



**AGENDA
BLUFFDALE CITY PLANNING COMMISSION
MEETING**

July 15, 2015

Notice is hereby given that the Bluffdale City Planning Commission will hold a public meeting **Wednesday, July 15, 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

1. Public comment (for non-public hearing items).
2. Approval of minutes from July 1, 2015 meeting of the Planning Commission.
3. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on a proposed amendments to Chapter 12-5-3(F) of the Bluffdale City Land Use Ordinance to allow a temporary emergency second point of ingress and egress for more than (30) residential lots, David Tolman, applicant.
4. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on a proposed preliminary plat for Mountain Pointe Business Park, a seven lot subdivision for an industrial office building park located at approximately 930 West 14600 South, Justin Earl, ICO Development, applicant.
5. **CONSIDERATION AND VOTE** on a proposed final plat for Mountain Pointe Business Center Phase 1, a one lot subdivision in an industrial office building park located at approximately 930 W 14600 S. Justin Earl, ICO Development, applicant.
6. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on a proposed plat amendment for Center Point Business Park Plat "A" PUD Amended 2 in order to relocate an existing utility easement located on lot 9, Ken Day, applicant.
7. **PUBLIC HEARING, CONSIDERATION, AND VOTE** on a proposed site plan for a new 24,940 sq. ft. office/warehouse building to be located at 974 West 14420 South, lot 9 Center Point Business Park, Ken Day, applicant.
8. City Council Report.
9. Planning Commission business (planning session for upcoming items, follow up, etc.).
10. Adjournment.

Dated: July 10, 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, July 15, 2015**

Present:

Members: **Connie Pavlakis, Vice Chair**
 James Wingate
 Von Brockbank

Excused: **Brad Peterson**
 Kory Luker
 Johnny Loumis, Jr.

Others: **Alan Peters, Associate City Planner**
 Jennifer Robison, Associate City Planner
 Gai Herbert, Community Development Assistant

BUSINESS MEETING

In the absence of Chair Brad Peterson, Vice Chair Connie Pavlakis called the meeting to order at 7:02 p.m.

1. Invocation and Pledge.

Von Brockbank offered the invocation. The Pledge of Allegiance was recited.

2. Public Comment.

There were no public comments.

3. Approval of Minutes from the July 1, 2015, Meeting of the Planning Commission.

Von Brockbank moved to approve the minutes from the July 1, 2015, meeting of the Planning Commission, as printed. James Wingate seconded the motion. Vote on motion: James Wingate-Aye; Von Brockbank-Aye; Connie Pavlakis-Aye. The motion passed unanimously.

4. PUBLIC HEARING, CONSIDERATION, AND VOTE on Proposed Amendments to Chapter 12-5-3(F) of the Bluffdale City Land Use Ordinance to Allow a Temporary Emergency Second Point of Ingress and Egress for More than Thirty (30) Residential Lots, David Tolman, Applicant.

Associate Planner, Jennifer Robison, presented the staff report and stated that the application pertains to the Westgate Aclaime at Independence development that has been approved by the City Council for 266 lots. There is a provision in the City Code that states that a secondary access is required when there are more than 30 residential lots on a single point of ingress and egress. There are future plans for development of 1000 West (Noell Nelson Drive).

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015

Mrs. Robison reported that the connection from Westgate to 1000 West is included in the City's Master Transportation Plan. She next showed an overlay of the plat where Westgate is located, along with the lots and road system. To the north of Westgate are parcels of property that are currently privately held. Therefore, in order for the connection to occur, funding mechanisms need to be put into play. In the meantime, the applicant presented a proposed text amendment to temporarily allow the needed secondary access so in order to move forward with his project.

Mrs. Robison noted that the language shown in red is the applicant's proposed text amendment. She then reviewed the text amendment proposals with the Planning Commission. The essence of the proposed text amendment was to use a private road that crosses the canal and has a locked gate. The key to the lock would be immediately accessible to emergency personnel. The applicant was requesting that the road be allowed as a temporary emergency access only until the secondary access can be provided.

