Corridor

1:2,257

0 80 160 320 ft

0 20 40 80 m

Salt Lake County, Microsoft, Vantor

Web AppBuilder for ArcGIS

Salt Lake County, Microsoft, Vantor | Utah DEQ | AGRC, Nov 2018 |

EXHIBIT E

City of Taylorsville | Approval Letter

Terryne Bergeson <tbergeson@taylorsvilleut.gov>
Fri 6/30/2023 10:28 AM
To:Healthy Vibes <cassienricardo@gmail.com>

2 attachments (583 KB)
19C23 - Final Approval Letter.pdf; SLCO Noise - Copy.pdf;

Hi Cassie,

Congratulations! Thanks for attending the Planning Commission meeting on Tuesday night and discussing your operation. Attached is your approval letter for your reception center at 4164 S Carriage Square. Read through those carefully. The conditions that apply to customers would be good info to include in your contract, along with the items you listed in your draft and anything that was discussed during the meeting.

You can listen to the recording of the meeting at the link: https://www.taylorsvilleut.gov/home/showpublisheddocument/8666
Or by going to the Planning Commission page on the city website and selecting the June 27, 2023 recording.

A neighbor called the day after the meeting reporting that there was a zumba class being held when she arrived home after the meeting. Going forward, please make sure you abide by the hours approved, noise ordinances, and all other requirements. For reference, your business right now is considered a reception center: *a building, together with its accessory buildings and premises, which is a place of assembly with the predominant purpose of hosting single events either occurring alone or as part of another activity or business. The noise ordinance shall be enforced as provided in section 26A-1-114 of the Utah Code Annotated. Typical uses include wedding receptions, birthday parties, bar mitzvahs, quinceañeras, conventions, and other similar events, etc.* ***Consecutive or repeated similar events shall not be held by the same applicant.***

If you decide that you would rather use the space to hold regular exercise classes, that would be a fitness center and is permitted (without going to the Planning Commission). You would just need to apply for a different license and would not be able to do both fitness center and reception center.

Before you begin operations, measure the decibels from the closest residence to ensure you know what levels your speakers can be used at for the 2 times of day in the table below. The noise from the reception center cannot exceed what is listed for Type A (residential). This is taken from the Salt Lake County noise ordinance (also attached).

EXHIBIT E

4. SUBSTANTIVE PROVISIONS

4.1 **General Prohibition of Noise**. Notwithstanding the specific noise restrictions in Section 4.7, no person may emit, nor cause, allow, permit, or fail to control the emission of any noise source so as to exceed the maximum allowable sound pressure levels set forth in Section 4.2 Tables 1a and Section 4.7 Table 2 when measured from the receiving property.

4.2 **Maximum Permissible Sound Pressure Level Tables**.

Table 1a

Maximum Permissible Sound Pressure Levels (L_{eq}) Table

Receiving Property Use*	Between 10:00 p.m. and 7:00 a.m.	Between 7:00 a.m. and 10:00 p.m.
Type A	5 dBA above ambient sound not to exceed 50 dBA	10 dBA above ambient sound not to exceed 60 dBA
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Type C	5 dBA above ambient sound not to exceed 70 dBA	10 dBA above ambient sound not to exceed 70 dBA
Type D	5 dBA above ambient sound not to exceed 75 dBA	10 dBA above ambient sound not to exceed 75 dBA

***See Appendix A referencing property use examples.**

Terryne Bergeson
Planner I

TAYLORSVILLE UT
Where Community Connects

2600 W. Taylorsville Blvd.
Taylorsville, Utah 84129
Office: (385) 308-0534
E-mail: tbergeson@taylorsvilleut.gov
Website: www.taylorsvilleut.gov

EXHIBIT E

City of Taylorsville | Conditinal Use Permit Letter

Terryne Bergeson <tbergeson@taylorsvilleut.gov>
Thu 9/7/2023 3:52 PM
To:Healthy Vibes <cassienricardo@gmail.com>

1 attachments (213 KB)
19C23 - Final Approval Letter_Updated.pdf;

Hi Cassie,

It came to my attention that the approval letter I sent you after the Planning Commission meeting was missing one of the conditions. We discussed the security guard during the meeting and then I forgot to add that to the final letter.

This is just an updated, corrected letter listing the conditions of approval so that you can keep them for your records. See the attached and let me know if you have questions.

I hope business is going well for you!

Terryne Bergeson
Planner I

TAYLORSVILLE UT
Where Community Connects

2600 W. Taylorsville Blvd.
Taylorsville, Utah 84129
Office: (385) 308-0534
E-mail: tbergeson@taylorsvilleut.gov
Website: www.taylorsvilleut.gov

EXHIBIT E

TAYLORSVILLE
COMMUNITY DEVELOPMENT

September 7, 2023

Cassie Vallejo
4164 S Carriage Square
Taylorsville, UT 84129
Parcel ID# 21031281140000

RE: File #19C23 – Conditional Use Permit to Operate a Reception Center and Extended Hours of Operation at 4164 S Carriage Square

Dear Cassie Vallejo,

This letter is to inform you that your conditional use permit for a reception center was approved by the Taylorsville Planning Commission, subject to the conditions below, on June 27, 2023. Additionally, the Planning Commission granted extended hours of operation, also described below. Applicants must abide by the conditions below or be subject to review by the Planning Commission if conditions are reported to be violated.

1. The applicant must comply with all requirements of all applicable reviewing agencies.
2. The conditional use permit is subject to review and revocation upon substantiated complaint or citation.
3. Any changes to the structure will require a building permit.
4. Compliance with applicable building and fire codes must be maintained.
5. The applicant shall remain compliant with all business licensing requirements.
6. The business must conform to Salt Lake County's noise ordinance, Community Noise Pollution Control.
7. Customers/ hosts may serve alcohol according to DABS rules for private events only.
8. The sale of alcohol or hosting of public events is prohibited.
9. The maximum number of occupants has been determined by the fire marshal. Occupancy cannot exceed forty-nine (49).
10. Events held on Friday and Saturday, and any associated music shall terminate by 12 am; the property shall be completely vacated by 1 am.
11. All other nights are subject to regular business operating hours; events shall terminate by 10 pm.
12. Live music shall be terminated by 10 pm on all nights.
13. A licensed security guard is required to be onsite for the full duration of the time that any customer or renter has access to the building.

Please contact Barbara Larsen to complete the business license process and obtain a valid business license for your reception center. If you have any questions regarding this letter, please contact city offices. Thank you!

Best,

Terryne Bergson

2600 West Taylorsville Blvd.
Taylorsville, UT 84129
(385) 308-0534
tbergeson@taylorsvilleut.gov
www.taylorsvilleut.gov

EXHIBIT F

City of Taylorsville
Planning Commission Meeting Minutes
June 27, 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 R. Wilkey – Vice Chair
Marc McElreath
Lynette Wendel
Gordon Willardson
Don Russell
David Wright
David Young (Alternate) (Excused)

Community Development Staff
Jim Spung – Senior Planner
Terryne Bergeson Planner 1
Jean Gallegos, Admin Asst/Recorder

CITIZEN'S/GUESTS PRESENT: Ernest Burgess, Bob Knudsen, Mark Babbitt, Brett Fechter, Trevor Johnson, Emmia Strauss, Kathy Zdunich, Virginia Syme, Donna Slaymaker, Tandie Nunez, Leristine Edwards, Ricardo Collgo, Steve Kwok (online), Jimmy Nelson, Deanne Haroldson, Bret Sector, Mr. Gorman (not further identified).

BRIEFING SESSION – 6:30 P.M.

1. **Mr. Spung** conducted the briefing session, discussed his item on the Agenda and answered Commissioner's questions. He then turned the time over to Ms. Bergeson, who in turn discussed her two items and answered questions.

   Commissioner Willardson gave his report regarding what transpired during the City Council meeting he was assigned and attended.

   Mr. Spung took a few minutes to explain the process and requirements followed in expending CDGB funds

   Commissioner Wendel spoke for a few minutes about the ASSIST program which helps senior citizens in many ways, and she felt should be fully supported.
   Break at 6:55 p.m.

GENERAL MEETING – 7:00 P.M.

Commissioner Quigley explained the process and rules for the hearings this evening and opened the meeting at 7:00 p.m.

Roll Call indicated all Commissioners were present with the exception of Commissioner Young who had been excused.

EXHIBIT F

CONSENT AGENDA

2.	Review/Approval of the Minutes for May 9, 2023.

MOTION: Commissioner Wendel – I move for approval of the Consent Agenda which consists of approval of the Minutes for May 9, 2023, as presented.
SECOND: Commissioner Russell
ROLL CALL VOTE: Commissioner Russell – AYE, Commissioner Wright – AYE, Commissioner Wilkey – AYE, Commissioner Quigley – AYE, Commissioner Wendel – AYE, Commissioner McElreath – AYE, and Commissioner Willardson – AYE. Motion passes unanimously.

Permitted Use Site Plan Review

3.	3P23/PU-000338-2023 Consideration of a Site Plan for the Redevelopment of the Wasatch Canyons Behavioral Health Facility Located at 5770 South 1500 West in Taylorsville, Utah. (Jim Spung/AICP/ Senior Planner).

3.1 **Mr. Spung** presented this item. **Steve Kwok**, on behalf of Intermountain Primary Children's Hospital and Wasatch Canyons Behavior Health, is requesting approval of a site plan for property located at 5770 South 1500 West, Taylorsville, Utah. The applicant's proposal includes the phased removal of seven structures to make way for the construction of a new 100,320 square foot, 3-story medical facility.

3.1.1 Subject property is a developed 9.75-acre parcel of un-platted property in the Hospital Zoning District. The property is designated as "Professional Office" on the Proposed Land Use Map. The General Plan includes the following statement describing the intent of the Professional Office designation: "Professional Office (PO) is a commercial classification focusing primarily on professional office uses such as legal, financial, insurance, real estate, marketing, medical and other healthcare-related fields." The applicant's proposal is consistent with the City's General Plan.

3.1.2 Staff has reviewed the application and found it to be in general compliance with the Taylorsville Land Development code. City Staff and review authorities will continue to work with the applicant to address outstanding review comments. Construction and development activity is not permitted until all applicable permits/approvals have been secured by the applicant.

3.2 **PUBLIC NOTICE**: Since this is a permitted use application, public noticing and hearing requirements are not required.

3.3 **FINDINGS**:

3.3.1 The application (File #3P23/PU-000338-2023) was initiated by Steven Kwok, HDC, Inc. on behalf of Intermountain Primary Children's Hospital and Wasatch Canyons Behavior Health.

3.3.2 The property is a developed 9.75-acre parcel of un-platted property in the Hospital (H) zoning district (Parcel ID: 21152510160000)

3.3.3 The applicant' proposal includes the phased removal of seven structures to make way for the construction of a new 100,320 square foot-3-story medical facility.

3.3.4 The subject property is in the Hospital (H) zoning district.

3.3.5 The subject property is in the "Professional Office" designation in the City's General Plan.

3.3.6 The applicant's proposal is consistent with the City's General Plan.

3.3.7 The existing and proposed land uses on the site are "hospital" and "medical and health services", which are permitted uses in the Hospital zoning district as identified in §13.13.010(B)(1) of the LDC.

3.3.8 The application has been reviewed by City departments and review agencies. Prior to final approval, City Staff will continue coordinating with the applicant to address all outstanding review comments.

3.3.9 Planning Commission review is required according to standards outlined in the Development Review Process, in accordance with §13.13.010(C) of the LDC.

3.3.10 The Planning Commission is the decision-making authority for preliminary site plan review. Staff recommends the Director be authorized to conduct the final site plan review.

3.4 **CONDITIONS OF APPROVAL**: Staff does not recommend any conditions of approval for this preliminary site plan approval.

3.5 **DISCUSSION**: **Mr. Spung** showed renderings of the existing facilities and outlined which ones would be removed. He showed site renderings of what is being proposed and explained there will be a lot of coordination between Staff and the applicants before any work is started. During construction the site will remain open to serve patients and approximately 96 parking stalls will need to be displaced during that time. He showed the phasing plan and advised the north area would remain functional until construction of the new building is finished. He explained in detail the parking needs, utility work, lighting and landscaping plans. Code requires any non-residential use must provide an 8' high concrete wall and Staff feels the existing wall is in good enough condition that it will not need to be replaced. **Commissioner Wendel** asked what the public notice distance limit was and **Mr. Spung** said this is a permitted use, therefore, no public notice was required. **Commissioner Wright** asked how long the number of parking spaces would not be in compliance with Code and **Mr. Spung** informed him it would be until the construction is finished and the applicant must provide parking elsewhere temporarily until that is finished. **Commissioner Quigley** wanted to make sure there was no access of traffic into the neighborhoods. **Mr. Spung** said ingress/egress would only impact 1500 West. Customer parking will be on site; however, the employee parking would be off site.

3.6 **APPLICANT ADDRESS**: **Steve Swok** with HDR was participating online and said they are trying to make sure they are meeting all parking requirements off site. The work they are presently doing is to prepare a new site placement plan, which will include a whole new area for staff and patron parking plus the new three-story building. He went into detail about what the new development will entail including amenities and functions which will include areas for recreation for the patrons, i.e., a park like soccer field and rooftop areas for the patrons to relax in.

3.6.1 **Commissioner Wright** asked for the applicants to address how the business will be carried out differently than now. **Callie Wall**, who works in the Primary Children's Office, explained in detail

what programs will be available that are currently in use and added that a crises/intensive care treatment center will be available without appointment, which is a great service addition. **Commissioner Wright** asked her to describe that function further. **Ms. Wall** advised that when a patron uses that facility, staff will determine if they are okay to go home or will keep them for observation for up to 24 hours. If they still need further care, they will be transferred to other facilities better equipped to provide them proper care for their individual situation such as a crises mental health center.

3.6.2 **Commissioner Wilkey** asked what the duration of the project was and **Mr. Kwok** it would take about two years for completion with end date projected in 2025.

3.7 **SPEAKING**: Although no public hearing was required for this item, **Commissioner Quigley** invited anyone wishing to speak to come forward at this time. No one came forward, so the meeting was opened up to the Commissioners for discussion or a motion.

3.8 **DISCUSSION**:

3.8.1 **Commissioner Wilkey** said she is thrilled to have this in the community. Suggested if there is going to be soccer playing, that this use be held to the same standards as any other with regard to the fencing.

3.8.2 **Commissioner Quigley** suggested that while there would be some disruption to the other side of the fence, it would be minimal and the parking lot would be directly bordering the fence and not the soccer field. That the use would involve recreational soccer playing and not league games, so he felt the disruption would be minimal. He suggested leaving the fence as it is. **Commissioner Wilkey** answered him saying she just wanted to make sure the neighbors are done right by, and a concrete fence would be sturdier. **Commissioner Wright** supported leaving the existing fence as is.

3.8.3 **Commissioner McElreath** asked if the trees were going to be taken out. **Mr. Spung** explained that the landscaping plans shows them being removed with only the mature trees on the south end remaining. **Mr. Jimmy Nelson** (project construction manager) added that the current plan for the trees is finding an arborist to submit an acceptable solution to save as many trees as possible. There must be space allowed for storm water. He agreed the fencing has been there for awhile but his recommendation is to leave that as is as much as possible. **Commissioner Wright** felt that part of the approval would be to save a certain percentage of the trees. **Mr. Spung** said Staff will work the applicant and neighbors for the best possible solution to this. That a masonry wall is a requirement but the Director of Economic and Community Development can decide if that is appropriate for this location or not. After the arborist says how many trees can be saved, Staff will need direction from the Planning Commission with that regard.

3.8.4 **Commissioner Wright** suggested the idea of the improvements is great but two items should be considered. One is the current project has separate buildings which allows for a residential feel and adding instead a three-story building changes that to a commercial scenario. His other concern is the idea of children coming to the building in the middle of the night and felt that may be disruptive to the neighborhood. **Ms. Wall** advised there would be no disruptive noise with having a child come to the center in the nighttime. Even if the response includes ambulance or police, they do not come with sirens and lights flashing.

3.8.5 **Commissioner McElreath** would like Staff to consult with the neighbors to see their preference regarding the removal of trees on the site. **Mr. Spung** said Staff would do that, incorporating what the arborist suggests is feasible for this area and sharing that with the neighbors and the Planning Commission.

