

CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

April 14, 2015

Present: Commissioner Naylor, Commissioner Sean D. Morrissey, Commissioner T. Earl Jolley, Commissioner Mark Woolley, Commissioner Richard Feist, Commissioner Beverly Evans, City Planner Greg Schindler, Assistant City Engineer Shane Greenwood, Staff Attorney Steven Schaefermeyer, Deputy City Recorder Cindy Valdez

Others: See Attendance Log (Attachment A)

6:30 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Naylor noted that all Commissioners are present at tonight's meeting.

B. Motion to Approve Agenda

Commissioner Evans made a motion to approve the April 14, 2015 Planning Commission Agenda. Commissioner Morrissey seconded the motion. Vote was unanimous in favor.

C. Approval of the Minutes from the Meeting held on March 24, 2015

Commissioner Morrissey made a motion to approve the March 24, 2015 Planning Commission meeting minutes as printed. Commissioner Woolley seconded the motion. Vote was unanimous in favor.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Staff Business

City Planner Greg Schindler said tonight on your Agenda the first (3) items are Summary Action items. We have never had Summary Action items with the Planning Commission before, so I will explain it to you. Summary Action items do not have a Public Hearing and they do not have public comment. If you don't have any questions on any of the items you can approve all (3) with (1) motion, or if there are certain question you want to ask staff about the individual items we can pull any or all of them off the Summary Action calendar and we can talk about them individually. In the past lot line adjustments have been approved by staff, but the State Legislature has required that if the lot line adjustments are in a neighborhood they need to be reviewed by the Land Use Authority in a Public Meeting, and the City Council has designated the Planning Commission as the Land Use Authority, but there does not need to be

a Public Hearing. If both parcels happen to be non-subdivided parcels, then technically they don't need to be reviewed at all they can just be sent to the County to be recorded.

B. Comments from Planning Commission Members

None

III. CITIZEN COMMENT

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

IV. SUMMARY ACTION

A.1 Issue: LOT LINE ADJUSTMENT (WOOD CREEK ESTATES PHASE 2 LOTS 211 & 220)

Address: 9768 S. Sandwood Drive & 4908 W. Woodridge Drive
File No: LLA-2015.07
Applicant: Ralph & Gwen Rawlings - Craig & Susan Allen

B.1. Issue: LOT LINE ADJUSTMENT (SOUTH JORDAN HIGH POINTE PHASE 4 LOTS 115 & 116)

Address: 11027 South Nellis Dune Court & 11031 South Nellis Dune Court
File No: LLA-2015.09
Applicant: Home Center Construction

C.1. Issue: LOT LINE ADJUSTMENT (LOT 5B SPRINGHILL SUBDIVISION LOT 5 AMENDED & PARCEL # 27-14-205-013)

Address: 10358 S. Jordan Creek Drive & 884 West 10375 South
File No: LLA-2015.10
Applicant: Clint Olson & Dusty Argyle

C.2. Potential Action Item – (See VI.C.1)

Commissioner Woolley motioned to Approve Summary Action items (A), (B) and (C).

Commissioner Evans seconded the motion. Roll Call Vote was 5-0 unanimous in favor.

V. PUBLIC HEARINGS AND POTENTIAL **ADMINISTRATIVE ACTION ITEMS

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

**D.1. Issue: DAYBREAK VILLAGE 4A PLAT 8
PRELIMINARY PLAT**

Address: Approx. 11300 S. Jonagold Drive & Approx. 11200 South Jonagold Drive
File No: SUB-2015.17

Applicant: Kennecott Land

City Planner Greg Schindler reviewed background information on this item.

Gary Langston 4700 Daybreak Parkway South Jordan, Utah 84095 – I really don't have anything more to add to the presentation, but I am here to answer any questions you may have for me.

Chairman Russ Naylor opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Chairman Russ Naylor reopened the Public Hearing.

Bill Bisson, 4909 W. Black Trail Drive South Jordan, Utah 84095 – said I would just like to know who the builder is going to be on this project.

City Planner Schindler said the builder will be Ivory Homes.

Chairman Russ Naylor closed the Public Hearing.

