



**AGENDA
BLUFFDALE CITY PLANNING COMMISSION
MEETING**

March 18, 2015

Notice is hereby given that the Bluffdale City Planning Commission will hold a public meeting **Wednesday, March 18, 2015**, at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah. Notice is further given that access to this meeting by Planning Commissioners may be by electronic means by telephonic conference call. The Agenda will be as follows. Please note that all times listed on the Agenda are provided as a courtesy and are approximate and subject to change.

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

1. Invocation and Pledge.*
2. Public comment (for non-public hearing items).
3. Approval of minutes from January 14, 2015 and February 18, 2015 meeting of the Planning Commission.
4. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on proposed amendments to portions of Chapters 11-9, 11-10, 11-11, 11-12, and 11-15 of the Bluffdale City Land Use Ordinance in order to revise certain setback, width, frontage, lot size, landscaping, and design requirements and standards for several not-residential zones. City of Bluffdale, applicant.
5. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on Preliminary and Final Subdivision Plat Application for Plat E-5 for 28 Residential Townhomes and associated streets at approximately 15195 South Heritage Crest Way within the Independence Master Planned Community, 4 Independence, LLC, applicant.
6. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on Preliminary and Final Subdivision Plat Application for Plat K for 30 Residential single-family lots and associated streets at approximately 15070 South 1070 West within the Independence Master Planned Community, 4 Independence, LLC, applicant.
7. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on Preliminary and Final Subdivision Plat Application for Plat K-2 for 1 building lot and associated streets at approximately 15160 South 1020 West within the Independence Master Planned Community, 4 Independence, LLC, applicant.
8. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on Preliminary and Final Subdivision Plat Application for Plat L for 19 Residential single-family lots and associated streets at approximately 15155 South 1070 West within the Independence Master Planned Community, 4 Independence, LLC, applicant.
9. City Council Report.
10. Planning Commission business (planning session for upcoming items, follow up, etc.).
11. Adjournment.

Dated: March 13, 2015

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

Grant Crowell, AICP
City Planner/Economic Development Director

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

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

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015**

Present:

Members: Brad Peterson, Chair
Connie Pavlakis
Von Brockbank
Kory Luker (Arrived at 7:06 p.m.)
James Wingate
Johnny Loumis, Jr.

Others: Mayor Derk Timothy
Grant Crowell, City Planner/Economic Development Director
Alan Peters, Associate Planner
Jennifer Robison, Associate Planner
Gai Herbert, Community Development Assistant
Allison Wilcox, Community Development Assistant

BUSINESS MEETING

Chair Brad Peterson called the meeting to order at 7:00 p.m.

1. Invocation and Pledge.

Von Brockbank offered the Invocation. Brad Peterson led the Pledge of Allegiance.

2. Public Comment.

There were no public comments.

3. Approval of Minutes from the January 14, 2015, and February 18, 2015, Meetings of the Planning Commission.

Von Brockbank moved to approve the minutes from the January 14, 2015, combined meeting of the City Council and Planning Commission, as written. Johnny Loumis, Jr., seconded the motion. Vote on the motion: Von Brockbank-Aye; James Wingate-Aye; Connie Pavlakis-Aye; Johnny Loumis, Jr.-Aye; Brad Peterson-Aye. The motion passed unanimously. Kory Luker was not present for the vote.

The minutes from the February 18, 2015, meeting of the Planning Commission were not included in the meeting packet and would be voted on at the next meeting.

4. PUBLIC HEARING, CONSIDERATION, AND VOTE on Proposed Amendments to Portions of Chapters 11-9, 11-10, 11-11, 11-12, and 11-15 of the Bluffdale City Land Use Ordinance in Order to Revise Certain Setback, Width, Frontage, Lot Size, Landscaping, and Design Requirements and Standards for Several Non-Residential Zones, City of Bluffdale, Applicant.

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

Associate Planner, Alan Peters, presented the staff report and stated that the matter is a continuation from the February 18, 2015, meeting. He reviewed what was introduced at the February meeting and the changes that were subsequently made. Mr. Peters noted that the proposed changes pertain to I-1, I-2, and HC zones, which are somewhat rigid. General Commercial and some other commercial zones allow for more flexibility. He reviewed the setback requirements for the zones and stated that the Fire Chief can exercise discretion in approving setbacks. Mr. Peters next reviewed the setbacks of a typical public street. He explained that on private roads, the application under consideration proposes that setback requirements be modified. He reviewed previous scenarios pertaining to setbacks on private roads and stated that the parcels have some landscaping and the parking is in the common area.

Staff received proposals that are problematic based on the current City Ordinance. As a result, the proposed text amendments seek to solve some of those problems to foster development. The text amendments propose leaving the setbacks essentially the same for public streets, but within a project on private streets or rights-of-way, there would be some flexibility with the internal road system. In response to a question raised by Commissioner Pavlakis, Mr. Peters clarified that the front, side, and rear setbacks identified on the drawings were provided in the staff report. Discussion ensued on the potential ramifications of the setback options that would occur as result of the proposed revisions.