3.9 **MOTION: Commissioner Wilkey** **I move that we approve File #3P23/PU-000338-2023, a preliminary site plan for the redevelopment of the Wasatch Canyons Behavioral Health Facility located at 5770 S. 1500 W. in Taylorsville, Utah, as identified in the Exhibits of the Staff Report, subject to the findings outlined therein. I would also recommend that Staff works with the neighbors as well as Intermountain Health Care to understand the fencing situation and how many trees would be damaged if they were to change to a masonry fence.**
SECOND: Commissioner Russell

EXHIBIT F

ROLL CALL VOTE: **Commissioner Russell – AYE, Commissioner Wright – AYE, Commissioner Wilkey – AYE, Commissioner Quigley – AYE, Commissioner Wendel – AYE, Commissioner McElreath – AYE, and Commissioner Willardson – AYE. Motion passes unanimously.**

Conditional Use Permits

4.	8C22 - CUP-000192-2022 – Miriam Grando (Dream Venue) – Public Hearing and Consideration of a Revocation of a Non-Administrative Conditional Use Permit to Operate a "Reception Center" and Extended Hours of Operation for the Property at 3193 West 4700 South in Taylorsville, Utah. (Terryne Bergeson - Planner 1)

4.1 **Ms. Bergeson** presented this item. The applicant initially requested a Non-Administrative conditional Use Permit (CUP) to operate a reception center at 3193 West 4700 south and an hours of operation extension in March 2022.

4.1.1 The property is in the Professional Office (PO) zone and per the Land Use Table (13.08.020) a reception center requires a Non-Administrative Conditional Use Permit granted by the Planning Commission. The property is located within 150' from a residential zone so in addition to the reception center CUP, the applicant requested an hours of operation extension.

4.1.2 After the conditional use permit and extended hours of operation were approved, several issues have arisen at the reception center.

4.1.2.1 The applicant hosted events at the location prior to the approval of their business license. A business license is needed to operate any business in Taylorsville in accordance with 5.04.020.

4.1.2.2 One of the conditions of approval specifically included by the Planning Commission, was that, "If alcohol is found on the premise, the CUP will be revoked. No use of alcohol is allowed on this site due to it being within 250' of a school." Both City of Taylorsville Police and Code Enforcement Officers have documented evidence of alcohol at the location, in direct violation of the conditions of approval.

4.1.2.3 Those incidents were on April 10, 2023, when police received a complaint that kids from a Dream Venue event went on to an adjacent property and threw glass beer bottles all over the parking lot. Also, on May 26, 2023, there was a large high school graduation party at the location with 100+ attendees. There was alcohol present inside the venue and the person renting the venue said the owner allowed it. The owner was the one who called the police because they saw the event getting out of hand on surveillance. Due to the size of the event, it took all police resources off the road from calls to assist.

4.1.2.4 Due to the citations, the applicant has been working with the City to obtain proper permits and licenses to operate the business in a legal manner.

4.2 **FINDINGS**:

4.2.1 This application was initiated by Miriam Grando.

4.2.2 Per 13.08.020, a Reception Center in the PO Zone requires a Non-Administrative conditional Use Permit granted by the Planning Commission.

4.2.3 The applicant requested to stay open until 1:00AM on Thursday, Friday, and Saturday nights.

4.2.4 The property is located within 250' of a residential zone which required an hours of operation extension granted by the Planning Commission.

4.2.5 The applicant informed Staff and Planning Commission they would not be servicing alcohol.

EXHIBIT F

4.2.6 Planning Commission approved the conditional use request on April 26th, 2022.

4.2.7 Before final business license approval, events were held in violation of Section 5.04.020.

4.2.8 Police have been called to the property more than once and have witnessed issues in direct violation of the conditional use.

4.3 **STAFF RECOMMENDATION**: Staff recommends that the approval be revoked for the conditional use permit for a reception center and hours of operation extension based on information presented in Findings.

4.4 **APPLICANT ADDRESS**: **Miriam Grando** was present and spoke in Spanish with the assistance of a translator, **Sasha Torren** in English. **Ms. Torren** said Ms. Grando has tried everything in her power to not have alcohol in the building. That customers must sign a contract saying they will adhere to the stipulation that there will be no alcohol involved and there are signs everywhere also saying that no alcohol is allowed but they still manage to bring it in.

4.4.1 **Commissioner Quigley** asked what type of events are being held in this center that seem to include alcohol and **Ms. Torren** said graduation parties and baby showers which involve adults. **Commissioner Quigley** asked what typically was the number in attendance because one of the issues being brought up is the lack of adequate parking. **Ms. Torren** said there were 24 parking spaces. **Commissioner Quigley** asked how many people usually attend the events. **Ms. Torren** said 90 to 100. **Commissioner Quigley** then wanted to know if the lack of parking has been a problem. **Ms. Torren** said that the guests don't park anywhere else. **Commissioner Quigley** asked if there had been recurring problems with the dentist next door to the east, Dr. Coleman. **Ms. Torren** advised that in the beginning Dr. Coleman did complain and **Ms. Grando** bought some orange cones to control the guests from parking on Dr. Coleman's spaces in the future. She also put in a chain across the access between the two sites.

4.4.2 **Commissioner Wendel** wanted to know if the owner has staff physically present during these events and **Ms. Torren** replied there is a security guard on duty from 7:00 p.m. to 1:00 a.m. during events. **Commissioner Wendel** asked what that person's responsibilities were and if they related to traffic control, help with parking, conduct of searches for the things not allowed in the facility, etc. **Ms. Torren** replied that they help with the parking, controlling the children to make sure they are not outside and assure there is no alcohol inside. **Commissioner Wendel** asked the applicant how many events she has held since starting the business and she replied it was about 60. **Commissioner Wendel** commented that there were problems with two of those.

4.4.3 **Commissioner Quigley** advised that he knows Dr. Coleman personally and he had informed him that the parking issue was an on-going problem for him. **Commissioner Wendel** added that she felt Dr. Coleman should have been present tonight to present his side.

4.4.4 **Commissioner McElreath** asked the applicant if her security person was on site during the two events in question. She replied that for the one involving children throwing bottles on her neighbor's parking lot the answer was no. For the graduation party with drinking involved, her security guard was there 7 to 1 but there were already people inside when he came in and he started noticing what was already going on. **Commissioner McElreath** asked Staff if they knew of any other issues having been reported previously. **Ms. Bergeson** said those two police reports that were referenced were the only ones reported. Also, that Staff had sent out a public notice to surrounding neighbors asking for input and received none.

4.4.5 **Commissioner Wendel** asked the applicant what her plans were to mitigate the situation and circumvent any of this happening again and **Ms. Torren** said that the contract right now only says

"no alcohol" but she will amend to say the minute one bottle of alcohol is seen the event will be stopped and everyone asked to leave. That they will work with the neighbor to the east to install a better fence system to control parking from spilling onto his area and will have security on site from beginning to end of each event. She planned to hire a different company to provide the security needed for events.

4.5 **SPEAKING**: **City Councilman Knudsen** gave his observations on this matter. He said this business is within his Council District but he was speaking as a concerned citizen of the City tonight. In driving by he has noticed parking from this business spilling over to other businesses. He had a concern about the use of alcohol being prevalent and would like to see that strictly enforced. By that business being in such close proximity to an elementary school right across the street that presents a problem. He was concerned that when police respond to these type violations it hinders their ability to enforce other possibly more serious violations.

4.6 **DISCUSSION**:

4.6.1 **Commissioner Wright** commented that it was his impression from hearing the owner speaking tonight that she has let it get out of hand but has ideas to make some of the corrections to make it right. She has some options she plans to look at going forward and it may be a good idea to give her a probation period with stipulations in order to accomplish that. Number one would be a revised contract regarding alcohol that people scheduling the events must sign and adhere to.

4.6.2 **Commissioner McElreath** agreed, adding one more stipulation that she hires adequate security that has been certified to handle these type situations – either private or off duty police officers. He also suggested moving the hours of operation to end at midnight to see if that works better. **Commissioner McElreath** asked the applicant if the building has fire sprinklers and she informed him it does not. **Commissioner McElreath** commented that for the size of the structure, the occupancy limit would be 120 with no tables included, which is determined by the Fire Department. That someone in the audience had said the building size was around 2,800 square feet,

4.6.3 **Commissioner Wendel** said that it seems like the security personnel the applicant now has do not have sufficient authority needed to respond to and handle the types of situations discussed tonight and perhaps it would help if there were a business staff person on site while these events are occurring. She did feel like the applicant is trying to make an effort to make things better and the Commission has a responsibility to support small business owners in the City. She suggested the applicant might want to contractually restrict the number of people who could attend an individual event.