Mrs. Robison next reviewed the DRC's concerns in the event the Text Amendment Application is approved, as proposed:

1. That the degree of the proposed amendments is a substantial deviation from the 30 lots or units on a single access ordinance requirement.
2. That the safety of residents in the Westgate subdivision would be exponentially impacted for emergency vehicles and personnel to access this area from an obstructed secondary access point.
3. That the secondary access includes the crossing of a canal which in the current state may not support the weight of emergency vehicles.
4. That the practical manner for emergency personnel to access the locked gate for the secondary access would be difficult to manage.
5. With the scale of the development without a secondary access, all construction and residential traffic will be routed through the Independence at the Point subdivisions to Heritage Crest Way or Porter Rockwell Boulevard. Traffic concerns of congestion and speed on Noell Nelson Drive (1000 West) and other residential streets within Independence have routinely been presented to the City by current residents in public meetings.

In addition to these five concerns, Mrs. Robison added that approval of the text amendment could open the door for all of the Day property below to function off of that one access as well until the connection to Noell Nelson Drive is completed, for which there is no set time table.

Mrs. Robison next identified where the proposed emergency access would be located. It would have to traverse several parcels of private property. When the City Council approved the plat, it approved all 266 units if the applicant could provide a 20-foot unobstructed access. That condition

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015

was on the public record in the City Council minutes. Staff was tasked with contacting the private property owners and developing a potential design. Those efforts were ongoing.

Commissioner Wingate was under the impression that more had been accomplished by staff and the developer than has been with the private property owners, canal company, and public utilities to develop a plan for the secondary access. Mrs. Robison stated that efforts have been ongoing to resolve the issue but it is a complicated process and takes time.

Commissioner Brockbank stated that he voted against the matter originally because he thought it was premature without the roads. He still felt the same way. His understanding was that 1000 West was going to come through and be an access for the area. That hadn't taken place yet.

Vice Chair Pavlakis opened the public hearing.

The applicant, David Tolman gave his address as 1245 Westwood Drive, in Bountiful, and stated that when he met with the City Council, he was directed to make a text amendment to the City Code for a temporary secondary access to allow the project to move forward while the work along 1000 West was being completed. The Development Agreement was approved on September 23, 2014. The project is still languishing because there still is no offer from property owners, even though appraisals have been done. The entire Independence project is 536 acres in size and all of the property owners agreed to certain things, for which they were rewarded, one of which was density. They also agreed to allow access points through their property. Mr. Tolman was not asking the property owners to give up their property for development. Instead, he was asking them to allow the access to go forward. He added that he and other property owners have agreed to put up the funds to build the road at 1000 West.

Mr. Tolman next noted that the City Ordinance is ambiguous in terms of access standards for cul-de-sacs and emergency secondary accesses. For example, Spring View Farms has a secondary access that goes through two lock-gated access points. An apartment project likewise has a lock-gated secondary access point. These examples show that there is a precedent for what Westgate is proposing. He noted that the proposed text amendment complies with what the City Council asked him to do.

Mr. Tolman stated that the proposed text amendment was considered by staff and discussed at a DRC meeting, to which he was not invited. He expressed regret that he had not received input on the proposed language, nor was he given the opportunity to discuss his ideas with the DRC. He emphasized that Westgate would like to be a good neighbor and address the concerns, particularly those related to additional traffic in the area. Mr. Tolman added that he has presented a temporary solution that could be attached to a time frame, which he believes is in compliance with what the City Council requested, which was to try to find a narrow approach that would allow the project to move forward, and come up with the funds for the road. He commented that the City does not have the funds to build 1000 West, but the developers can so and be reimbursed over time. He believes it is a solution that benefits everyone.

