

**City of Taylorsville
Planning Commission Meeting Minutes
June 13, 2023
Pre-meeting – 6:30 p.m. – Regular Session – 7:00 p.m.
2600 West Taylorsville Blvd – Council Chambers**

Attendance:

Planning Commission

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

Community Development Staff

Jim Spung – Senior Planner
Terryne Bergeson – Planner 1
Jean Gallegos – Admin Assistant/Recorder

CITIZEN'S/GUESTS PRESENT: Megan Chacon, Chris Chacon, Michelle Holman, Michael Nieuwland, Julia Davis, Paul Sommer, Larry Gilbert and Jane (not further identified).

BRIEFING SESSION – 6:30 P.M.



1. **Mr. Spung** conducted the briefing session and explained the first two items are tied together and will be heard as one presentation by him. Those items are a preliminary conditional use permit and site plan for properties at 1860 & 1904 West 4700 South; 1859, 1881, 1883, 1901 & 1903 West 4655 South; and consideration of a mixed-use master plan and preliminary plat for the same properties. This proposal was first seen by the Commission in early May. He answered Commissioners concerns and questions, after which **Ms. Bergeson** presented her item for a zoning text amendment to the Taylorsville Municipal Code, Chapter 13.25 related to updates to water efficient landscaping standards.

GENERAL MEETING – 7:00 P.M.

Commissioner Quigley welcomed those present and read the opening statement.



A roll call was taken with the following being present: Commissioner Young, Commissioner Wright, Commissioner Quigley, Commissioner Wendel, Commissioner McElreath, and Commissioner Willardson. Commissioner Wilkey and Commissioner Russell were excused this evening.

Conditional Use Permit

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| <ol style="list-style-type: none">2. 17C23 – Public Hearing and Consideration of a Preliminary Conditional Use Permit and Site Plan for the Properties Located at 1860 and 1904 West 4700 South; 1859, 1881, 1883, 1901 and 1903 West 4655 South in Taylorsville, Utah. (Jim Spung/AICP/Senior Planner) |
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Subdivision

3. 3S23 - Public Hearing and Consideration of a Mixed-Use Master Plan and Preliminary Plat for the Properties Located at 1860 and 1904 West 4700 South; 1859, 1881, 1883, 1901 and 1903 West 4655 South in Taylorsville, Utah. (Jim Spung/AICP/Senior Planner)

2.1 **Mr. Spung** presented these items.  He explained that the public hearing covers both Agenda Items 2 and 3. He showed the ALTA/NSPS Survey and explained the content and images of the site as it currently looks, which was taken a month ago. He said he would first talk about the master plan, after which he would discuss the subdivision.  He then explained that 4655 South is posted for no parking allowed from 7 to 4 on school days on both sides of the street. He showed an image of the properties to the east and west of this site.

2.1.1 The designation in the General Plan for this area is High-Density, Mixed Use. High-Density Mixed-Use is defined as “Mixed use zones can contain a mix of land uses, such as residential, commercial and office within the same area. Land uses in mixed-use zones may be varied either vertically (i.e. mix of uses in one building such as an apartment over a retail establishment) or horizontally (i.e. single use buildings with different uses placed next to each other). The High-Density Mixed Use (HDMU) classification allows a residential density of up to 12 dwelling units per acre or more in a mixed-use setting.” This proposal does comply with the present General Plan; however, it is in the process of being updated, with a finish date being very soon.

2.1.2 **Mixed-Use Purpose.** Land Development Code §13.23.260(A). This section is established to provide a zone to be used near City transportation corridors that allow a mix of specific land uses that are typically found separately in “mutually exclusive” zoning districts. Mixed use represents a departure from characteristic zoning to the extent that it encourages a combination of land uses which might normally be regarded as incompatible. The intent of this zone is to create self-sustaining walkable neighborhoods in which residents may walk to work, to shopping, to recreational facilities and have access to mass transit. These neighborhoods are to provide a variety of housing opportunities and choices that include a range of household types, family sizes, and incomes. They shall provide convenient pedestrian commercial services, employment opportunities, and shall be located in areas with existing, or probable future, multiple transportation choices. Design standards include requirements that help provide a true “neighborhood” by stipulating various mix of uses, “built to” lines, compact building design, preservation of open space, pedestrian friendly streets and streetscape, parking concealment, architectural control, and maintenance. Proposed developments with increased land intensity and housing density but without the above “walkable” elements are unacceptable and will not be approved.

2.1.3 **Planning Commission Review.** The master plan was presented to the Planning Commission on May 9, 2023, and was tabled, pending revisions to address the following comments:

- 2.1.3.1 Private driveway widths of 15 feet are not adequate.
- 2.1.3.2 Concerns about project density and number of units.
- 2.1.3.3 Better alignment of east/west driveways with the proposed public street.
- 2.1.3.4 Sidewalk locations and pedestrian access.
- 2.1.3.5 Project phasing and the timing of Phase 1 and Phase 2.

Mr. Spung explained some of the differences included from the May 9th meeting to tonight’s meeting as being discussion of the future Mid-Valley BRT, in that this property is within that area.

