

CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

January 27, 2015

Present: Chairman Russ Naylor, Commissioner Sean D. Morrissey, Commissioner T. Earl Jolley, Commissioner Richard Feist, Commissioner Beverly Evans, City Planner Greg Schindler, Planner David Mann, Assistant City Engineer Shane Greenwood, Staff Attorney Steven Schaffermeyer, Deputy Recorder Cindy Valdez

Absent: Commissioner Jason Haymore

Others: See Attendance Log (Attachment A)

6:30 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Naylor welcomed everyone to the meeting. He noted that all Commissioners are present except Commissioner Jason Haymore, he is excused from tonight's meeting, and Commissioner Evans is on her way in.

B. Motion to Approve the January 27, 2015 Planning Agenda

Planner Greg Schindler said staff would like to make a change to the January 27, 2015 Agenda, we would like to move item D. ahead of item C.

Commissioner Feist made a motion to approve the January 27, 2015 Planning Commission Amended Agenda. Commissioner Jolley seconded the motion. Vote was unanimous in favor; Commissioner Haymore and Commissioner Evans were absent from the vote.

C. Elect Commission Chairperson & Vice Chairperson

Commissioner Evans arrived at the meeting.

Commissioner Richard Feist nominated Commissioner Naylor to be the Chairperson for 2015. Commissioner Morrissey seconded the motion. Vote was unanimous in favor; Commissioner Haymore was absent from the vote.

Commissioner Sean Morrissey nominated Commission Richard Feist to be the Vice Chairperson. Commissioner Earl Jolley seconded the motion. Vote was unanimous in favor; Commissioner Haymore was absent from the vote.

D. Appoint Commission Member to Architectural Review Committee

Commissioner Chairman Russ Naylor nominated Earl Jolley to the Architectural Review Committee. Commissioner Sean Morrissey seconded the motion. Vote was unanimous in favor; Commissioner Haymore was absent from the vote.

E. Approval of the Minutes from the Meeting held on January 13, 2015.

Commissioner Sean Morrissey made a motion to approve minutes from the January 13, 2014 Planning Commission meeting. Commissioner Earl Jolley seconded the motion. Vote was unanimous in favor; Commissioner Haymore and Commissioner Evans were absent from the vote.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Staff Business

None

B. Comments from Planning Commission Members

None

III. CITIZEN COMMENT

None

IV. PUBLIC HEARINGS AND POTENTIAL **ADMINISTRATIVE ACTION ITEMS

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

**A.1. Issue SOUTH JORDAN ALZHEIMER'S SPECIAL CARE CENTER
SITE PLAN AND CONDITIONAL USE PERMIT**
Address: 2602 West 11400 South
File No: SP-2014.41
Applicant: Rachel Rudiger

Planner David Mann reviewed background information on this item.

Commissioner Sean Morrissey said if we switch the access would it still be right in right out?

Planner David Mann said that would be difficult to meet the setback requirements, so that is the only place it can be done on the site.

Rachel Rudiger, 3150 Cuddle Court, Salem Oregon- said she did not have anything to add, but I am here to answer any question you may have.

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

Commissioner Morrissey said my only concern is where the road is located. If there is an access road to the neighborhood and this is a right in, and right out only, how often is that going to be used compared to the neighborhood road?

Planner David Mann said it is going to be used by staff primarily. In talking with the applicant they have mentioned previously that it is not something that generates a lot of traffic.

Planner Greg Schindler said yes that is correct, and the neighborhood has an access road on 11400 S as well.

Commissioner Richard Feist said will the street be right up against this property?

Planner Greg Schindler said the street will be opposite this property and there won't be that many houses because there will be a detention basin on 11400 S. before you ever get to the first house.

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

Commissioner Morrissey motioned to approve File NO. SP-2014.41 for an Alzheimer's care center located at 2602 West 11400 South with the (1) requirement by staff. Commissioner Richard Feist seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Haymore was absent from the vote.

