

CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
AUGUST 27, 2019

Present: Commissioner Earl Jolley, Commissioner Sean Morrissey, Commissioner Julie Holbrook, Commissioner John Ellis, Commissioner Michele Hollist, Planner Greg Schindler, Deputy Engineer Jeremy Nielsen, Assistant City Attorney Ed Montgomery Deputy Recorder Cindy Valdez

Absent: Commissioner Michael Haynes

Others: See Attachment A

6:30 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Earl Jolley welcomed everyone present. He noted that all Commissioners are present except Commissioner Haynes; he is excused from tonight's meeting.

B. Motion to Approve Agenda

Commissioner Holbrook motioned to approve the August 27, 2019 Planning Commission Agenda. Commissioner Ellis seconded the motion. Vote was unanimous in favor; Commissioner Haynes was absent from the vote.

C. Approval of the Minutes from the Meeting held on August 13, 2019

Commissioner Ellis made a motion to approve the August 13, 2019 Planning Commission Meeting minutes as printed. Commissioner Hollist seconded the motion; Commissioner Haynes was absent from the vote.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Staff Business

City Planner Greg Schindler said the training that was scheduled for tonight's Planning Commission Meeting was cancelled. I spoke with Staff Attorney Todd Sheeran and he is planning to reschedule it for the next Planning Commission Meeting on Tuesday September 10, 2019 at 5:30. Todd is out of town, so when he gets back I will make sure that is the date and I will send you a reminder email letting you know.

City Planner Schindler said Commissioner Haynes was appointed to the State School Board, so that is probably why he is not here tonight. The Mayor will be appointing a new Planning Commissioner soon.

B. Comments from Planning Commission Members

None

III. CITIZEN COMMENT

Chairman 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 VILLAGE 8 PLAT 4D
PRELIMINARY SUBDIVISION
Location: 6490 West Lake Avenue
File No: PLPP201900494
Applicant: Daybreak Communities**

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

Commissioner Holbrook said do we know if these are single family, town homes, or a mix of both.

City Planner Schindler said there are 6-8 townhomes, and the rest are single-family homes.

Gary Langston (Applicant) – South Jordan – said I don't have anything additional to add, but I am here to answer any questions you may have. I would like to say that this is consistent with the other home types we have built in Village 8, so it is just more of the same thing.

Commissioner Holbrook said this is on the outer rim, right?

Mr. Langston said this is along Prosperity, which is the current west edge of our development activities.

Commissioner Hollist said where are you in development of your Master Plan?

Mr. Langston said we are approaching about a third of the way, which is about 6,000 units out of 21,000.

Chairman Jolley opened the Public Hearing to comments. There was none. He closed the Public Hearing,

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

Commissioner Holbrook motioned to approve File No. PLPP201900494 as proposed. Commissioner Ellis seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Haynes was absent from the vote.

**B.1 Issue: TEXAS ROADHOUSE
CONDITIONAL USE PERMIT AND SITE PLAN
Location: 11593 South 4000 West
File No: PLSPR201900496
Applicant: Danielle Mount with Greenberg Farrow**

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

Commissioner Hollis said what would be going in to the south of this restaurant.

City Planner Schindler said it would be an office building for Davis Vision Center, and on the third floor, there would be a reception center.

Paula Hubert, Development Manager – said I don't have anything to add, but I would be happy to address any questions that you may have.

Commissioner Holbrook said I know that you have a location in Sandy, Herriman, and this one, are you going to keep all three locations open.

Ms. Hubert said I am not familiar with the other locations, but we know that Texas Roadhouse will have a number of locations in a particular market. I do believe that the Riverton location will be closing, and this would replace that one.

Chairman Jolley said I am glad to see that you have doubled up on the parking, because the Riverton location is under-parked.

Ms. Hubert said Texas Roadhouse knows how to run a restaurant. They make great food, and of course, they want to make sure there is sufficient parking for the customer.

Chairman Jolley have any discussions been made with the property owner to the south about a joint parking agreement for the overflow parking.

