

CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

April 22, 2014

Present: Chairman Russ Naylor, Commissioner T. Earl Jolley, Commissioner Sean D. Morrissey, Commissioner Richard Feist, Commissioner Beverly Evans, Commissioner Jason Haymore, Commissioner T. Earl Jolley, Community Development Director George Shaw, City Planner Greg Schindler, Assistant City Attorney Ryan Loose, Assistant City Engineer Shane Greenwood, Planner David Mann, City Recorder Anna West

Others: Diana Ziska, Nancy Lowry, Ben Russell, Ron & Jan Vance, Mark Seethaler, Jim & Ann Turner, Brent & Laura Tolman

6:30 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Naylor welcomed everyone to the meeting and noted that all Commissioners are present.

Chairman Naylor noted changes to the Agenda. Item A is the River Ridge LDS Church item will be first then the Jordan River LDS Church will be second; item B. The Conditional Use Permit for the State Farm Insurance office will be the third and final item.

B. Motion to Approve Agenda

Commissioner Evans made a motion to approve the April 22, 2014 Planning Commission Agenda as amended. Commissioner Haymore seconded the motion. Vote was unanimous in favor.

C. Approval of the Minutes from the Meeting held on April 8, 2014

Commissioner Feist made a motion to approve minutes from the April 8, 2014 Planning Commission meeting as printed. Commissioner Jolley seconded the motion. Vote was unanimous in favor.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Calendaring Items

Community Development Director George Shaw said he was just notified that the April 29th Combined Council and Planning Commission meeting has been cancelled.

City Planner Schindler said there will be a Primary Election on June 24th so you may want to cancel that meeting. Normally we don't hold meetings on election days.

Community Development Director George Shaw said we may want to wait to see how many items there will be to see if we need to select another date or cancel. We can make that determination as it gets closer.

B. Comments from 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 the Citizen Comment.

IV. PUBLIC HEARINGS AND POTENTIAL **ADMINISTRATIVE ACTION ITEMS

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

**A.1. Issue: RIVER RIDGE 8 LDS CHURCH
SITE PLAN / CONDITIONAL USE**
Address: 1415 West Shields Lane
File No: SP-2014.06
Applicant: Aaron Bleak, EA Architecture

Planner David Mann reviewed the background information on this item from the packet staff report.

Chairman Naylor asked the applicant to come up.

Paul Evans, EA Architecture (Applicant), said he didn't have anything to add at this time.

Ron Vance, 9885 Reunion Glen Ave., SJ; my wife and I are concerned about the mature trees that are slated to be removed. It would be our preference that those trees be retained so that they act as a buffer between our community and the community to the east across the canal from us.

Director George Shaw said it would be good to wait until the public comments are over and then have the applicant come up and explain how they want to landscape that area and what they may or may not be willing to do.

Mr. Evans referred to the landscape slide in the packet and said as you are aware there is a canal along there and there is a road along the canal. We are putting up a new masonry fence along the property line which still will leave that road. We are not planning to develop all the way to the end of the point.

It is not very usable land. That fence will turn and go to the east and connect in with the neighbor's fence at that point. The intent is to, in the areas that we can and are within the fence, to landscape those with proposed new trees. Anything that is left in that little corner that would be outside of the property line we are planning to leave as is. He said on the survey that we have it doesn't specifically show where all of the existing trees are; I believe they are Russian Olive and most people are not in favor of keeping, however they are mature. Russian Olive's do have a little more maintenance issue than some of the plants that we have planned.

Director Shaw said based on our aerial it is hard to tell but I think most of those trees are parallel to the canal and may be on the canal property itself. The canal companies seem to want to go in and trim those back and apparently some of that has been done in this area. It has been done in other parts of the City and has created some real concerns with the neighbors because even though they may be considered trash trees by some, there is some value to having vegetation there. If it is on the canal property then the applicant has no control over it.

Mr. Vance said our concern is that by planting new trees, by the time they mature to give us the privacy that we have with these trees, we will be long gone.

Chairman Naylor asked the applicant if they are willing to look into this. Mr. Evans said we will look into possibly locating the trees in question and we will take a look at what can and cannot work.

Jim Turner, 9825 Shady Glen Lane, SJ; I am the third home from the north in Reunion Village. My concerns are the lights in the parking and them possibly being an issue.

Chairman Naylor said I am sure there will be lights. We obviously would expect that our engineering department would make sure that those lights have outside shields so you wouldn't have light trespass from the parking lot in your back yards.

Planner Mann said there were some plans submitted that show where the lights are and they will be hooded and face towards the ground.

Chairman Naylor closed the Public Hearing.

A.2. Potential Action Item – (See IV.A.1)

Commissioner Evans made a motion to approve Conditional Use Permit and Site Plan Application SP-2014.06 to allow for construction of church on property located at 1415 West Shields Lane, with the requirement that 'All City Department requirements are met.' Commissioner Haymore seconded the motion. Roll Call Vote was 5-0 in favor.

Chairman Naylor said since we started the meeting we have had some Scouts join us. He asked them to identify where they are from and what merit badge they are working on.

**B.1. Issue: JORDAN RIVER LDS CHURCH
SITE PLAN / CONDITIONAL USE AMENDMENT**
Address: 1570 West 11400 South
File No: SP-2014.08
Applicant: Aaron Bleak, EA Architecture

Planner David Mann reviewed the background information on this item from the packet staff report.

Commissioner Haymore asked for help to understand why this needs a Conditional Use Permit.

