CITY OF SOUTH JORDAN
PLANNING COMISSION MEETING
COUNCIL CHAMBERS

June 14, 2016

Present: Commissioner Mark Woolley, Commissioner T. Earl Jolley, Commissioner Brady Quinn, Commissioner Sean D. Morrissey, Commissioner Julie Holbrook, City Planner Greg Schindler, Assistant City Engineer Shane Greenwood, Staff Attorney Steven Schaefermeyer, Deputy Recorder Cindy Valdez

Others: See Attachment A

6:30 P.M.
REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Mark Woolley welcomed everyone. He noted that all Commissioners are present except Commissioner Morrissey and he will be late.

B. Motion to Approve Agenda

Commissioner Quinn made a motion to approve June 14, 2016 Planning Commission Agenda. Commissioner Holbrook seconded the motion. Vote was unanimous in favor; Commissioner Morrissey absent from vote.

C. Approval of the Minutes from the Meeting held on May 24, 2016

Commissioner Holbrook motioned to postpone approval of the May 24, 2016 Planning Commission meeting minutes. Commissioner Holbrook would like corrections made and approved at the next Planning Commission meeting on June 28, 2016. Commissioner Quinn seconded the motion. Vote was unanimous in favor; Commissioner Morrissey absent from vote.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Staff Business

None

B. Comments from Planning Commission Members

None

III. CITIZEN COMMENT

Chairman Woolley opened for Citizen Comment. No Speakers. He closed 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: CHATTEL ESTATES – 2ND AMENDMENT SUBDIVISION PLAT AMENDMENT

Address: 3361 West 10000 South
File No: SUB-AMEND-2016.29
Applicant: Skyler and Lindsay Bailey

Planner Greg Schindler reviewed background information on this item.

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

City Planner Schindler said I did forget to mention in the staff report that if these lots were divided into 1/3 acre lots they would lose their animal rights and it would change the fencing requirement, but these dynamics will change very little.

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

Commissioner Jolley motioned to approve subdivision plat amendment, SUB-AMEND-2016.29, allowing for subdivision of lot 10 of the Chattel Estates subdivision, creating an additional building lot. Commissioner Quinn seconded the motion. Roll Call Vote was 4-0 unanimous in favor.

B.1 Issue: MIDAS CREEK ESTATES PHASE 5 SUBDIVISION AMENDMENT

Address: 11768 & 11776 Muddy Creek Cove
File No: SUB-AMEND-2016.34
Applicant: Perry & Associates, Inc.

Commissioner Morrissey arrived at the meeting.

City Planner Greg Schindler reviewed background information on this item.

Chairman Woolley opened the Public Hearing to comments.

Jeremy Olofson, 11758 Muddy Creek Cove, South Jordan Utah 84095 – said I would like to know what the easement with the water rights means to us as a neighborhood. When they built the three lots the ground was moved on one of the lots and it is very well elevated above ours so we are very concerned about flooding. If someone was to leave their garden hose on it would flood us, not them, so I think some of the dirt needs to be removed to make the elevation more level.

Chairman Woolley closed the Public Hearing.

Chairman Woolley said when we have an easement between properties in a subdivision it is for the utilities, and that is just part of the platting to make sure there is a place for the utilities to go. City Planner Schindler mentioned that all of the utility companies have been contacted and they will not be using it, so it will be easy to vacate it. In regards to the water, it was my understanding that the City was not going to put a water line in there because it has been rerouted so that should not be an issue. I do think there is an issue with the field dirt and the elevation change, so in my mind that is the bigger issue. The building department is looking at all the new lots, so when they pull a permit to build a home they will look at the lots and the adjoining properties and if there is a problem it will be addressed then, and I am confident that staff will do a good job looking at that.

Assistant City Engineer Shane Greenwood said in addition to what building department does, the engineering department requires a land disturbance permit for each residential home, so they will be required to submit a grading plan for the lot so we can see if there is going to be a grading problems for the neighbors or not.