Ms. Hubert said it is my understanding that the development has a reciprocal parking agreement throughout the development.

Commissioner Hollist said how does the size of this restaurant compares with the others, is it standard?

Ms. Hubert said I think it is standard, but off the top of my head, I don't know what the square footage is.

City Planner Schindler said the Riverton location is closing because of the interchange, which is why they wanted to get this one under construction.

Chairman Jolley opened the Public Hearing.

Brian Davis, South Jordan – said I work and live in South Jordan and I own the property to the south of this development. I do have a few concerns that I would like to voice. I would like to clarify that we will have a

reception center on the third floor, and it will be called “The View.” The notice for today is stating that this property is being zoned as professional office, is that correct, or is it mixed use?

City Planner Schindler said it is professional office zone.

Chairman Jolley said and that is the purpose for the conditional use permit.

City Planner Schindler said you could have a restaurant, if you have a conditional use permit in a professional office zone.

Mr. Davis said if you look at the lot plan, and the proposed building, my building is right next to that building. We are both going to have customers in the evening, and we will both be planning to have large numbers. We are anticipating crowds as large as 300, so I do have some parking concerns. I understand that there is reciprocal parking, and they have included extra parking, but my concern is that people like to park as close to the building as they can. I really do think this is going to pose a parking issue. One of the main reasons that I built this building in that location was for the reception center. The goal was to have a nice view of the entire valley, but mainly the view of the Oquirrh Mountain Temple that is to the north. The idea was that those who came to the reception center after having their wedding ceremony at the Oquirrh Mountain Temple could take pictures at the venue with the temple in the background. That is the entire reason why in the CC&R's there is a height restriction of 28ft. My concern is the flagpoles. I don't have anything against flags, or flying the American flag, it is that the flags will be blocking the view of the temple. If the flag is flying it will block the view for the pictures, so we will need to wait until the wind dies down to take the pictures.

Stacey Christensen, South Jordan – said I live in the neighborhood to the west of this proposed property. I would like to know what they have researched about the traffic in this area. We already have a hard time getting in and out of our subdivision currently, so having a well-known restaurant and a reception center, is really going to clog up traffic in the evenings, as well as during the day. I also have kids that attend the Montessori school and we have had a hard time with them walking along 4000 W to go to school, just because it is such a high traffic area. People don't go 35 mph there; they go 45, or 50 mph. It really is unsafe for the kids to walk to school in that area, so I would like to understand some of the planning for the traffic flow. I am concerned that down the road, if you are coming out of the subdivision and making a left hand turn, will it be restricted at some point and cause us to go the wrong way and lose our access to Bangerter Highway. These are my concerns as a person that lives near there.

Jared Powell, South Jordan - said my concern is the traffic in the afternoon when the Montessori school is getting out. The traffic is crazy and it gets busy around 4:00 or 5:00 in the evening. I think this is going to create many problems in this area. I do not know if you are considering putting a light in at 4000 W. and Fox View Drive, but I think it would be a good idea.

Chairman Jolley closed the Public Hearing.

Chairman Jolley said let us talk about the poles on the top of the building. They are allowed to be 50ft, is that correct?

City Planner Schindler said flagpoles are allowed to be up to 50ft tall, the poles themselves are not 50ft tall, but the overall height from where they start all the way to the ground is 40ft. It is not considered part of the building, so with our ordinance I don't know if there is anything we can do about it. Our ordinance says that even if you put it on the ground it can be 50ft.

Commissioner Hollist said what the height limit in the PO Zone?

City Planner said the height limit in a PO Zone is 70ft, but once you get to two stories the setbacks increase substantially.

Chairman Jolley asked Assistant City Engineer Jeremy Nielsen to address the traffic issues, specifically on 4000 W. and Fox View Drive.

Deputy City Engineer Nielsen said on 4000 W the average daily traffic is at about 11,800 vehicles per day. This is a 5-lane road, and so it is projected to go much higher than that in the future. At this time, it is a service level B. Therefore, with the service development, it will still be a service level B, and with the standards that the City has for a level service B, it is acceptable. I did also look at traffic, and if a permitted use were to go in there with one that did not require a conditional use permit, the traffic volumes may increase up to 70 percent more. They could decrease to about 30 percent less than what this restaurant generates, so for those reasons we did not see an impact with traffic. Now regarding Fox View Drive, there is no plan to put a signal light intersection in that location. In regards to walking along that street, looking at the aerial map, it looks like they could go up and walk to Country Crossing Drive and walk south on Country Crossing to avoid 4000 W., so that is the way we looked at it when we analyzed the traffic.

Commissioner Holbrook said I would like to make a comment on Fox View Drive. There is a little strip mall to the north, and I have seen people try to make a left hand turn from the CVS Pharmacy, so I am thinking that at some point it would be in the best interest of the City, and the people to divert them on to Fox View Drive and put them a light there.

Commissioner Hollist said how would the residents go about having the City do a traffic study at that location?

Deputy City Engineer Nielsen said if they are experiencing long delays to be able to get on 4000 W, they need to call the City, and we would do a signal warrant study in that area. The reason I know a little more about this site, is because we are in the middle of doing our Master Transportation Plan, and 4000 W has been studied pretty heavily, and UDOT is adjusting all of the timing between the signals on 4000 W and 3600 W, on Daybreak Parkway.

Commissioner Ellis said I have a problem with the flags.

Commissioner Jolley said I would like the applicant to come up and address the flags, and the parking issues.

Commissioner Ellis said would Texas Roadhouse consider moving the flags and putting them on the ground and making them a little more modest in height.

Ms. Hubert said Texas Roadhouse relies on their building, and design elements to convey to their customers, and attract their customers to their locations, so part of that is the use of the flags on the roof. I did have a chance to speak with the real estate manager earlier today, and he is aware of the concerns. After our discussion, he would like to move forward with the way the flags are shown on the design map. It is a key element on the design, as well as the site plan. The visibility of the building location is set back a considerable distance from 4000 W, and then because the Sprouts building is very close to 4000 W, for those reasons they are going to rely even more on these building elements in terms of visibility, and also from the highway too.

Chairman Jolley said the adjacent building to the south does it have a similar offset, so that it is directly in line looking north of your proposed building.

Ms. Hubert said I had the opportunity to visit the Davis building with Brian Davis, and the building, as well as the Reception area are justified to the east, and the flags are justified to the west.

Chairman Jolley said would you address the parking concerns mentioned by Mr. Davis.

Ms. Hubert said as I mentioned earlier the entire development is governed by a reciprocal parking agreement, so anyone who is a tenant, or owner, on that site is subject to the agreement, and with that being said, the parking exceeds the requirement by double the amount. The Texas Road House entrance faces the north, and the Davis building entrance faces the west, so the parking should be offset from one another.

Commissioner Morrissey said do you know how far forward the Texas Roadhouse is west, and north from where the receptions will be held?

Ms. Hubert said I have an exhibit that was shown earlier in the review, but it does not show the footprint of the Davis building, but it does fit in the dash line.

Commissioner Morrissey said why couldn't you move this building forward in the same space and actually have it closer to the road front, which I think would actually be better overall.

Ms. Huber said when we were designing this site we were not working with a clean sheet of paper. This was an existing development and the access points were already established and constructed, so the design had to take into account the site parameters, the boundaries, and the fact that this lot is slightly "L" shaped. Others designed the roads adjoining to the east, the west, and the access points, so we are introducing this project into that design. You are not starting with a blank piece of paper, so that is one thing to keep in mind. As far as the visibility, the flags are only one part of the issue the signage is also part of it. What we call the front elevation is actually the west elevation, and there is a sign that would be on 4000 W, in addition to a small sign in the entry, which faces north. In this location because of the highway, they did put a sign on the east for increased visibility.