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015

Mr. Tolman next referenced concerns with the staff report, particularly that it makes the proposed text amendment look like a major change, when in fact it is very narrow in its approach, as requested by the City Council. He disagreed with the assertion that the safety of the residents at Westgate will be negatively impacted. Mr. Tolman stated that the Fire Chief has said that he uses that road frequently. He explained that the purpose of the gate is to prevent access to the canal. He explained that the gate should not be there because the neighboring property owner has a right to access that area as well. The road is paved and the existing culvert has undergone an engineering study.

Vice Chair Pavlakis commented on Mr. Tolman's partners who are willing to complete 1000 West and asked why they cannot do that right now. Mr. Tolman stated that the property would have to be acquired from other property owners, which would take time. If the owners aren't willing to sell the property other legal means would have to be employed to acquire the property for the road. Mr. Tolman emphasized that he and his associates have done what they can to expedite 1000 West, but they need something temporary so that they can move forward with their project.

Commissioner Brockbank did not have a problem with the gate because it can be a break-away. He believed, however, that the request is substantial because the secondary access policy has been enforced throughout the City. If for some unknown reason the City changes it, he did not see it as a good policy for the City. Additionally, Commissioner Brockbank reiterated that at the time the Planning Commission considered the project, it was premature to build out the project without the secondary access in place. Now Mr. Tolman is putting the problem back on the City to buy the land for 1000 West or use legal means to acquire it. He believed Mr. Tolman was compromising the City's position by trying to force Bluffdale to come up with an alternative to a problem that should have been resolved previously.

Mr. Tolman was told that the City Council is willing to do this if 1000 West cannot be built in a timely manner. The Development Agreement states that the City will move diligently to accomplish this. Mr. Tolman added that if he had not been given assurances that he would be able to move forward, he would not have taken the risk of obtaining a \$7 million construction loan. He added that all of the property owners were given rights and with those rights come obligations. Part of the obligation was to make property available to complete Noell Nelson Drive (1000 West). As of now, a property owner is still holding out on his obligation to make property available for this particular road. Nearby is a neighbor who isn't part of the Independence project, so he has limitations on what he can do without 1000 West. This person is willing to commit funds to extend Noell Nelson Drive and be reimbursed. Mr. Tolman stated that if he can obtain the necessary permits to start building homes, the road will also get built.

Commissioner Wingate asked about the status of the northern portion in relation to the construction of 1000 West. His understanding was that staff has had many conversations with the property owners and they seem positive, however, nothing has happened. Mrs. Robison clarified that discussions have taken place on the access for nine months, as indicated. She noted that the City has not been dragging its feet; rather, discussions have been taking place this entire time both from Mr. Tolman and the City with the property owners to ensure that the access can be made possible.

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015

Next, Mrs. Robison stated that the gate is on the Newman's property, and not on the Westgate property. As a result, Mr. Tolman does not own the gate. She also indicated that the Fire Chief would not want to crash through the gate. In the DRC meeting, the Fire Chief was the most adamant about the access not being allowed. His concern wasn't just emergency access but also secondary access, which is very important. Therefore, the concerns enumerated in the staff report are not just from planning staff, but from other DRC members as well.

Mr. Tolman countered Mrs. Robison's assertion that the Fire Chief cannot go down the road any time he wanted to by stating that an emergency vehicle can go down any road in the event of an emergency. Mrs. Robison added that the Fire Chief helped write some of the concerns set forth in the staff report. Mr. Tolman clarified that he was not asking for a permanent secondary access but for a temporary secondary access while a permanent one is being secured. He added that the Newmans would give the Fire Chief or Police Department a key to the gate so that City emergency personnel can access the road any time they want to.