Mr. Peters explained that that one of the proposed changes would apply to the distance between buildings, which is currently 20 feet. There would be more flexibility; however, the site plan would still have to meet the Fire and Building Codes.

Mr. Peters next reviewed additional changes included in the proposed text amendments. The current zone specifies the minimum lot sizes for the I-1, I-2, and HC zones. The text amendments would provide some flexibility, particularly in the case of one-half "remnant sites" where commercial development could potentially occur.

In response to a question raised by Commissioner Pavlakis, Mr. Peters gave examples of businesses located in different commercial zones.

Mr. Peters noted that an additional proposal was to allow the lots in the HC, I-1, and I-2 zones to allow access to public streets and private rights-of-way through cross access between lots, rather than requiring every lot in a development to front a traditional street. He showed an example of where cross access is used and an example of where it is proposed.

In response to a question raised by Commissioner Brockbank about frontage requirement, Mr. Peters explained that properties that front a public or private street must have a minimum frontage of 150 feet. The cross access would have to be approved as part of a subdivision plat or site plan approval. In all cases, the Fire Chief reviews the plans to ensure that a sufficient number of fire hydrants is available.

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

An additional change proposed for each of the zones is to add a minimum landscaping percentage that shall be required for each zone. Mr. Peters then described the differences between lot coverage and landscaping requirements. He referenced the proposed text amendment and stated that the proposed amendments to the landscaping requirements have also been developed. The amendment reinforces the importance of landscaping to enhance commercial sites. The term xeriscaping has been removed and replaced with “water-wise landscaping” because it better reflects the intent of being conscious of the climate while ensuring that attractive vegetative landscaping is included.

The proposed text amendments also include a process for obtaining approval for exceptions from the strict landscaping requirements. The language needs to be included in each of the zones to provide the City with better guidance in determining whether deviations from the requirements are warranted. In response to Commissioner Wingate’s question about who would grant approval for deviations from the landscaping requirements, Mr. Peters explained that the deviations would be approved by the Land Use Authority, which in some cases is staff and in other cases the Planning Commission or City Council.

Mr. Peters noted that the text amendments add new requirements, some of which may require more from the developers. The additional requirements, however, could be balanced by the flexibility built into some of the text amendments.

Referring to sample diagrams, Mr. Peters illustrated how the requirements include more stringent requirements in vegetative landscaping along the front, not including walkways and parking lots. There are ways to blend the use of non-vegetative landscaping, such as rock and mulch, with vegetative landscaping, such as sod. He then noted the change to the landscaping requirements specifying that everything adjacent to a building must have vertical landscaping. It was noted that the proposal requires a higher standard of landscaping.

Mr. Peters next addressed Section B, 11-15-7 and the text amendments to the current design standards. He explained that it leaves room for each zone to have its own design standards. The criteria don’t specify color or materials, but there are criteria that staff, the Planning Commission, and City Council can look at and specify. Some criteria include whether they contribute to the overall character of the City and the compatibility of the design with the character of the surrounding areas. Mr. Peters reviewed Section C of 11-15-7 and stated that the text amendments enhance the aesthetic appearance of the areas, thereby ensuring a better product.

Chair Peterson observed that some of the verbiage in the section on design standards seemed very vague and asked how staff came up with the language. As an example, Chair Peterson cited B.3 “The buildings demonstrate imaginative design.” Mr. Peters clarified that it is not necessary for every building to demonstrate an imaginative design. The requirement means that people need to be sensitive to the designs used in the surrounding areas. The land use authority will have discretionary authority to determine whether this requirement has been met. The design might be imaginative but not compatible with the design of the surrounding area.

City Planner/Economic Development Director, Grant Crowell, explained that there is an absence of standards in portions of the City Code. The General Plan encourages consideration of

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

design, but staff wasn't sure that detailed specificity was the correct course to follow at this time. The intent was to ensure an attractive look and feel of a design. Staff should ascertain whether the Planning Commission and City Council want to become highly prescriptive with respect to design standards.

Mr. Peters commented that it would be helpful to note what has been eliminated from the ordinance to provide context and clarification for the proposed text amendments. The text amendments were broad and general in their application. Chair Peterson stated that the text amendments seem flowery and wondered if the proposed language is better than what was stricken. Mr. Peters stated that the intent was to go further than what was already in the ordinance.

In response to Chair Peterson's question about who approves a site plan, Mr. Peters stated that it depends on who the land use authority was for a particular application. In response to Commissioner Pavlakis' request for clarification on how the land use authority is determined, Mr. Peters explained that if a building is 15,000 square feet or less, in many cases it can be approved by the Development Review Committee (DRC). If there is something about a project that staff deems unique, or if it is larger than 15,000 square feet, it is brought to the Planning Commission or the City Council for approval.

