

1 ELK RIDGE PLANNING COMMISSION

2 September 28, 2017

3  
4 TIME AND PLACE OF MEETING

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, September 28,  
6 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7  
8 ROLL CALL

9 *Commissioners:* Jared Peterson, Bruce Thorpe, Shawn Ram, Wayne Jones, Jared Barton (late) Absent: David  
10 Clark, Jim Chase  
11 *Others:* Royce Swensen *City Controller*  
12 Laura Oliver, *Planning Commission Coordinator*  
13 *Public:* Milan Malkovich, Roger Knell, Max Ditlevsen, Nancy Ditlevsen, Robert Black, Victoria Black,  
14 Lee Haskell, Larine Mortensen, Alicia Ballard, Suzanna Nielson, Stephanie Taylor, Henry  
15 Wede.

16  
17 OPENING ITEMS

18 Jared Petersen welcomed at 7:00 PM. Opening remarks were said by Wayne Jones followed by the pledge of  
19 allegiance.

20  
21 BRUCE THORPE MOTIONED TO APPROVE THE AGENDA SECONDED BY WAYNE JONES.  
22 VOTE: APPROVED - YES - ALL (4), NO -NONE (0) ABSENT David Clark, Jared Barton, Jim  
23 Chase  
24

25 PUBLIC HEARING AND ACTION

26 LDS CHURCH BUILDING PRELIMINARY PLAT APPROVAL

27 Shay Stark – There are 2 actions tonight. The first action is a potential zone change to allow a church to be  
28 constructed in a residential area. The second is a preliminary approval. The proposed location is on Rocky  
29 Mountain Way. It is 3.83 acres. This is the Armstrong pastureland just south of the existing home of the Taylor's.  
30 This area is zoned residential R-1-15,000. Within that zone public facilities are allowed but they have to be zoned  
31 as public facilities. The rezoning would be contingent upon the sale and construction of the church so that the  
32 same use that was proposed occurs at that site. The second action is the preliminary approval of the plat, based  
33 on the sale of the property and the construction of the church. Rocky Mountain Way has a 66 foot right of way.  
34 Originally the city's plan was to tie Canyon View into Rocky Mountain Way but on the south end of Rocky  
35 Mountain Way, as it turns on the Goosenest, there is a very steep section that made this impractical. There are  
36 better ways to handle that and a few years ago the city adjusted that in the transportation plan. There is 42 feet  
37 of pavement that was designed for a collector but this road is not going to serve as a connector so there is plenty  
38 of capacity as far as traffic is concerned. The other 2 things that were looked at are the water and sewer, which  
39 are believed to have the appropriate size lines. If this moves forward as part of the plat process then the lines  
40 will be put into the city's model and verify that there is fire flow capacity and no offsite issues. Rocky Mountain  
41 Way has a roughly 8% grade. The property has quite a bit of drop so in order to meet ADA and make the  
42 building easily accessible to all the parking, the north entrance, instead of coming straight into parking lot, will  
43 come up a grade and into the parking area. The south end will be a retaining wall or something that will handle  
44 the grade.

45  
46 Jared Peterson opened the public hearing.

47  
48 Robert Black – He lives on the south side of the lot. Can there be a little more information on the south slope?  
49 Mr. Knell and Mr. Malkovich, Architects - The south side will keep the natural grade, not a retaining wall, which is  
50 a 25%-30% slope to the parking lot. The retaining wall between the parking lot and the driveway is where the  
51 majority of the grade will be taken. The mandate is to have no stairs going into the church.

52 Robert Black - What type of building is it going to be.

53 Mr. Knell and Mr. Malkovich, Architects - It is called the Granger 300. It is a meeting house set up for 3 wards,  
54 potential 4 in an emergency. This will be the first of its model built.

55 Robert Black - Are there any outside structures?

56 Mr. Knell - No.

57 Robert Black - Parking lot lighting?

58 Mr. Knell and Mr. Malkovich, Architects - Lighting will be around the interior perimeter of the building. There will  
59 be a combination sidewalk curb and gutter with 3 lights on the north and south and 2 on the east. They are  
60 shoebox LED so they shine down and don't light the night sky.

