

**ELECTRONIC MEETING AGENDA
CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING**

6:30 P.M.

June 23, 2020

NOTICE IS HEREBY GIVEN THAT THE SOUTH JORDAN CITY PLANNING COMMISSION WILL HOLD ITS MEETING **ELECTRONICALLY, VIA ZOOM PHONE AND VIDEO CONFERENCING**, ON TUESDAY, June 23, 2020. PERSONS WITH DISABILITIES WHO MAY NEED ASSISTANCE SHOULD CONTACT THE PLANNING STAFF AT (801) 254-3742, AT LEAST 24 HOURS PRIOR TO THIS MEETING.

In accordance with Governor Herbert's Utah Executive Order 2020-1, declaring a state of emergency in response to COVID-19, and pursuant to Utah Executive Order 2020-5, modifying the Open and Public Meetings Act requirements allowing electronic meetings without an anchor location and authorizing resolution or ordinance, the City of South Jordan will be holding City Council, Planning Commission, and meetings of other South Jordan Committees and Boards electronically, until further notice is given. Utah Executive Order 2020-5 allows a public body to hold an electronic meeting, to "provide means by which interested persons and the public may remotely hear or observe, live, by audio or video transmission the open portions of the meeting", and "comments from the public will be accepted during the electronic meeting".

In the event an electronic meeting is disrupted in any way that the City in its sole discretion deems inappropriate, including the posting of offensive pictures, remarks, or making offensive statements, the City reserves the right to immediately remove the individual(s) from the meeting and, if needed, end the electronic meeting with or without a motion and vote. If a meeting is ended prior to all items being addressed, any items not addressed shall be moved to the next regularly scheduled meeting or a special meeting, whichever is first.

Attendees will be allowed to join via phone or video, using Zoom phone and video conferencing. Note, public comment will be accessed through video conferencing, and a participant must have their video on and working to speak. Those who join via phone may listen, but not comment. Ability to connect and comment is dependent on an individual's internet connection, not the City. To ensure your comments are taken regardless of technical issues, please have them submitted in writing to the City Planner, Greg Schindler at GSchindler@sjc.utah.gov, by 5:00 p.m. on June 23, 2020.

Instructions on how to join the meeting electronically are below.

Join South Jordan Planning Commission June 23, 2020 Zoom Meeting

Join on any device, with mobile and desktop availability.

Visit: www.sjc.utah.gov/planning-commission/

Zoom link, Meeting ID and Meeting Password will be provided 24 hours prior to meeting start time.

Zoom instructions are posted www.sjc.utah.gov/planning-commission/

THE ELECTRONIC MEETING WILL BEGIN AT 6:30 P.M. AND THE AGENDA IS AS FOLLOWS:

- I. WELCOME AND ROLL CALL** – *Commission Chair Michele Hollist*
- II. MOTION TO APPROVE AGENDA**

III. APPROVAL OF THE MINUTES

IV. STAFF BUSINESS – *None*

V. COMMENTS FROM PLANNING COMMISSION MEMBERS

VI. SUMMARY ACTION – *None*

VII. ACTION – *None*

VIII. ADMINISTRATIVE PUBLIC HEARINGS –

A. DAYBREAK VILLAGE 8 PLAT 5A AMENDED, SUBDIVISION AMENDMENT

Location: Lots 798 through 803 Daybreak Village 8 Plat 5 11258-11284 S. Willow Walk Drive
File No: PLPLA202000142
Applicant: Daybreak Communities

B. SOUTHTOWN BUSINESS PARK LOT 3B AMENDED, SUBDIVISION AMENDMENT

Location: 919 West Baxter Dr.
File No: PLPLA201900112
Applicant: Brad Christensen

C. AWAKEN CHURCH AND COMMUNITY EVENT CENTER, CONDITIONAL USE PERMIT

Location: 322 West 11000 South
File No: PLCUP202000168
Applicant: Vince Craig

D. RAISING CANES RESTAURANT, SITE PLAN AND CONDITIONAL USE PERMIT

Location: 3788 West 11400 South
File No: PLSPR202000064
Applicant: Richard Piggott

IX. LEGISLATIVE PUBLIC HEARINGS – *None*

X. OTHER BUSINESS - *None*

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)
 : §
COUNTY OF SALT LAKE)

I, Cindy Valdez, certify that I am the duly appointed City Deputy Recorder of South Jordan City, State of Utah, and that the foregoing Planning Commission Agenda was faxed or emailed to the media at least 24 hours prior to such meeting, specifically the Deseret News, Salt Lake Tribune and the South Valley Journal. The Agenda was also posted at City Hall, on the City's website www.sjc.utah.gov and on the Utah Public Notice Website www.pmn.utah.gov.

Dated this 19th day of June 2020.

Cindy Valdez
South Jordan City Deputy Recorder

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
JUNE 9, 2020**

Present: Commissioner Michele Hollist, Commissioner Nathan Gedge, Commissioner Steve Catmull, Commissioner Sean Morrissey, City Attorney Ryan Loose, Deputy City Engineer Jeremy Nielson, City Planner Greg Schindler, Planner David Mann, City Recorder Anna Crookston, Deputy Recorder Cindy Valdez

Absent: Commissioner Trevor Darby, Commissioner Michael Peirce

Others: Linda Monty

6:30 P.M.

REGULAR MEETING

I. Welcome and Roll Call – *Commission Chair Michele Hollist*

Chair Hollist welcomed everyone to the Electronic Meeting and noted that all Commissioners have joined the electronic meeting except, Commissioner Peirce and he is excused from tonight's meeting.

II. Motion to Approve Agenda

Commissioner Gedge made a motion to approve the June 9, 2020 Planning Commission Agenda. Commissioner Hollist seconded the motion. Vote was unanimous in favor; Commissioner Darby and Commissioner Peirce were absent from the vote.

III. Approval of the Minutes

Commissioner Gedge made a motion to approve the May 26, 2020 Planning Commission Meeting Minutes as printed. Commissioner Hollist seconded the motion. Vote was unanimous in favor; Commissioner Darby and Commissioner Peirce were absent from the vote.

IV. **STAFF BUSINESS**

City Attorney Ryan Loose said we have a new attorney hired his name is Greg Simonson and he will hopefully be on our next zoom meeting so I can introduce him to everyone. He will be the one attending the Planning Commission meetings from now on. I think he will be a great addition to the City.

V. **COMMENTS FROM PLANNING COMMISSION MEMBERS**

Chair Hollist said I would like to thank City staff for doing the on-line Summerfest, my family participated on line and we really enjoyed it.

VI. **SUMMARY ACTION – None**

VII. **ACTION – None**

VIII. ADMINISTRATIVE PUBLIC HEARINGS –

A. ACCESSORY LIVING UNIT - GUESTHOUSE

Location: 969 W. Louise Meadow DR.
File No: PLALU202000120
Applicant: Thomas and Linda Monty

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

Chair Hollist said are there any limits on the guest house?

City Planner Schindler said the detached structure cannot be larger than the main house, or they would have to get a conditional use permit. The requirement is 35% of the main structure, and according to the County records this main home is 4,600sq.ft.

Linda Monty (Applicant) – said I really don't have anything to add to what has already been said. I am just very excited to get this project started so I can get moved into it.

Chair Hollist opened the Public Hearing to comments. There were none. She closed the Public Hearing.

Chair Hollist said do the materials need to match the overall character of the neighborhood?

Planner Mann said it will need to have stucco and brick similar to what is on the main house, so it should match with the character of what is already there.

Chair Hollis said who makes that decision?

Planner Mann said it is City Staff that reviews the materials, and make sure it meets the City Code.

Commissioner Gedge motioned to approve File No. PLALU202000120, and accessory living unit permit to construct a detached garage with living space behind. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Darby and Commissioner Peirce were absent from the vote.

B. QUAIL RUN AT SOUTHPOINTE NO. 2-1st AMENDMENT

Location: 9634 South 3065 West
File No: PLPLA201900724
Applicant: Mike Barney

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

Commissioner Catmull said if I am reading the house size correct the east to west is about 80ft, so there would be about 50ft. potentially, is that correct?

Planner Mann said the two segments of the south property line that would be created shows 40ft, and 74ft, so, at the widest part it is about 100ft. wide.

Chair Hollist said are there any ordinances, or rules that require them to build a home the same size as the homes that surrounds it.

Planner Mann said there is a minimum square footage allowed for all single family homes allowed in this zone, and it has to be a 2,400sqft. I would say that most homes that are built today are well over that.

Chair Hollist said would there be limitations to where they could place their driveway.

Deputy Engineer Nielson said for the driveway access they will need to get an encroachment permit for how they are going to connect to the public right-of-way. We looked at this today and we are going to recommend they push out the access as far to the south as possible to get away from that corner.

Chair Hollist said do they have restrictions on fencing, and what they can put in for visibility. I see this as being a really tricky piece of land with a multi-intersection point.

City Planner said there is already a masonry wall on the west side that I believe was put up by the subdivision. On the north side they would be allowed to have a 6ft. fence coming down that property line but when they get to the corner they need to have a corner triangle so, 30ft. from the 6ft. height fence to the corner they would need to have a lower 4ft. fence for vision, and there is no fencing allowed in the front.

Chair Hollist said I wanted to ask the applicant if they were here tonight a question, but it doesn't look like they are, so I will see if you can answer my question. If this was to get subdivided and they already had someone lined up to build, but they ran into a situation where decided this was an undesirable piece of property and they were to get stuck with it after they subdivided, how would that effect their property taxes. Would they have to pay taxes on two parcels?

City Planner Schindler said in my guess yes, because they would have two pieces of property that would be worth more than one large piece of property. I don't know how much it would go up, but it would be more. It wouldn't be nearly as much if there wasn't a house on it.

Chair Hollist said Planner Mann since you have worked with the applicant, do you know if the applicant has an interested buyer in mind?

Planner Mann said there was an initial applicant that was taking charge of this application that was not the property owner and then about half way through the review process, another person came in and said they were going to take over the project. He is a contractor who has built houses in South Jordan before, so I am inclined to think he is planning to build a house on this lot, I don't know that for sure, but that seems to be the idea.

Commissioner Catmull said do we have any history as to why this wasn't subdivided when this subdivision was created.

Planner Mann said if I had to guess, it was because this subdivision has been around for a very long time and up until a few years ago this zone was a 1/3 acre, and at that time it was reduced to 12,000sq.ft. If you look at the plat they are showing the plat at exactly 12,000sq.ft, so it was a situation where they could meet the density, but they couldn't meet the lot size until just recently.

Chair Hollist opened the Public Hearing to comments. There were none. She closed the Public Hearing

Commissioner Catmull motioned to approve File No. PLPLA20190724 to amend lot 224 of the subject subdivision, located at 9634 South 3065 West, and create two residential lots, as presented

to the Planning Commission. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Darby and Commissioner Peirce were absent from the vote.

IX. LEGISLATIVE PUBLIC HEARINGS – *None*

X. OTHER BUSINESS - *None*

ADJOURNMENT

Commissioner Gedge motioned to adjourn the June 9, 2020 Planning Commission meeting. Commissioner Hollist seconded the motion. Vote was unanimous in favor.

The June 9, 2020 Planning Commission Meeting adjourned at 7:10 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 6-23-2020

Issue: DAYBREAK VILLAGE 8 PLAT 5A AMENDED
SUBDIVISION AMENDMENT
Address: Lots 798 through 803 Daybreak Village 8 Plat 5
11258 S. to 11284 S. Willow Walk Drive
File No: PLPLA202000142
Applicant: Daybreak Communities

Submitted By: Greg Schindler, City Planner
Chris Clinger, Senior Engineer

Staff Recommendation (Motion Ready): Approve File No. PLPLA202000142 as presented.

BACKGROUND

ACREAGE	0.549 Acre
CURRENT LU DESIGNATION	Large Scale Master Planned Community
CURRENT ZONING	PC
CURRENT USE	Vacant

STANDARDS FOR SUBDIVISION AMENDMENT REVIEW

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision amendment. The Planning Commission may approve the amendment if it finds good cause to amend the subdivision, and the amendment complies with City Code Chapter 16.14, other City ordinances, and sanitary sewer and culinary water requirements. The Planning Commission may only deny the amendment if there is no good cause for amending the subdivision and the proposed amendment does not meet all provisions of City Code Chapter 16.14 , other City ordinances, and sanitary sewer and culinary water requirements.

Daybreak Communities has filed an application for review of an amendment to the Daybreak Village 8 Plat 5A subdivision. The purpose of the proposed amendment is to adjust the property lines between lots 798 through 803 to accommodate the dimensions of future homes to be constructed. The end result of the amendment will be that lot 803 will be reduced in width by 4.0 ft., lot 798 will be increased in width by 4.0 ft. and lots 799 through 802 will remain the same in width.

ANALYSIS

The residential density and number of lots within the subdivision will not change as a result of this proposal.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- Good cause exists for the amendment since the lot dimensions must be able to accommodate the future structures and their minimum setback requirements.
- The proposed amendment meets all of the provisions of South Jordan Municipal Code Section 16.14 in regards to amendments to subdivisions.
- The proposed amendment is consistent with the PC zone and Kennecott Master Subdivision requirements.
- All State subdivision amendment review requirements have been followed.

Conclusions:

- The proposed amended subdivision remains consistent with both the Community Structure Plan and Daybreak Development Plan.

Recommendation:

- Based on the Findings and Conclusion listed above, Staff recommends that the Planning Commission take comments at the public hearing and approve the subdivision amendment, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by staff.

FISCAL IMPACT:

- None.

ALTERNATIVES:

- Approve the subdivision amendment.
- Deny the subdivision amendment.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Map
- Original Recorded Plat
- Proposed Amended Plat

MOON EY DR

11258 S WILLOW WALK DR

11264 S WILLOW WALK DR

11268 S WILLOW WALK DR

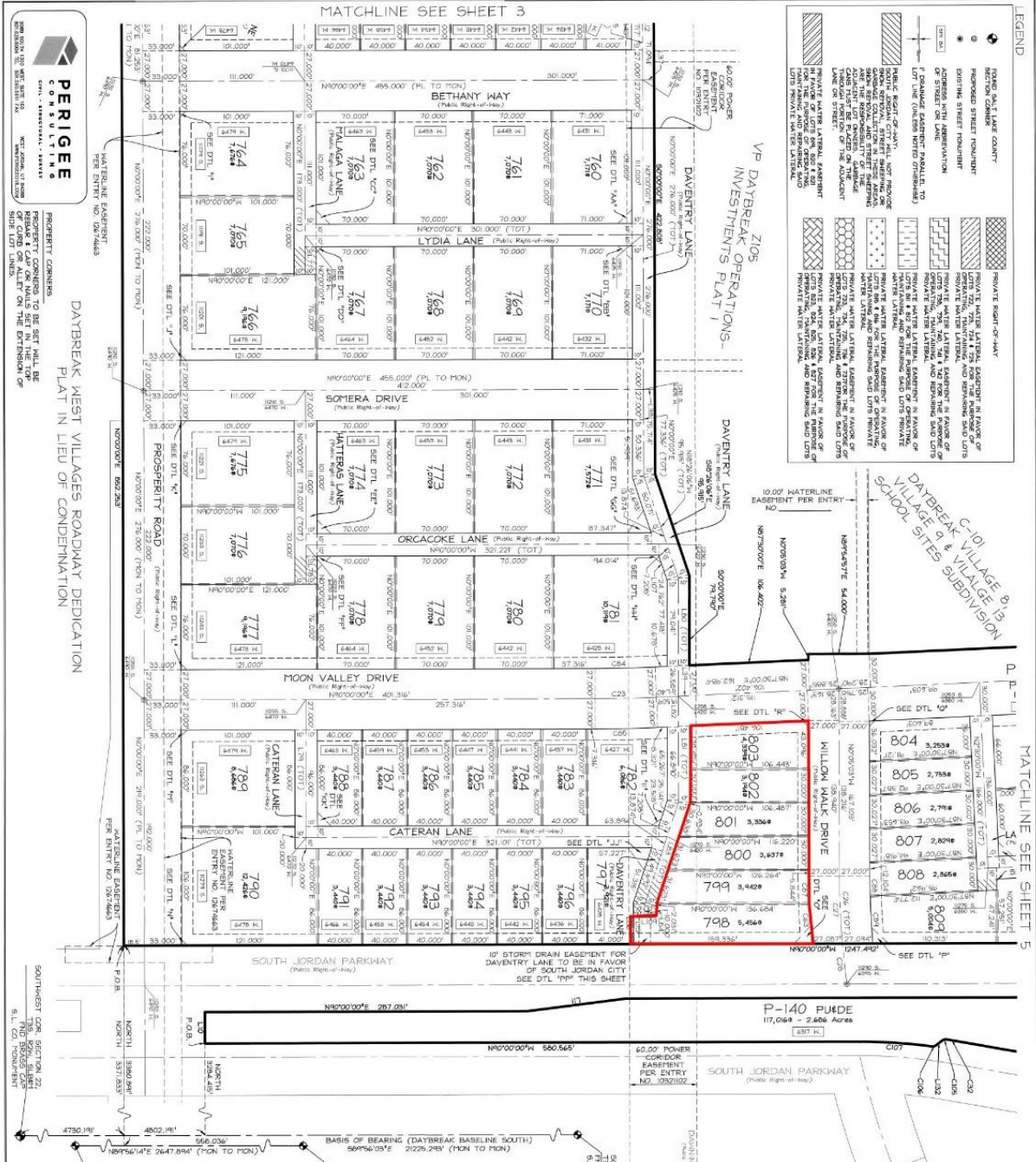
11274 S WILLOW WALK DR

11278 S WILLOW WALK DR

11284 S WILLOW WALK DR

DAN

Original Recorded Plat



SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 06/23/2020

Issue: SOUTHTOWN BUSINESS PARK LOT 3B AMENDED
SUBDIVISION AMENDMENT

Address: 919 W. Baxter Dr.

File No: PLPLA201900112

Applicant: Brad Christensen

Submitted by: Damir Drozdek, Planner III
Shane Greenwood, Supervising Senior Engineer

Staff Recommendation (Motion Ready):

- I move that the Planning Commission **approve** the Southtown Business Park Lot 3B Amended subdivision plat amendment, File No. PLPLA201900112.

ACREAGE:	Approximately 0.68 acres
CURRENT ZONE:	C-C (Commercial - Community)
CURRENT USE:	Landscaped Storm Drain Basin
FUTURE LAND USE PLAN:	EC (Economic Center)

NEIGHBORING ZONES/USES:	North – C-C / Baxter Dr. South – C-C / South Jordan Parkway West – C-C / GT Automotive (auto repair shop) East – C-C / Office Condominiums
--------------------------------	---

STANDARDS FOR SUBDIVISION AMENDMENT REVIEW

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision amendment. The Planning Commission may approve the amendment if it finds good cause to amend the subdivision, and the amendment complies with City Code Chapter 16.14, other City ordinances, and sanitary sewer and culinary water requirements. The Planning Commission may only deny the amendment if there is no good cause for amending the subdivision and the proposed amendment does not meet all provisions of City Code Chapter 16.14, other City ordinances, and sanitary sewer and culinary water requirements.

BACKGROUND:

The Southtown Business Park Lot 3 Amended subdivision plat, recorded in 2003, created two lots (lot 3A and lot 3B) out of lot 3 of the original Southtown Business Park subdivision. Currently, lot 3A is home to Jordan River Car Wash, while GT Automotive (auto repair shop) is located on lot 3B. The present application seeks to further subdivide lot 3B and create another lot behind GT Automotive. Currently the subject property is being used as a storm drain basin for the entire Southtown Business Park development. The basin is privately owned and maintained. The proposal, if approved, will create a new lot that basically covers the basin portion of lot 3B of the Southtown Business Park Lot 3 Amended subdivision.

The existing storm drain infrastructure will have to be rerouted to accommodate any future development on the proposed lot. Existing easements, most likely, will have to be vacated and new easements created and recorded for maintenance of storm drain or any other public utilities. Since the basin will most likely go away to make

room for development, an underground storm drain will likely be employed to meet the City requirements for storm drainage. These issues and others will be discussed and reviewed at the time of site plan approval for new construction on the lot.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The proposed subdivision amendment plat meets all the Planning and Zoning Code requirements.
- Any modifications to the existing storm drain or any other city or public infrastructure will be considered and reviewed at the time of site plan review and approval.
- The current applications seeks to create an additional commercial building lot only.
- There is good cause to approve the proposed subdivision amendment because the subject property is underutilized. With the approval of the amendment, a new lot will be created which will bring additional revenue and employment to the City with future development.

Conclusion:

- The subdivision amendment application meets all of the Municipal Code requirements and thus should be approved.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** the Application, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

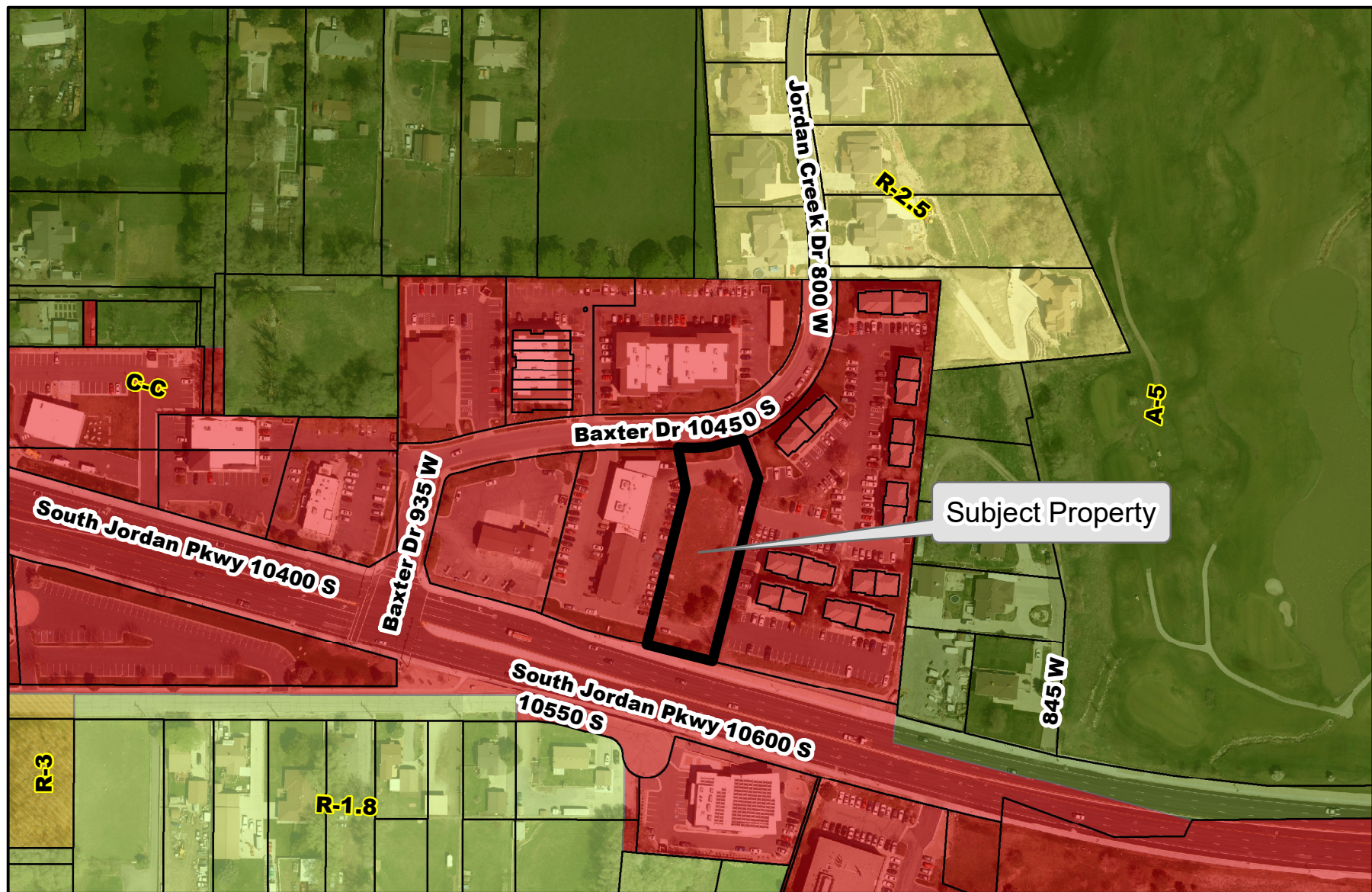
- Aerial Map
- Zoning Map
- Southtown Business Park Lot 3 Amended (existing plat)
- Southtown Business Park Lot 3B Amended (new plat)



Damir Drozdek, AICP
Planner III, Planning Department

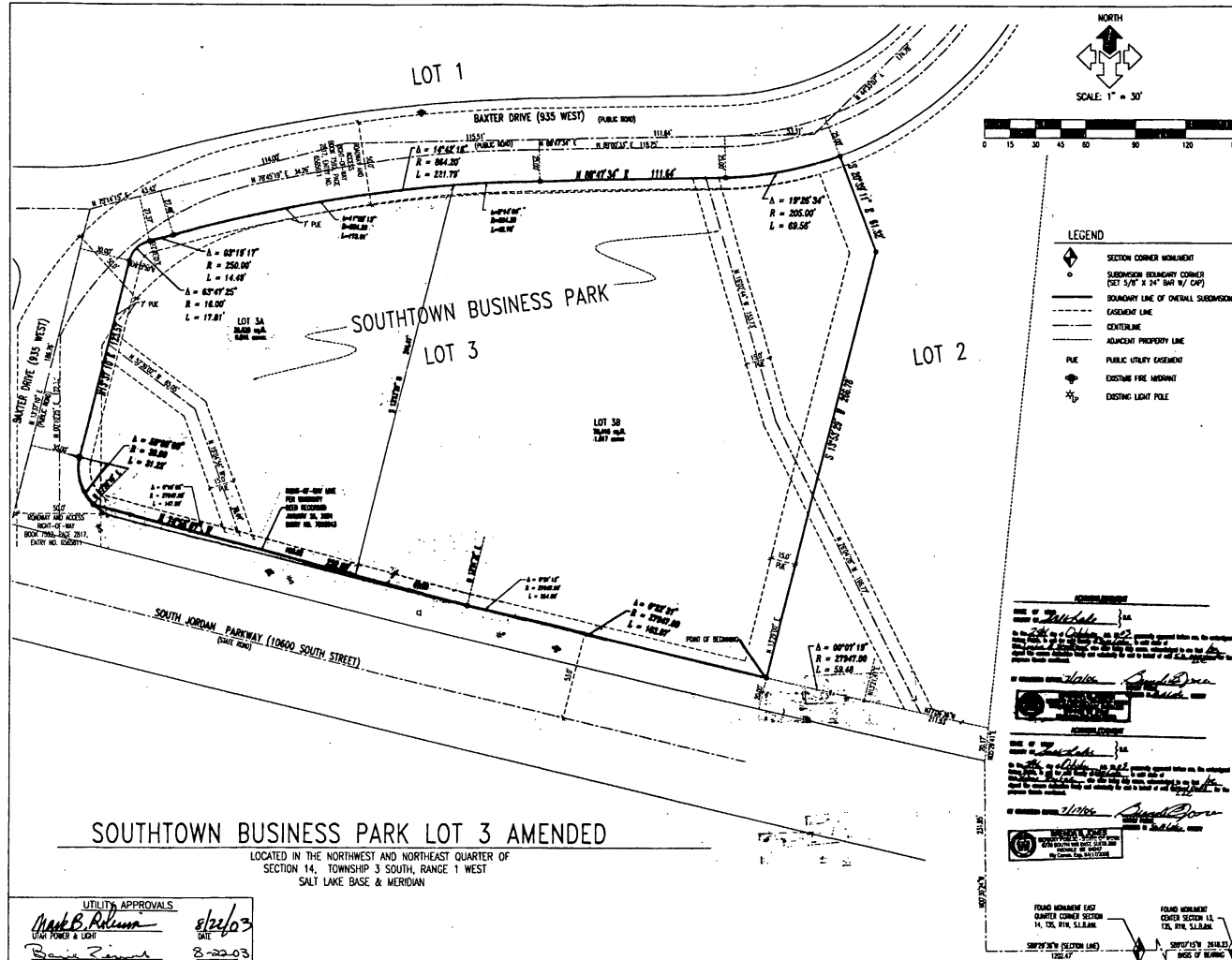


<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Aerial Map</h2> <h3>City of South Jordan</h3>	<p>0 65 130 260 390 520 Feet</p> <p>Aerial Imagery 2019</p> 
--	---	---



<p>Legend</p> <p>STREETS</p> <p>PARCELS</p>	<h2>Zoning Map</h2> <h3>City of South Jordan</h3>	<p>0 65 130 260 390 520 Feet</p> <p>Aerial Imagery 2019</p> 
--	---	---

BK 8902 PG 1301A



SOUTHTOWN BUSINESS PARK LOT 3 AMENDED

LOCATED IN THE NORTHWEST AND NORTHEAST QUARTER OF
SECTION 14, TOWNSHIP 3 SOUTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN

UTILITY APPROVALS

Mark B. Reiman
DATE 8/26/03
TO: SALT LAKE COUNTY
FROM: SALT LAKE COUNTY
APPROVED THIS 26th DAY OF AUGUST, 2003
BY: [Signature]
CHAIRMAN, SOUTH JORDAN CITY PLANNING COMM.

SALT LAKE COUNTY FLOOD CONTROL

APPROVED THIS 26th DAY OF AUGUST, 2003
BY: [Signature]
DIRECTOR, S.L.C. BOARD OF HEALTH

SOUTH JORDAN CANAL COMPANY

APPROVED THIS 26th DAY OF AUGUST, 2003
BY: [Signature]
PRESIDENT, SO. JORDAN CANAL CO.

SEWER DISTRICT

APPROVED THIS 26th DAY OF AUGUST, 2003
BY: [Signature]
DIRECTOR, S.E.D. SEWER DISTRICT

PLANNING COMMISSION

APPROVED THIS 26th DAY OF AUGUST, 2003
BY: [Signature]
CHAIRMAN, SOUTH JORDAN CITY PLANNING COMM.

BOARD OF HEALTH

APPROVED THIS 26th DAY OF AUGUST, 2003
BY: [Signature]
DIRECTOR, S.L.C. BOARD OF HEALTH

CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS OFFICE HAS
EXAMINED THIS PLAT AND IT IS CORRECT IN
ACCORDANCE WITH INFORMATION ON FILE IN
THIS OFFICE
DATE 9/5/03
[Signature]
SOUTH JORDAN CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 4th DAY OF OCTOBER, 2003
BY: [Signature]
SOUTH JORDAN CITY ATTORNEY

McNEIL ENGINEERING
CIVIL ENGINEERING AND LAND SURVEYING, L.C.
PROFESSIONAL CIVIL ENGINEERING &
LAND SURVEYING SERVICES
6895 SOUTH 900 EAST MIDVALE, UTAH 84047
TEL. (801) 255-7700 FAX (801) 255-8071
[Signature]
SOUTH JORDAN CITY CLERK

SURVEYOR'S CERTIFICATE

I, Dale K. Bennett do hereby certify that I am a licensed professional
Land Surveyor, and that I hold Certificate No. 103381, as prescribed
under the laws of the State of Utah. I further certify that by authority
of the Owners, I have made a survey of the tract of land shown on
this plat and described below, and have subdivided said tract of land
into lots and streets hereafter to be known as:
SOUTHTOWN BUSINESS PARK LOT 3 AMENDED

and that the same has been correctly surveyed and staked on the ground
as shown on this plat. I further certify that all lots meet frontage,
width and area requirements of applicable zoning ordinances.

BOUNDARY DESCRIPTION

ALL OF LOT 3, SOUTHTOWN BUSINESS PARK AS RECORDED WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDERS OFFICE, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SECTION CORNER MONUMENT OF LOT 3, SOUTHTOWN BUSINESS PARK, AND FROM THENCE S89°00'00\"/>

DATE 8-22-03

OWNER'S DEDICATION

Know all men by these presents that Recoat Parks, LLC
the undersigned owner(s) of the above described
tract of land, having caused same to be subdivided into lots and streets
to be hereafter known as the

SOUTHTOWN BUSINESS PARK LOT 3 AMENDED

do hereby dedicate for perpetual use of the public all parcels of land
shown on this plat as intended for Public use.
In witness whereof, this day of August, A.D. 2003

[Signature]
[Signature]
[Signature]

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
County of Salt Lake }
On the 26th day of August, A.D. 2003, personally appeared before
me, the undersigned Notary Public, in and for said County of Salt Lake
in said State of Utah, the signers(s) of the above Owner's dedication,
signed in number, who duly acknowledged to me that
they signed freely and voluntarily and for the uses and purposes therein
mentioned.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY

SOUTHTOWN BUSINESS PARK LOT 3 AMENDED

LOCATED IN THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF
SECTION 14, TOWNSHIP 3 SOUTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN

RECORDED

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
DATE 8-22-03 BY: [Signature]
FEE \$ [Amount]
SALT LAKE COUNTY RECORDERS OFFICE

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 6/23/2020

Issue: **AWAKEN CHURCH AND COMMUNITY EVENT CENTER
CONDITIONAL USE PERMIT**

Address: 322 West 11000 South

File No: PLCUP202000168

Applicant: Vince Craig

Submitted by: Brad Sanderson, Planner III
Shane Greenwood, Supervising Senior Engineer

Staff Recommendation (Motion Ready): I move that the Planning Commission **approve** Conditional Use Permit application, file number PLCUP202000168, for the Awaken Church and Community Event Center, subject to the following condition:

1. The business shall closely follow the proposed Operation and Circulation plan as proposed or as otherwise modified in writing by the City Engineer.

CONDITIONAL USE REVIEW:

A use is conditional because it may have unique characteristics that detrimentally affect the zone and therefore are not compatible with other uses in the zone, but could be compatible if certain conditions are required that mitigate the detrimental effect.

To impose a condition, the detrimental effect must be identified and be based on substantial evidence, not simply a suspicion or unfounded concern. Any condition must be the least restrictive method to mitigate the detrimental effect. Further, under City Code Section 17.18.050:

- A. A conditional use may be commenced and operated only upon:
 - a. Compliance with all conditions of an applicable conditional use permit;
 - b. Observance of all requirements of this title relating to maintenance of improvements and conduct of the use or business as approved; and
 - c. Compliance with all applicable local, state, and federal laws.
- B. A conditional use permit may be revoked by the city council at any time due to the permittee's failure to commence or operate the conditional use in accordance with the requirements of subsection I.1 of this section.
- C. No conditional use permit shall be revoked until after a public hearing is held before the city council. The permittee shall be notified in writing of such hearing. The notification shall state the grounds for complaint, or reasons for revocation, and the time and location of the hearing. At the hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his or her behalf. Upon conclusion of the hearing, the city council shall determine whether or not the permit should be revoked.

PROPOSAL:

The applicant is proposing the Awaken Church and Community Event Center at 322 West 11000 South, formally known as the Noah Event Center.

Religious assembly and worship uses are listed as a conditional use within the Commercial Freeway (C-F) Zone and are required by City Code (see impact control measures) to provide an operation plan and circulation plan in order to help determine what impacts, if any, the use may have to the surrounding area or City as a whole.

Per the applicant's operations plan, church services will be conducted on Sundays and will occupy the entire building. For the time being the applicant plans to have two services, but may expand into three services, with approximately 30 minutes between each meeting to allow time for vehicles to sufficiently exit and enter the site without significant overlapping. Per the circulation plan, the parking lot allows vehicles to adequately circulate through the drive aisles and ingress and egress onto 11000 South, which is a public right-of-way.

The applicant plans to operate other receptions and events throughout the remainder of the week. Since a conditional use permit was already granted for a convention and reception center use at this location when the initial site plan was approved in 2007, the conditional use permit is just for a religious assembly and worship use.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- There were no specific conditions placed on the original conventional/reception use.
- A minor site plan amendment was later processed allowing modifications to the building's size and architecture.
- The building space is approximately 32,374 square feet in size and there are approximately 160 available on-site parking stalls.
- The site area is privately owned and maintained, and the land owner is agreeing to continue to manage parking and circulation demands.
- Both building and site area were designed for assembly, events, and other large gatherings.

Conclusion:

- Based upon the findings above, the staff does not anticipate that the proposed business will cause any detrimental impacts on the surrounding area or City as a whole as long as the business follows the proposed operation and circulation plans.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** file number PLCUP202000168 for the Awaken Church with the above listed condition, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Impose additional conditions subject to requirements set forth within City Code Section 17.84
- Schedule the decision for a later date
- Make no motion

SUPPORT MATERIALS:

- Location Map
- Circulation Plan
- Operation Plan

Location Map



**Subject
Property**

South Jordan Gateway

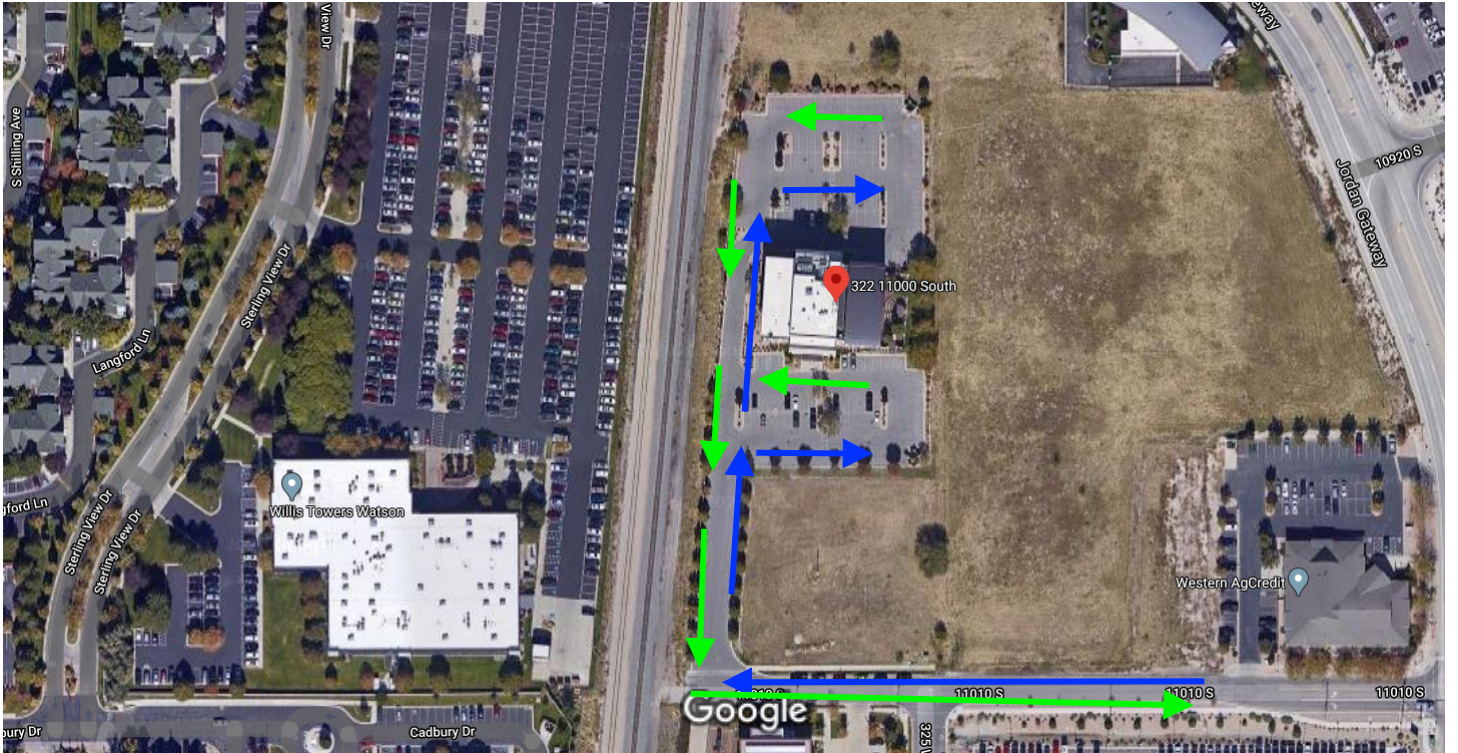
11000 South

Circulation Plan



7

People will park, stay and leave after service. No Pickup-drop off



-QE K I V 1 E \ E V B R S P S K M I W 7 X E % I P S / Q 9 Z N / G I 9 6 7 K U F E G J H E X E k J Y

KWWSVJRZDZH FRP PDSV SODFRXWK -RUGDQ 87 ~ ~ # ~ ~ ~ ~ P GDWD P H P ~ P V k ^



Awaken Church and Community Events Center

06/07/2020

Dear City of South Jordan,

Awaken Church plans to purchase the building at 322 W 111000 S, South Jordan, Ut. Awaken Church is a community impacting church. Our mission is to be a blessing to the city and positively affect the people as well as the businesses all over Salt Lake City. We are a church that has a culture and atmosphere of faith, hope, and love. A church that develops leaders and empowers people to become all that God had purposed and destined for their lives.

General operation plan:

Sunday will be set aside for the church. We will use the entire building each Sunday. We plan to start with two identical worship services, then add additional services as the church grows. Each service will be 1.30 hours long with a 30 min break in between services

We plan to have up to 300 adults in the main meeting hall, with up to 100 kids from infants to jr high in various rooms throughout the building. As the church grows we plan to add services to accommodate that growth. Services will start at 9:00 am. The last and latest service we might add would be a 5 pm, meaning we'd be done with the space before 7:00 pm.

Management of flow and capacity:

We have our own usher, parking, and security teams, who will direct the flow of parking, entering and exiting the building. We are committed to maintaining a safe and secure environment for our members which includes keeping the building and parking lot from being overcapacity. Each person will be counted as they arrive and in the event we reach capacity we will turn people away and ask them to attend a later service.

Parking:

As people arrive from the south entrance they will be directed to a parking spot by our parking team. We will fill the North lot, then the south. In the unlikely event we use all 160 parking spaces, we will then use the street parking as overflow as allowed by the city. The parking team is trained to count cars, and people in each car to ensure we stay under capacity. Cars will remain parked until the service is over.

After service, the parking team will help direct the traffic flow as people exit the property and we prepare for the next service. We find our parking ratio to be 3 people to every car giving us plenty of space. However, even at 2.5 people per car, we have parking for 400 people. This would be our planned capacity for each service.

Renting for weekly events:

The current use (Formerly Noah's) is an events center hosting corporate events and weddings. That use will not change and Awaken Events Center (or similar name) will continue to facilitate weddings and corporate events. Hours of operation will vary depending on demand, but will only be available Monday-Saturday from 8 am to 8 pm. Attendance will vary from 10 to 400. Attendance and capacity will be closely monitored and enforced. We reserve the right to refuse service to anyone and will only reserve property as per allowable capacity.

By operating as a church on Sundays and an event center during the week, Awaken will be offering an incredible environment to build the community on a daily basis. We thank you for your consideration and look forward to being a blessing to the city. Please find attached floor plans, with traffic flow, room capacity sheet, and an aerial view of the property.

Vince Craig
801-808-7695

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 6/23/2020

Application: RAISING CANES RESTAURANT SITE PLAN AND CONDITIONAL USE PERMIT

Address: 3788 West 11400 South

File No: PLSR202000064

Applicant: Richard Piggott

Submitted By: David Mann, Planner II
Jared Francis, Senior Engineer

Staff Recommendation (Motion Ready):

I move that the Planning Commission **approve** file no. PLSR202000064 for the construction of a restaurant with a drive through located at 3788 West 11400 South as presented to the Planning Commission, with the following condition:

- That the developer provide easement release letters before the City issues a building permit.
-

ACREAGE: Approximately 1 acre

CURRENT ZONE: BH-MU

CURRENT USE: Vacant

FUTURE LAND USE PLAN: Stable Neighborhood

NEIGHBORING

LU DESIGNATIONS,

(ZONING)/USES

North - Stable Neighborhood, (BH-MU) / Promenade Townhomes

South - Economic Opportunity, (BH-MU) / The District

East - Stable Neighborhood, (BH-MU) / Warren's Drive In

West - Economic Opportunity, (BH-MU) / McDonald's

STANDARD OF REVIEW:

All proposed commercial, office, industrial, multi-family dwelling or institutional developments and alterations to existing developments shall meet the site plan review requirements outlined in chapter 16.24 and the requirements of the individual zone in which a development is proposed. All provisions of titles 16 & 17 of the City Code, and other city requirements, shall be met in preparing site plan applications and in designing and constructing the development. The Planning Commission shall receive public comment regarding the site plan and shall approve, approve with conditions or deny the site plan.

CONDITIONAL USE REVIEW:

A use is conditional because it may have unique characteristics that detrimentally affect the zone and therefore are not compatible with other uses in the zone, but could be compatible if certain conditions are required that mitigate the detrimental effect.

To impose a condition, the detrimental effect must be identified and be based on substantial evidence, not simply a suspicion or unfounded concern. Any condition must be the least restrictive method to mitigate the detrimental effect. Further, under City Code Section 17.18.050.I:

1. A conditional use may be commenced and operated only upon:
 - a. Compliance with all conditions of an applicable conditional use permit;
 - b. Observance of all requirements of this title relating to maintenance of improvements and conduct of the use or business as approved; and
 - c. Compliance with all applicable local, state, and federal laws.
2. A conditional use permit may be revoked by the city council at any time due to the permittee's failure to commence or operate the conditional use in accordance with the requirements of subsection A of this section.

No conditional use permit shall be revoked until after a public hearing is held before the City Council. The permittee shall be notified in writing of such hearing. The notification shall state the grounds for complaint, or reasons for revocation, and the time and location of the hearing. At the hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his or her behalf. