

CITY OF SOUTH JORDAN  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
MAY 14, 2019

Present: Commissioner Earl Jolley, Commissioner Sean Morrissey, Commissioner Michael Haynes, Commissioner Julie Holbrook, Commissioner John Ellis, City Planner Greg Schindler, Deputy City Engineer Jeremy Nielson, Staff Attorney Todd Sheeran, City Recorder Anna West

Absent:

Others: See Attachment A

6:30 P.M.

**REGULAR MEETING**

**I. GENERAL BUSINESS**

A. Welcome and Roll Call

Vice-Chair Earl Jolley welcomed everyone present. He noted that all Commissioners are present.

B. Motion to Approve Agenda

**Commissioner Holbrook motioned to approve the May 14, 2019 Planning Commission Agenda. Commissioner Ellis seconded the motion. Vote was unanimous in favor.**

C. Approval of the Minutes from the Meeting held on April 23, 2019

**Commissioner Morrissey made a motion to approve the April 23, 2019 Planning Commission Meeting minutes as printed. Commissioner Holbrook seconded the motion. Vote was unanimous in favor.**

Vice-Chair Jolley noted that Commissioner Mark Woolley has resigned from the Planning Commission for some health issues and thanked him for his years of service on the Planning Commission. He will be missed,

**II. INFORMATIONAL ITEMS AND OTHER BUSINESS**

A. Staff Business

City Planner Greg Schindler said we will need to appoint another Chairman to replace Mark Woolley. He asked if the Commissioners would like to do that now or wait until his replacement is named. All Commissioners agreed they would continue on as they are until his replacement is appointed. He said if Vice-Chair Jolley is not able to make a meeting the remaining Commissioners can choose to appoint someone to act as Vice-Chair in his place.

B. Comments from Planning Commission Members

None

Vice-Chair Jolley recognized some Bingham High School students in attendance. They wanted to have selfie pictures taken of themselves with the Planning Commissioners.

### **III. CITIZEN COMMENT**

Vice-Chair Jolley opened the Citizen Comment. No speakers. He closed the Citizen Comment.

### **IV. SUMMARY ACTION**

None

### **V. ACTION**

None

### **VI. PUBLIC HEARINGS AND POTENTIAL \*\*ADMINISTRATIVE ACTION ITEMS**

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

- A.1 Issue: DAYBREAK SOUTH STATION MULTI FAMILY #4  
PRELIMINARY SUBDIVISION**  
**Location:** 5085 West Putney Hill Road and 11545 South Grandville Avenue  
**File No:** PLPP201900295  
**Applicant:** Daybreak Communities

City Planner Greg Schindler reviewed the background information on this item from the packet staff report. The proposed subdivision will divide the property into 20 townhome residential lots, one park lot (p-lot) and associated rights-of-way. He said the proposed subdivision is consistent with the Community Structure Plan and is designated as Town. Section 17.72.020 describes the Town Land Use Designation as high density mixed use development that emphasizes office, commercial, and recreational uses, but also includes residential. This category may accommodate gross residential density of up to fifty (50) units per acre. This meets the standards of review for subdivisions and staff is recommending approval.

Commissioner Holbrook asked if they will be 2 or 3 story buildings. City Planner Schindler said he thinks they will be three story.

Matt Dean (Daybreak Communities); there will be a combination of 2 and 3 story units.

Vice-Chair Jolley opened the Public Hearing. No speakers. He closed the Public Hearing.

#### **A.2 Potential Action Item – (See VI.A.1)**

**Commissioner Ellis made a motion to approve File No. PLPP201900295 Daybreak South Station Multi Family #4 Subdivision Preliminary Plat as proposed. Commissioner Holbrook seconded the motion. Roll Call Vote was 5-0 in favor.**

- B.1 Issue: PEHRINGER ALU  
ACCESSORY LIVING UNIT**

**Location:** 10323 South 2700 West  
**File No:** PLALU201900419  
**Applicant:** Suzanne Pehringer

City Planner reviewed the background information on this item from the packet staff report. The property is located in the R-2.5 zone and ALU's are allowed in single-family residential zones. The proposed ALU will have 812 square ft. of space, or 28.2% of the total home area. This will be a one bedroom, with kitchen and living room. This is coming to the Planning Commission because it has a walkout entry on the side of the home. It will have no effect on the area and parking requirements are met. Staff is recommending approval.

**Suzanne Pehringer** (applicant); she was present but had nothing to add at this time.

Vice-Chair Jolley opened the Public Hearing.