61 Robert Black - What is the elevation of the GRANGER 300?

62 Robert Black - What are the materials that will be used on the exterior

63 Mr. Knell and Mr. Malkovich, Architects - It will be brick. The stake president gets to pick the exterior colors brick  
64 and shingles and then the interior color scheme.

65 Stephanie Taylor - She lives on the property north of the proposed building. How is drainage being handled?

66 Shay Stark - During preliminary approvals the feasibility is being looked at and not the technical aspects. This  
67 design may change but what was proposed is a storm drain system with catch basins catching the storm water  
68 in the parking lot. That water then goes in to a series of underground galleries and then it percolates down in the  
69 ground.

70 Stephanie Taylor - Whatever is planned double it. There is a lot of run off.

71 Mr. Knell and Mr. Malkovich, Architects - The good news is there is a gravel bed. That gravel will percolate well  
72 into the ground. He will tell his engineer so that he is aware.

73 Bruce Thorpe - Did you do any soil testing for the percolation factor with the native soil that is there?

74 Mr. Knell and Mr. Malkovich, Architects - Yes, the engineer says its 5 minutes per inch per crape.

75 Suzanna Nelson - She is concerned with the speed limit and is wondering if there are can be speed bumps  
76 installed to protect the kids that play there.

77 Jared Peterson - Personally doesn't think the speed limits should have been raised but that needs to go before  
78 city council.

79 Max Ditlevsen - On the preliminary drawings it appears that there are parking stalls directly north of the homes.

80 Mr. Knell and Mr. Malkovich, Architects - There is a landscape buffer.

81 Max Ditlevsen - How wide is that buffer?

82 Mr. Knell and Mr. Malkovich, Architects - You will be looking over it. The parking lot will be below 30% and 20  
83 feet of slope there will be a 6 foot high fence and 6 foot elevation drop to the parking lot so effectively 12 feet  
84 down to the surface of the parking lot.

85 Mr. Knell and Mr. Malkovich, Architects - We can provide a cross section. The site will general have fill in and  
86 around the building. If you are familiar with the existing stake center, the local facility manager has concerns  
87 about steep slopes and stairs. So they are designing this property to have easy access to the parking lot and the  
88 building. They are required to do that anyhow by ADA requirements. They are spending a little bit more money  
89 to do this.

90 Nancy Taylor - If this doesn't go through then does the land revert back to its original zoning.

91 Shay Stark - Yes, the approval is contingent upon the purchase of the land and the construction of the church  
92 building

93 Resident, Unknown - What is the estimated time frame?

94 Mr. Knell and Mr. Malkovich, Architects - To build it would be 12 months. It could be 1-3 years before  
95 construction begins.

96 Resident Unknown - In deciding the footprint and model of this building could this turn into stake center?

97 Mr. Knell and Mr. Malkovich, Architects - The determination of what is built is done in Salt Lake in the Planning  
98 Department. The stake center is essentially the same building. If it is determined early enough then they put in  
99 the stake suite. The church could change their mind at any point.

100

101 **Jared Peterson closed the public hearing.**

102

103 Shawn Ram - Due to the stake center being so close to this site would that deter it from being a stake center?

104 Mr. Knell and Mr. Malkovich, Architects - It's hard to tell. They can be close, sometimes next door. That is  
105 discouraged through.

106 Bruce Thorpe - He recently moved from Texas where they took 2 existing stakes and made a third. Is the push  
107 to make smaller stakes to give more opportunity to create service? Is that a push within Utah?

108 Mr. Knell and Mr. Malkovich, Architects - The requirement use to be 5000 members were needed to make a  
109 stake. About 10 years ago they changed that to 6000 so the stakes would be larger. For general meeting  
110 houses, or wards, the desire is to have smaller units. Right now the church is more concerned about having its  
111 buildings filled before constructing new ones.