City Planner Greg Schindler said it is actually an amendment to the original conditional use permit because religious activities are conditional use in all zones.

Paul Evans, EA Architecture (Applicant), said in addition to the three speed bumps that are along there, there is concern by our client to have traffic going through there. There will be two bollards on the far north side up by Beckstead Lane with chain and one also down at the end of the parking lot. I don't know that they will always be there but they are trying to deter people from using this as a thoroughfare. I think if there is a problem they will put the chains up more but they also want to allow the people in the neighborhood that are coming during the week to be able to get in and out of the parking lot.

Chairman Naylor opened the Public Hearing.

Nancy Lowry, 1600 W. 11400 S., SJ; asked what kind of fencing is planned for the property. Is it going to be masonry to match what is on the north side of the church or will it remain chain link? I've got horses in the pasture that I need protected.

Chairman Naylor said it shows in their plan that the existing fencing is to remain and be protected during construction.

Ms. Lowry asked if there is any way to change that to masonry.

City Planner Schindler said there is nothing in our code that requires any specific type of fencing between a church and another residential or agricultural use.

Chairman Naylor asked Ms. Lowry what exactly her concern was.

Ms. Lowry my concern is somebody missing the turn and coming through the fence with the horses in the pasture. She said another concern is people coming from the church and throwing food to the horses that they shouldn't eat.

Chairman Naylor closed the Public Hearing.

Chairman Naylor said it doesn't sound like we have any latitude to require the church to put in a different fence.

Commissioner Haymore said I am certainly sensitive of it. As a horse owner I can tell you I chase a lot of people off my fences that are trying to feed my horses who knows what. I completely understand the request. I would love a block wall around where my horses are kept. I think we are going to have to find that expanding this parking lot somehow is going to create this problem. I think that with there already being a parking lot there and people there all the time so I don't know that this expansion is going to do it. I don't know that we have the legal ability to require it.

Director Shaw said I am assuming it is just a regular chain link fence there. He said maybe they would be willing to put plastic slats into the chain link. That might keep the headlights and such off the property and discourage people from pushing things through the fence.

Commissioner Jolley said I would be surprised if the church hasn't already designed slats to go on that. Any new improvement that the church installs they install slats.

City Planner Schindler said in the code it says "fences and walls may be required as determined by the Planning Commission between incompatible uses such as but not limited to residential, industrial manufacturing, commercial or office uses." If you find that this is an incompatible use with the neighboring property you could require a specific type of fence.

Chairman Naylor said I am uncomfortable with requiring the applicant to install at least 100 feet of wall where that road is being extended back. That would be a significant financial expense to do that. I do like the idea of adding the slats. He asked Mr. Evans if that is something that his client would be willing to do.

Mr. Evans said we would accommodate the requirement for the slats in the fence.

City Planner Schindler said whatever you put in the motion it would give you the latitude to make that requirement of whichever type of fencing you specify. If the applicant isn't happy with your decision, they always have the right to appeal to City Council.

Director Shaw said if you are going to add that to the motion I would put in there some qualifying reasons why you think it is necessary to do that and stipulate what those things might be for the record.

Commissioner Jolley said I agree with that and think it's a logical solution.

Commissioner Evans said I think that is a good compromise.

B.2. Potential Action Item – (See IV.C.1)

Commissioner Haymore made a motion to approve Conditional Use Permit and Site Plan Application SP-2014.08 to allow for construction of church on property located at 1570 West 11400 South, with the requirement that all City Department requirements are met and including the addition of the slats to the chain link fence on the west side of the property and on the south side where the new driveway is going to be installed around that corner property and making that condition with the understanding that we think there is an incompatible use between the large animals on the neighboring properties and the high potential traffic to protect the rights of the property owners on both sides. Commissioner Evans seconded the motion. Roll Call Vote was 5-0 in favor.

**C.1. Issue: STATE FARM INSURANCE AGENCY
CONDITIONAL USE PERMIT**
Address: 1091 West South Jordan Parkway, Suite #200
File No: CUP-2014.04
Applicant: Benjamin Russell

City Planner Greg Schindler reviewed the background information on this item from the packet staff report.

Ben Russell, 12657 Toscana Way, Herriman;

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

Chairman Naylor said we have done a lot of these over the last few months. We approved a chiropractor across the street and an investment banker down at the river bottom and it doesn't seem like there would be any negative impact here.

Commissioner Evans said this is pretty straight forward and it is nice to see someone in that vacant building. The parking seems compatible with everything.

C.2. Potential Action Item – (See IV.A.1)

Commissioner Feist made a motion to approve Conditional Use Permit Application CUP-2014.04 for State Farm Insurance, with the following provisions:

- 1. The applicant is to obtain and maintain a current business license with the City.**
- 2. The Applicant is to obtain approvals for the necessary building permits, if any, for any interior tenant improvements that may need to be made to the tenant space.**
- 3. That the proposal meets the requirements of all other City Zoning and Development Codes.**

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

V. PUBLIC HEARINGS AND POTENTIAL *LEGISLATIVE ACTION ITEMS

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

None

VI. OTHER BUSINESS – NOT PUBLIC HEARINGS

None

ADJOURNMENT

Commissioner Evans motioned to adjourn. Commissioner Haymore seconded the motion. Vote was unanimous in favor.

The April 22, 2014 Planning Commission meeting adjourned at 7:05 p.m.

Meeting Minutes were prepared by City Recorder Anna West.

This is a true and correct copy of the April 22, 2014 Planning Commission meeting minutes, which were approved on May 13, 2014.


South Jordan City Recorder