**Rex McDonald** (SJC), said he I am one of the affected owners that received a letter on this project. He said he is an ALU owner and he thinks it will fit in very well with the neighborhood.

Vice-Chair Jolley closed the Public Hearing.

## **B.2 Potential Action Item – (See VI.B.1)**

**Commissioner Ellis made a motion to approve the application for an accessory living unit, File No. PLALU201900419, which seeks approval for an outside access to the basement apartment. Commissioner Haynes seconded the motion. Roll Call Vote was 5-0 in favor.**

**C.1 Issue: RIDGEPOINT MASTER PLAT  
PRELIMINARY SUBDIVISION**  
**Location:** 1549 West 11400 South  
**File No:** PLPP201900261  
**Applicant:** Spencer Moffat, The Boyer Company

City Planner Greg Schindler reviewed the background information on this item from the packet staff report. He said earlier this year the City Council approved the rezoning with a PD overlay zone and also a Development Agreement on the property. At that time it was called Ridgeview and they changed the name to Ridgepoint. There are 34.9 acres property. There is one section to the south that will be primarily commercial development in the future and the rest will be residential. He said there are a couple of things I need to point out regarding the staff recommendation on the first page of the staff report. The applicant is here tonight and has discussed this with staff regarding Requirement number 4; item a. states that an 8' tall decorative masonry precast fence be installed along the property line of parcels C & D between the proposed development and existing commercial properties. Those commercial properties would be those that front onto Redwood Road. In the development agreement it was stated that it could be a 6-8 foot wall. The option to go to 8' is not available through the standard code but it was authorized in the development agreement in the PD zone. One of the commercial developers on Redwood Road may want to see an 8' wall go there against their property and both staff and the water company didn't want that precluded by our code so they added 6-8' in case they were willing to pay for the extra 2 feet in wall height. Staff is proposing to change that working in staff recommendation 4.a. to: "a decorative masonry precast fence that would be 6-8' tall be installed along the property line of Parcels C & D between the proposed development and existing properties." Also, on 4.b. it says "A 6' tall decorative masonry precast fence shall be installed along the south side of Parcels B & C and east side of Parcel B." There is nothing in the development agreement that says it should be a masonry wall. It says fencing along the South Jordan Canal should be a 6' tall privacy or vinyl or other acceptable type of

material as determined by the city's Planning Commission at subdivision review. This is the first subdivision review and staff's recommendation is based on what the canal company would prefer. The canal company likes to keep the weeds out of the canal and they choose to burn the weeds and that would not work well with a vinyl fence. Also on number 4. It says "Prior to residential building construction the following shall occur," the applicant would like that to say the wall should be installed prior to certificate of occupancy for any residential. Staff is recommending approval of the preliminary plat for Master Subdivision Plat with those changes to the requirements.

Commissioner Haynes asked what type of fencing is there on the south and will there be a transitioning of two different material types. City Planner Schindler said currently there is no fencing on the west side.

Commissioner Holbrook said it would really be helpful to us as Commissioners if you reference a document like the development agreement that you give us a copy of that document. We have no idea what it says. If these are parceled off, do the next owners have to abide by that development agreement?

Staff Attorney Todd Sheeran said the development agreement is going to be binding on anyone buying the property. It is recorded against the property. City Planner Schindler said the development agreement on this was approved by the City Council back in January and was recorded at SL County.

**Spencer Moffat**, The Boyer Company (applicant); Greg has done a very good job covering the details on this and highlighted the majority of the concerns with fencing. The development agreement does give flexibility to go up to 8 feet and we wanted to have that option should our neighbors want to participate in taking the fence up to 8 feet. We have committed to masonry fencing on the south side and masonry between the commercial and residential. Along the canal we will work with the canal company on what is acceptable for them. We want to make sure the community looks nice. We are subdividing the master plat so we have commercial parcels as well as residential parcels. We are also dedicating the roads at this time. We will be back here with the plats for the residential subdivision. Right now it is just to subdivide the commercial from the residential so that the commercial can have different owners than the residential.

Vice-Chair Jolley said we talked about the signal pole on the intersection of 114<sup>th</sup> and the South Jordan Canal. He asked Deputy City Engineer Jeremy Nielson if they have discussed what the future need would be and how soon. Deputy Engineer Jeremy Nielson said the agreement with UDOT was to get it as close to the mid-point between Redwood Road and 1300 West as possible. That happens to be right at the canal. That is why it is adjacent to the canal. As far as distance, it would be about one-quarter mile spacing about 1500 West. UDOT is in agreement with it there. There is a traffic study to support the need there.

Vice-Chair Jolley opened the Public Hearing.

