

**BLUFFDALE CITY PLANNING COMMISSION
MEETING MINUTES
Wednesday, October 7, 2015**

Present:

Members: Brad Peterson, Chair
James Wingate (arrived at 7:02 p.m.)
Kory Luker (arrived at 7:02 p.m.)
Johnny Loumis, Jr.
Von Brockbank

Excused: Connie Pavlakis

Others: Grant Crowell, City Planner/Economic Development Director
Jennifer Robison, Associate Planner
Alan Peters, Associate Planner
Gai Herbert, Community Development Assistant
Bruce Kartchner, City Council Member (arrived at 7:27 p.m.)

BUSINESS MEETING

Chair Brad Peterson called the meeting to order at 7:00 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 September 16, 2015, Meeting of the Planning Commission.

Von Brockbank moved to approve the minutes from the September 16, 2015, meeting of the Planning Commission, as printed. Johnny Loumis, Jr., seconded the motion. Vote on motion: Johnny Loumis, Jr.-Aye, Von Brockbank-Aye, Brad Peterson-Aye. The motion passed unanimously. James Wingate and Kory Luker were not present for the vote.

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4. PUBLIC HEARING, CONSIDERATION, AND VOTE on a Proposal to Amend the Official Zoning Map from I-1 (Light Industrial) to HC (Heavy Commercial) for Approximately 5.0 Acres Located at 644 West 14600 South, Scott Peterson, Applicant.

Associate Planner, Alan Peters, presented the staff report and stated that the subject property is north of the Bullfrog Spas facility and south of the Utah State Prison. Access to the subject property is through Bullfrog Spas. The property is bordered to the north by Draper City, to the west and south by Heavy Commercial property, and to the east by Regional Commercial property. There are two metal buildings located on the subject property. Two businesses operate out of the two buildings. The south building is currently being leased long-term to Bullfrog Spas and is used for storage only. The north building is currently leased to S3C, an auto body shop.

When the applicant learned that an auto body shop was not a permitted use in the I-1 Zone, he requested that the City change the zoning to HC, which does include “automotive service” as a permitted use. Consequently, staff reviewed the Land Use Table and determined that an auto body shop fits the definition of “automotive service.” All of the work done at S3C takes place indoors. A secure area will be built for overnight storage. The perimeter is also secured. In order for S3C to obtain a business license, the proposed business must be a permitted use within the zone.

In answer to Chair Peterson’s question regarding the length of time the business has been at this location and how the business obtained a license, Mr. Peters stated that he was unsure how long the business had been there, and he noted that the business does not have a license yet because the owner determined that he could not obtain a license because of its I-1 zoning. The applicant was requesting the rezone in order to obtain a business license. Mr. Peters stated that the surrounding properties allow automotive services, so he was of the opinion that rezoning the subject property would be compatible with the surrounding property. Mr. Peters also observed that it seemed more feasible to rezone the property rather than propose the addition of “automotive services” as a text amendment to the I-1 Zone list of permitted uses. Mr. Peters added that the zoning change would be consistent with the General Plan. If the zone change takes place, there will be more permitted uses for the subject property.

Staff recommended that the Planning Commission forward a positive recommendation to the City Council.

Chair Peterson opened the public hearing.

Matt Peterson gave his address as 14342 South Round Rock Drive, in Herriman, and identified himself as a son of Scott Peterson, the applicant. In response to Chair Peterson’s question regarding how long the auto body shop has been located on the property, Mr. Peterson stated that the business has been there a few months. The business owner, who is leasing the property, has been trying to obtain a business license. When he learned that his business was not a permitted use in the I-1 zone, he told Mr. Peterson’s father that if the zoning wasn’t changed, he would

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have to terminate his lease and move his business elsewhere. In response to Chair Peterson's question regarding the previous use of the subject property, Mr. Peterson stated that his father purchased the property approximately two years ago. It sat vacant for a year. Formerly the property was owned by Advanced Modular, a manufacturer of modular buildings. The property has sat vacant for several years.

Mr. Peterson stated that the owner of S3C is a refugee from Colombia and is very thorough. Chair Peterson asked Mr. Peterson to convey the Planning Commission's best wishes on the success of his auto body business.

Hearing no further comments, Chair Peterson closed the public hearing.

Von Brockbank moved to forward a positive recommendation to the City Council for the Peterson Zoning Map Amendment from I-1 (Light Industrial) to HC (Heavy Commercial), Application 2015-46, based on the following:

Findings:

- 1. That the proposed changes are consistent with the General Plan.**
- 2. That the proposed changes 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: Von Brockbank-Aye, Kory Luker-Aye, James Wingate-Aye, Johnny Loumis, Jr.-Aye, Brad Peterson-Aye. The motion passed unanimously.

- 5. CONSIDERATION AND VOTE on a Subdivision Plat Amendment Application for The Marketplace Aclaime at Independence Plat A Located at Approximately 14800 South Porter Rockwell Boulevard to Adjust Lot Lines for Townhomes Within the Original Plat, Aclaime Group, Applicant.**

Associate Planner, Jennifer Robison, presented the staff report and stated that when Aclaime recorded the plat they bonded for all of their improvements. They then went forward with the construction. When construction was in progress, they learned that Rocky Mountain Power required the easement to be moved after the plat was recorded. Consequently, the plat was amended to show what is currently in place. Mrs. Robison next reviewed a diagram showing the layout of the property. Two townhomes on the original plat were affected by the change of the easement and underwent a change in their legal description. When the permits were requested, the adjustments had already been made. Mrs. Robison identified on the site plan which buildings have been constructed, which are under construction, and which are yet to be constructed. She stated that the application is a legal formality to ensure that the legal descriptions are updated. She explained that the changes are very minor and that the open space was unaffected.