4.6.4 **Commissioner Quigley** advised that he recalled when this application came in before that he did not support it. That now, considering what goes on outside as well as inside the space, he did not feel the conditional use permit conditions were being adhered to. That nothing seems to take place until there is some sort of crisis. He felt the space was too small for this type of use and the parking was inadequate. Also, the business is not being managed very well at this point. He added that the high school graduation event should have never involved alcohol at all.

4.6.5 **Commissioner Willardson** was not convinced a second chance should be given to this business because of the short distance to an elementary school and the continued use of alcohol by customers.

4.7 **MOTION**: **Commissioner McElreath - I move that we amend the conditional use for File # 8C22 to operate a reception center and hours of operation extension for property located at 3193 West 4700 South, adding a condition that private security and/or city police be required to be on site for the entire event and the number of people inside the reception center cannot go over the fire code occupancy load as determined by the City Fire Marshal. Commissioner Quigley asked about the hours of operation and Commissioner McElreath said the hours of operation will remain as is.**

SECOND: Commissioner Wright.
Commissioner Wendel – May I offer a friendly amendment? Commissioner Quigley – Yes. Commissioner Wendel I think anytime a customer has access to the facility, as is when the key opens the door thereto, it needs to be supervised by an officer or a professional security guard. Commissioner McElreath – Amendment accepted. **Commissioner Wright** – also accepted as Second.
ROLL CALL VOTE: Commissioner Russell – YES, Commissioner Wright – YES, Commissioner Wilkey – NO, Commissioner Quigley – NO, Commissioner Wendel – YES, Commissioner McElreath – YES, and Commissioner Willardson – NO. Motion passes 4 in favor, 3 in opposition.

5.	19C23/CUP-000343-2023 – Cassie Vallejo – Public Hearing and Consideration of a Conditional Use Permit to Operate a Reception Center at 4164 South 1785 West in Taylorsville, Utah. (Terryne Bergeson - Planner 1)

5.1 **Ms. Bergeson** presented this item. The applicant is requesting a Non-Administrative Conditional Use Permit (CUP) to operate a reception center in Carriage Square and an hours of operation extension. The applicant would like to host alcoholic beverage receptions wherein guests bring their own alcohol. Alcohol will not be served or provided by the applicant to guests. Business hours are requested to be 8:00 a.m. to 1:00 a.m. on weekends.

5.1.1 A business license application was submitted, and the applicant was informed of the conditional use permit requirement. The Code Enforcement in the City has received complaints that parties have been hosted at the center, but applicant has stated these were family events. Through the complaints, detrimental impacts have been identified and proposed conditions will apply.

5.1.2 Two comments were received as a result of the public notice mailing. The main concern is the noise from the events as well as hours of operation. Concerns about late hours on weeknights was a concern as well.

5.1.3 The applicant is requesting to allow events to be held until 1:00 a.m. on Friday and Saturday nights. The hours of operation Sunday – Thursday will remain at 10:00 p.m. closing. Section 13.23.200 states that the Planning Commission may approve requests for a business to operate after 10:00 p.m. when within 250 feet of residential housing.

5.1.4 Changes to the structure are not possible without significant cost to the tenant or property owner. The Building Official has reviewed the floor plan and recognizes that the total occupancy cannot exceed 48. The applicant plans to create a contract outlining specific rules that renters of the space must adhere to, to ensure that all attendees of events understand the requirements.

5.2 **FINDINGS**:

5.2.1 This application was initiated by Cassie Vallejo.

5.2.2 Per 13.08.020, a Reception Center in the Community Commercial zone requires a Non-Administrative Conditional Use Permit granted by the Planning Commission.

5.2.3 The space will be available for customers to rent the space and hose private events.

5.2.4 The applicant will allow customers renting the space to bring their own alcohol. Per DABS, permits are not required for this type of use.
5.2.5 All events held at the center must be closed to the public. Tickets for entry cannot be sold and alcohol cannot be sold.
5.2.6 The location is within 250 feet of residential.
5.2.7 Planning Commission may grant a request for extended hours of operation within 250 feet of residential.
5.2.8 The applicant is requesting Planning Commission approval for extended hours to 1:00 a.m. on Friday and Saturday nights.
5.2.9 Conditional Use Permits are governed by Utah State Code and must meet the provisions outlined in 10-9a-507.
5.2.10 Staff has conducted an analysis of the site and received public input.
5.2.11 Staff has identified as list of proposed conditions intended to mitigate effects on the surrounding sites.

5.3 **CONDITIONS OF APPROVAL**:
5.3.1 The applicant complies with all requirements of all applicable reviewing agencies.
5.3.2 The Conditional Use Permit is subject to review and revocation upon substantiated complaint or citation.
5.3.3 Any changes to the structure will require a building permit.
5.3.4 Compliance with applicable building and fire codes must be maintained.
5.3.5 The applicant shall remain compliant with all business licensing requirements.
5.3.6 The business must conform to Salt Lake county's Noise Ordinance provisions.
5.3.7 Customers/hosts may serve alcohol according to DABS rules for private events only.
5.3.8 The sale of alcohol or hosting of public events is prohibited.
5.3.9 The Planning Commission shall determine the approved hours of operation.

5.4 **APPLICANT ADDRESS**: **Cassie Vallejo**, 3234 West 8475 South, West Jordan, Utah. **Ms. Vallejo** advised they will not be disrespectful of the neighbors. They don't anticipate there being any noise problem and they intend to keep the back door facing the residential area closed at all times. She intends to have well-qualified security guards on duty for events and has ordered security cameras to be installed.

5.4.1 **Commissioner Quigley** asked if they are currently in business, and she replied they are doing Zumba classes at this time but want to focus on the reception center aspect. That she is not charging anything for them holding their classes there for the time being. She has leased the space for one year. Commissioner Quigley asked how large the space was and she advised it is 2,200 square feet and can have 49 people therein, per the Fire Code.

5.4.2 **Commissioner Wright** asked what her plans were for the security guard. She said her intent was to have one security guard there, mostly to make sure the neighbors are not bothered and to monitor the alcohol usage. He also wondered about the parking and was told it is all open parking in Carriage Square. **Commissioner Quigley** asked her if she would possibly be willing to have two security guards on duty when alcohol is involved, to which she said that would not be a problem.

Commissioner Quigley opened the public hearing and asked those wishing to speak in favor or opposition to please come forward as this time.

5.5 **SPEAKING**:

5.5.1 **Tandie Nunez**. She has lived in her present home for 16 years. She had no knowledge there was even a business at this location until about the middle of May. Then on weekends they started hearing loud music. She has called the police twice now about the noise and shared texts with Ms.

Vallejo who said she was sorry but it continued to happen after that. **Ms. Nunez** shared videos she recorded with sound which show the amount of noise. She also shared a balloon popping incident that occurred at 12:30 at night, which upset her daughter who thought it was gun shots.

5.5.2 **Deanne Haroldson** (lives on Morris Street). She indicated she would love to have a business like this one but the problem with the whole plaza is the building was erected in 1979 and the walls are very thin. There is 25' between the buildings and her fence and the fence doesn't block anything. She has a car wash on the other side of her property which has a block wall, which funnels the sound right into her yard. She felt there must be a better location for this type of use because the sound from that building is a problem. It may help to have the hours of operation end at 10:00 p.m., as would installation of a studier, taller wall to help alleviate the noise issue.

5.5.3 **Trevor Johnson** (El Camino Drive). **Mr. Johnson** advised he previously lived next door to an event center in Sugarhouse so he knows what problems these can generate. He was concerned as a parent as to what this will probably turn into, with loud noise and people driving while drunk.

5.5.4 **Bret Sector** (Morris Street). **Mr. Sector** is concerned with the hours of operation, loud noise and also commented on the balloon popping incident sounding like gunshots.

5.5.5 **Mr. Gorman** said he has had a similar business located at the north end of Carriage Square for 15 years and added sound proofing to the unit he is in and by putting extra foam under the speakers it worked well. His business is a little larger, allowing up to 300 occupants at a time and the sound proofing and adjusting the sound levels have been helpful.

5.6 **DISCUSSION**:

5.6.1 **Commissioner Quigley** asked Ms. Vallejo if she would consider adding sound proofing, to which she replied in the affirmative. He then asked her what percentage of her events would involve alcohol and she said it would probably be most of them.