Commissioner Wingate noted that Bluffdale City is not ready to be as prescriptive as Park City. He added that there are other cities that are as mature in the development of their processes as Bluffdale City. Given those realities, he asked how staff came up with the language proposed in the text amendments. Mr. Peters stated that much of the language was borrowed from neighboring municipalities. Other cities have entire chapters on design, for example, and staff reviewed them and identified general language that would be applicable to Bluffdale City. Mr. Peters believed the proposed text amendments support the new General Plan by balancing design with economic development. In response to a question raised by Commissioner Pavlakis, Mr. Peters stated that language was borrowed from Draper and Provo cities. Some language has been borrowed directly and some was simplified and adapted. Staff wasn't ready to propose specific design criteria.

Mr. Peters next referenced off-street parking and the landscaping that needs to be included with the setbacks. He noted that it might not be as necessary along private streets as along public streets. The current requirement for off-street parking specifies that if there are 10 or more off-street parking places, landscaping must take place on 10% of the property within the boundaries of the parking lot. That requirement can pose challenges for engineers to design site plans. The proposed text amendment changes the percentage requirement to 15 square feet of landscaping per parking stall, and where it will be located to ensure that the landscaping is distributed appropriately. The vertical landscaping will provide shade for the parking lots, which can get very hot in the summer.

Chair Peterson explained that the Planning Commission received the staff report in advance of the meeting and should have read it carefully and highlight questions or concerns they have. Chair Peterson added that the document was a bit confusing and read as though it had been written by a group of lawyers. Commissioner Loumis interjected that staff made the changes previously discussed.

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

Chair Peterson directed the Planning Commissioners to address issues they may have with the document or table action to a later meeting. Commissioner Wingate was particularly interested in issues raised previously by Commission Brockbank and Commissioner Pavlakis. Commissioner Brockbank stated that if the Commission is going to discuss the matter further, it should be moved to the end of the meeting. Chair Peterson concurred. Commissioner Loumis' preference was to table the matter so that the Planning Commission could study the matter in more detail rather than vote tonight.

Commissioner Wingate liked the spirit of the proposed text amendments and complimented Mr. Crowell, Mr. Peters, and Mrs. Robison for their work. He thought it would be advisable for the Planning Commission to discuss the matter in more detail prior to voting.

Commissioner Pavlakis asked if some items had been added beyond what was discussed at the last Planning Commission Meeting. Mr. Peters answered in the affirmative and noted that some verbiage was added with regard to the side and rear setbacks, the one-half acre change, and the cross access language. A member of the City Council had asked staff to address lot size and they thought it fit appropriately within the context of the text amendments being developed.

Chair Peterson opened the public hearing. There were no public comments. Chair Peterson closed the public hearing.

Chair Peterson deferred further discussion until agenda items 5 through 8 were considered and voted on. After concluding those agenda items, discussion resumed on the proposed text amendments under consideration.

Commissioner Pavlakis asked for further clarification on the language pertaining to side and rear setbacks and asked if it would be possible to have no setback on one side, a 10-foot setback on the rear, and a 10-foot setback on the other side. Based on the way Commissioner Pavlakis asked her question, Mr. Peters answered in the negative because the sides have to match. Commissioner Pavlakis suggested the language be altered to be clearer. Discussion ensued on the formula for determining setbacks and clarifying the verbiage. Mr. Crowell explained that the existing Code allows property owners to go to zero on side or rear setbacks. From a design approach, it might be preferable to have a landscape buffer on all sides. Mr. Crowell asked if the Commissioners would have a problem allowing a zero setback. Chair Peterson did not object to that. He liked that option better than requiring both sides to be equal. Mr. Peters stated that a 10 and 10 is probably better than a zero and 20, which is currently allowed. Requiring setbacks all the way around would allow landscaping on all sides of the building. Commissioner Pavlakis did not like the idea of a zero setback.

Mr. Crowell suggested forgetting the approach to setbacks based on the residential concept. With the exception of what is done along the public street, staff was comfortable treating other setbacks as site plan issues. There is minimum landscaping coverage and a parking ordinance. Now the designer has parameters within which to work when designing the plat. One reason staff looked at the ordinance was they don't know why there is a 20-foot setback in the Industrial Zone. It was not in the Fire Code and likely was carried over from the Residential Zone. In light of that, Chair

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

Peterson asked why numbers are specified at all. Staff believed the streetscape in an industrial park should be treated different from the middle of the site. It was difficult to know the reason for the setbacks specified. Chair Peterson opined that the front setback should be maintained to keep the landscaping toward the front. Then everything behind it would fall under the purview of the site plan approval process.