Commissioner Brockbank stated that if the City approves the subdivision before getting the secondary access, pressure will be put on the City. Commissioner Brockbank stated that Mr. Tolman believes the City is holding him up; however, Commissioner Brockbank, as a citizen, cannot see the City buying a right-of-way to benefit Mr. Tolman's subdivision only. Commissioner Brockbank added that he has been opposed all along to putting all of the traffic onto 14600 South. Having been a land developer himself he appreciated Mr. Tolman's position, but felt the problem was of Mr. Tolman's own making. Mr. Tolman knew the rules when he began work on the project.

Mr. Tolman countered by stating that if he had known what Commissioner Brockbank was saying was the rule, he would not have proceeded. He added that the Planning Commission approved the Development Agreement that addresses those details. Commissioner Brockbank stated that the Planning Commission approved the Development Agreement thinking that there would be some improvements. Mr. Tolman then stated that as he sees it, things are the same now as they were nine months ago. If eminent domain is to be invoked, the City needs to make an offer. If the offer is rejected, the next step is to go through the judicial system. The courts take 60 to 90 days after which they can allow immediate access. The road could then be installed in 30 days.

Mr. Tolman thanked the Planning Commission for the opportunity to visit with them and reiterated his commitment to being a good neighbor.

Commissioner Brockbank restated his opinion that the delays have not been the City's problem. Mr. Tolman stated that the Major Plan Change shows the road as a secondary emergency access. The Development Agreement also states that "in the event that there is a conflict between the Plan Approval and the Ordinance, the Plan Approval takes precedence." Mr. Tolman also believed that what he was proposing is consistent with what he has been told by the City Council. The text amendment will not create a precedent because it is restricted to the original Independence project.

There were no further public comments. Vice Chair Pavlakis closed the public hearing.

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015**

Commissioner Wingate acknowledged that he is the newest member of the Planning Commission and was not present for the original Independence Development Agreement and the Master Plan. He stated that if the proposal were approved, he would want to see the logistics of it from a public safety perspective. It was noted that multiple agencies were involved. He would want to see a statement from the Police and Fire Departments indicating that they agree with the proposed temporary emergency secondary access. He would also want to see a comment from the property owner where the gate is accessed.

Commissioner Brockbank did not support changing the ordinance to allow more than 30 lots without a secondary access. Furthermore, he did not think it was the City's responsibility to acquire the property for the road.

Vice Chair Pavlakis indicated that she was present when the Planning Commission established the 30-unit limit on a 1,000-foot road. The ordinance was instituted specifically to address high-density areas such as the one under consideration. She had spoken with the Fire Chief who was adamant in his opposition to the proposal. She had a hard time changing an entire City Code for one development and did not think that it was appropriate or within the scope of the Planning Commission. She believed the proposal was very scary, given the number of homes being built and was not about providing access for the fire truck. She stated that there has to be more than one road for residents to leave in an emergency situation. She did not believe that going through a gate and over a canal was an acceptable situation. It was noted that no time frame was attached to the temporary emergency secondary access.

Commissioner Wingate sympathized with the developer, particularly since he has already obtained a \$7 million loan, and the first part has already been approved. When he visited the area one month earlier, the north end of Noell Nelson Drive was very difficult for his small car to travel on. He also sympathized with the developer in terms of the time frame and understood there are many issues at play. Commissioner Wingate also confirmed that regardless of what the Planning Commission recommends, the City Council will have the final say on the matter. In the meantime, the developer can build up to 30 units right away.

Commissioner Brockbank explained that Mr. Tolman does not have the right-of-way yet, and he wants to change the City Ordinance. Changing the ordinance will not solve the problem if Mr. Tolman does not have the right-of-way. As a result, he believed it was premature to consider changing the ordinance.