**B.1. Issue: OQUIRRH PARK PHASE 1 SECOND AMENDED SUBDIVISION
Address: 10432 South 4000 West
File No: SUB-AMEND-2014.69
Applicant: Cory Stark**

Planner David Mann reviewed background information on this item.

Cory Stark, 12335 Dear Shadow Cove Draper, Utah - I don't have anything to add, but I am here to answer any questions you may have.

Chairman Russ Naylor opened the Public Hearing for comments.

Steve Smith, 10429 Shady Plum Way South Jordan, Utah 84095- said there are 4 houses that have their back fences to this lot on the west side and my house is one of those. If there is going to be 2 different owners on the lot, I have a concern regarding the fence that is up against the 7-11 because it is 4ft taller than the fence that is between us and the lot. Is the fence going to stay that size, or will it be required to be moved up if there is commercial, and who is responsible for that?

Planner David Mann said the code requires a 6ft fence to separate commercial uses and residential. In talking with the planner that actually reviewed that 7-11 site plan, the reason that fence is 4ft taller is because they applied for an appeal to run their business 24hrs a day, and part of the requirement that was placed upon that project by the City Council was to increase the fence height to mitigate some of the negative impacts from it being open 24hrs.

Mr. Smith said when Perry homes leveled out their lots they raised them up with fill dirt, so when I stand in my backyard at that fence it is 4ft tall, but if I just over the fence it is 6ft tall, and that will be a little bit of concern if we have commercial behind us.

Planner David Mann said the commercial requirement is when they abut a residential neighborhood there is a 10ft landscape requirement; that could be addressed during the site plan process to add some trees to help screen that and give it some space.

Mr. Smith said we are right in the middle of where the line is to split this, so I am assuming that we are going to have to deal with 2 different owners; will that be required when the first developer comes in.

Chairman Russ Naylor said he could sell the lots to individual parties, so what you were saying could be potentially true; one half could be developed now, and then you may have to wait for them to get a site plan for the second lot.

Mr. Smith said is there a height limit on what can be built on that lot.

Planner David Mann said it is 35ft. in a commercial neighborhood.

Mr. Smith said is there a limit to the type of commercial that can be put in there.

Chairman Russ Naylor said whatever is permitted in the zoning ordinance in that particular zone.

Matthew Carney, 10436 Shady Plum Way South Jordan, Utah 84095- said along Shady Plum there is a 50ft easement with a 10ft sidewalk, and park-strip. Is this development responsible for this park-strip, or is it the responsibility of another entity?

Chairman Russ Naylor said when the property is developed whoever the developer is will have to take care of the parking-strip.

Chairman Russ Naylor closed the Public Hearing.

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

Commissioner Richard Feist motioned to approve File SUB-AMEND-2014.69 to allow lot 4B of the Oquirrh Park Phase 1 Amended subdivision to be subdivided with the (1) requirement by staff. Commissioner Earl Jolley seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Haymore was absent from the vote.

V. PUBLIC HEARINGS AND POTENTIAL *LEGISLATIVE ACTION ITEMS

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

**C.1. Issue: KING / JONES PROPERTY REZONE
Rezoning Property from Agriculture (A-5), to Residential (R-2.5)
Address: 1118 West Mabey Lane / 1082 West 10125 South
File No: REZ-2015.01
Applicant: Terry & Connie Kind, and Steven & Beatriz Jones**

City Planner Greg Schindler reviewed background information on this item.

Chairman Russ Naylor asked if they are going to access these properties from east.

City Planner Greg Schindler said no. The proposal is that there is going to be another street put in on the King's property for access, and on the Jones property they have been discussing trading property with the City that owns the detention basin in the Stone Haven Subdivision.

Commissioner Richard Feist said is the detention pond the one to the east of Mr. King's property?

City Planner Greg Schindler said yes that is the detention basin. They wouldn't be putting any more new homes on the Jones property because there is no way to access it, but on the western portion of the property the City could possibly move the detention basin and put all of the detention for that subdivision's on that property, and then use the current detention basin as a building lot for the Jones's to be able to develop.

