

City of South Jordan
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

September 23, 2014

Present: Chairman Russ Naylor, Commissioner Richard Feist, Commissioner Sean D. Morrissey, Commissioner Jason Haymore, City Planner Greg Schindler, Assistant City Engineer Shane Greenwood, Assistant City Attorney Ryan Loose, Assistant Recorder Melanie Edwards

Absent: Commissioner Beverly Evans, Commissioner T. Earl Jolley

Others: See Attendance Log (Attachment A)

6:30 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Naylor opened the meeting at 6:30 pm and welcomed everyone attending. He noted that Commissioner Beverly Evans and Commissioner T. Earl Jolley are excused from this meeting.

B. Motion to Approve the September 23, 2014 Planning Agenda

Chairman Naylor called for any changes or amendments to the agenda as presented; seeing none, he called for a motion.

Commissioner Haymore made a motion to approve the September 23, 2014 Planning Commission Agenda as published. Vote was unanimous in favor. Commissioner Evans & Jolley were absent.

C. Approval of the Minutes from the Meeting held on September 9, 2014

Chairman Naylor clarified a change to the minutes 3rd paragraph down on page 13 remove 'now that neighbors now'.

Chairman Naylor called for any other changes to the minutes of September 9, 2014. Seeing none, he called for a motion.

Commissioner Feist made a motion to approve the minutes from the September 9, 2014 Planning Commission meeting as amended. Vote was unanimous in favor. Commissioner Evans & Jolley were absent.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Calendaring Items

Chairman Naylor asked staff if there was a date scheduled for a combined City Council/Planning Commission meeting. City Planner Greg Schindler noted that they have scheduled Tuesday, October 14th for the combined City Council and Planning Commission meeting that will follow the regularly scheduled Planning Commission meeting and will be held at 8pm in the Police Training room at City Hall.

City Planner Schindler said he will send out calendaring notices to the Planning Commission.

B. Comments from the Planning Commission members

None

C. Staff Business

None

D. New Business

None

III. CITIZEN COMMENT

Chairman Naylor opened the Citizen Comment. No speakers. He closed Citizen Comment.

IV. PUBLIC HEARINGS AND POTENTIAL **ADMINISTRATIVE ACTION ITEMS

**Administrative Action = Less Discretion, Substantial Evidence (Objective Standard)

A.1. Issue **BURGER KING RESTAURANT AND DRIVE THROUGH
CONDITIONAL USE PERMIT AND SITE PLAN APPLICATION**

City Planner Greg Schindler reviewed and presented the Burger King Conditional Use staff report. He explained traffic control for left hand turn movements because it's too close to SJ Parkway. Meets all the parking requirements, building size, has also gone through ARC with recommended approval for design and materials as proposed.

Chairman Naylor asked the commissioners if they had any questions of staff; seeing none, he invited the applicant to address the application.

Brian Russell, Architect, 12312 South Redwood Road, Riverton – straight forward application, has been working with staff and has gone over all the items. Great asset to the city and excited about the site and hope to move forward before the snow falls.

Commissioner Feist asked about parking on the east side of the building with regard to the flow of the drive through. Architect Brian Russell explained the drive through is very long and the back-up radius is ok and the site has been reviewed as well as approval from corporate offices.

Chairman Naylor asked about the average spacing between cars at the drive through. Architect Brian Russell noted that that is an operational question.

Commissioner Feist asked about potential confusion. Architect Brian Russell noted that the site is fairly tight for the needs, but have been able to make it work and have met all requirements.

Chairman Naylor opened the Public Hearing. No speakers. He closed the Public Hearing.

Chairman Naylor noted that he was present at the ARC committee when this was presented and the architect had studied ahead of time and was prepared and the committee was pleased with the look of the building.

Commissioner Morrissey said based on everything seen it looks like the city ordinance and regulations have been met.

Commissioner Morrissey made a motion to approve File SP-2014.25 Burger King Restaurant and Drive Thru Conditional Use permit located at 10396 South River Heights Drive as presented. Commissioner Haymore seconded the motion. Roll Call Vote was unanimous in favor. Both Commissioners Evans and Jolley were absent.

**B.1. Issue: AE URBIA OFFICE BUILDING CONDITIONAL USE PERMIT
AND SITE PLAN APPLICATION**

City Planner Greg Schindler reviewed the staff report and explained the ARC recommended approval of the design.