- 2.1.4 **Streets and Access:** **Mr. Spung** went over the Land Development Code §131.23.260(E)(10): concerning streets and access. All accesses within a mixed-use development shall have connectivity with existing and future street patterns. A grid street pattern or modified grid pattern is required. Cul-de-sac streets will not be approved unless it can be demonstrated that no other practical way exists to make connectivity. In order to uphold and enhance traditional neighborhood development principles, private streets are discouraged and gated communities are prohibited. Street width shall comply with applicable City standards. In general, streets shall be designed to meet the level of travel and service while incorporating principles of traffic calming and pedestrian compatibility, i.e., tree lined streets with pedestrian ways and linkages, decreasing the need for pavement width by spreading traffic through a grid or modified street hierarchy system.
- 2.1.5 **Sidewalks & Walkways:** The design of pedestrian ways may include a solitary meandering pathway or trail, a “pedestrian street” and the many possible designs in between. Walkways and connections to trail systems shall be incorporated into the project. Choice of appropriate pedestrian access will be made based upon the scale and type of mixed-use project being proposed and by the way uses are intermingled. The standard 10’ cross section (5-foot park strip, 5-foot sidewalk) is a minimum, while a wider park strip and/or sidewalk may be required depending upon the land use and the desired effect. All streets shall have sidewalks and curbside streetscape. Pavers, borders, and other sidewalk design materials with compatible colors shall be used as needed in order to break up expanses of hard surfacing and to encourage pedestrian interest and activity.
- 2.1.6 **Mr. Spung** reviewed what is proposed for Phase 1 as follows: 16 feet face of curb to face of curb transitioning to 20 feet; 6-foot sidewalk on east side terminating where road narrows; Departure from standard 50-foot right-of-way, will require Planning Commission and City Engineer approval during preliminary plat, per 13.21.110; elimination of park strip requires Planning Commission approval during preliminary plat. (requirements for Phase 2 are the same).
- 2.1.7 **Setbacks:** Shall be determined by the Planning Commission based upon acceptable layout and design for both Phase 1 and 2.
- 2.1.8 **Land Coverage:** Land Development Code §13.23.260(C).
- 2.1.8.1 It is the intent to create efficient usage of land within the mixed-use district by controlling the intensity of different types of land uses while providing sufficient size to create a walkable neighborhood.
- 2.1.8.2 Coverage for both buildings and paved areas (parking, loading, and circulation) shall not exceed 85%, thereby reserving a minimum of 15% for landscaped areas and open space.
- 2.1.8.3 Parking terraces and underground parking is strongly encouraged. Surface parking (permanent or temporary) may be allowed in addition to, or in lieu of a parking structure, upon the approval of the Planning Commission, where it is screened from streets and where it can be shown that the phasing plan, design, size, and scope of the project substantially provides a walkable community.
- 2.1.9 **Phase 1** – Landscape area is 10,142 square feet (19.25%). Amenity area is 34’ x 62’ and 2,130 square feet. 118 square feet per unit. **Phase 2** – Landscape area is 11,615 square feet (30.61%), Amenity area is 108’ x 45’ and 4,805 square feet and 150 square feet per unit.
- 2.1.10 **Parking, Building Orientation, Standards and Elevations:** **Mr. Spung** went over the parking requirements for all types of units and to cover guest parking. He discussed all the proposed easements involved with this development and showed on the image where they are located. He

then explained building orientation, building standards, building elevations submitted by the applicant.

- 2.1.11 **Mr. Spung** reviewed the preliminary plat conditions of approval as being:
- 2.1.11.1 Preliminary subdivision approval is contingent on the master plan approval.
 - 2.1.11.2 To ensure Phases 1 and 2 are built in accordance with the proposed master site plan, all property owners within the boundary of the master plan shall enter into a Development Agreement with the City to ensure the master plan is legally binding. Said Development Agreement shall be recorded with Salt Lake County concurrently with the plat.
 - 2.1.11.3 A plat note shall be included referencing the Development Agreement and associated master plan.
 - 2.1.11.4 All outstanding City department and review agency comments be resolved, and subsequent revisions comply with applicable City ordinances, codes, and standards prior to plat recording.
- 2.1.12 **Mr. Spung** reviewed the preliminary Conditional Use Permit/Site Plan conditions of approval as being:
- 2.1.12.1 Preliminary conditional use permit and site plan approval is contingent on the master plan approval and preliminary subdivision plat approval.
 - 2.1.12.2 All outstanding City department and review agency comments be resolved, and subsequent revisions comply with applicable City ordinances, codes, and standards prior to final approval.
- 2.1.13 **Mr. Spung** explained there have been some changes from the May 9th meeting to today's, June 13th. He displayed simultaneous images of the site plans for both May 9th and June 13th  and explained in detail what the changes were, indicating they were relatively minor in nature.  He advised Commissioners who had questions that he would show the proposed plat at the end of his presentation. He continued on to say the easement would be recorded on the plat so that there would be legal rights to access the private street for their property. It is not an agreement with the developer but rather a mechanism recorded on the plat that is legally binding. He explained the driveway accesses for both images. He continued to say the total project would include 32 units, with 64 vehicle spaces and each unit has its' own two-car garage and there would be 17 surface stalls. Total parking ratio is 2.5 parking stalls per unit. The property is just over two acres, and it would be a total density of 15 units per acre.
- 2.1.14 **Mr. Spung** mentioned that the Utah State Legislature in the last session passed a law that said that any municipalities that have a station area plan within a quarter of the Bus Rapid Transit (BRT), in order to qualify for certain fundings for road projects, have to rezone those areas to allow a minimum of 40 units per acre to qualify for funds.  This particular project is 15 units per acre and substantially 1/3 of what the State would normally require to be built in proximity to a transit station. A light rail station requires a minimum density of 50 units per acre to qualify for additional funding for certain road projects.
- 2.1.15 **Commissioner Wright** asked about the number of units allowed being 12 units per acre as previously stated. **Mr. Spung** said that was 12 units per acre or more, which what the current General Plan says. As part of the Station Area Planning effort that the City is going to start on June 14 with the City, Staff and Consultants who are preparing the plans. Those plans will reflect the new State Legislation that requires the higher density around the Station Area Plans.
- 2.1.16 **Commissioner McElreath** asked for clarification regarding the revised items, one from the previous meeting was to reduce the number of units but felt it had been answered by **Mr. Spung** saying that