Commissioner Brockbank stated that if zero lot lines occur on the sides, it wouldn't do any good to have 20 feet in the back because it would be inaccessible. Chair Peterson stated that there would be access in the back of the building for a vehicle or fire truck.

Commissioner Pavlakis thought the Commissioners are talking about two different things. She envisioned an individual lot with an individual industrial building. Some would be condo-like where they are put together. She asked if the City could do something based on the type of development. Mr. Crowell suggested that each proposal be viewed as an individual project with all of its components and not worry about where the lot lines are. The result would be a better project. In the residential context, it is a completely different scenario. Commissioner Pavlakis envisioned setbacks as a way to help alleviate specific problems between landowners. Mr. Crowell stated that the owners coming to the City are asking for help with their design.

In response to Chair Peterson's question about what helps staff the most, Mr. Crowell stated that if flexibility is to be granted to developers, site planning should occur to the extent possible. Staff also needs to know what the City considers most important. He had seen areas where site planning parameters have become extremely complicated. Currently the City has setbacks, but the conditions are constantly changing. That should not change how the City does project design.

Chair Peterson stated that planners talk about what they want to see in the future. He had observed that planners want to add to the aesthetics of the City. They want landscaping, parking, attractive buildings, and the ability to control and manage those factors. The Planning Commission does not want to restrict the planners in the work they do. Chair Peterson recommended staff modify the text amendments based on the comments made tonight. Chair Peterson did not want the requirements to be so specific that the City is over-regulating.

Mr. Peters indicated on a diagram how road and lot lines interface with each other. He stated that there is an odd-shaped parcel of land on which a developer wants to build, so he is working with the City to come up with a plan. Setbacks and parking are challenging. He further described the prospective business that wants to build there and how they would want to use the property. He described the challenges the business would have under the current restrictions imposed by the City Code. Commissioner Pavlakis noted that perhaps the building the prospective business wants to construct is too big for the site and the owner may need to make adjustments.

Mr. Peters stated the text amendments are an effort to address legal concerns created by a previous Planning Commission. The location of the lot line creates a problem in this and in other instances. They would still have to adhere to the lot coverage requirement of 85% and landscaping requirement of 15%. It's a matter of where a business can locate things on the property. The current City Ordinance creates an inequity for the landowner compared to what has been done for

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

others. Commissioner Pavlakis countered by stating that regardless of the laws and guidelines, there will be developers who will try to push the limit.

Mr. Crowell believed Commissioner Pavlakis' concerns were not applicable in the situation described by Mr. Peters. He stated that the City needs to keep a critical eye on the Code and remove the barriers to development. The area in question was identified by the City Council and the Redevelopment Agency as an Economic Development Area and it benefits the City if development can occur so that the City can collect tax increment there. He did not understand the community goal of setbacks on the lot since it has a detention basin on the north and a lot of the landscaping is on the north along 14600 South and around the perimeter.

Mr. Crowell wanted to understand from the Planning Commission and City Council what goal the City is trying to achieve so that staff can help. The developers are businesses, as is the City. Chair Peterson added that the City wants to attract businesses. Mr. Crowell stated that the City's Industrial and Commercial Code has not undergone much refinement over the years. The City probably borrowed the Code at the time Bluffdale was incorporated and it has remained static. Mrs. Robison stated that she was the Planning Administrator 14 years ago and the ordinance was in place at that time. Since then it has not been reviewed or updated. Commissioner Loumis added that the Code was in place before him, as well.

Mrs. Robison noted that the development being discussed changed several times. The lot was created illegally, so staff was trying to come up with viable options. Commissioner Pavlakis agreed with the need to update the City's Industrial and Commercial Code, but did not want the changes to be made on the basis of the needs of one or two parcels.

Commissioner Pavlakis asked how the City would deal with future developers when they invoke past practices by the City. Mr. Crowell asked Commissioner Pavlakis to specify the problem. Chair Peterson identified zero setbacks as a problem. Mr. Crowell stated that setbacks are addressed in the City's Fire and Building Codes. Commissioner Pavlakis did not want to see things done on an individual basis. She added that in group discussion sessions, the Planning Commission and City Council have indicated that they would like to see things be more legislative than administrative. She did not want to see the burden of approval placed on one person. Mr. Crowell commented that there needs to be faith in the discretion and judgment of staff as they implement the City Code in proposed development projects. He believed there was some merit in increased flexibility and the City Council has asked staff to try to be creative in addressing the issues.