5.6.2 **Commissioner Wright** said that he has a difficult time dealing with the sound problem, realizing that it is very different in residential areas compared to commercial. **Mr. Spung** said it is a different more stringent threshold with commercial abutting residential. **Commissioner Wright** added he would be in favor of adding that more extra requirement for this situation. Also, he would add conditions like having a security guard on site during events and that they must meet the fire code occupancy guidelines. If live music is involved, it must end by 10:00 p.m. and meet Salt Lake County's Noise Ordinance requirements. He suggested requiring the applicant to verify the sound compliance numbers in her space.

5.6.3 **Commissioner Quigley** commented that a conditional use permit has a built-in safety net and it seems like the applicant is willing to try to resolve all issues. He felt everyone needs to be given the opportunity to prove themselves. He agreed with cutting live music off at 10:00 p.m. in deference to neighbor's concerns.

5.7 **MOTION: Commissioner Wendel - I move that we approve a conditional use permit to operate a reception center at 4164 South 1785 West in Taylorsville, Utah. Applicant is Cassie Vallejo, File 19C23/CUP-000343-2023, based on the findings and conditions in the staff report, in addition to the**

EXHIBIT F

applicant complying and remaining in compliance with the sound ordinances as stated by Salt Lake County in reference to decibels and the appropriate hours for those decibels. The fire code as to the number of people who can attend the event is to be verified by Staff. Applicant has stated the number to be approximately 49 persons. That the hours of the events with live bands for music will terminate at 10:00 p.m. Other events and sound will terminate at midnight and all persons must be exited or vacated from the property, with the property cleaned by 1:00 a.m. with extended hours on Friday and Saturday. A security guard will be on duty when renters and visitors have access to the property.
SECOND: Commissioner Wright
ROLL CALL VOTE: Commissioner Russell – AYE, Commissioner Wright – AYE, Commissioner Wilkey – AYE, Commissioner Quigley – AYE, Commissioner Wendel – AYE, Commissioner McElreath – AYE, and Commissioner Willardson – AYE. Motion passes unanimously.

CITY COUNCIL MEETING DISCUSSION: Commissioner Willardson – June 21, 2023. (Report heard in Briefing Session).

By motion of **Commissioner McElreath** the meeting was adjourned at 9:40 p.m.

These Minutes were prepared and presented by:

Jean Gallegos

_____

Jean Gallegos, Admin Assistant and Recorder for the
City of Taylorsville Planning Commission

Approved in meeting held on September 12, 2023.

Exhibit G

Planning Commission Staff Report

File #19C23

Consideration of a Conditional Use Permit for a Reception Center Located at 4156 S 1785 W

CITY OF TAYLORSVILLE UTAH

Department of Community Development

Meeting Date:	June 27, 2023
Agenda Item:	Consideration of a Conditional Use Permit for a Reception Center at 4164 S Carriage Square (4156 S 1785 W)
Subject Property Address:	4156 S 1785 W
Applicant:	Cassie Vallejo
Applicant Agent:	N/A
Author:	Terryne Bergeson, Planner I
Zoning Designation:	Community Commercial (CC)
General Plan Designation:	Community Commercial (CC)
Parcel #:	21031281140000
Applicable Ordinances:	13.08.020, 13.23.200, 13.33
Agenda item #:	5

Attachments:

Exhibit A: Zoning Map
Exhibit B: General Plan Map
Exhibit C: Subject Property
Exhibit D: Vicinity Map
Exhibit E: Owner Affidavit
Exhibit F: Floor Plan
Exhibit G: Site Photos
Exhibit H: Public Comment

Exhibit G

Summary:

The applicant is requesting a Non-Administrative Conditional Use Permit (CUP) to operate a Reception Center in Carriage Square and an hours of operation extension. The applicant would like to host alcoholic receptions. The applicant's CUP application including the following request:

> *"My plan is to run a little event center for small events, birthday parties, baby showers, some work or family gatherings, private events, workshops. I would like to be able to let the guest bring their own alcohol not serve or sell. I would like my business hours to be from 8 am-1 am if possible, but if not, at least 12 am."*

The property is in the Community Commercial (CC) zone and per the Land Use Table (13.08.020) a Reception Center requires a Non-Administrative Conditional Use Permit granted by the Planning Commission.

Conditional Use Permits are governed by Utah State Code and must meet the provisions outlined in 10-9a-507. If the Planning Commission were to deny the CUP request it must be determined that *"reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied".*

A business license application was submitted, and the applicant was informed of the conditional use permit requirement. Code enforcement has received complaints that parties have been hosted at the center, but applicant has stated that these were family events. Through the complaints detrimental impacts have been identified and proposed conditions are addressed further in this report.

The Planning Commission will review the information presented in this staff report to determine if there are conditions that can be imposed to mitigate negative impacts on the following listed in 13.33.040 General Standards For All Conditional Uses:

1. *The health, safety, and welfare of the city and its present and future inhabitants and businesses.*
2. *The prosperity of the city and its present and future inhabitants and businesses.*
3. *The morals, peace and good order, comfort, convenience, and aesthetics of the city and its present and future inhabitants and businesses.*
4. *The tax base.*
5. *Economy in governmental expenditures.*
6. *The state's agricultural and other industries.*
7. *The urban and nonurban development.*
8. *Access to sunlight for solar energy devices.*
9. *Property values.*

Adjacent Land Uses

North	South	East	West
CC- Carriage Square	CC- Carriage Square	CC-Carriage Square	R-1-8- Residential

Public Comment

Exhibit G

There were two comments received. The main concern is the noise from the events as well as hours of operation. Concerns about late hours on weeknights was a concern as well. The applicant spoke to both concerns, addressed in the analysis. Public comments can be read in exhibit H.

Analysis

The parcel is zoned Community Commercial and has a General Plan designation of Community Commercial. The request is consistent with the General Plan and requires a non-administrative conditional use permit, which is being requested. Additionally, per Taylorsville Land Development Code Section 13.23.200, a business located within 250 feet of residential must receive approval from the Planning Commission to operate past 10 pm. The applicant has requested that hours of operation be extended to 1 am.

The address point assigned to the location on the county parcel viewer is 4156 S. 1785 W. Staff will refer to the property as the applicant listed in the application: 4164 S. Carriage Square. This is the posted address on the building and used as the mailing address. Like many of the Carriage Square properties, the posted address does not match the assigned address points. Staff discussed this with the GIS Planner. This issue is being addressed for the entire Carriage Square Shopping Center and solutions are being considered with the relevant agencies and property owners. Until the discrepancies are resolved, emergency services and post office are aware and have been able to provide services in spite of the discrepancies.

HOURS OF OPERATION:

The applicant is requesting to allow events to be held until 1 am on Friday and Saturday nights. The hours of operation on Sunday-Thursday will remain the standard 10 pm. Section 13.23.200 states that the Planning Commission may approve requests for a business to operate after 10 pm when within 250 feet residential.

ALCOHOL:

Department of Alcohol Beverage Services provides permits for serving and selling alcohol. According to the applicant's letter, her space will only host private events and customers/hosts will not be permitted to sell alcohol. DABS does not require private event hosts obtain a permit. Permits are not required if an event is closed to the public and the alcohol is not available for purchase. According to information from the DABS website:
"If you do not charge your guests for alcoholic beverages and do not charge for admission to an event where alcohol is provided such as a hosted bar, and your event is not open to the general public, then you will not need a permit from the DABS or from a local jurisdiction to serve liquor and beer at your event… If you hold your event in an unlicensed location, the location must not be open or accessible to the general public."

NOISE:

Public comment included a video for the purposes of demonstrating the noise that adjacent residents experience. The first video captures noise caused by children who went into the employee parking area via the west/ rear door (exhibit F, G). The applicant spoke to this and has taken steps to prevent attendees from using the rear door by changing the hardware, prohibiting access to the alley way that abuts residential. The second video has background music coming from the venue, but it is

Exhibit G

unclear if the rear door was open or if the music was loud enough to be heard with the rear door closed. The applicant has stated that she expects the door remaining closed at all times will mitigate the noise.

OTHER :

Changes to the structure are not possible without significant cost to the tenant or property owner. The Building Official has reviewed the floor plan and recognizes that the total occupancy cannot exceed 48. The applicant plans to create a contract outlining specific rules that renters of the space must adhere to, to ensure that all attendees of events understand the requirements. Such as:

- Use of west door is restricted to emergency use only (applicant can speak to this- has not provided photos, can coordinate with building to ensure compliance with building/ fire codes).
- Approved event time
- Establish a time by which the venue must be completely empty (would apply to host for cleanup time)
- Any applicable rules surrounding alcohol use, if approved.