James Wingate moved to forward a negative recommendation to the City Council for Text Amendment Application 2015-32, based on the following:

Findings:

- 1. That more evidence was needed from public safety officials regarding the access to mitigate safety concerns.**

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015**

2. **That written evidence is provided by the owner of the gate for the City to have access to use the gate in case of emergencies.**
3. **That the degree of the proposed amendments is a substantial deviation from the 30 lots or units on a single access ordinance requirement.**
4. **That the safety of residents in the Westgate subdivision would be exponentially impacted for emergency vehicles and personnel to access this area from an obstructed secondary access point.**
5. **That the secondary access includes the crossing of a canal which in the current state may not support the weight of emergency vehicles.**
6. **That the practical manner for emergency personnel to access the locked gate for the secondary access would be difficult to manage.**
7. **With the scale of the development without a secondary access, all construction and residential traffic will be routed through the Independence at the Point subdivisions to Heritage Crest Way or Porter Rockwell Boulevard. Traffic concerns of congestion and speed on Noell Nelson Drive (1000 West) and other residential streets within Independence have routinely been presented to the City by current residents in public meetings.**

Von Brockbank seconded the motion. Vote on the motion: James Wingate-Aye; Von Brockbank-Aye; Connie Pavlakis-Aye. The motion passed unanimously.

5. **PUBLIC HEARING, CONSIDERATION, AND VOTE on a Proposed Preliminary Plat for Mountain Pointe Business Park, a Seven-Lot Subdivision for an Industrial Office Building Park Located at Approximately 930 West 14600 South, Justin Earl, ICO Development, Applicant.**

Associate City Planner, Alan Peters, presented the staff report and stated that there are two agenda items relating to this project. He combined his presentation on the two proposals, which would be voted on separately. Mr. Peters reviewed the site of the project location, which consists of 45 acres. The property is located in the I-1 zone. A site plan was previously approved for the site by the Planning Commission and City Council in March 2013. There are seven industrial buildings in the site plan. Mr. Peters next reviewed the phasing plan for the subdivision. The seven buildings will be built incrementally on their own lot, per the previously approved site plan. Each building will have its own parcel, access, parking, and landscaping. The intent was to proceed one lot, or one phase, at a time. The smallest lot is 4.4 acres in size and the largest is 10.72 acres.

Mr. Peters next pointed out that the property includes access to a public road only on the front of the property, on 14600 South. The plat identifies the right-of-way dedication for 14600 South. The rest of the property will be dependent upon cross-access through the other parcels. There is a central aisle that backs each of the buildings and a perimeter road that accesses parking in the front of the

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015

buildings. Three buildings will face west and four will face east. The access to the buildings will be through the other parking lots, which is allowed by the City's Cross-Access Zoning Ordinance. The primary access will be from 14600 South. A second access will be located at an existing cross-access easement at the Center Point Business Park.

One change from the original site plan approval was the Storm Drainage Management Plan for the site. There is a retention pond at the back of the property that has a capacity of 290,000 cubic feet. The City's Storm Drain Manual requires that retention ponds drain within 48 hours of a 100-year storm. The applicant indicated that because of the unique site restraints, the geotechnical conditions are such that they would not be able to meet the 48-hour infiltration period. The Ordinance allows the City Engineer to waive that requirement. Accordingly, in the staff report is a copy of the applicant's request to have that requirement waived. The applicant proposed placing a six-foot fence around the pond to prevent people from going into the pond, in the event that it fills with water. There would also be an emergency outfall system into the canal. On the basis of the applicant's proposals, the City Engineer approved the waiver request.

In response to Vice Chair Pavlakis' question regarding the secondary access to 14600 South, Mr. Peters indicated that he did not know which issues have or have not been resolved. He remarked that the City's legal position is that there is an easement for cross-access, and that has not changed.

Commissioner Brockbank next asked why there are already footings on the subject property if the plat hasn't been officially approved. Mr. Peters explained that when the original site plan was approved in 2013, the intent was to develop one site with seven buildings. That approval was given and the applicant obtained a building permit in 2014 for one building at which time construction began. The proposal under consideration seeks to establish the lot lines throughout the project. The proposed changes will not be visible.

Mr. Peters then referenced the preliminary plat and stated that staff recommended approval with conditions and findings enumerated in the staff report.