cannot be presently required. **Mr. Spung** advised that is what was approved in the Station Area Plans, however, doesn't become effective until the City adopts their Station Area Plans and when the BRT is in place. The City isn't bound by those rules yet but will be in the next few years. Tonight's proposal contains the same number of units as did the May 9th meeting. It isn't a requirement for the Commission to reduce the number the number but was a topic of discussion that this proposal seemed to have a lot of units for the lot size.

2.1.17 **Commissioner Quigley** said if they essentially get this development approved, then it won't be subject to the State requirements that the number of units be increased. **Mr. Spung** said not with the development but when the Station Area Plan is adopted then yes. **Commissioner Quigley** commented that in a sense this would protect the City from having to put more units in there. **Mr. Spung** advised that essentially it all depends on what the Station Area Plans include and as part of that effort the Consultant team will do a detailed analysis within that quarter mile of each station to figure out the best places to put in more units. This area of the City has already been identified as a Mixed-Use High-Density Area, but it is all still to be determined.

2.1.18 **Mr. Spung** continued on to say that this project is proposed to be completed in two separate phases. He showed the image showing both phases. As part of Phase 1, the new private street would include being connected into 4700 South and because the existing homes will remain, there is insufficient width for the complete right-of-way needed for the street, to include sidewalks on both sides. So, it will narrow down to about 20' in width and there will be striping along the east side of the street to allow for safe pedestrian movement there.

2.2 **FINDINGS (MASTER PLAN & PRELIMINARY SUBDIVISION)**

- 2.2.1 The application (File #3S23/SUB-000332-2023) was initiated by Jake Larson, Lartet Properties.
- 2.2.2 The subject property is 2.08 acres and is currently made up of 5 individual parcels (listed in Staff Report)
- 2.2.3 The applicant's proposal includes the removal of three single-family structures and two duplex structures over two phases, to make way for the construction of 32 new townhouse units.
- 2.2.4 The subject property is in the Mixed-Use (MJ) zoning district.
- 2.2.5 The subject property s in the "High-Density Mixed-Use" designation in the City's General Plan.
- 2.2.6 The applicant's proposal is consistent with the City's General Plan and would result in a density of 15.4 dwelling units per acre.
- 2.2.7 The applicant has submitted a separate conditional use permit and site plan review application (File #17C23/CUP-000342-2023) with intentions to develop the subject property.
- 2.2.8 The proposed conditional use permit and site plan review application (File #17C23/CUP-000342-2023) includes improvements that may require notations on the plat document.
- 2.2.9 The application has been reviewed by City departments and review agencies. Prior to final approval, city staff will continue coordinating with the applicant to address all outstanding review comments.
- 2.2.10 Specific development standards that merit further discussion and consideration from the Planning Commission has been listed in a table in the "Land Development Code Analysis" section of the Staff Report.
- 2.2.11 To ensure Phase 1 and Phase 2 are built in accordance with the proposed master sie plan, City Staff recommends all property owners on he plat enter into a Development Agreement with the City to ensure that master plan is legally binding.
- 2.2.12 A title report for the property within the boundary of the plat must be submitted to the City within 90 days of recording to ensure all relevant information is reflected on the plat.
- 2.2.13 To ensure proper sequencing of approvals, the subdivision plat review process must be completed prior to issuance of a development permit on the subject property.

- 2.2.14 On June 2, 2023, a public notice was mailed to all affected entities and property owners within 300 feet of the subject property. All comments received prior to June 8, 2023, are included in this report.
- 2.2.15 Section 13.23.260(E) of the Taylorsville Land Development Code (LDC) requires that prior to development in a mixed-use zoning district, the Planning Commission review and approve a master plan. An approved master plan will inform future development applications for the subdivision, conditional use, and site plan reviews.
- 2.2.16 The Planning Commission is the decision-making authority for preliminary subdivision plat review.

2.3 **FINDINGS (CONDITIONAL USE & SITE PLAN)**

The Findings are essentially the same as above, with the following exception: #7 says “The applicant has submitted a separate master plan and preliminary subdivision plat application (File #3S23/SUB-000332-2023) with intentions to develop the subject property”.