Chairman Naylor asked for questions from the Commission; seeing none, he invited the applicant to review the site plan.

James Williams, AE Urbia Architect, 2875 S Decker Lake Drive, SLC, reviewed the residential side view of the building noting that the building is quite long, but from the residential side it looks like a smaller building additional landscaping buffer to the neighbors as well as a concrete fence. The windows on the south side are a translucent material that will be better for the neighbors. AE Urbia will occupy the building, tried to be sensitive with a minimal impact. Has tried to get access to SJ Parkway with UDOT, but unwilling to grant access, will continue to pursue further to minimize traffic. Small company, so traffic should be minimal.

Commissioner Haymore asked how many employees will be there on a daily basis. Mr. Williams explained that there will be about 20 employees total with 3 different companies

Chairman Naylor asked about incoming customers throughout the day. Mr. Williams explained that customers don't filter in and out all day, usually just a scheduled meeting, but it may be 1-2 people for a meeting twice a week at the most, so the traffic from the public is very minimal.

Chairman Naylor opened the Public Hearing.

Max Young, 919 10550 S., has two homes next to this property and expressed that this property needs to be re-evaluated. Has minutes from 2008 and issues haven't been resolved with regard to road width, parking, circle too small for garbage trucks, etc. He submitted pictures (Attachment B) for the record

with regard to the parking issues along the roadway and noted that the parking signs that are installed are useless.

Chairman Naylor asked where the cars are generated. Mr. Young noted that it's about once a month for a larger funeral because the circle becomes full. He said the issue with snow banks on the side of the circle for snow removal. Unless there is a right in and right out on SJ Parkway from UDOT it's too crowded. He noted that in the past that the property was rezoned under false pre-tenses and referred to property owner Peterson. He suggested that the past minutes be reviewed.

Chairman Naylor noted that he understands there is a parking problem, but this current applicant isn't causing the parking issues and this applicant won't add to the parking problems on 10550 S the parking issue has been created by the mortuary.

Chairman Naylor asked if there was anyone else that would like to speak on this application. Seeing none, he closed the public hearing.

Chairman Naylor asked the staff about any conditions from the past on this property.

City Planner Greg Schindler explained that the property was rezoned that had no development agreement and Mr. Peterson was going to construct an office building at the time for his own use but never came through with a site plan application. Believes it was Mr. Peterson's intent to construct an office, but there was no development agreement for the property on what could be a conditioned. Planner Schindler noted that commercial could be permitted which would cause additional traffic flow and parking issues. At that time maybe an office zone would've been preferable, but this application does match the use of what was originally proposed.

Commissioner Haymore asked if commercial zone would require a conditional use permit.

City Planner Greg Schindler explained it does require Planning Commission review, but retail is a permitted use with less discretion.

Commissioner Haymore noted that it is a very narrow road and the concern with parking and traffic. Due to it being an office site the parking and traffic will limited with only about 25 people and is comfortable with the proposal as presented.

Commissioner Feist asked what the width of the road is. City Planner Greg Schindler noted that there is no room to park along the street due to its limited right of way width. He said that if they parked on both sides it would only leave room for one vehicle to utilize the street. The complaint is from mortuary parking.

Commissioner Haymore asked if the parking issue would be a code enforcement issue. City Planner Schindler noted that it would be a police issue. If the signs are there and the curbs are painted red then the police department should be notified.

Chairman Naylor asked Mr. Young if he had ever put a call into the city to complain about the over parking. Mr. Young noted that he has not; doesn't feel comfortable calling in on someone attending a funeral. He also noted that the road width is 23' which isn't a legal width.

Chairman Naylor said he understands there is a parking problem, but noted that the parking issue isn't created by this applicant, but by the funeral home. He also noted that it looks like circumstances of changed since the property was originally zoned.

Chairman Naylor re-opened the public hearing.

Julie Young, 941 West 10550 South, asked about the width of the road width not being legal; how can we allow a building at the end of this street.

Assistant City Engineer Shane Greenwood noted that standard residential roadway width is 28' of asphalt, but there are some streets located within the City that are smaller and generally has parking restrictions wither on one side or both sides.

Chairman Naylor Closed the public hearing.

Commissioner Haymore noted that there currently are no parking signs and would be sympathetic to those attending funerals, but the funeral home is responsible for the parking issues and doesn't see this applicant creating the issue. If a fire truck needs to get down the road it would be through the police department, the issue before is not a parking issue for this applicant.