Commissioner Holbrook said my thinking that, nobody is ever guaranteed a complete view of anything when you build something. I think Texas Roadhouse is trying to work with Mr. Davis, and that is commendable. If the flags are blowing in the wind one day, you can always photo shop them out. I think we have address the traffic and parking as well. If you look at the elevation pictures, and the signage to Bangerter, it is all-similar to the front, and you can see the flags from Bangerter. I don't see that big a problem, it is concerning, but I think it can be mitigated.

Commissioner Ellis said I think we are going to have to keep an eye on the traffic, because 4000 W is tough right now, and I don't think it is going to get any better.

Commissioner Morrissey said my concern is traffic as well, not so much the building, or the reception center. I think the traffic in this area is already busy, so I was kind of hoping that the Riverton location would stay open. That location is so busy and on the weekends, there is always an hour wait. If that location is closing it will divert the traffic to this area, and you are going to see a parking lot of cars on 4000 W if we don't take some precautionary measures. I never envisioned this location having a restaurant. I pictured it being more office space.

Commissioner Hollist said I agree the traffic will be a night and weekend issue. I looked at their operating hours and they are not even open during the day, so I don't think there will be an issue with the schools when they are getting out of school. I don't think the traffic will impact the school kids when they are walking

home from school, but I do agree with the other Commissioner's that traffic will need to be addressed for the future. The parking issue has already been addressed, but hopefully the customers will migrate to the front of each of the buildings.

Commissioner Jolley said I agree with everything that has been said by the Commissioner's. I appreciate that they have doubled up on the parking capacity. I think we have tried to mitigate the view issue for the reception center, so they can still have that unobstructed view. There could be some possible obstruction on the west side of their building, but I think all signs point to a clear view.

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

Commissioner Hollist motioned to approve application PLSPR201900496 to allow construction of the Texas Roadhouse Restaurant at 11593 S. 4000 W. Commissioner Holbrook seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Haynes was absent from the vote.

VII. PUBLIC HEARINGS AND POTENTIAL **LEGISLATIVE ACTION ITEMS

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

**C.1 Issue: ELLEFSEN PROPERTY REZONE
REZONE
Location: 10149 South Temple Drive
File No: PLZBA201900457
Applicant: Symphony Homes on behalf of CWE Family Trust**

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

Commissioner Hollist said is it standard to compensate a property owner for a public access that is required. I don't know that I have seen that before.

City Planner Schindler said not usually, but this is unusual because Maybe Lane does not line up, and the City wants to make it so it does line up. We would be asking them to spend more money for less property so the road could line up, and technically, they don't have to do this, so that is why we are compensating them.

Commissioner Holbrook said I would like to clarify that all of the trees on Maybe Lane are going to disappear because the homes and driveways will face out, is that correct?

City Planner Schindler said I imagine most of them will.

Chairman Jolley said on the south side of the new alignment of Maybe Lane there are those three parcels, is the City going to acquire additional right-of-way there to allow for this shift?

City Planner Schindler said I am not sure what they will do on that side.

Russ Wilson, (Applicant) – said I think City Planner Schindler covered everything, but I am here to answer any questions that you may have for me.

Commissioner Ellis said what would be the extent of improvements you are doing to Maybe Lane, if any.

Mr. Wilson said we are required by the City to widen and extend the road, and add sidewalk, curb and gutter, so it will be a full City right-of-way.

Commissioner Ellis said would you be doing it on both sides.

Mr. Wilson said we will be doing the north side, and the City has an agreement with the neighbors on the south side to do some improvements.

Commissioner Hollist said is the \$30,000 to put in the improvements.

Mr. Wilson said yes, that is correct.