**Jed Allsop**, SJC, we have a little piece of property across the canal and they were talking about a potential 8' masonry wall on the south end of the property but they were also talking about a 6' chain link or vinyl. We have been there 25 years and after they put the school in, they knocked down all the big trees and they put 114<sup>th</sup> through. It has got to be quite noisy in our yard. It looks like they will be taking out more big trees on the west side of the canal and that will increase the noise even more. I would prefer to see an 8' masonry fence along that west side of the canal to block the noise.

**Norma Allsop**, SJC, asked if they will be covering the canal on the east side boundary.

**Alan Stallings**, SJC, we are the main property owner. The east side of the canal south of the Allsop's property will not be covered. We have deeds drafted to deed those properties over to the subdivision that the Allsop's are part of. (Parcel K)

Jed Allsop asked if the fence is going to be on the east side of the canal or the west side of the canal. City Planner Schindler said it will be on the west side of the canal. Mr. Allsop said we don't have access to that little piece of property. We like the trees and the privacy that that piece of property has given us so that no one can build close behind us.

City Planner Schindler asked Mr. Allsop to show on the screen where the property is he is talking about. City Planner Schindler I don't think they will cover it. It is going to be commercial property up there and there is no fence required so it will probably be left the way it is. Parcel J is going to be for water retention.

Vice-Chair Jolley closed the Public Hearing.

Spencer Moffat said I think Alan addressed the disposal of that property that is in parcel K on the plat. We are just waiting for the approval. As far as fencing goes, there is a canal easement over that property that we can't encroach into and we can't cover the canal. The canal company is very specific on what we can and can't do. We do intend to fence along the canal along the west side of the canal and the development agreement specifies a 6' privacy fence. It will not be chain link. Our preference would for it to be vinyl. If the canal company is going to be burning weeds back there then vinyl would not be a good idea and masonry would be better for safety. We do not intend to do an 8' fence there. There will be plenty of homes along there that will serve the same purpose as a wall and will block sound better than any fence would do.

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

**Commissioner Ellis made a motion to approve the Ridgepoint Master Plat Preliminary Subdivision, with the following requirements:**

- 1. Prior to plat recordation, the following shall occur:**
  - a. Removal of existing accessory structures.**
  - b. Record a storm water maintenance agreement with Salt Lake County Recorder's Office between the City and Developer.**
  - c. Parcel K be either (1) conveyed to adjacent land owners or (2) improved with landscape material as required by City Staff and perpetually maintained by the home owners association to be established by the developer.**
  - d. Developer shall escrow to South Jordan City \$250,000 for the purpose of a traffic signal to be installed on 11400 South near South Jordan Canal.**
- 2. The final subdivision master plat shall include the right-of-way dedication to South Jordan City, enabling public access between Redwood Road and the development.**
- 3. Prior to any construction, final construction plans shall be signed by the City Engineer assuring that the development meets city ordinances and has sufficient sanitary sewer, water and other infrastructure improvement necessary for the development, through subsequent preliminary plat application review and approval.**
- 4. Prior to obtaining a certificate of occupancy for any residential unit, the following shall occur with each applicable parcel:**
  - a. A decorative masonry precast fence 6-8' tall be installed along the property line of Parcels C & D between this proposed development and existing commercial properties.**
  - b. A six foot (6') tall decorative masonry precast fence shall be installed along the south side of Parcels B & C. Fencing material along the east side of Parcel B will be determined with future preliminary subdivision review and based on Canal company recommendations. Preference would be masonry.**

5. **The development shall be in accordance with all other requirements set forth within the Master Development Plan and Development Agreement.**

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

Commissioner Ellis said I just want to put it out there that the City can't require fencing higher than 6'.

**VII. PUBLIC HEARINGS AND POTENTIAL \*\*LEGISLATIVE ACTION ITEMS**

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

None

**VIII. OTHER BUSINESS**

None

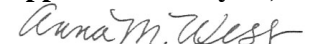
**ADJOURNMENT**

**Commissioner Holbrook motioned to adjourn the May 14, 2019 Planning Commission meeting. Commissioner Ellis seconded the motion. Vote was unanimous in favor.**

The May 14, 2019 Planning Commission Meeting adjourned at 7:25 p.m.

Meeting minutes were prepared by City Recorder Anna West.

**This is a true and correct copy of the May 14, 2019 Planning Commission minutes, which were approved on May 28, 2019.**

  
**South Jordan City Recorder**

City Recorder Anna West prepared the meeting minutes



MAY 14, 2019

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

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Suzanne Pehringer

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