Terry King, 1082 West 10125 South, South Jordan, Utah 84095- said you have got my wife's name wrong on the Agenda, her name is Cindy King. I am submitting a drawing of what we are proposing to do with this property. I will put it on the screen, and I will also give a copy to the City Recorder for the record.

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

Commissioner Earl Jolley said I think it is a good fit for the area, and I think it will be a good improvement.

Chairman Russ Naylor said it is a weird little piece of property back in the corner and it looks like a creative solution to me.

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

Commissioner Beverly Evans motioned to approve Ordinance 2015-08-Z, Rezoning properties from Agricultural (A-5) to Residential (R-2.5). Commissioner Sean Morrissey seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Haymore was absent from the vote.

**D.1. Issue: ZONE TEXT AMENDMENT – AMENDING TITLE 16.10 TO
INCLUDE FURTHER GRADING REQUIREMENTS AS IT
PERTAINS TO SUBDIVISION REVIEW & DEVELOPMENT
File No: ZTA-2014.05**

City Planner Greg Schindler reviewed background information on this item.

Commissioner Richard Feist said are you doing that to prevent where the grade was originally.

City Planner Greg Schindler said whatever the current grade of the property is we are trying to prevent a lot of cut and fill. If you are going to have to fill it, or cut it down the grade, it cannot go up more than 1ft from the adjacent property.

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

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

Commissioner Richard Feist motioned to recommend approval of Ordinance -2015-01 Amending Section 16.10.040 of the South Jordan City Municipal Code to include grading requirements as they pertain to subdivision review and development. Commissioner Beverly Evans seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Haymore was absent from the vote.

E.1. Issue: SOUTH JORDAN CITY OPEN SPACE REZONES

Rezone City Properties to Natural Open Space (OS-N)

Address: a. 950 West Shields Lane
b. West of Jordan River between 10000 S. & 10300 S.
c. Adjacent and on either side of Jordan River between 10600 S. & 11250 S.
d. 11475 South River Front Parkway

File No: REZ-2015.02

Applicant: City of South Jordan

City Planner Greg Schindler reviewed background information on this item.

Commissioner Richard Feist said which property is listed as A-5 and R-1.8 to OS-N.

City Planner Greg Schindler said I don't know which ones exactly, but they are the ones that have multiple zones. The large property that says "proposed" I believe that is the R-1.8 zone, and it is on the east side of the river. There could be a few others that are further south adjacent to the subdivisions on the south side that could also be in the R-1.8 zone. The A-5 portion is on the west side of the river adjacent to the River Park development.

Chairman Russ Naylor said this runs all the way up to the south boundary of the apartment project that is under construction over there currently.

Commissioner Earl Jolley said if the City Council were to approve this zoning as the OS-N, would this limit the ability for the City to have an improved park-way trail running through these properties.

City Planner Greg Schindler said trails are permitted use in this zone. There is a list in the City Code of what is permitted. When it comes to ball fields and thing of that nature they would not be permitted in the OS-N Zone.

Chairman Russ Naylor opened the Public Hearing for comments.

Glade Mumford, 972 Shields Lane South Jordan, Utah 84095- said I am concerned about the property on either side of Shields Lane. Many years ago with the Central Utah Water Project that area was designated as a reservoir. The State of Utah condemned that property and moved homes out of it, as well as people out of it. When that project failed for whatever reason, the State came to the City of South Jordan and told them they would return this property to the City at no charge, with the stipulation that it would be used for a park, and other than the trailhead that has not been done. I would assume with kind of rezoning that there is no intent for a park. It also leaves things wide open to go natural and wide open. When I was a kid there may have been 2 or 3 olive Russian trees, and if you go down to the river bottoms now and see what is there, I can only expect that is what will happen to this property if no one is caring. There has been nothing said of what kind of a financial impact this will have on the City, or on the neighborhood. I would also like to know who would be allowed to use that property.