2.4 **CONDITIONS OF APPROVAL:**

- 2.4.1 Master Plan – None.
- 2.4.2 Preliminary Subdivision Plat (Phase 1) Staff recommends the following conditions of approval for this application:
 - 2.4.2.1 Preliminary subdivision approval is contingent on the master plan approval.
 - 2.4.2.2 To ensure Phase 1 and Phase 2 are built in accordance with the proposed master site plan, all property owners on the subdivision plat shall enter into a Development Agreement with the City to ensure the master plan is legally binding. Said Development Agreement shall be recorded with Salt Lake County concurrently with the plat.
 - 2.4.2.3 A plat note shall be included on the plat referencing the Development Agreement and associated master plan.
- 2.4.3 Preliminary Conditional Use Permit & Site Plan (Phase 1): This approval is contingent on the master plan approval and preliminary subdivision plat approval.
- 2.4.4 **Mr. Spung** concluded his in-depth presentation showing both phases and proposed changes to the original plan. He showed images of the project and discussed the addition of open space, with no increase in the number of units. They have added 13 additional spaces for guests. He showed an image of where the BRT would be going in. He explained where the pedestrian sidewalks and pathways would be located, including those in Phase 2. He went over the proposed setbacks and showed them on the image. He explained the parking situation and the proposed amenities to be included. He explained the utility plan, building standards, orientation and elevations being proposed. He added that there will be five fire hydrants included on this site when finished. 

Commissioner Quigley opened the public hearing and invited the applicant to come forward to speak.

- 2.2 **APPLICANT ADDRESS:**  **Jake Larson**  indicated that since the May 9th meeting, he has had productive discussions with Staff regarding the Planning Commission concerns.

- 2.2.1 He has agreed to increase the driveway size. He felt the biggest concern they had was with Phase 2 Since last meeting had good discussion between staff and the PC. Did go over what the discussion items were and concerns which were valid points. Because of that they will increase increase the driveway to a minimum of 20’ and some of them even more in order to make them more adequate by also increasing the driveway width where possible.  He felt they have done a good job of moving towards a more walkable type development. They have not decreased the number of units in either Phase. He welcomed the fact that there are so many neighbors here tonight and appreciated their input. They have worked on reconfiguring the alignment of the east/west

connection. They are now only five feet off of center. He had discussed that with the Engineer and he has no concerns about that change. Sidewalk locations did not change.  Except that he felt it was important to establish striped connection to 4655 South, which is the full 6' width sidewalk. By doing so it establishes a more defined transition between the 26' to the 20' section. During Phase 2 it will be improved as well. He went into the difference between Phase 1 and 2 saying his intention is that Phase 1 is the ultimate for this project and during the course of the Development Review Committee meetings he attended at the City offices, Staff found that it did not meet mixed-use zoning to not provide clarification on land use in that zone for the area that could be affected. Phase 2 is shown in order to establish a design for future land use, if and when that ever happens. That his relatives who own the property in Phase 2 are both present this evening. It is not his intention to pursue Phase 2 in its totality unless he gets permission to do so from his family. 

2.2.2 **Mr. Larson** expressed confidence that Phase 1 can totally stand on its own for the time being. Phase 2 was intended to provide clarity on land use in the mixed-use zone, which is a requirement given to him by Staff. When it is developed it will provide additional amenities and housing. He does not have a timetable to do this at this time.

2.2.3 **Commissioner Quigley** asked if that meant he is looking at a total of 18 units, to which **Mr. Larson** replied that was correct and added there is no plan at this time to develop Phase 2. **Commissioner Quigley** asked if the 18 units would mean the parking ratio was a little higher then. **Mr. Larson** said that was correct and added that accessibility being it is a private road, signage will be added per fire code requirements to deter use, as well as a private entrance to deter other people from using that. The 20' easement up above is more along the lines of a fire accessibility emergency point, as required by fire code also. It is a deterrent as far as being able to allow thru traffic but it is something that the public has access to. Traffic is not allowed to go on to 4700 South in Phase 1.

2.2.4  **Commissioner Quigley** asked what questions Mr. Larson has received from people to the west with the combined driveway. **Mr. Larson** said that involved the Chacon family who is present tonight. He did have a meeting with them and discussed the challenges they have with exiting and entering off of 4700 South into their narrow driveway that is in close proximity to the ingress/egress point for this development. UDOT does require that the applicant eliminates as many ingress/egress points along the right-of-way as possible. Which **Mr. Larson** indicated he would be eliminating three. **Commissioner Quigley** added he felt this was a better scenario. **Mr. Larson** said that based on the conversation he has had with those neighbors they were concerned about getting security and having people using or blocking their driveway, which Mr. Larson felt were valid concerns. That based on fire code, he can install no parking signs but other than that can't prevent people from doing what they should not be doing. He felt this is going to be a much safer entrance point for those neighbors. **Commissioner Quigley** complemented Mr. Larson on the efforts he has made towards making this better. 