D.2. Potential Action Item – (See V.D.1)

Commissioner Feist motioned to approve File No.SUB-2015.17 with the (1) requirement by staff. Commissioner Jolley seconded the motion. Roll Call Vote was 5-0 unanimous in favor.

**E.1. Issue: DAYBREAK VILLAGE 5 MULTI FAMILY # 1
PRELIMINARY PLAT**

Address: Approx. 5325 W. South Jordan Parkway

File No: SUB-2015.18

Applicant: Kennecott Land

City Planner Greg Schindler reviewed background information on this item.

Gary Langston, 4700 Daybreak Parkway South Jordan, Utah 84095 – said there is one clarification I would like to make. I don't know if you received the updated plan, this version says there are 79 units and there are actually 80 units. In this version there was a lot line missing so I will need to get you the new version, I apologize for that. The home builder for this project is slated to be Holmes, Homes. I really don't have anything more to add, but I am here to answer any question you may have for me.

Chairman Naylor opened the Public Hearing to comments. There were none. He closed the Public Hearing.

E.2. Potential Action Item – (See V.E.1)

Commissioner Beverly Evans motioned to approve File No.SUB-2015.18 with the (1) requirement by staff. Commissioner Woolley seconded the motion. Roll Call was 5-0 unanimous in favor.

**F.1. Issue: DAYBREAK VILLAGE 4 WEST PLAT 1 AMENDED
SUBDIVISION AMENDMENT**

Address: 10620 S. Beach Comber Way
File No: SUB-AMEND-2015.19
Applicant: Kennecott Land

City Planner Greg Schindler reviewed background information on this item.

Gary Langston, 4700 Daybreak Parkway South Jordan, Utah 84095 – I really don't have anything more to add to City Planner Schindler's presentation, but I am here to answer any questions you may have.

Chairman Naylor opened the Public Hearing to comments. There were none. He closed the Public Hearing.

F.2. Potential Action Item – (See V.F.1)

Commissioner Beverly Evans motioned to approve File No.SUB-AMEND-2015.19 with the (1) requirement by staff. Commissioner Mark Woolley seconded the motion. Roll Call Vote was 5-0 unanimous in favor.

**G.1. Issue: THINK STORAGE PHASE III
SITE PLAN & CONDITIONAL USE**

Address: 10642 S. River Heights Drive
File No: SP-2015.09
Applicant: Ken Menlove

City Planner Brad Sanderson reviewed background information on this item.

Ken Menlove, 4243 W. Nike Drive West Jordan, Utah 84095 – said I would like to “thank you” for hearing this application tonight, and I think Planner Sanderson did a great job presenting. Planner Sanderson said there was a requirement to do rock mulch along Bangerter Highway. The rocks that are in front of Costco are quite large they are 6 to 8 inch angular cobble stone. The owners went out and took pictures there today, and I will pass those pictures around for you to view. The concern they have is that there is no shoulder on Bangerter Highway right now, so if someone was to pull over their vehicle they are going to rupture an oil pan, or potentially have some problems. Is this a City, or UDOT requirement, and can it be modified. That is all that I have tonight, I am here to answer any question that you may have for me.

Commissioner Feist said I understand from the staff report that your building is going right up to the property line, is that just the stone wall and the parking will be behind?

Mr. Menlove said the building that is on the property line is on the south property line, and that is going to be the decorative block wall that matches the wall on the south. The RV parking will be up against the south side of the existing building.

Chairman Naylor opened the Public Hearing.

Warren Kirk, 2511 Parks Circle Salt Lake City, Utah – said I am one of the owners and I am very well aware of what is going up in this area, and I have been involved in the development of both the Costco and the Walmart. Recently we did a residential development and in my conversation with planner Sanderson he made a comment to some degree that “residential didn’t require as much as commercial.” There are some commercial areas west of Bangerter Highway that have not, or will not be required to do this because it is already developed. This is a 60 mph zone and somebody is going to gather some speed at some point, so that area really needs to have a shoulder, or that is going to be hazardous. I just wanted to submit those pictures and address my concerns.

Chairman Naylor closed the Public Hearing.

Chairman Naylor said who would establish what rock is to be used in that area?