112 Wayne Jones - The property owners need consideration which is why he thinks they are here. On the south side  
113 is there going to be much noise generated to the back of those homes. Is a sound wall needed? The second  
114 item is the lighting and the third is drainage. Those are the 3 things that he feels are needed to be looked at.

115 Shawn Ram - He is concerned about traffic on mutual nights and Sundays. There are a lot of people that walk to  
116 church; what happens to the traffic flow on Rocky Mountain Way on those days? He is concerned about the  
117 speed limit.

118 Jared Peterson - Those items need to be addressed during the final end of it. Tonight the zone needs to  
119 changed and the preliminary plat approval.

120 Shay Stark – One other thing that needs to be addressed is the city code allows 1 year for preliminary and then  
121 it expires. The Planning Commission needs to make an exception to allow the 2 one year extensions. That  
122 would allow them to get the building done. If there are any issues getting to the point where they can file for plat  
123 that would create a buffer to allow that to occur.

124 Stephanie Taylor – What fencing will be in place during construction. She has horses in the adjacent field.

125 Mr. Knell and Mr. Malkovich, Architects -They will be required to have temporary construction fencing to the  
126 point where the permanent fencing is installed. The fencing would be 6 feet high. They have, on another site, put  
127 in 3 wired, barbed wire fence just on the inside of that. Animals tend to lean on the fence unless its barbed wire.

128 Bruce Thorpe – Referring back to Wayne Jones concerns, have there been any accommodations to those  
129 items?

130 Mr. Knell and Mr. Malkovich, Architects -Typically, the noise occurs inside, other than the people coming and  
131 going. Lighting, no lighting will exit the site. There is 1 foot candle to .5 - 2.5 and at the property lines it will be  
132 zero. Lights go on at dusk and go off at 10:30-11 at night. There isn't any reason for them to be on after that.  
133 Sound issues, there is no pavilion on this property. If there is a concern they can test sound at an existing  
134 meeting house and see what the decibel level is.

135 Wayne Jones – Is there going to be a fence on top of the retaining wall?

136 Resident Unknown - What is the fencing requirement in the city?

137 Shay Stark – Fencing can go up to 8 feet in height and can be wood, metal, vinyl, and masonry.

138 Mr. Knell and Mr. Malkovich, Architects -Most of the concern is headlights shining into homes. There are a  
139 number of ways to deal with that with different types of fencing. They are open to suggestions. When they do the  
140 cross sections that will show any impact of headlights.

141 Mr. Knell and Mr. Malkovich, Architects - The situation right now is the property is under contract for option to  
142 purchase and so they want to make sure that they can actually build the church there before the sale is finalized.  
143 There is property purchased all over the country in anticipation of building a church and for whatever reason  
144 were not able to build on it, which wastes a lot of time. Now they get the approvals beforehand.

145 Mr. Knell and Mr. Malkovich, Architects – An extreme example of the church backing out would be that the  
146 Planning Commission wanted solid gold sculptures of all the Planning Commission across the front of the  
147 property that might be a deal breaker. Something onerous, that is not usual or reasonable, then they would build  
148 somewhere else. Also, if the soils were bad or wouldn't percolate could change where they build. One city  
149 wanted them to put in a 5 million dollar sewer line, so they didn't build there. Eventually the residents made  
150 some recommendations to the city for a compromise. They want to be careful with the donated funds of the  
151 church. The things that have been brought up to night are not extreme or unreasonable. They are things that  
152 that they deal with.

153 Stephanie Taylor – Is concerned about snow removable on the driveway into the church.

154 Mr. Knell and Mr. Malkovich, Architects - Snow is typically moved to the rear of the parking lot so it's not around  
155 the building. They tell their snow removal people not to move snow into the road or fencing.