2.2.5 **Commissioner Wendel**  she agreed that Mr. Larson is working with a very small piece of property in trying to maximize the potential. While being sympathetic to that end, at the same time she expressed concern about open space. When thinking about the amount of open space dedicated to the 18 units, she felt it would work out to be about the size of her home floor plan. The small area of that open space was a concern. Added to that concern was what was the useability of that small space when there is a requirement for a detention area. She asked for clarification on what the open spaces would look like. **Mr. Larson**  addressed the detention area saying they have worked with the engineering staff to establish that there would be no above

ground water detention and that it will be completely underground detention as well as metering out to the storm drain system. As far as the amenities is concerned, he said he has researched ways to maximize the useable space. It would be for a friendly pet use, a play area and pavilion for children.  He felt they can use the space effectively and efficiently to accommodate any and all needs of the community. He added that there are other parks available in the immediate area. **Commissioner Wendel** said that obviously the Community College has a lot of open space available. By having those exits off 4655 South, the idea is to get people to move north into those spaces. She was also concerned to get more space and setbacks where needed or provide wider driveways, it would end up removing some of the landscape areas. **Mr. Larson** said that was a good point in that landscape areas between those should not have ever been there in order to allow for the two car garages. At the rear of the buildings there is virtually no space between those units for those particular landscape areas.  By removing them it actually accommodates the space better. **Commissioner Wendel** added she was just hoping there was something design-wise that could be done to add some liveliness. Anything that is too small there would not live very long and become a nuisance or detracting from useable space. It is very concreted, especially with the narrow setbacks, like the 5' on the east side for example.  What materials are going to be used in all the setback spaces? What should that be expected to look like. **Mr. Larson** said on most of the units, towards the rear, between alleyway and garages, it would be hardy siding, which is a very common and well-established finish. The walls along the main thoroughfares, 4700 South and 4655 South would incorporate more of a masonry type higher grade finish. They are looking to stay with what is on the elevation, which is a higher-grade finish. In the setbacks, as stipulated in the mixed-use zone, it would be drought resistant materials. The majority of the setback landscaping would be shrubs and ornamental type grasses but not grass that requires watering and mowing. The area in the hatched area would be culmination of grass to satisfy the needs of the animals in the area.

- 2.2.6 **Commissioner Wright** asked how the private drive would be maintained and was informed by **Mr. Larson** that it would be the Home Owner's Association's responsibility and parking restrictions along 4655 South would be controlled by signage targeted during the day time.
- 2.2.7 **Commissioner Quigley** expressed he fears that due to the limited available parking, people will park in the shopping center to the south and walk across the street. That he has noted pedestrians are already crossing 4700 South  **Mr. Larson** mentioned the impact the new BRT would have on this location saying that it will virtually cut the road width in half, providing a natural barrier against jaywalking.
- 2.2.8 **Commissioner Young** added that he saw easements for sewer and water but wondered about one for electricity.  **Mr. Larson** said that easement will be maintained and managed by Pacific Corp.  **Commissioner Young** asked what the easement requirement would be and **Mr. Larson** said he did not have that information available tonight.
- 2.2.9 **Commissioner McElreath** asked for clarification on the phasing.  That what he had heard said was that Phase 2 would possibly never be built, to which **Mr. Larson** said that was correct.  **Commissioner McElreath** then asked Mr. Spung if Phase 1 meets the standards for mixed-use, to which he replied that was a difficult question to answer in a yes or no fashion. He felt it depends, given the temporary access on the north end technically would not meet the street width or sidewalk requirements. That is something the Planning Commission has the authority to approve. The original plan presented to Staff that only showed Phase 1 was challenged as being a good start but there was concern on what was going to happen with the rest of the neighborhood. Planning

is a long-term effort and whether Phase 2 happens in five years or 30 years, having an established plan in place makes sense to avoid piece-meal developments that don't connect with each other. To answer the question, Phase 1 doesn't really by itself doesn't achieve the mixed-use zone but the master plan there does and that is what is being looked at tonight. **Commissioner McElreath** asked if Phase 1 requires two ingress/ingress points and **Mr. Spung** said it does, per fire code. **Commissioner McElreath** said that his problem is with no certainty on Phase 2, the project is stuck with a 26' wide road now being reduced down to 20' and that could be forever.  He was aware of the legal limitations that could be enacted that future development would be locked into doing Phase 2 but he was concerned about the road only being 20' wide. **Mr. Spung** said that was true and would be that way until Phase 2 happens. **Mr. Larson** said that fire code on a private driveway allows them to do a private road up to 150' without a turnaround. That would take it about midway through to where the first parallel parking stall is located (showed it on the image). It is not meant to provide access for a public right-of-way but does provide fire accessibility only for drive in/drive out. 

2.3 **SPEAKING:**  **Commissioner Quigley** asked those wishing to speak to do so at this time.