Mr. Peters next addressed the second agenda item, which deals with the Final Plat for Phase 1 of the subdivision. He reviewed the location of Phase 1 on the site plan, which is an eight-acre parcel on the southwest corner of the site. He reviewed the Final Plat and stated that there is a roadway dedication of .88 acres from 14600 South. There are also easements going through the parcel. One is a water easement for Bluffdale City and another is an access easement for the City. Phase 1 fronts 14600 South, so it does not need a cross-access; however, it will tie into Center Point.

In response to Commissioner Brockbank's question regarding the lack of a deceleration lane for trucks that turn into the site, Mr. Peters stated that UDOT approved the original site plan. If a deceleration lane was a condition of approval at that time, it would still apply. Regardless of what is going to happen, the road will be widened; however, he did not know what the striping will look like. Bluffdale City can work with UDOT to make changes as necessary.

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015

In response to Commissioner Brockbank's question regarding the identity of the developer for this property, Mr. Peters said the developer is still ICO, or Ivory.

Commissioner Wingate expressed concern regarding access from 14600 South. He drives past the site every day and has noticed that it is already difficult for people try to turn left into Bullfrog and other nearby businesses. To add another business park would make things even worse. If, however, the road is widened, a center turn lane could be added. Mr. Peters stated that there will definitely be enough space to add a median or turn lane, even before the road is widened.

Commissioner Brockbank noted that originally the City approved a smaller area being developed and asked if the City is now being asked to increase the development with the same frontage design. Mr. Peters responded in the negative and explained that the extent of the site is exactly the same. The difference is that instead of building seven buildings at once, the developer wants to phase them in on separate parcels. The plat includes dedication for the entire frontage of the project and improvements. Commissioner Brockbank's concern was that there will be more vehicles turning into that property. Vice Chair Pavlakis clarified that the site plan that was originally approved also included the seven buildings shown on the current site plan. The only difference is that instead of placing the seven buildings on one large parcel, the buildings will be placed on separate subdivided parcels.

Commissioner Brockbank next expressed concern with water drainage. Mr. Peters stated that the Engineering Department approved the site plan. Commissioner Brockbank emphasized that careful consideration needs to be given to ensure adequate drainage. Mr. Peters noted that with each building permit, drainage will have to be addressed.

Vice Chair Pavlakis opened the public hearing.

Justin Earl gave his address as 338 West 900 North, in American Fork, and identified himself as a representative of ICO (Ivory Commercial Development). Mr. Earl explained that the immediate reason for phasing the property is financially driven. If there is just one large 45-acre lot, it encumbers the entire site when bank loans are sought and requires him to use the same lender for all of the buildings. Subdividing the lot for each building provides the flexibility to choose a different lender for each building. Mr. Earl indicated that he originally received approval for the entire project, but he likes to have flexible financing options going forward.

As for the water table, Mr. Earl stated that another soils test was requested, but it was for a sewer line that is already in existence. The soils test was conducted to ensure that a truck port could be placed on top of where the sewer line is located. The retention pond at the far end of the site will be able to accommodate the run-off.

With regard to the overflow mechanism, Mr. Earl could not remember what design was to be used. He believed it will be a gate with a mechanism to open the spillway so that the water can drain into the canal. Mr. Earl confirmed that he has an agreement with the canal company to build a spillway from the retention pond.

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015**

Mr. Earl next clarified that on the east side, the access could be through parking lots, which is permitted. On the west side there is a dedicated road, as well as a parking aisle. All necessary property dedications have been provided to Bluffdale City.

In response to Commissioner Wingate's question regarding the naming of the private roads and the establishment of business addresses, Mr. Peters stated that staff hasn't looked closely at the addressing of buildings yet. Mr. Earl stated that currently the addresses would be based on 14600 South. Mr. Peters added that the Final Plat will be addressed off of 14600 South. Commissioner Wingate believed it would be better for emergency services to have the addresses based off of the private roads.