Assistant City Engineer Shane Greenwood said it is not UDOT that is directing us to do this it is the City. We have been working with UDOT regarding this type of cobble stone rock being in the right-of-way, and we had to get permits from them to allow us to put the cobble rock in that area. UDOT has also identified the concern regarding cars having to pull off in the cobble stone in that area. They have also identified areas where we would have pull-offs. This particular area where this site is, it is not one of those areas, I think it is a little bit further south. The reason we decided to do the cobble rock was mainly for the aesthetic reasons.

Chairman Naylor said is the reason you are using the larger cobble rock is so the smaller finer rock will go out into the road?

Assistant City Engineer said that is the primary reason, and of course UDOT has to give the final approval on that.

Commissioner Woolley said you know when you zip by, which we all do, the cobble doesn’t look that bad, but when you look at these photos it looks like you just landed on the moon. I hadn’t realized that the rock was that large.

Chairman Naylor said I would suggest that we should go ahead with the project and leave the decision of the rock up to staff.

Commissioner Jolley said I don’t think that UDOT cares what is put in there it’s the City that wants something aesthetically pleasing, so I think we should leave that to staffs discretion.

City Planner Greg Schindler said I think we have to negotiate with UDOT as what goes in there, because they have to approve it.

Assistant City Engineer Shane Greenwood said they do have to approve it. If I understand it correctly, they don’t want landscape items that require sprinklers and what not, because they don’t want it spraying into the right-of-way. I guess the next best thing would be some rock mulch or something like that.

Commissioner Woolley said I would not want small rock there either, I think it would be problematic, but is there a reason we didn't choose something a little smaller than the cobble rock, and something that is not so angular.

Assistant City Engineer Shane Greenwood said I think we can look at that.

G.2. Potential Action Item – (See V.G.1)

Commissioner Woolley motioned to approve File No. SUB-AMEND-2015.19 with the requirements by staff, and an additional requirement: That staff work with the owner to find a smaller type rock to put along Bangerter Highway and leave it to staffs discretion. Commissioner Jolley seconded the motion. Roll Call Vote was 5-0 unanimous in favor.

**H.1. Issue: CHIRO FUSION, SPORT & SPINE
CONDITIONAL USE PERMIT**

Address: 968 W. South Jordan Parkway
File No: CUP-2015.04
Applicant: Chad Adams

City Planner Brad Sanderson reviewed background information on this item.

Commission Feist said can you remind me of what other occupants are in that building.

City Planner Sanderson said a Beauty Salon, and an Emergency Essentials retail business.

Dr. Chad Adams, 10828 S Caterberg Court South Jordan, Utah 84095 – said the closing hours for the Beauty Salon is 5:00 p.m. and that is stated on their door. All of our classes do not start until 6:00 p.m. Monday thru Thursday and we do not have any weekend classes.

Chairman Naylor opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Commissioner Feist said what will happen in the future if there is an issue with parking demand.

Staff Attorney Steven Schaefermeyer said whatever conditions you put on a conditional use permit they will have to follow whether tomorrow, or 5yrs from now.

Chairman Naylor said does it meet the minimum requirements by code?

Planner Sanderson said yes it does, but the parking really isn't the concern it is the pickup and drop off.

Commissioner Jolley asked is there a barrier between Kneader's and the subject property?

Planner Sanderson said there is a shared access agreement it is not a parking agreement.

H.2. Potential Action Item – (See V.H.1)

Commissioner Evans motioned to approve File No.CUP-2015.04 Conditional Use Permit with the (3) requirements by staff. Commissioner Woolley seconded the motion. Roll Call Vote was 5-0 unanimous in favor.

**I.1. Issue: ASTRO COMMERCIAL PHASE 2
SITE PLAN**

Address: 10494 South Redwood Road

File No: SP-2015.07

Applicant: Brandon Lundeen

City Planner Brad Sanderson reviewed background information on this item.

Commission Jolley said so are you saying they will close that off and put a gate in there?

City Planner Sanderson said they will either, put in a curb and close off the access, or they would consider putting in an emergency gate.

Brandon Lundeen, 6236 S. Turpin Murray, Utah 84107- said I really don't have anything more to add, but I am here to answer any questions you may have for me.

Commissioner Jolley said could you address the Access Agreement with Les Schwab.