Commissioner Quinn said does this neighborhood have secondary water rights?

Staff Attorney Schaefermeyer said I am pretty sure that is the water easement that was re-routed.

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

Commissioner Quinn motioned to approve file SUB-AMEND-2016.34 to include lots512 and 513, provided that:

- **The City Council approves the vacation of 20 foot wide secondary water/public utility easement that overlaps the property line separating lots 512 and 513.**
- **All applicable City Department Requirements as stated in the Municipal Code are met.**

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

VII. PUBLIC HEARINGS AND POTENTIAL *LEGISLATIVE ACTION ITEMS

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

None

VIII. OTHER BUSINESS

C.1 Issue: DISCUSSION REGARDING APPEAL AND VARIANCE HEARING OFFICER TEXT AMENDMENT

File No: ZTA-2016.02
Applicant: City of South Jordan

Chairman Woolley said we have had our Public Hearing so we are just going to continue our discussion.

Commissioner Holbrook said so is this for variances only?

Staff Attorney Schaefermeyer said we are changing the variance language, it will mostly stay the same because it is defined by State Law, but it does clarify that rather than the Board of Adjustment, it will be the

Hearing Officer that will hear the variances, and we have been doing that already. It will add appeals to land use decisions and it will also go to the Hearing Officer, it has been going to the City Council before this.

Chairman Woolley said I didn't notice before that the appeal time frame went from 14 days to 10 days. Is there a reason that was shortened?

Assistant Attorney Schaefermeyer said there was a discussion internally about the length of these appeal periods and the State Law only requires 10 days, so this will align with the State Law, and at this time the Planning Commission does not issue a written decision per say, what we have considered a written decision is when the Planning Commission approves the minutes, and that would make it 14 days.

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

Commissioner Jolley motioned to send a recommendation to City Council on the Appeal and Variance Text Amendment proposal. Commissioner Holbrook seconded the motion. Roll Call Vote was 5-0 unanimous in favor.

Chairman Woolley said I hope all of you will be attending the combined City Council Meeting on Monday June 20, 2016 at 6:30 a.m. I had a discussion with the Mayor and Council Member Rogers at breakfast and we discussed several of the items that were shared on the bullet points, and the three items that we wanted to discuss they thought were favorable. I don't know if we will need to be at the meeting at 6:30 a.m., or 7:00 a.m., so unless you hear from me by email plan on 6:30 a.m. They will go through the items on the agenda, and we will be up after that, so between now and the end of the week if you have any additional thoughts, please send them to me. I will resend the email with the bullet point items, please review them and add anything else you would like to have addressed.

Staff Attorney Schaefermeyer said can I make a suggestion that when you have your final list, could you please email it to me, Planner Schindler will be out of town and will not be attending the combined meeting on Monday.

Staff Attorney Schaefermeyer said after your last meeting on the horse animal rights there was a concern about the Planning Commission creating a committee. I think everyone here understood that it was a Citizen Group, so I need it to be said on the record that the City Council is the only one that creates a Committee, so In the future if you could please use a different word that would be great.

City Planner Schindler said the last Planning Commission meeting in July was cancelled at the first of the year, so you will only have one meeting in July and that will be on July 12, 2016.

Commissioner Quinn said on the next Planning Commission Meeting it is the Republican Primary so will not be in attendance at that meeting.

ADJOURNMENT

Commissioner Quinn made a motion to adjourn. Commissioner Holbrook seconded the motion. Vote was unanimous in favor.

The June 14, 2016 Planning Commission meeting adjourned at 7:15 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez.

This is a true and correct copy of the June 14, 2016 Planning Commission meeting minutes, which were approved on June 28, 2016.

Anna M. West

South Jordan City Recorder

SOUTH JORDAN
UTAH

JUNE 14, 2016

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME	ADDRESS
Jeremy Olofson	11758 Muddy Creek Cove
Jennifer Olofson	11758 Muddy Creek Cove