There were no further comments. Vice Chair Pavlakis closed the public hearing.

Commissioner Brockbank stated that the rationale for subdividing the property into seven individual lots makes sense, and is better for the City in the long run.

Commissioner Wingate noted that ICO is doing things the right way.

Connie Pavlakis moved to forward a positive recommendation to the City Council for the Mountain Pointe Business Park Preliminary Plat, Application 2015-04, subject to the following:

Condition:

- 1. That all requirements of the City Code, adopted ordinances, and building and fire codes are met and adhered to for this subdivision.**

Findings:

- 1. That this application conforms to the City of Bluffdale Land Use ordinance requirements regarding preliminary plat approval.**
- 2. That the proposed drainage plan has been approved and a waiver granted for the 48-hour infiltration requirement by the City Engineer.**
- 3. That the proposed subdivision does not change the approved site plan.**
- 4. That the proposed subdivision will not be detrimental to the health, safety, or general welfare of persons or property within the area.**

Von Brockbank seconded the motion. Vote on the motion: Von Brockbank-Aye; James Wingate-Aye; Connie Pavlakis-Aye. The motion passed unanimously.

- 6. CONSIDERATION AND VOTE on a Proposed Final Plat for Mountain Pointe Business Center Phase 1, a One-Lot Subdivision in an Industrial Office Building Park**

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015**

Located at Approximately 930 West 14600 South, Justin Earl, ICO Development, Applicant.

Connie Pavlakis moved to forward a positive recommendation to the City Council for the Mountain Pointe Industrial Subdivision Phase 1, Application 2015-05, subject to the following:

Conditions:

1. That all requirements of the City Code, adopted ordinances, and building and fire codes are met and adhered to for this subdivision.
2. That the corrections to the subdivision plat as indicated by the City Engineer are made before the plat mylar is submitted to Bluffdale City for recording.

Findings:

1. That this application conforms to the City of Bluffdale Land Use ordinance requirements regarding preliminary plat approval.
2. That the proposed subdivision makes no changes to the approved site plan.
3. That the proposed subdivision will not be detrimental to the health, safety, or general welfare of persons or property within the area.

James Wingate seconded the motion. Vote on the motion: James Wingate-Aye; Von Brockbank-Aye; Connie Pavlakis-Aye. The motion passed unanimously.

7. **PUBLIC HEARING, CONSIDERATION, AND VOTE on a Proposed Plat Amendment for Center Point Business Park Plat "A" PUD Amended 2 in Order to Relocate an Existing Utility Easement Located on Lot 9, Ken Day, Applicant.**

Mr. Peters presented the staff report and stated that this and the following agenda item will likewise be presented together, and can be included in the same motion and vote. He identified the subject property on the map displayed and stated that it is 1.24 acres in size. He referenced the existing subdivision plat and the location of Lot 9, which is at the north end of Center Point and next to the previous project just considered. Vice Chair Pavlakis observed that the project has been discussed previously by the Planning Commission. Mr. Peters noted that a 10-foot north-south utility easement runs through the lot. In addition to the easement is a storm drain line, which goes to a catch basin in the middle that drains into the retention pond. The easement interferes with the proposed building, so the applicant is seeking to amend the plat by re-routing the easement within the lot. The applicant is also requesting an amendment to the water line easement.

The second application consists of a proposed site plan on the site, which shows why the easement needs to be changed. Mr. Peters reviewed the property boundary and the placement of the building

BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015

on the property. He explained that the applicant had concerns about being able build on the property. The building itself, however, conforms to all of the setback requirements in the I-1 zone. There are two things that are slightly different but that comply with the changes adopted by the City that gave flexibility to development on private roads. The first was parking. There are 10 stalls in the back and an additional 22 stalls in the front that access directly off of the private road. Typically 20-foot setbacks are required on private roads. On property like this, it is permissible to access parking lots directly off of private roads. This proposal is consistent with the rest of the development and the road circulation doesn't change.