SECTION 13.33.050:

Taylorsville Land Development Code states the following related to the City's authority to impose conditions of approval on a conditional use permit application:

In order to achieve compliance with the standards set forth herein, the city may impose conditions that address:

A. Size, configuration, and location of the site and the proposed site plan layout.
B. Proposed site ingress and egress to existing and proposed roads and streets.
C. The adequacy, provision, relocation, or protection of public facilities and amenities, including roads and streets, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protections, and other utilities.
D. Design, location, and amount of off street parking, loading areas and solid waste disposal, and refuse collection areas.
E. Site circulation patterns for vehicular, pedestrian and other traffic.
F. Massing, size, number, location, design, exterior features, materials, and colors of buildings, structures, and other facilities.
G. The location and design of all site features, including proposed signage, lighting, and site furnishings.
H. The provision of usable open space, public features, and recreational amenities.
I. Fencing, screening and landscape treatments, and other features designed to increase the attractiveness and safety of the site and protect adjoining property owners from noise, visual, and other impacts.
J. Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to, noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.
K. Measures designed to protect the natural features of the site including wetlands and drainageways, groundwater protection, soils, wildlife, and plant life.
L. The regulation of operating hours for activities affecting normal schedules and functions.
M. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval.

Exhibit G

N. Measures to ensure compliance with all conditions and requirements of approval, including, but not limited to, bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, and restrictive covenants.

O. Such other conditions determined reasonable and necessary by the city to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this code.

Findings

1. This application was initiated by Cassie Vallejo.
2. Per 13.08.020 a Reception Center in the CC zone requires a Non-Administrative Conditional Use Permit granted by the Planning Commission.
3. The space will be available for customers to rent the space and host private events.
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.
5. All events held at the center must be closed to the public. Tickets for entry cannot be sold and alcohol cannot be sold.
6. The location is within 250 feet of residential.
7. Planning Commission may grant a request for extended hours of operation within 250 feet of residential.
8. The applicant is requesting Planning Commission approval for extended hours to 1 am on Friday and Saturday nights.
9. Conditional Use Permits are governed by Utah State Code and must meet the provisions outlined in 10-9a-507.
10. Staff has conducted an analysis of the site and received public input.
11. Staff has identified a list of proposed conditions intended to mitigate effects on the surrounding sites.

Staff Recommendation

Staff recommends that the Planning Commission consider the information and findings presented in this staff report and exhibits. The Planning Commission may:

- Approve the request for the conditional use permit to operate a reception center at 4164 S Carriage Square (parcel ID # 21031281140000) and the applicant's request for extended operating hours on Friday and Saturday nights until 1 am, subject to the conditions of approval.
- Approve the request for the conditional use permit to operate a reception center at 4164 S Carriage Square (parcel ID # 21031281140000) and approve an amended request for extended operating hours on Friday and Saturday nights until 12 am, subject to the conditions of approval listed in this staff report.
- Approve the request for the conditional use permit to operate the reception center at 4164 S Carriage Square, with normal business operating hours, subject to the conditions of approval listed in this staff report.
- Deny the conditional use permit if the Planning Commission finds that conditions cannot be imposed to mitigate the negative effects to surrounding area, specifically to *"The morals, peace and good order, comfort, convenience, and aesthetics of the city and its present and future inhabitants and businesses."* as identified in Section 13.33.040.

Exhibit G

Conditions of Approval

1. The applicant complies with all requirements of all applicable reviewing agencies.
2. The Conditional Use Permit is subject to review and revocation upon substantiated complaint or citation.
3. Any changes to the structure will require a building permit.
4. Compliance with applicable building and fire codes must be maintained.
5. The applicant shall remain complaint with all business licensing requirements.
6. The business must conform to Salt Lake County's noise ordinance.
7. Customers/ hosts may serve alcohol according to DABS rules for private events only.
8. The sale of alcohol or hosting of public events is prohibited.
9. The Planning Commission shall determine the approved hours of operation.

Possible Motions

- Move to approve File #19C23 request for a Conditional Use Permit to operate a Reception Center at 4164 S Carriage Square (parcel ID# 21031281140000) and an hours of operation extension to operate until 1 am, subject to the conditions of approval.

- Move to approve File #19C23 request for a Conditional Use Permit to operate a Reception Center at 4164 S Carriage Square (parcel ID# 21031281140000) and an hours of operation extension to operate until 12 am, subject to the conditions of approval.

- Move to approve File #19C23 request for a Conditional Use Permit to operate a Reception Center at 4164 S Carriage Square (parcel ID# 21031281140000) with normal hours of operation until 10 pm, subject to the conditions of approval.

- Move to deny the conditional use permit File #19C23 request for a Conditional Use Permit to operate a Reception Center at 4164 S Carriage Square (parcel ID# 21031281140000). The Planning Commission finds that conditions cannot be imposed to mitigate the negative effects to surrounding area, specifically to *"The morals, peace and good order, comfort, convenience, and aesthetics of the city and its present and future inhabitants and businesses."* as identified in Section 13.33.040.

Exhibit A

Exhibit G

Zoning Map: 4156 S. 1785 W.

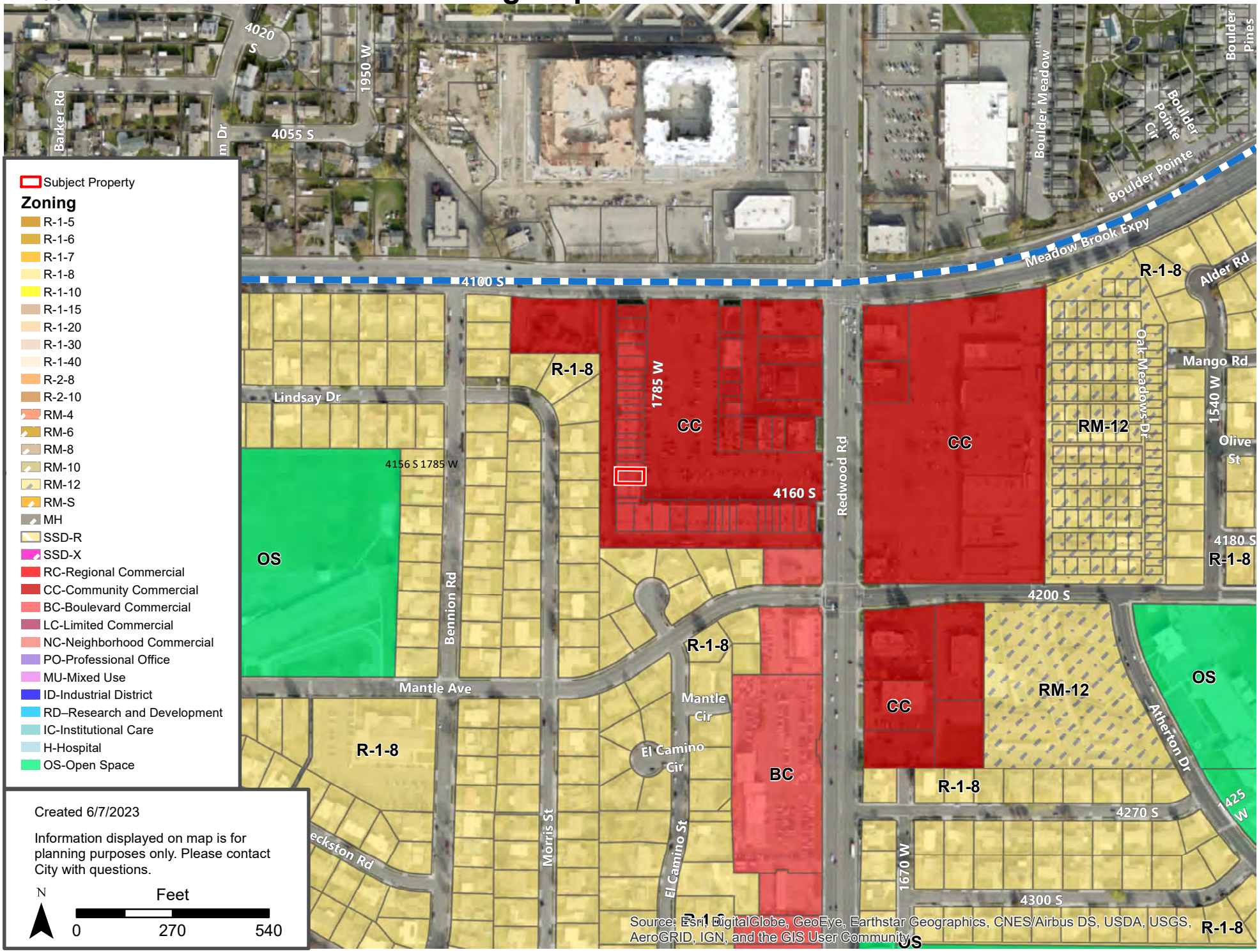

Exhibit G

Exhibit B

General Plan Map: 4156 S. 1785 W.