Commissioner Loumis stated that Bluffdale City has had four to seven City Planners since he has been a member of the Planning Commission. Some have been better than others. Commissioner Pavlakis concurred with Commissioner Loumis and had not intended to insult anyone. Mrs. Robison stated that there are always unintended consequences, regardless of how well crafted a City Ordinance might be. Mr. Peters stated that the initial review of a development application goes through a team of people who vet the application and ensure its compliance with the various elements of City Code. During that process, opinions are gathered on where the setbacks should be placed to ensure compliance with the City's Fire and Building Codes. Initially the City Engineer

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

will propose setbacks and then the other members of the DRC determine whether they work. He stated that it was not any one person that will determine whether a proposal is good or bad.

Mrs. Robison added that it may appear that it is just one person because one City Planner submits the application. The evaluation process is very collaborative and every project has the same review process. Mr. Crowell confirmed and further elaborated on the process Mrs. Robison described.

Chair Peterson stated that the topic of setbacks has been discussed thoroughly and he suggested moving on to design standards, landscaping, frontage, and parking. Mr. Peters stated that lot area and frontage are significant elements of the proposed text amendments but he thought the verbiage was clear on those points.

Chair Peterson added that the agenda item will be tabled to a future meeting. He invited the Commission Members to share other concerns that may need further refinement.

Commissioner Brockbank concurred with Mr. Crowell's statement that the Planning Commission needs to answer the question of what the ultimate goal is. Once that question is answered, the other issues will fall into place. Chair Peterson stated that if the proposed text amendments substantially represent how the Planning Commission feels, a few minor changes and clarifications are all that will be necessary. If, however, there are major concerns, they should be addressed. Commissioner Wingate stated that if there is an odd-shaped parcel that needs to be subdivided and developed, a guiding principle would be to ensure that (1) landscaping goes around the perimeter, (2) the parking lot has islands, and (3) the project has the things the City wants, especially along the streetscape. If those criteria are met, he did not have a problem with the rear and side lot lines. Chair Peterson expressed concern.

Commissioner Luker agreed with some of the proposals, such as the parking and landscaping. He asked if it would be possible to approve the verbiage the Commissioners agree on and then vote on the other sections at a future meeting. Chair Peterson stated that if the only concern was the setback verbiage, the Planning Commission could send it on to the City Council with a provision that the setback section be modified. Mr. Peters stated that the text amendments are set up as one application item, so he doubted that approach would be feasible.

Chair Peterson suggested a motion be made to table the item.

Commissioner Pavlakis observed that one of the concerns the Planning Commission had with landscaping was the back corner where the retention pond served the open space landscaping area. It addressed the percentage of landscaping and the need for it to be kept with the percentage of the building. If, however, there is grass in the back, there won't be landscaping around the building. Mr. Peters stated that that situation was the reason for the additions of some of the landscaping requirements. The language specifies the type of parking lot landscaping needed, as well as the type of perimeter landscaping. As a result, where there is a building, there will be landscaping.

With regard to the language that states "except where entries and other paving preclude it" (11-15-6, Paragraph B), Commissioner Pavlakis would like to see something like "necessary paving,"

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015**

Mr. Crowell thought that was a good idea. Discussion ensued on how that change could be incorporated.

In an effort to address Commissioner Pavlakis' concern regarding the detention pond's inclusion as landscaping, Mr. Crowell suggested the following language: "The landscaping has to be in areas where the traffic is happening." Mr. Peters noted that the language does specify public rights-of-way. Commissioner Pavlakis wanted to make sure that landscaping is added around the buildings as they are built. She liked Mr. Peters' intent with the language, but believed developers will find loopholes in the language because they don't know the intent. Mr. Crowell stated that her concerns were duly noted and that staff would continue to revise the language.

Prior to a motion being made to table the item, Commissioner Luker asked if there were any other suggestions besides setbacks needing to be brought to the attention of staff. Chair Peterson was satisfied with the design standards. Mr. Crowell stated that there have been a lot of discussions on setbacks and indicated that they would address cumulative setbacks. Mr. Peters stated that if five feet of perimeter landscaping is required, there would be no option for a zero lot line. Another option would be to add that only one side can have a zero setback.

James Wingate moved to table the agenda item. Von Brockbank seconded the motion. Vote on the motion: Connie Pavlakis-Aye; James Wingate-Aye; Von Brockbank-Aye; Johnny Loumis, Jr.-Aye; Kory Luker-Aye; Brad Peterson-Aye. The motion passed unanimously.

5. PUBLIC HEARING, CONSIDERATION, AND VOTE on Preliminary and Final Subdivision Plat Application for Plat E-5 for 28 Residential Townhomes and Associated Streets at Approximately 15195 South Heritage Crest Way Within the Independence Master Planned community, 4 Independence, LLC, Applicant.

Associate Planner, Jennifer Robison, presented the staff report and stated that since the following applications are for the Independence development, it would be appropriate for her to address all of the applications at once so there could be just one public hearing. When it is time to take action, the vote can be specific to each individual plat.