- 2.3.1 **Megan and Chris Chacon.**  **Megan Chacon** said they own the property to the west at 1908 West. They have spoken with Mr. Larson, who talked about their driveway being closed off and installing a sliding gate from the private road into their driveway. She had a safety concern with getting out of the car to open the gate and would instead like the gate be electric and remotely controlled for safety. That they have a camper trailer and a 19' boat in their back yard, which they must have access to. **Commissioner Quigley** advised the ingress/egress is a problem and needs to be worked out with the applicant. 
- 2.3.2 **Michael Neuland** has concerns, one of which is his street 4655 South, is already being used as a short-cut between Redwood Road and 4700 South and vice versa. This project will increase the traffic using this as a short cut. That the problem with enacting rules is that they are given to the owners but not passed along to the renters. The amount of increased parking is really going to be a problem as well as the amount of traffic that will increase. **Mr. Neuland** would prefer this project contain single-family homes instead of mixed-use and is not in favor of this proposal as presented. 
- 2.3.3 **Larry Gilbert** said he understands  the mission of the Planning Commission is to look out for the wellbeing of the public but also felt this project is a total disaster waiting to happen and would only increase the traffic problem and that when the BRT goes in it will make things much worse. He asked the Planning Commission to use common sense and leave the neighborhood alone. **Commissioner Quigley** commented that he has lived in Taylorsville for 30 years and noted that changes are eventual. However, it is the goal of the Planning Commission to protect the quality of life in neighborhoods.
- 2.3.4 **Jane** (not further identified) commented that the garbage would not be picked up unless it is put out on 4655 South. She felt that would be a big problem eventually. She was not in favor of this project. **Commissioner Quigley** added that the problem of garbage would be something that the HOA would be responsible for.
- 2.3.5 **Michelle Holman** felt that there would be more than two cars at each unit and would eventually spill over to park on 4655 South. She lives at the end of the private street and noted that during the winter, snow is pushed to the end of her driveway. She was not in favor of this proposal and the extra traffic it will add to her neighborhood. 

- 2.3.6 **Paul Sommer** lives on Bowling Avenue.  He owns the duplex to the west of the property. He felt the main reason for the mixed use is to provide walkability. There are six restaurants, Taylorsville Park, the Community College and a Walgreens within walking distance. He felt this is probably the most walkable community in Taylorsville now. That the advent of the upcoming BRT there that will only enhance that. People living in those units could do so easily without an automobile. He stated that he didn't disagree with other comments heard from the neighbors tonight.
- 2.3.7 **Julia Davis**, lives on Bowling Avenue. She stated that the restricted parking signs in her area are never enforced and cars park along the street all the time. She is afraid these proposed units will turn into rentals, add to the parking problems and ruin the neighborhood. She is not in favor of this proposal. 
- 2.4 **Commissioner Quigley** closed the public hearing and opened the meeting for discussion by the Planning Commission.
- 2.5 **DISCUSSION:**
- 2.5.1 **Commissioner McElreath**  said he is still not convinced on the phasing. He can't get past having the 20' section of road as it would be too narrow. For Phase 1 there must be two points of egress/ingress to it and must meet City standards, the 20' is close but doesn't meet it. His second point came from the public comment wherein it is really going to disrupt one particular property and limit the use of their driveway. Most of the time when gates are put in it is usually in an area set up so a vehicle can stop and be out of traffic for the gate to open.
- 2.5.2 **Commissioner Wright** said he liked the idea of having housing in the area but he realized there is concern of access for 4655 South. If there could be a way to better interface with the neighborhood he would be more amenable. He suggested a possibility of teaming up with Taylorsville-Bennion Improvement District to use their access on the east side. He felt this development would have a negative impact on the existing neighborhoods as it is proposed and make their problems worse. 
- 2.5.3 **Commissioner Wendel**  said she wanted to address the big picture of what the Planning Commission does. That is to follow the zoning laws and any legislation that comes from the State of Utah. The BRT is coming and she is experiencing a lot of strife over the fact that the BRT is going to completely change that area. The State is requiring that cities will adapt to the changes that are required when there is transit coming through an area. The State is going to require that the City increase future densities in all areas within a quarter mile of a transit station. There will be two transit stations that are within or very close to that quarter mile radius. She is struggling with the fact that this  that will be in those neighborhoods from this point forward and she felt that no one who has lived in Taylorsville for a number of years want to come to the terms with the fact that the City is changing and urbanizing. She said that this transition is going to be taking place and what the Commission is charged with doing is figuring out how to do the absolute best to retain the quality of life for the people who do already live there, mitigating the problems that it can as the transitions occur but she asked for understanding that the transitions are occurring, whether anyone on the Commission likes them or not. The population has more than doubled in the last 20 years, there is public transit coming, and there are people who cannot get a home, being the Salt Lake County is 50,000 units short for people to have housing. The State is going to require probably in the next few years that the density of these particular properties will be two or maybe four times greater than what this project allows. Her concern with this particular project

right now is that the Commission can only look at half of a project and being asked to approve a master plan that allows for the entire area and yet only planned for half of it. She did not feel the Commission can do that well. She did not feel the Commission is servicing the neighbors well by looking at it halfway, whether it is half the density that is going to be required in five years or more. She appreciated the applicant having worked so very hard on this project and wanted the neighbors to know that. That he has given every consideration to try and make the best opportunity of this property. She personally has decided to vote against it purely based on the fact that the BRT is coming, there is going to be a need for greater amenities and services both for the Community College, all retail areas, to provide people housing and she did feel it could be done well in this distinct place that the applicant is trying to provide now. 

2.5.4 **Commissioner Willardson** added that the whole project needs to be planned out and be approved first. He also thought consideration must be given to the person who can't use their property safely anymore due to this change and have essentially become landlocked. 

2.5.5 **Commissioner Wright**  added comments, which were inaudible.