156  
157 **WAYNE JONES MOTIONED TO APPROVE THE ZONE BE CHANGED FROM AN R-1-15,000**  
158 **ZONE TO PUBLIC FACILITY ZONE CONTINGENT UPON THE PURCHASE OF THE**  
159 **PROPERTY FOR THE PURPOSE OF A CHURCH BUILDING, SHAWN RAM SECONDED**  
160 **VOTE: APPROVED - YES - ALL (5), NO –NONE (0) ABSENT David Clark, Jim Chase**

161  
162 **WAYNE JONES MOTIONED TO APPROVE THE PRELIMINARY PLAT FOR THE PROPOSED**  
163 **3.83 ACRE CHURCH PARCEL LOCATED APPROXIMATELY AT 1150 NORTH ROCKY**  
164 **MOUNTAIN WAY CONTINGENT UPON THE PURCHASE BY THE APPLICANT FOR THE**  
165 **CONSTRUCTION OF A CHURCH BUILDING WITH THE EXCEPTION FOR 2 ONE YEAR**  
166 **EXTENSIONS OF THE PRELIMINARY PLAT APPROVAL SECONDED BY JARED BARTON.**  
167 **VOTE: APPROVED - VOTE: APPROVED - YES - ALL (5), NO –NONE (0) ABSENT David Clark,**  
168 **Jim Chase**

#### 169 170 **MEMORY CARE FACILITY CONDITIONAL USE PERMIT APPROVAL**

171 Shay Stark – He passed out an email from Lee Haskell that outlines the number of rooms. This building is  
172 different than the previous plan previously submitted. There is a difference in the room count and the hall ways  
173 were widened. There arrows and numbers mean the number of people using that area. Some of these issues  
174 were brought up at TRC's and some are requirements of the state.

175 Lee Haskell, Developer – These plans were submitted to the state 10 days ago. Lee received a 10 page letter  
176 from the state with all the state requirements needed. The Planning Commission does not have a copy of that  
177 letter yet. The letter is extensive and there is still a lot of detail that is needed to go into this.

178 Shay Stark – The purpose of this is for a conditional use that vets the applicant with the right to develop this  
 179 property with a Memory Care Facility or an Assistant Living Center with a certain number of rooms. There are  
 180 engineering details and design details which will change, per state requirement and the commercial  
 181 development, which will all occur with the final approval.

182 Bruce Thorpe – Asked why this is a conditional use request.

183 Shay Stark – As of now, the city code states that assisted living centers are not a permitted use, they are  
 184 conditional use.

185 Bruce Thorpe – Even though it is zoned commercial it is still conditional use.

186 Shay Stark – It is a conditional use. It's not a matter of it not fitting into the community. That means that there  
 187 are a lot of details that need to be considered with an assisted living center such as emergency access.

188 Lee Haskell, Developer- If you look at the commercial zone there is a 10 page list that has everything on there  
 189 that shows whether it is permitted or conditional use.

190 Wayne Jones – Since the Planning Commission met last there were concerns of the fire department emergency  
 191 access of elevators and stairwells, has that been addressed?

192 Lee Haskell, Developer – Yes absolutely. The state fire Marshall governs assisted living centers. They have to  
 193 approve everything. The mistake that was made on the other plan was he went through the city fire chief  
 194 instead.

195 Wayne Jones \_ His concerns, having worked in a different larger city, come from responding to facilities like this  
 196 and dealing with issues like this is a big problem. He likes the idea of the center. The only thing he can suggest  
 197 is to have a meeting with the fire chief about this.

198 Lee Haskell, Developer- He spoke with Seth Waite, the city Fire Chief, and Seth said he would look into this but  
 199 he has not heard from Seth yet.

200 Shay Stark – He went through the plans and showed the changes to the elevator, and the hallways and  
 201 stairwells.

202 Lee Haskell, Developer – When he gets the review back from the State Fire Marshall he will forward it to Seth  
 203 Waite, Fire Chief.

204 Jared Peterson – On the main floor plan there are 16 rooms and the letter states 14 which makes the total to 45  
 205 instead of 43 and the one stall for handicap parking may not be enough, but that will be brought up in the final  
 206 review.

207 Discussion ensued to clarify the number of rooms as 43.

208 Shay Stark – Handicap parking stalls will based on ADA requirements. The health Department will regulate that.

209 Jared Barton – On the letter it says that there is an intent to be engaged in pharmacological and non-  
 210 pharmacological clinical studies. He is concerned about drugs and security of those drugs on the premises and  
 211 transportation of the drugs.