Robert Halliday, 9947 S Florence Way South Jordan, Utah 84095- said I live in a house just south of the property there. I agree with the gentlemen that spoke before me about the property being left open and unmanaged. I think it would be a great resource if we are going to actually re-designate that open space, but it will need to be maintained and managed. One of my favorite photos was taken outside my back door of the wild life that visits there. People are free to roam back there. People are free to roam in my backyard. It is beautiful down there, and it is difficult to look out my window or off my deck and see it being used as a dog park. The people from the apartments are ruining the aesthetics down there by just

letting their dogs run free and not cleaning up after them, as well as chasing away the wild life. I would like to voice that if we are going to re-designate this that the City of South Jordan somehow manages that.

Aleta Taylor, 11131 S. Anna Circle South Jordan, Utah 84095- said my homes sits on the east side of the river, so I have a real perspective of what is going on there. I want to say that I commend you for taking the step for the City to lead out in zoning for this open space. It is on our Master Plan as that and these pieces of property are so precious, irreplaceable and they create the value along that river, and along that trail, that thousands of our residents are using for recreation and time with their families. Sometimes that is where our children see their first real wildlife, because of the herring, fox, and deer that are there. It is a real treasure. The concerns of the 2 gentleman that spoke before are very legitimate, but I know there are plans for each of these pieces. There is the money, the education, and you can still take the open space and make a trail, walkway and a circular educational route through it. There are things that are very inexpensive to manage that area. South Jordan has a good record of what they have done along the trails of trying to eliminate detrimental species and maintaining the good things, and of course the more access we have the easier it is to do. I would also like to remind you that with the Jordan River Commission we have the opportunity to draw other resources that could save us money as a City, and bring some expertise to play in some of these areas that we have some invasive species and problems with safety along the river. I want it to be known that I am in support of this change. The autobahn property sits in the middle rectangle and there have been thousands of man hours that have gone in to that to plant current bushes, put water in to feed the wildlife, and the birds imp articular is astounding. The Cities wetland is in the bottom part, not the triangular piece but the 2 rectangular pieces. I know we have invested close to \$75,000.00on in expenditures, and I think there have been other expenditures as well. A lot of work has been done to preserve this area. I would like to see us eventually get to the point where we have trails, a pass, and the educational things so that people can enjoy those things. I commend you for making this effort and would hope that you would push it forward. This is a step away from the developers coming in and using it for something else, and I am very grateful for that step. However, I would issue a warning that when you have these land issues, it doesn't stop some of the trading that goes on with the developers as they come in and want some concessions, so he comes back to the City and says; "I will trade you this, for that' and sometimes these wetlands get in that process. I would like to make sure that we guard it carefully, because it is irreplaceable property and it really adds a lot to the City.

Chairman Russ Naylor closed the Public Hearing.

Chairman Russ Naylor said I have to agree with the first citizens that spoke. We walk our dogs down there all the time and often see dogs that are running loose, and their owners are not picking up after them. I am sure that there are ordinances in place that require dogs to be on leashes, but obviously not everyone observes the rules.

Commissioner Sean Morrissey said Chairman Naylor since you live in that area maybe you can give us some insight on how the land is being managed right now, because it was mentioned that a couple of the citizens were worried about how it was going to be managed.

Chairman Russ Naylor said for the most part it is undeveloped and in natural vegetation. If you walk along the trail at the Jordan River I think it is incredible. We walk our dogs down there often and we enjoy it, but some of the things that have been mentioned are a concern. A lot of the areas area pretty closed in by vegetation, so there are some areas that you could be concerned about your security.

Commissioner Earl Jolley said I think it is a bold move by the City. Most of these areas are zoned agricultural there, but if this was to pass and was made OS-N, it would be extremely difficult to backtrack

and change this, so it is an extremely bold move. The City has done all of the studies to support doing this, so I think it is a positive move.

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

Commissioner Sean Morrissey motioned to forward a recommendation to City Council to approve Ordinance 2015-04-Z, rezoning the property from A-5 to OS-N. Commissioner Beverly Evans seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commission Haymore was absent from the vote.

Commissioner Beverly Evan motioned to forward a recommendation to City Council to approve Ordinance 2015-05-Z, rezoning the property from RM-4 to OS-N. Commissioner Earl Jolley seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Haymore was absent from the vote.