The proposed building is 24,940 square feet in size. It will include a flex-based office warehouse that features a business that builds custom carports. There are other tenants also looking at the site. The business eventually will want to build carports for the parking stalls. The I-1 zone allows accessory structures to be located anywhere on the property as long as they comply with the Building Code. One thing that is new is the flexibility with the distance requirement.

Mr. Peters next reviewed the Landscaping Plan for the property. It is part of a larger development, so there is existing landscaping, however, they have provided enough landscaping just for their site. The City Ordinance requires 15% landscaping and this Landscaping Plan is at 16%. Commissioner Wingate was complimentary of the Landscaping Plan.

In response to Commissioner Wingate's question about the Site Plan, Mr. Peters explained that there were six areas that would be paved and fenced to allow for flexible storage. Mr. Peters stated that such fenced off storage areas are allowed in the City Code as long as they are screened. He observed that one thing that is new about the landscaping is the perimeter landscaping, however, the City has been stricter on what constitutes landscaping.

Mr. Peters next discussed the Lighting Plan, which was not included in the staff report. The lighting goes off of the property line slightly, but stays within the confines of the overall project. The lighting illuminates the parking areas and walkways. He addressed the elevation drawings of the buildings and the color schemes and explained that the color scheme depicted in the staff report is harsher than what will actually take place.

Mr. Peters stated that the I-1 zone does not have design standards, so the City defaults to the newly adopted standards. He reviewed the design criteria that the Planning Commission may want to consider during their review of this proposal. Staff believes that the new design requirements are essentially met. The City also adopted design standards for building entrances and the applicant meets those requirements as well. Mr. Peters reviewed the elevations to show what the carports might look like.

Staff recommended the Planning Commission forward a positive recommendation to the City Council for the Plat Amendment and the Site Plan.

Vice Chair Pavlakis opened the public hearing. There were no comments. Vice Chair Pavlakis closed the public hearing.

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015**

Von Brockbank moved to forward a positive recommendation to the City Council for the Center Point Lot 9 Site Plan and Plat Amendment, Applications 2015-23 and 2015-24, subject to the following:

Condition:

1. That all requirements of the City Code, adopted ordinances, and building and fire codes are met and adhered to for this subdivision.

Findings:

1. That this application conforms to the City of Bluffdale Land Use ordinance requirements regarding amended plat approvals and site plans.
2. That the proposed site plan conforms to the City of Bluffdale design standards.
3. That the proposed site plan and plat amendment will not be detrimental to the health, safety, or general welfare of persons or property within the area.

Connie Pavlakis seconded the motion. Vote on the motion: Von Brockbank-Aye; James Wingate-Aye; Connie Pavlakis-Aye. The motion passed unanimously.

8. **PUBLIC HEARING, CONSIDERATION, AND VOTE on a Proposed Site Plan for a New 24,940 Square-Foot Office/Warehouse Building to be Located at 974 West 14420 South, Lot 9 Center Point Business Park, Ken Day, Applicant.**

The motion and vote on the above agenda item were included in the motion and vote on the previous agenda item.

9. **City Council Report.**

Commissioner Wingate inquired about the discussion on the Kailye Anne amended subdivision. Mr. Peters reported that staff followed up on all of the conditions presented. Clarifications were added to the plat regarding the easement restrictions. With regard to the retention pond and its capacity, work was still being done. As a result, the item was continued. City Planner/Economic Development Director, Grant Crowell, visited with Code Enforcement regarding concern expressed with the neighbor's run-off when he irrigates his property and fills up the retention pond.

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

There was no discussion on this agenda item.

11. **Adjournment.**

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, July 15, 2015**

The Planning Commission Meeting adjourned at 8:37 p.m.



Gai Herbert
Community Development Secretary

Approved: August 19, 2015