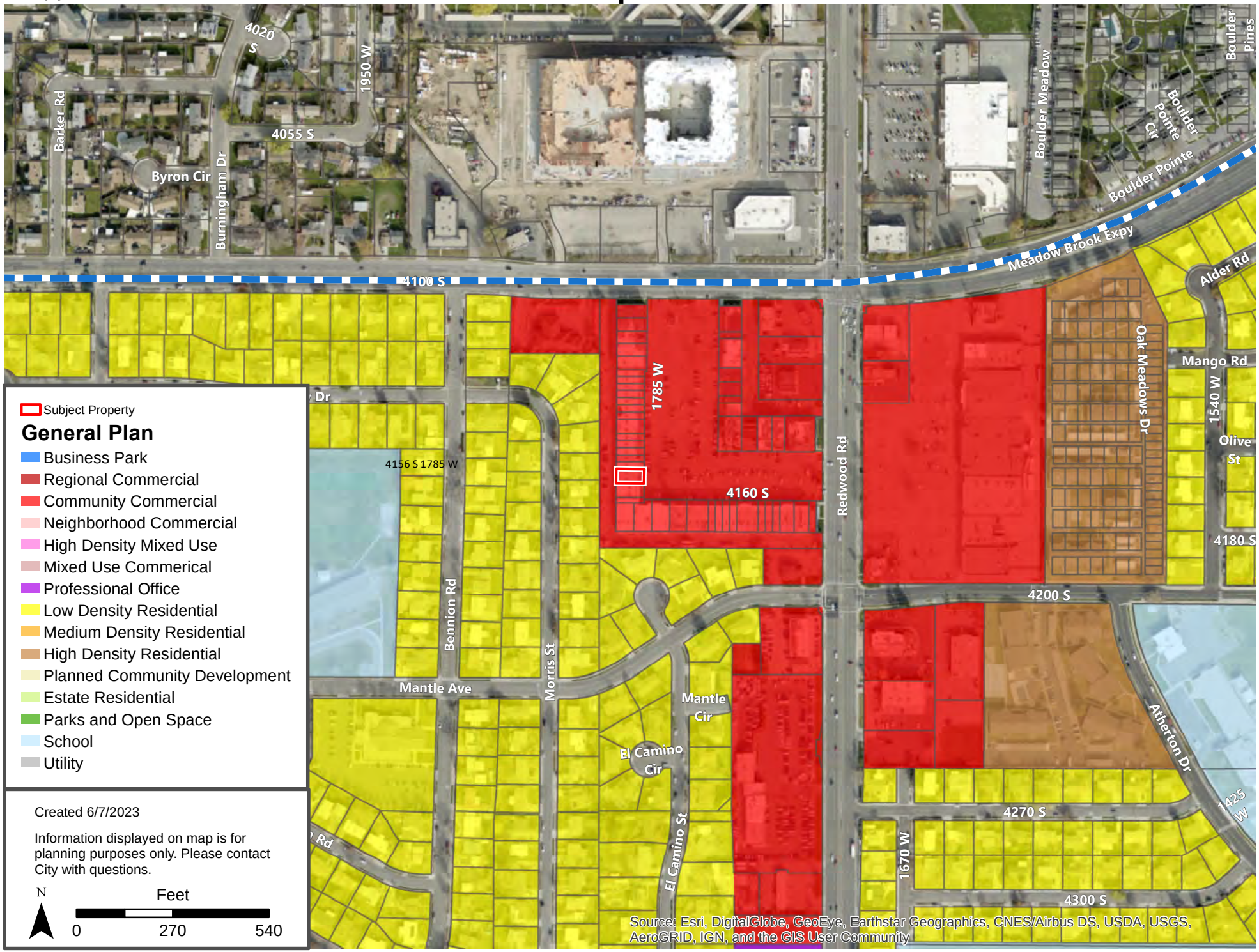

Exhibit G

Exhibit C

Site Map: 4156 S. 1785 W.

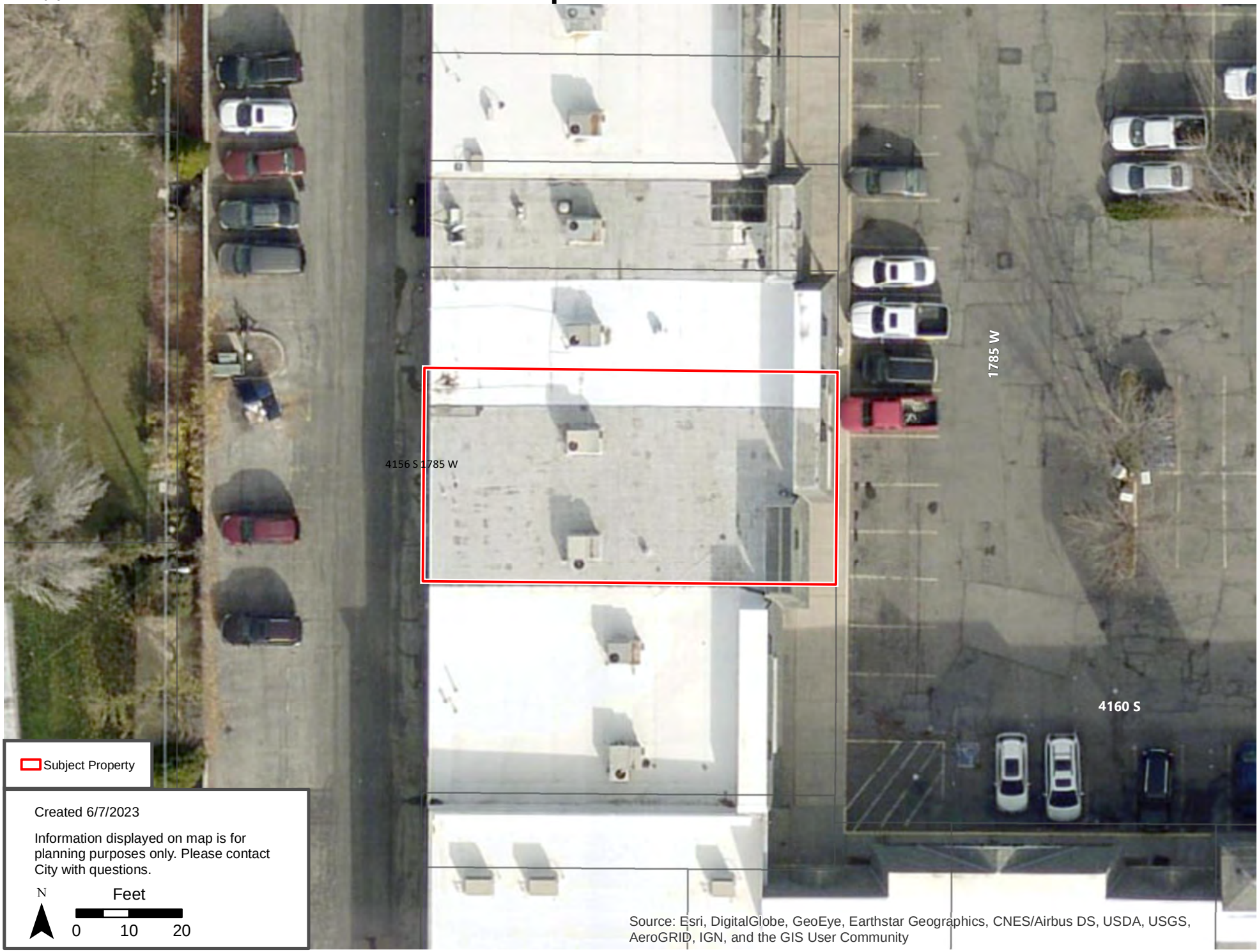

Exhibit G

Exhibit D

Vicinity Map: 4156 S. 1785 W.