Commissioner Morrissey agreed that this applicant has provided the appropriate amount of parking to meet the requirements of the code. Don't see any reason we could deny this conditional use as presented they have taken responsibility for their own parking, don't see any reason to deny this application.

Chairman Naylor noted that the design of the building presents an attractive design and fits nicely to the site and as an architect himself he noted that his office has minimal traffic so doesn't imagine this will create much traffic coming and going to their office each day.

Commissioner Feist asked if there would be an issue with a fire truck needing to get in there to turn around. Chairman Naylor noted that the cul-de-sac could function like a hammerhead and get around, although it's not ideal. City Planner Schindler explained that a fire truck has to be able to park their truck within 150' of the building, so they would be able to park along SJ Parkway to access the building if there was a fire. Ladder trucks are a bit more difficult, but the other trucks are easily maneuvered. The Fire Marshal and fire code has been reviewed and code has been met. City Planner Schindler noted that it may be difficult to get down a narrow road if there were too many cars parked there because the minimum is 20'. He also noted that this should be brought up with the traffic committee and/or police to address the traffic issue along this road with regard to the funeral home parking issues.

Chairman Naylor asked if Code Enforcement could send a courtesy letter to let them know. City Planner Schindler noted that it is a police issue.

Commissioner Haymore noted that at his church a letter was received from the City with regard to parking issues and warnings, so knows that our Police Department could issue warnings in advance.

Chairman Naylor asked Assistant City Engineer Shane Greenwood to move this parking issue to traffic committee to work towards a solution for the parking issues.

Commissioner Haymore made a motion to approve SP-2014.28 Conditional Use Permit and Site Plan application for AE Urbia Office Building provided all City requirements are met. Commissioner Feist seconded the motion. Roll Call Vote was unanimous in favor. Commissioner Evans and Jolley were absent.

**C.1. Issue: JORDAN STATION APARTMENTS RESIDENTIAL DEVELOPMENT
OVATION VILLAGE NORTH SUBDIVISION AMENDMENT**

City Planner Schindler reviewed the staff report and explained the findings with regard to the lot line adjustment to the south.

Chairman Naylor asked about the previous application with regard to the setbacks of the property lines City Planner Schindler explained that they eliminated the lot line leaving one large lot and the remainder of lot #3 which will be 3 lots down to 2. We don't recommend lot lines being under buildings.

Chairman Naylor invited the applicant to speak on the issue.

Kyle Spencer, with Northern Engineering, 1040 East 800 North, Orem, cleaning up the lot lines configuration consolidating lots 1 and 2 in a single lot and re-aligning lot #3, vacation of lot 1 and 2. Taken into account changing that south lot line down and in compliance – put together the subdivision plat to consolidate and proceed with construction on south parcel.

Chairman Naylor opened the Public Hearing. No speakers. He closed the public hearing.

Commissioner Haymore said he finds nothing objectionable about the application.

Commissioner Feist made a motion to approve SUB-Amend-2014.53 as presented. Commission Morrissey seconded the motion. Roll Call Vote was unanimous in favor. Commissioner Evans and Jolley were absent.

Chairman Naylor called for a motion to adjourn.

Commissioner Haymore made a motion to adjourn the Planning Commission meeting of September 23, 2014. All in favor. Meeting ended at 7:20 pm.

Meeting minutes prepared by Melanie Edwards.

This is a true and correct copy of the September 23, 2014 Planning Commission meeting minutes, which were approved on October 14, 2014.

Anna M. West
South Jordan City Recorder

SEPTEMBER 23, 2014

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Jill Young

941 W. 10550 South

Carol Young

941 W. 10550 So

Kyle Spencer

1040 E 800 N.

Dave Williams

2280 S. Main., SLC

Brian Russell

12312 S. PEACOCK RD RIVINGTON

Eary Moore

2280 S. Main St SLC

Kipp Johnson

5526 W 13400 S #348 Henning

MAX YOUNG

919 W. 10550 SO SOUTH JORDAN

James Williams

1144 E 100N OREM UT 84097

Keith Hansen

10153 S. 2050 E. Sandy UT

Ar Peterson

3419 W Willow Valley South Jordan

NARESKIN

2511 PARK CIR SLC UT

9-23-2014 PC Meeting
Attachment B