Chairman Jolley opened the Public

Tom Gray, South Jordan – said I live just down the road from lots 5, and 6, on the east side of the street. I don't have any problem with redeveloping this pretty much wasted land into a useful product. I think Maybe Lane needs a lot of improvements. It is a very difficult turn onto 1300 W at any time of the day for several reasons; it is very busy, people that are coming in and out of temple are not expecting a vehicle to come out of the woods on Maybe Lane. I have to sit back and make sure that no one is coming either direction, including bicycle riders. Since the temple has re-opened, I have avoided two head on collisions. It is very dangerous, and at night it is even worse because Maybe lane is very dark. There is a street light that works sometimes, it is very dim, and sometimes it doesn't work at all. If there are to be homes on the north side of Maybe Lane, it needs to be substantially improved and brought up to current City standards. As far as I know this is a private lane, and it doesn't meet any private lane requirements as far as I can tell. I am happy to have a development to the north, but Maybe Lane needs a lot of improvements to make it safe.

Richard Tripp, South Jordan – said I live two doors down from Tom Gray. I am excited to see Mabey Lane be more than just a little lane. It is very dangerous, because it is like two cars trying to get into a driveway. I think to have this realigned with the temple entrance, and have it widened, is so needed. I am in favor of these improvements. I would also like to suggest that they put in a crosswalk that goes from 1300 W to the other side, people run across that road all of the time, so if it was lined up and they had a crosswalk, it would really add to the safety.

Bob Burns, South Jordan – said I live on the corner of Samuel Holt, and Maybe Lane and I am very concerned about the traffic. On your lot plan, I only see nine lots, can you explain why you said there was eleven.

City Planner Schindler said the reason I said eleven lots, is because the zoning allows up to eleven lots, not that they were proposing eleven lots.

Mr. Burns said is there going to be improvements on both sides of Maybe Lane. I would also like to know if they could bury the utilities. There is about a car a minute that goes up and down Maybe Lane, so it is a busy street and traffic is a major concern. I would also like to know if the weeds and trees are going to be cleaned up, because I just am buried in leaves, I like trees, so I hope they plant some smaller trees. I would also at some time down the road like to see a light put in there.

Chairman Jolley closed the Public Hearing.

Chairman Jolley said in all of the comments we heard I did not hear anything regarding the zoning. All of the comments were about the future improvements, which if this is approved tonight, this will come back to this body for a subdivision approval and at that time we will be dealing with a lot of the issues brought up tonight.

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

Commissioner Holbrook said based on the staff report and other information presented to the Planning Commission during the Public Hearing, and the Planning Commission’s discussion, I move that the Planning Commission recommend that the City Council approve:

- 1. Resolution R2019-40 authorizing the Mayor to sign a development agreement that includes the terms outlined by staff and discussed by the Planning Commission; and**
- 2. Ordinance 2019-05-Z rezoning the subject property from Agriculture (A-5) to the Residential (R-2.5) Zone.**

Commissioner Ellis seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Haynes was absent from the vote.

VIII. OTHER BUSINESS

None

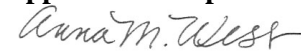
ADJOURNMENT

Commissioner Holbrook motioned to adjourn the August 27, 2019 Planning Commission meeting. Commissioner Ellis seconded the motion. Vote was unanimous in favor.

The August 27, 2019 Planning Commission Meeting adjourned at 8:00 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez.

This is a true and correct copy of the August 27, 2019 Planning Commission minutes, which were approved on September 10, 2019.


South Jordan City Recorder



AUGUST 27, 2019

PLANNING COMMISSION MEETING SIGN IN SHEET

<u>PRINT NAME</u>	<u>ADDRESS</u>
Christine Staci Durns	10212 S. Samuel Holt Drive
Staci Christensen	11674 Harvest Moon Court
KIM BURGON	10201 S 1300 W
Richard Tripp	10263 Samuel Holt Drive
Brian Davis	4388 Cool Canyon Lane
DON HOLT	10221 S 1730 W
GRACE HOLT	" "
JUNE PUND	10203 S 1230 W
TOM GRAY	10237 S Samuel Holt Dr
Jared Powell	11514 So. 4655 W.
GOLF SALM	10133 S. 1160 W.
Lenora Johnson	1264 W Generation Ln
Aaron Anderson	10287 Samuel Holt Drive