2.5.6 **Commissioner Young**  said he appreciated the comments given about walkability of the area. He felt that density that would have to be embraced eventually due to the extreme shortage of housing existing now. He was concerned with this project as it stands because only Phase 1 is in play, with no guarantee that Phase 2 will happen. He would have liked to have seen the plan include both phases. 

2.5.7 **Commissioner Wendel**  said her concern is when the density increases come from the State that the Commission would rather have the high density at 4700 South and that the transitioning to the existing neighborhood be a little bit less, less impactful. That if this project goes forward now, that means when the State requires increased density, that will mean lower density at 4700 South more intensity at 4655 South. That would be instead of having one complete project where the neighbors at 4655 South could be buffered better.

2.5.8 **Commissioner Quigley** advised that the State will eventually come up with the density requirements but that doesn't mean if a person owns a home in that area that the State is going to force them to tear their house down and go to high density. He said when this project was first presented to the Commission, he thought it would be a nice project but was disappointed when he saw the Phase 1, Phase 2 concept. His issue has been the on-going "cart before the horse", in talking about walkable communities, which he was in favor of, but the point is in order to get to a walkable community, the world we live in right now is if there is a three-bedroom rental, there is a chance there will be 3 to 5 cars, not counting weekend visitors  The parking for this project is very limited and there is not even a driveway to the property. So, a person's own two cars must be in the garage, which space is often taken up with things other than cars. The discussion is always around a walkable community but if people still have cars, that sort of defeats that. He now feels that this is a project whose time has not yet come. The mixed-use concept for the master plan is solid but there are too many moving parts right now to gain the Commission's full support for the project. The project doesn't solve the real issues of the day that will be the issues of the day years down the road. Once the BRT is working and people become more walkable, it would do better.  Currently, people are still driving and not embracing walkability.

2.5.9 **Commissioner Young** asked Mr. Spung if the BRT was really in play now, to which he replied they are expected to start construction later this year. **Commissioner Young** would have liked to look

at tonight's project as one project as a whole and not two phases. He had concerns with Phase 1 and while he did not have concerns with the density or walkability issues he still did not think this project fulfills the need the Commission has to move it forward. 

2.6 **Commissioner Quigley** thanked the Commissioners for their comments and asked for a motion.

2.7 **MOTION FOR ITEM #3 (heard first):**  **Commissioner Wendel** - This applies to #3, File #3S23, for the Master Plan. I move that we deny the mixed-use master plan for the properties located at 1860 & 1904 West 4700 South; 1859, 1881, 1883, 1901 & 1903 West 4655 South in Taylorsville, Utah, as identified in Exhibit F, subject to the findings and conditions outlined in the Staff Report.
SECOND: Commissioner Willardson
ROLL CALL VOTE: **Commissioner Young** – AYE, **Commissioner Wright** – AYE, **Commissioner Quigley** – AYE, **Commissioner McElreath** – AYE, **Commissioner Wendel** – AYE, **Commissioner Willardson** – AYE. Motion passes. **Commissioners Wilkey and Russell** were excused.

Commissioner Quigley attested that both items were heard simultaneously and public hearings held. He then asked for a Motion for Item #2, having already made the Motion for Item #3. 

MOTION FOR ITEM #2 (heard second) Commissioner Wendel - This applies to #2, File 17C23/CUP-000342-2023, a preliminary conditional use permit and site plan for Phase 1.  I move that we deny the preliminary conditional use permit and site plan for the properties located at 1860 & 1904 West 4700 South; 1859, 1881, 1883, 1901 & 1903 West 4655 South in Taylorsville, Utah, File #17C23/CUP-000342-2023, based on the conditions and findings as outlined in the Staff Report in conjunction with File 3S23/SUB-000332-2023 which was the application for a mixed use master plan and preliminary plat for the same properties, having been denied by the Planning Commission.
SECOND: Commissioner Wright
ROLL CALL VOTE: **Commissioner Young** – AYE, **Commissioner Wright** – AYE, **Commissioner Quigley** – AYE, **Commissioner McElreath** – AYE, **Commissioner Wendel** – AYE, **Commissioner Willardson** – AYE. Motion passes. **Commissioners Wilkey and Russell** were excused.

Commissioner Young commented for the neighbors that the zoning does allow for something like this, however, this project didn't work. That doesn't mean it won't happen in the future, especially with the BRT coming very soon, and laws being enacted by the legislature. There may be other projects that do work. There may be a way for the applicant to make enough adjustments to make this work.

Commissioner Quigley and **Commissioner Wendel** thanked Mr. Larson for coming tonight and presenting his ideas.

Zoning Text Amendment

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| 4. | 5Z23 - Public Hearing and Recommendation to the City Council for a Zoning Text Amendment to Taylorsville Municipal Code, Chapter 13.25, Related to Updates to Water Efficient Landscaping Standards. (Terryne Bergeson/Planner 1) |
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4.1  **Ms. Bergeson** presented this item.  The City of Taylorsville is proposing to amend the General Landscape Standards found in Chapter 13.25 of the Land Development Code with the intent to adopt standards that more strongly support water efficient landscape design in all zones. This will also meet State requirements and allow Taylorsville to be added to the list of qualified municipalities where residents can receive additional funding for lawn conversion projects through Utah Water Savers.