Exhibit G

Property Owner's Affidavit

I (we) Amy Mulugeta Chovanec, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Owner's Signature

Owner's Signature (co-owner if applicable)

Subscribed and sworn to before me this 24th day of May, 20 23

NOTARY PUBLIC
BRITTANY KEMPFF QUISPE
727488
MY COMMISSION EXPIRES
OCTOBER 24, 2026
STATE OF UTAH

Brittany Kempff-Quispe
Notary Public

Residing in Utah

My commission expires: 10/24/2026

Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, Taylorsville, Utah, do hereby appoint _____ as my (our) agent to represent me (us) with regard to this application affecting the above described real property located in the City of Taylorsville, and authorize _____ to appear on my (our) behalf before any City Board or Commission considering this application.

Owner's Signature

Owner's Signature (co-owner if applicable)

On the _____ day of _____, 20_____ personally appeared before me _____ the signer(s) of the above *Agent Authorization* who duly acknowledged to me that they executed the same.

Notary Public

Residing in _____

My commission expires: _____

Exhibit G

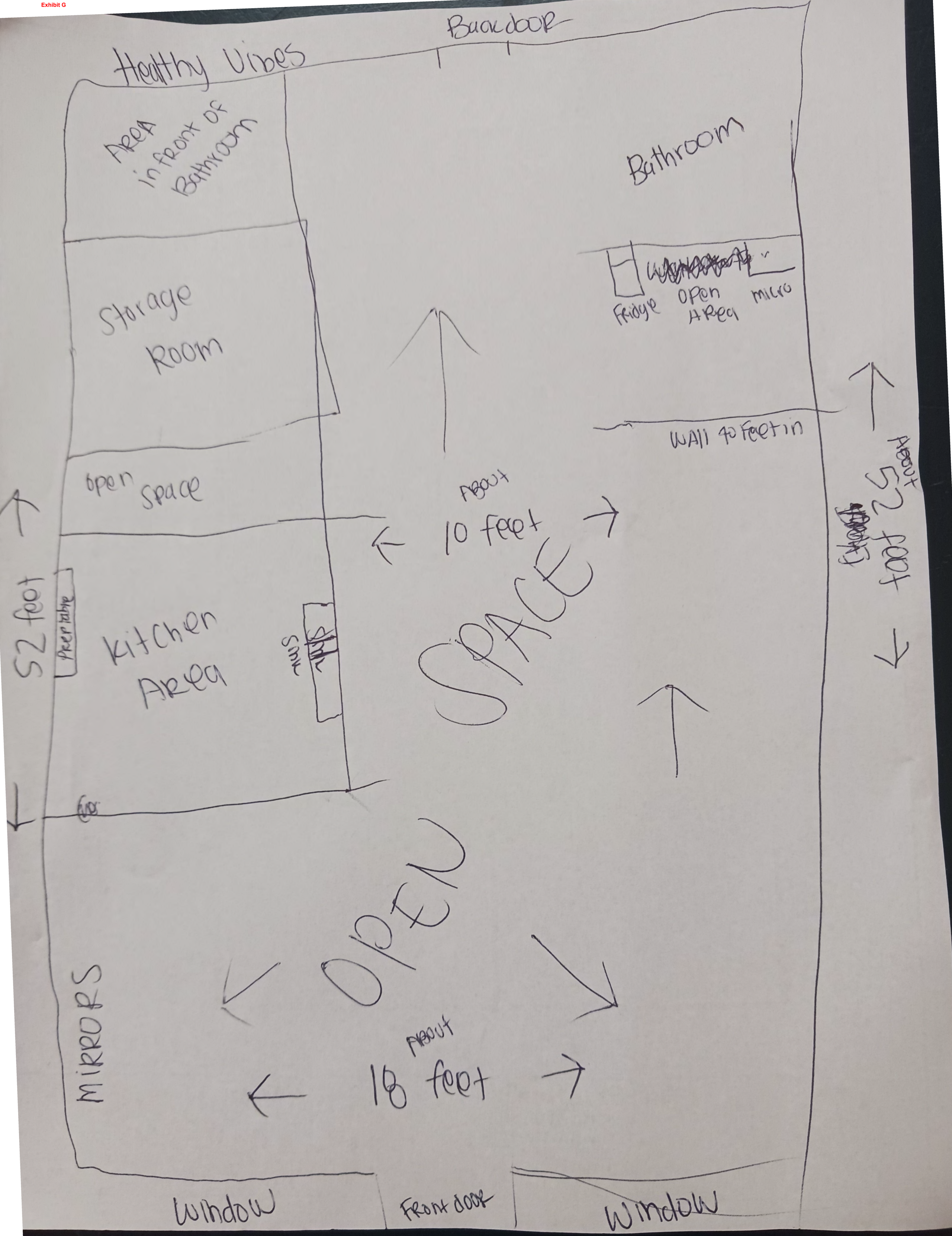
Healthy Vibes
Backdoor
Area in front of Bathroom
Bathroom
Storage Room
Fridge
Open Area
micro
open space
Wall 40 feet in
About 10 feet
About 52 feet
52 feet
Kitchen Area
Peer table
sink
SPACE
OPEN
MIRRORS
About 18 feet
Window
Front door
Window

Exhibit G

Bon Appetit
welcome

Exhibit G

Exhibit G

Exhibit G

Public hearing

Tandie Nunez <tandienunez1@gmail.com>

Sat 6/17/2023 2:12 PM

To:Terryne Bergeson <tbergeson@taylorsvilleut.gov>

2 attachments (24 MB)

IMG_7949.MOV; IMG_7574.MOV;

Hello I'm writing concerning the hearing for 4156 s 1785 w reception center!!!
My self at 4143 s Morris street and my neighbor at 4151 s Morris st Kristine Edwards,are wanting to let you know we DO NOT approve this not one bit. It has been a month now I have wrote back and forth with Cassie owner and two phone calls about noise complaints and I have called police twice. She apologized first time very sincerely but then soon after noise continued on weekends very loud even by closing windows still hear the boom boom sound . Then the last straw for me and neighbor was two weeks ago children in alley past 12am popping balloons running around screaming my kids ran in here scared it was gun shots!!! woke everyone up ridiculous. I texted Cassie again and she sent me message saying how we were upset and tired of all this. That place is very small and noise coming from there is so loud and sounds like it's crowded probably over limit of people should be there. I do want to mention bill the event owner on north side has been amazing over the years he has went above and beyond to fix the problems when the noise was there it's been 7 yrs and he's still doing great. But this lady opening up a event center and to top off wants extended hours till 1 am is not ok with us. It's not fair we have the right to a peaceful neighborhood and to be able to sleep at night. If you are going to approve her request then you guys need to put higher walls so we're not hearing all noises in alley some type of sound barrier.if that even helps. I have lived here for 16 yrs and my neighbor who told me to include her on this is older doesn't email she's been her for 25+ yrs.

Exhibit G

#8c22-CUP-000192-2022

Tyler Mott <tylermott81@gmail.com>
Sun 6/18/2023 6:24 PM

To:Terryne Bergeson <tbergeson@taylorsvilleut.gov>

Hello, I am the neighbor just to the south of this facility at
3214w Blueridge Dr Taylorsville, UT 84129.
We have lived in this residence for over 25 years. As we love to see the local community and business thrive. There should be limitations in hours of operation if there is continuous disruptive behaviors. The loud noise, drinking alcohol and children playing in the road till after midnight has me concerned for the safety and peaceful nature of our neighborhood. We are grandparents with young children that have school during the day and myself having work early. With the business pushing the hours of operation to midnight already without permit approval. If this is approved and hours are pushed to 1am and them wrapping up by 3am is a huge concern that our family won't be able to get enough rest throughout the week.
Our grandchildren range from 3 months to 12 years of age.
I have included some information about the importance of sleep for children from the CDC. If this business can insure that families in neighboring home won't suffer from their operation, great but what we have seen so far is not promising. We will continue to stand against this purposal until they stop this disruptive behavior.
Please reach out to me if you have further questions about our concerns. Thanks

The Castanon family.

Importance of Sleep
Children and adolescents who do not get enough sleep have a higher risk of obesity, diabetes, injuries, poor mental health, and problems with attention and behavior.1-4

How much sleep someone needs depends on their age. The American Academy of Sleep Medicine has recommended that children aged 6–12 years should regularly sleep 9–12 hours per 24 hours and teenagers aged 13–18 years should sleep 8–10 hours per 24 hours.1

https://www.cdc.gov/healthyschools/features/students-sleep.htm#:~:text=The%20American%20Academy%20of%20Sleep,10%20hours%20per%2024%20hours.