Mr. Lundeen said back in 2004 when we put the original strip center in we negotiated a license agreement that would let us use the west side access, but yesterday I received a letter stating that they may close the access off. We would prefer to keep the access open, but it is their access. I don't think it will affect our vehicular motion around the building, and we also have a north access on to the lot. We will work with them on whatever they choose to do.

Chairman Naylor opened the Public Hearing to comments.

Scott Christensen, 10491 Crest Haven Ct. South Jordan, Utah 84095 – said my backyard is facing this proposed building. You stated that this is business office space, so I would like to know what the hours of operation are for these businesses. You also mentioned that there is an 8ft wall, but I tend to think that it is closer to 5ft. I have concerns regarding sound, but that last thing I want to do is look out my window and see the side of a building. I would like to suggest that maybe a sound wall be put in, or something be considered depending on the type of businesses that are going in there. You had indicated that this was approved by the City, but this is the first that we have heard about it. I suppose that it is protocol that after it is approved you open it up to a Public Hearing.

Chairman Naylor said I think what staff said was said; is the front building was approved, and the back building has been to the Architectural Review Committee for design, and they recommended that this body approve the project.

Shannon Christensen, 10491 Crest Haven Ct. South Jordan, Utah 84095- said I am concerned because our upper level windows will be looking out this building. I am also concerned about the noise because our home is very close to our backyard and we have a very small backyard as it is.

Chairman Naylor closed the Public Hearing.

Mr. Lundeen said back in 2004 it was required to put that fence in there, and I know it is a minimum of 8ft on our side, and I believe there are some panels that are as tall as 10ft. It is a decorative barrier wall, it is the same stuff the barrier walls are made of out on the highway, if there are areas that are lower on the other side there is nothing that we can do about that, but there is nothing on the east side that is under 8ft high.

Commissioner Feist said could you please address they type of uses and the business hours.

City Planner Sanderson said this is an office zone which allows office uses and those usually run during daytime hours. Usually office uses end at 5:00 p.m. and start at 8:00 or 9:00 in the morning, opposed to retail that usually starts earlier and end later. Regarding the concern about the building and them being able to see it, obviously the building that exists now could be closer. There is a drive isle, and a parking isle that sets the building further east than what is allowed by the code. The project does sit down below the residential neighborhood, and that is the grade difference there. Realizing that there is in-fact a possible 5ft wall from the neighbor's side, but I don't know that we can raise that road a substantial amount beyond what is there now.

Commissioner Feist said how tall will the building be?

Mr. Lundeen said it is 19ft with a step down grade.

Chairman Naylor said I don't know what else they could have done, it is a shallow building and it is 60ft plus or minus from the property line.

Commissioner Morrissey said the property that is subject to being changed, was it changed to commercial recently?

Mr. Lundeen said it has been zoned office for some time.

I.2. Potential Action Item – (See V.I.1)

Commissioner Evans motioned to approve the Sit Plan, based on the Findings and Conclusions listed below, subject to the following provisions:

- 1. All lighting shall be shielded and directed downward so as to prevent any glare and alleviate light pollution from extending beyond the west property line.**
- 2. A Lot Line Adjustment will need to be recorded at the County Recorder's Office prior to building construction.**

And an added condition:

- 3. If the adjacent property owner decides to close the access the applicant will be required to put in an emergency access gate and the design will be dealt with by staff.**

Commissioner Feist seconded the motion. Roll Call Vote was 5-0 unanimous in favor.

VI. PUBLIC HEARINGS AND POTENTIAL *LEGISLATIVE ACTION ITEMS

***Legislative Action = More Discretion, Reasonably Debatable (Subjective Standard)**

None

VII. OTHER BUSINESS – NOT PUBLIC HEARINGS

None

ADJOURNMENT

Commissioner Morrissey motioned to adjourn. All Commissioners were in favor.

The April 14, 2015 Planning Commission meeting adjourned at 7:40 p.m.

Meeting Minutes were prepared by Deputy Recorder Cindy Valdez.

This is a true and correct copy of the April 14, 2015 Planning Commission meeting minutes, which were approved on April 28, 2015.

Anna M. West

South Jordan City Recorder