4.1.1 The Planning Commission reviewed proposed language to meet those standards. On May 9, 2023, they voted 6-0 to forward a positive recommendation for File 5Z23, with revisions, to the City Council.

4.1.2 Staff has been in contact with organizations that determine eligibility and review cities' standards to confirm eligibility. Prior to the City Council meeting, the ordinance was forwarded to the Water Conservation Manager at Utah Department of Natural Resources. One change was required for Taylorsville's proposed landscape standards to meet State requirements.

4.1.3 Following is the updated proposed standards with the change to 13.25.010(D)(2)(f) which updated the language regarding exceptions for small lots, as required by DNR:

13.25.020(E) removal of "ground covers". "Landscaped Zone" in 13.36.130 was correctly labeled as "Hydrozone" and moved to the appropriate section.

4.2 **FINDINGS:**

- 4.2.1 Residents of Taylorsville are not currently eligible to receive reimbursement from State incentive programs as they replace water-intensive lawn with more Utah-friendly landscaping.
- 4.2.2 To receive benefits from certain State incentive programs, projects must be in a City that has adopted specific standards related to water efficient landscape design.
- 4.2.3 The City of Taylorsville has initiated an application to amend Chapter 13.25 and certain sections of Chapter 13.36 to meet State requirements.
- 4.2.4 Planning Commission reviewed proposed updates on May 9, 2023.
- 4.2.5 The Planning Commission voted 6-0 to send a positive recommendation for File 5Z23, with revisions, to the Taylorsville City Council.
- 4.2.6 Feedback was received from State officials that language in 13.25.010(D)(2)(f) related to exceptions for small lots needed update.
- 4.2.7 Staff has updated the proposed change to include revisions from Planning Commission and Water Conservation Manager.
- 4.2.8 Staff supports the proposed text amendment.
- 4.2.9 A text amendment to the City's Land Development Code is a legislative action, requiring a Planning Commission recommendation to the City Council.
- 4.2.10 The City Council is the final review and decision-making body.

4.3 **STAFF RECOMMENDATION:** Staff recommends the Planning Commission forwards a positive recommendation to the City Council to amend Chapter 13.25 Landscaping Standards and certain sections of Chapter 13.36, Definitions of the Land Development Code, specifically related to water efficient landscaping.

4.4 **Commissioner Quigley** opened the public hearing and since no one came forward to speak in favor or opposition, closed the public hearing and opened the meeting for discussion or a motion by the Planning Commission.

4.5 **MOTION:**  **Commissioner Wright** – I move that we send a positive recommendation to the City Council for File #5Z23 for an amendment to the Land Development Code related to Chapter 13.25, Sections 13.36.020, 13.36.090, 13.36.130, 13.36.170, 13.36.210 as specified in the Staff Report. With the addition to 13.25.020, paragraph 4 Front Landscape, to say: "Front landscape areas shall include a combination of trees, rocks, gravel, and plant materials. Plant materials shall cover a minimum of 25% of the landscaped area".
SECOND: Commissioner Wendel.
ROLL CALL VOTE: Commissioner Young – AYE, Commissioner Wright – AYE, Commissioner Quigley – AYE, Commissioner McElreath – AYE, Commissioner Wendel – AYE, Commissioner Willardson – AYE. Motion passes. Commissioners Wilkey and Russell were excused.

Other Matter

5. Planning Commission Review of the Taylorsville Land Development Code Update Project – Chapter 13.04: Development Standards, Related to Site and Building Design. (Jim Spung/AICP/Senior Planner)

- 5.1 **Mr. Spung** presented this item, which he proposed to be just for discussion. He advised that Staff has received a lot of comments suggesting ways for the City to improve its' image. That was mostly addressed to commercial centers, most of which are older developments built in the 70's and 80's, but reflected that most new development is much higher quality due to improvements made in Design Standards. Comments reflected that they would like elevated designs for buildings. **Mr. Spung** asked for input from the Commissioners. **Commissioner Quigley** advised what he has noticed is most shopping centers are centrally and have the potential to become very nice. He would like to allow more architectural freedom in blending buildings. **Mr. Spung** asked they thought redevelopment could become a viable option, with the opinion received that redevelopment carries a higher price tag. In doing that, the tearing down of the previous structures must be factored into the cost. **Mr. Spung** felt that an important thought is showcasing what people think of our City when they are driving through it. **Commissioner Quigley** felt the City is dealing with third generation tenants and is not attracting people who have disposable income. We still want to spot light our values and protect our community. **Mr. Spung** emphasized the importance of good quality site design and landscaping. That Taylorsville still doesn't seem to be a destination site but rather a place to get from one place to another and the City needs to work on changing that. **Mr. Spung** asked the Commissioners to give all this some thought to be discussed in future meetings. **Commissioner Quigley** commented that the City has the right people on board, i.e., Wayne Harper, Mayor Overson, City Council and Staff. It just must put all the pieces together and move it in the right direction.

ADJOURNMENT: By motion of **Commissioner McElreath** and second by **Commissioner Wright**, the meeting was adjourned at 09:50 p.m.

These Minutes Were Prepared and Submitted By:

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