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Commissioner Brockbank sought clarification on how the changes to the plat could have been agreed upon and made without coming before the Planning Commission first. Mrs. Robison stated that all of the townhomes are owned by one builder, so when the plans were made, they knew that the easement was going to be in the way. Therefore, they asked that the plat be updated to reflect what is real with the change. Commissioner Brockbank opined that the process did not occur as it should have. Mrs. Robison stated that it wasn't a problem because their plat was recorded and now they want to make sure that the lots are legally recorded before they sell them. This change serves to clarify that the buildings have been shifted so that when the townhomes are sold, they will have a correct legal description. Mrs. Robison stated that staff deemed it would not be detrimental to the City to allow the contractor to begin construction of the townhomes since the plat was recorded.

Johnny Loumis, Jr. moved to forward a positive recommendation to the City Council for the The Marketplace Aclaime at Independence Plat "A" Amended Application 2015-47, subject to the following:

Conditions:

- 1. That all requirements of the City Code, adopted ordinances, and the Aclaime at Independence Development Agreement are met and adhered to the proposed amended plat.**
- 2. That all requirements of the originally approved final plat for The Marketplace Aclaime at Independence Plat A are in effect and enforceable with the approved Plat Amendment application.**

Von Brockbank seconded the motion. Vote on the motion: Von Brockbank-Aye, Kory Luker-Aye, James Wingate-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 M-1 for 30 Residential Single-Family Lots and Associated Streets at Approximately 15205 South 1085 West Within the Independence Master Planned Community, 4 Independence, LLC, Applicant.

Mrs. Robison presented the staff report and stated that under consideration is a new plat for Independence at the Point. The plat will be 8.22 acres in size and will provide for 30 dwelling units. Mrs. Robison then reviewed an aerial view of the area to show how Plat M-1 fits into the overall design of Independence. The plat will have two cul-de-sacs off of the main collector road. The applicant will identify where the open space and trail connections will be located. Commissioner Wingate requested that a new map be provided to show the updates that have been made.

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Chair Peterson opened the public hearing.

Mindy Dansie gave her address as 1099 West South Jordan Parkway and identified herself as a representative of DAI. She stated that DAI is going to submit an application to allow more signage in the area known as The Ridge. When the application comes forward, the Planning Commission will see an updated version of what is happening in that area.

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

Commissioner Wingate was pleased to see that the lots are quite large. In addition, it was noted that parking and snow removal are non-issues with this plat.

Kory Luker moved to forward a positive recommendation to the City Council for the Independence at the Point Preliminary and Final Plat M-1 Application 2015-45, subject to the following:

Conditions:

- 1. That all requirements of the City Code, adopted ordinances, and the Independence at the Point Development Agreement are met and adhered to the proposed plat.**
- 2. That the plat 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 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.**
- 4. 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.**
- 5. 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.**
- 6. That the project adheres to all requirements of the International Fire Code.**

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- 7. 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.**
- 8. That the City Staff receive, review and approve an updated Street Tree Plan for all phases of the Independence project west of Noell Nelson Drive prior to the recordation of the plat.**
- 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.**
- 10. That the City Staff receive, review and approve the final layout and design of the trail system, landscaping, and open space identified on the plat.**

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

7. City Council Report.

City Council Member Bruce Kartchner noted that the last City Council meeting was exceptionally short. He indicated that he will no longer be a member of the Bluffdale City Council effective January 2016. Chair Peterson stated that Council Member Kartchner will be missed. In response to Chair Peterson's question regarding the status of the plans for the New City Hall, Council Member Kartchner stated that it will continue moving forward, but he had not seen anything definitive yet. The City Council selected the general contractor in a recent City Council Meeting. Mr. Peters stated that a kick-off meeting with the Contractor and Architect was to occur the morning of October 8.

In response to the question regarding his future plans, Council Member Kartchner stated that he has put in his application to serve as a Trustee with the Jordan Valley Water Conservancy District.

In response to Commissioner Brockbank's question regarding the overpass at 14600 South, Council Member Kartchner explained that the City is trying to figure out a way to reduce the impact of the railroad trestle. It is a State road, but also affects Bluffdale City. The possibility of putting in a traffic signal was being explored. Also under consideration was the proposed intersection at 1000 West and 14600 South. It was anticipated that something will occur there within the next year, hopefully sooner. The State was not willing to spend millions of dollars to fix the problem, so the City was looking at alternatives. In addition, the City is looking at the possibility of installing a laser signal to warn truck drivers when their trailer is too tall or long for the underpass.

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

Chair Peterson noted that this will be the last Planning Commission Meeting for Mr. Peters who has accepted another job in the Pacific Northwest. Chair Peterson publicly thanked Mr. Peters for the fine work he has contributed to Bluffdale City and the Planning Commission.

Mrs. Robison noted that the General Plan for Parks and Trails will be on the agenda for the next Planning Commission Meeting. She invited the Planning Commission Members to review the Plan and come prepared to share their feedback.

9. Adjournment.

The Planning Commission Meeting adjourned at 7:34 p.m.



Courtney Lemperle
Development Coordinator

Approved: October 21, 2015