Under consideration were four Preliminary and Final Subdivision Plats at the Independence project. At the City Council's last meeting, they approved a new Comprehensive Land Use Master Plan that showed more details about what was occurring with the Independence project. Plat E-5 was intended for more townhomes. She identified the locations for Plats K, L, and K-2.

Mrs. Robison displayed an aerial photo of Plat E-5 and stated that the plat is slated for 28 townhomes. It was identified as the first phase of an area that will eventually contain 60 townhomes. The road cross-sections were found to meet the requirements set forth in the Development Agreement and are similar to the cross-sections at the D.R. Horton townhomes. There is a sidewalk on one side of the road and driveways on the other side. The driveway has to be set back 20 feet to allow parking in the driveway without interference into the road. The streets will be privately owned and maintained by the HOA. In response to a question raised by Chair Peterson, Mrs. Robison stated that the 20-foot setback is measured from the right-of-way. Mrs. Robison next

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015**

identified the location of the sidewalk. She explained that the plats require a site plan, which is forthcoming from the developers. At that time, the Planning Commission will be able to consider the plat in greater detail.

With regard to Plat E-5, Chair Peterson asked about the change made to the previous Land Use Map for the piece of property. Mrs. Robison stated that it had always been designated as townhomes. In response to Commissioner Pavlakis' question about changes that might have taken place with the townhome parcels, Mrs. Robison stated that there had been no changes. Mrs. Robison then reviewed the DRC recommendations contained in the staff report.

Kory Luker moved to forward a positive recommendation to the City Council for the Independence at the Point Preliminary and Final Plat E-5 Application 2014-49, subject to the following:

Conditions:

- 1. That all requirements of the City Code and adopted ordinances are met and adhered to for each proposed plat.**
- 2. That all plats comply with the Bluffdale City Engineering Standards and Specifications and recommendations by the City Engineer and Public Works Department for all relevant construction and plat drawings prior to the plat recording.**
- 3. That a Site Plan Application including, but not limited to; landscaping, building elevations, building colors and materials, lighting, and fencing be approved by the Planning Commission prior to the issuance of building permits.**
- 4. That all building permit submittals for townhomes have written or stamped approval from the Independence Development Review Committee, pursuant to the requirements of the DA prior to being submitted to the City.**
- 5. That for each building permit submittal, the City requires a certification in the form of a grading and drainage plan for each building, stamped and certified by a professional engineer. This should be submitted with the site plan and building permit. No building permit shall be issued without this.**
- 6. That after construction, before a certificate of occupancy is issued, the builder shall submit a certification by a Professional Civil Engineer that the lots were actually graded according to the initial engineered plan and that no construction has interfered with that plan.**
- 7. That the project adheres to all requirements of the International Fire Code.**
- 8. The final plat will be required to be recorded simultaneously with all required sheets and CC&Rs.**

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015**

James Wingate seconded the motion. Vote on the motion: Von Brockbank-Aye; Kory Luker-Aye; James Wingate-Aye; Connie Pavlakis-Aye; Johnny Loumis, Jr.-Aye; Brad Peterson-Aye. The motion passed unanimously.

6. PUBLIC HEARING, CONSIDERATION, AND VOTE on Preliminary and Final Subdivision Plat Application for Plat K for 30 Residential Single-Family Lots and Associated Streets at Approximately 15070 South 1070 West within the Independence Master Planned Community,4 Independence, LLC, Applicant.

Mrs. Robison reviewed Plats K, K-2, and L and noted that the recently-amended Comprehensive Land Use Master Plan impacted the area where the plats are located. The developers were moving forward to provide more specificity on what will happen on the west side of the Independence Project. Plat K consists of 11.56 acres. Plats K and L will have an aggregate of 49 single-family homes. Parcel A will be dedicated to the City for a storm drain retention area. The City was in the process of securing permits to discharge storm water into the canal.

In response to a question raised by Commissioner Wingate regarding who will be responsible for installing and maintaining the drainage system, Mrs. Robison stated that the City will own the property and be responsible for installing the necessary drainage infrastructure. **

In response to Commissioner Pavlakis' question about whether or not Parcel A will count toward the developer's open space requirement, Mrs. Robison stated that that question had yet to be determined. The City was still working through the developer on the open space details.

Mr. Crowell clarified that there are different types of open space in the project. Detention basins are one type. The City Council should collaborate with the developer to determine acceptable open space. Impact fees also had yet to be determined. The impact fees generated by Independence are substantial because it is almost a city within a city. Commissioner Loumis wanted to make sure fees are appropriately collected and used.

Mrs. Robison added that Parcel A is open space. There is also another area of open space that will be discussed in connection with the Trails and Parks Plan. Mr. Crowell added that the plan for trails was yet to be determined, but a detention basin needs to be dedicated to the City. Mrs. Robison next noted that there will be enhancements along Noell Nelson Drive to accommodate the new developments. With regard to Plat K-2, Mrs. Robison stated that it is planned for a future church site and will have just one building on it.