Commissioner Earl Jolley motioned to forward a recommendation to City Council to approve Ordinance 2015-06-Z, rezoning the property from A-5, A-1 & R-1.8 to OS-N. Commissioner Richard Feist seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Haymore was absent from the vote.

Commissioner Richard Feist motioned to forward a recommendation to City Council to approve Ordinance 2015-07-Z, rezoning the property from A-5 to OS-N. Commissioner Sean Morrissey seconded the motion. Roll Call Vote was 5-0 Unanimous in favor; Commissioner Haymore was absent from the vote.

VI. OTHER BUSINESS – NOT PUBLIC HEARINGS

None

ADJOURNMENT

Commissioner Beverly Evans motioned to adjourn. All Commissioners were in favor.

The January 27, 2015 Planning Commission meeting adjourned at 7:45p.m.

Meeting Minutes were prepared by Deputy Recorder Cindy Valdez.

This is a true and correct copy of the January 27, 2015 Planning Commission meeting minutes, which were approved on February 10, 2015.

Anna M. West

South Jordan City Recorder



JANUARY 27, 2015

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

RACHEL RUDIGER

3150 KETTLE CT SE SALEM, OR

Mawleen Wilson

2305500 E, SLC, UT 84102

Steve & Shan Smart

10429 S. Shady Plum Way

Terry C. King

1051 W. 10250 S.

HAM BURTON

10201 S 1300 W

DAVID COX

9973 S. Florence Way

MARK BENNETT

10701 S. RIVER FRONT PKWY.

Richard ^{Susan} Bytendorf

1062 W. 10125 South

Renaald Egbert

2644 W. 12420 S.

ROLF SAHM

10133 S. 1160 W. S. JORDAN

Susan & Melonic Egbert
STONE Sons

11323 S. 2700 W.
1082 W. 10125 S.

KELLI BURTON

10091 S 1200 W

DAN INGERSOLL

2549 W 11400 S

Wesley DANK

10972 S Maple Forest Way



JANUARY 27, 2015

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Grossman, David

972 Shields Ln #102

Alita Taylor

11315 Anna Cir.

From: Julie Holbrook <jholbrook2006@hotmail.com>
Sent: Tuesday, January 27, 2015 10:26 AM
To: Greg Schindler
Subject: For the Planning Commission Meeting

Importance: High

Mr. Schindler,

Please forward my comments to the Planning Commission for their public hearing on the Mystic Springs rezone.

Thank you.

P.S. Sorry I can't be there in person as I am currently out of town on business.

27 January 2015

Dear Members of the Planning Commission:

I am opposed to the rezoning of the city property named as Mystic Springs to Open Space Natural and hope that you would vote to not rezone this property for the following reasons:

1. The parcel is right next to a neighborhood of about 150 homes - family homes. There are children from very young to teenagers who live in this neighborhood named Riverwalk.
2. I know we all wish we could trust anyone and everyone, however, that is not real life. To rezone this area for more public uses put the residents at increased risk for prowlers, vandals, robberies and other potential violent crime.
3. Because the city is the party requesting the rezone, they should be required to build a fence and create a 75-100 foot buffer between the residents and any changes to the city property. This would allow the residents to maintain their quality of life, the peace and security that now exists in the neighborhood.
4. The Mystic Springs parcel and the Riverwalk development ajoin each other with a very long boundary so there would have to be the fence and buffer so as not to encroach on the residents of Riverwalk. To do otherwise would be to ignore the problems the rezone will bring to the neighborhood.

As you can see from the permitted uses, it is possible to have lots of public interference and interaction in this area which has the potential to destroy the quality of life of the very neighborhood the city created. Non-working street lights have been permitted to be installed in this neighborhood so it is already unsafe for the residents and first responders. This rezone has the potential to decrease the quality of life for 150 families and further add further safety issues.

Please vote no on the rezone of Mystic Springs 2015-06-Z.

Thank You,

Julie Holbrook

717 Mystic Creek Way

jholbrook2006@hotmail.com