212 Lee Haskell, Developer – They have to be in a locked cabinet, with 2 locks: a lock on the cabinet and a lock on  
 213 the drawer. Only qualified CNA's can distribute those drugs.

214 Jared Barton - What kind of volume will there be regarding the drugs? He is all for research but he is concerned  
 215 about what is being stored on the premises.

216 Lee Haskell, Developer – In speaking with the Alzheimer Association it is mostly monitoring activities such as  
 217 lifestyle, background, brain usage, etc. and not pharmacological. This will be a volunteer program. He doesn't  
 218 know what the exact drugs would be.

219 Shay Stark – Is there a Doctor that would come into the facility?

220 Lee Haskell, Developer – Doctors and Clinicians. They were going to put in a lab (Dr. office) in but they were  
 221 advised against it and to have the appointments in the patients rooms, since that is their home.

222

223 **BRUCE THORPE MOTIONED TO APPROVE CONDITIONAL USE PERMIT FOR THE MEMORY**  
 224 **CARE FACILITY WITH 43 SUITES WAYNE JONES SECONDED. VOTE: APPROVED - YES -**  
 225 **ALL (5), NO -NONE (0) ABSENT: David Clark, Jim Chase**

226

## 227 GENERAL PLAN

228

229 Jared Peterson – The next section is Sensitive Lands and Hazards. The Urban Wildland Interface zone needs to  
 230 be mentioned in this.

231 Shay Stark – Definitely mention the high risk of the wildland fire and therefore the city has adopted the State  
 232 code for Urban wildland areas and actively pursue educating the resident to those dangers and what they can do  
 233 to reduce that risk.

234 Jared Peterson – Thinks that everything currently in the General Plan should stay and add the State code and  
 235 WUI code. Update the map if the WUI code does not become city wide.

236 Shay Stark – There are 8 park spaces shown on the map, is that too many? If there is a park within a quarter  
237 mile of you, you are more likely to use that park. The city is relatively small and he doesn't see that as an issue,  
238 especially on the north end. Does the south end need a park?  
239 Jared Peterson – That would be more trails and natural hiking areas instead of a formal playground.  
240 Jared Barton – Maybe not a formal playground but a picnic area.  
241 Shay Stark – Camp ground  
242 Bruce Thorpe – He would think that the city would want to stay in the norm and plan for a future expansion of  
243 parks.  
244 Shawn Ram – The Planning Commission talked about the cost associated with that, the city was significantly  
245 lower than were it should be.  
246 Shay Stark – He did not think that there was a real clear picture from the last meeting.  
247 Discussion ensued on current and previously proposed parks and open space.  
248 Jared Peterson – Add some dots on the trails for picnic area and an area on the south for a park for future  
249 expansions.  
250 Shay Stark – The text has almost been revised. The next step is to review the maps. The Planning Commission  
251 will get a copy of them beforehand for review.  
252 Jared Peterson – Annexation is next. How much more land can be annexed into the city.  
253 Shay Stark – There is some areas off 11200 and perhaps a boundary change between Elk Ridge and Woodland  
254 Hills. There is a possible area south of the golf course where residents may be taking this in their own hands and  
255 pushing for annexation. This section needs to remain.  
256 Jared Barton – He deleted the first couple paragraphs down to the real info that needs to remain. He will send  
257 what he has to Laura so she can send it to the City Council for review.  
258

259 **CITY COUNCIL UPDATE**

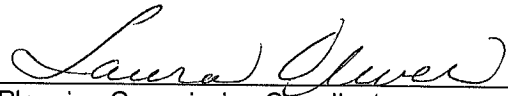
260 No city council update

262 **OTHER BUSINESS**

263 No other business

264 **BRUCE THORPE MOTIONS TO ADJOURN THE MEETING JARED BARTON SECONDED. APPROVED**

266 **MEETING WAS ADJOURN AT 8:40 pm**

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Planning Commission Coordinator