Plat L is a continuation of the road shown in Plat K. All of the needed improvements will be installed along that street. The construction drawings were reviewed and meet all requirements for setback, lot size, and other specifications enumerated in the Development Agreement. The Street Tree Plan was being reviewed and updated as well. Mrs. Robison pointed out that the recommendations contained in the staff report are similar to what is typically included with other plats. She highlighted some of the recommendations, particularly those dealing with the Flood Control Plan.

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

In response to Chair Peterson's question regarding Proclamation Way, Mrs. Robison stated that it will be a road that will connect the next phase of the project. In response to Chair Peterson's question regarding the minimum lot size for the single-family dwellings, Mr. Crowell stated that he believes it is 3,500 square feet, but he was not certain.

In response to Commissioner Pavlakis' question regarding the protocol for voting on the applications, Mrs. Robison stated that they could be voted on as a group or individually. She added that a single public hearing could be held for all of the Independence applications under consideration tonight.

Chair Peterson opened the public hearing.

Nic Zarbock gave his address as 994 West Red Glare Drive and noted that people are driving extremely fast on 1000 West (Noell Nelson Drive). Accordingly, he asked what kind of options might be implemented to mitigate the speeding problem. It was noted that the speed limit on that road is 25 mph. Chair Peterson stated that the Planning Commission would address that concern. Mrs. Robison explained that staff has spoken with the City Engineer and she believed a speed limit sign was to be posted near where the homes start.

Bill Ferguson gave his address as 995 West Red Glare Drive and stated that when people come down the hill from the school, they are going fast. He did not, however, think there was a speed limit sign for the southbound lane.

Zac Day gave his address as 993 West Freedom Point Way and observed that there is a stretch before the roundabout where motorists drive as fast as they can.

Mr. Ferguson reiterated his observation and concern that people drive too fast and endanger the safety of young children. Their homes are not set back very far and there are no stop signs in the vicinity. He believed stop signs would be a good option because they are affordable and force people to stop periodically.

In response to Chair Peterson's question regarding who determines the location of stop signs inside a subdivision, Mr. Crowell stated that it is typically based on the recommendation of the City Engineer. Sometimes the City Council makes requests of the City Engineer if there are compelling reasons. There had been controversy regarding the effectiveness of speed bumps. Collector roads are designed to allow for more free-flowing traffic as they collect vehicles from the interior. There could be interim measures while the subdivision is building out.

Commissioner Pavlakis next inquired as to what the Speed Limit Committee determined was an appropriate speed limit for this type of road. Mr. Crowell stated that collector roads are typically 35 mph, unless there is a compelling reasons for a different speed limit.

Mr. Ferguson noted that it's different if the rear of a home faces a collector road instead of the front or side of the home. He reiterated his concern in an effort for a solution to be implemented.

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

Commissioner Pavlakis next asked if a developer would have the authority to put in stop signs. Mr. Crowell stated that there are City rights-of-way that have to be honored, so the City has to determine where stop signs are placed.

Chair Peterson asked if the Planning Commission could include speed mitigation measures as part of the plat approval process. Mrs. Robison did not think it would be part of the plat discussion, but it is a concern that could be addressed by the City. Mr. Crowell added that the approval of a subdivision includes the adequacy of infrastructure.

Jason Payne gave his address as 992 West Allegiance Drive and added that the road is currently wide open between his home and the school. Sometimes busy parents don't pay attention to their speed, and until Porter Rockwell Boulevard is completed, that road will be busy. Having at least one point where people have to slow down would at least reduce the speed in general.

Nate Shipp from DAI expressed his appreciation for everyone's time and gave his full support for whatever staff determines will help with speed. He commented that there is a portion of Noell Nelson Drive that hasn't been dedicated to the City yet, so he wondered if DAI could install some stop signs in the short-term. Chair Peterson opined that that would be helpful as a temporary measure. He then added that he believes the problem will resolve itself once the area is built out.

Mayor Timothy remarked that at the last several meetings, the concern about speeding has been mentioned several times. The City has a plan, but it probably needs to be more emphasized. It is not efficient for police officers to sit and randomly wait for speeders. However, placing police officers in strategic locations at strategic times would be more efficient. The City has added one police officer, but it would likely take one police officer per road to resolve the speeding problem that exists in Bluffdale. He agreed to make a commitment to conduct traffic studies with the tubes to determine where police should patrol more. He also believed that putting up more radar signs would be helpful. He did not favor putting up temporary stop signs and felt that process should go through the City Engineer.

Mr. Zarbock asked when 1000 West will go all the way through. Mr. Crowell stated that it is not in this year's budget or in an impact fees plan. The City has been studying intersections with UDOT and analyzing the geometry of the City.

Katherine Lovendahl gave her address as 887 West Freedom Point Way and stated that there have been large belly-dump trucks hauling dirt to the new development over the past four weeks. The trucks travel very fast via Freedom Point Way and are damaging the road. She was concerned that additional traffic from Aclaime will funnel into Independence. Chair Peterson stated that there will have to be a secondary north or east access. In response to Commissioner Pavlakis' question as to why truck drivers aren't going to Porter Rockwell Boulevard, Commissioner Luker stated that they are moving dirt from one site to another. Ms. Lovendahl reiterated that the truck traffic is constant from 7:00 a.m. to 5:00 p.m.

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

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015

Commissioner Brockbank addressed the dumping of water from the detention basin to the canal and asked what the contingency would be if the developer did not received permission to use the canal. Mrs. Robison explained that the area has been designed as a retention area and would still function as a storm drain facility. The water would recede through percolation and evaporation. It is quite large and designed to be one or the other in the event a Discharge Permit is not granted. Commissioner Loumis noted that there are two canals in the area, the East Jordan Canal and the old Salt Lake City Canal. The canal that would be used for discharge of water from the detention basin is the East Jordan Canal.

Agenda items 6, 7, and 8 were acted on in a single motion and vote.

Connie Pavlakis moved to forward a positive recommendation to the City Council for the Independence at the Point Preliminary and Final Plats K, K-2, and L Application 2015-08, subject to the following:

Conditions:

- 1. That all requirements of the City Code and adopted ordinances are met and adhered to for each proposed plat.**
- 2. That all plats comply with the Bluffdale City Engineering Standards and Specifications and recommendations by the City Engineer and Public Works Department for all relevant construction and plat drawings prior to the plat recording.**
- 3. That revised construction drawings for Lot 630, Lot 631, and improvements for the portion of Proclamation Way and Noell Nelson Drive in Plat L be reviewed and approved by the City Engineer prior to the preconstruction meeting.**
- 4. That the City requires written evidence from the Salt Lake County Flood Control District that a flood control permit has been issued for any discharges planned by the above referenced subdivision into the East Jordan Canal prior to the recordation of the final plat.**
- 5. That for each building permit submittal, the City requires a certification in the form of a grading and drainage plan for each lot, stamped and certified by a professional engineer. This should be submitted with the site plan and building permit. No building permit shall be issued without this.**
- 6. That after construction, before a certificate of occupancy is issued, the builder shall submit a certification by a Professional Civil Engineer that the lot was actually graded according to the initial engineered plan and that no construction has interfered with that plan.**
- 7. That the project adheres to all requirements of the International Fire Code.**

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015**

8. **That all building permit submittals for homes have written or stamped approval from the Independence Development Review Committee, pursuant to the requirements of the DA prior to being submitted to the City.**
9. **That all street trees shall be installed in the park strips prior to the issuance of a certificate of occupancy for all dwellings in accordance with the approved Street Tree Plan and all park strip landscaping irrigation and maintenance is the responsibility of adjacent property owner.**

Von Brockbank seconded the motion. Vote on the motion: Von Brockbank-Aye; Kory Luker-Aye; James Wingate-Aye; Connie Pavlakis-Aye; Johnny Loumis, Jr.-Aye; Brad Peterson-Aye. The motion passed unanimously.

7. **PUBLIC HEARING, CONSIDERATION, AND VOTE on Preliminary and Final Subdivision Plat Application for Plat K-2 for 1 Building Lot and Associated Streets at Approximately 15160 South 1020 West Within the Independence Master Planned Community, 4 Independence, LLC, Applicant.**

Agenda items 6, 7, and 8 were acted on in a single motion and vote.

8. **PUBLIC HEARING, CONSIDERATION, AND VOTE on Preliminary and Final Subdivision Plat Application for Plat L for 19 Residential Single-family Lots and Associated Streets at Approximately 15155 South 1070 West Within the Independence Master Planned Community, 4 Independence, LLC, Applicant.**

Agenda items 6, 7, and 8 were acted on in a single motion and vote.

9. **City Council Report.**

There was no discussion on this agenda item.

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

Mr. Crowell mentioned that the following day there would be a Complete Street Staff Work Session held. He invited those interested to attend.

Mr. Crowell noted that the Low-Power Radio and Cellular Antenna Ordinance doesn't allow personal ham radio towers, so it will be brought to the Planning Commission as a text amendment to allow them in residential zones. Staff will include photographs with the staff report. Commissioner Loumis recommended the City Attorney be in attendance when the matter is presented to the Planning Commission.

Commissioner Wingate expressed interest in a training being provided for Planning Commissioners. Mr. Crowell described some of the options.

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, March 18, 2015**

11. Adjournment.

The Planning Commission Meeting adjourned at 9:48 p.m.



Gai Herbert
Community Development Secretary

Approved: April 1, 2015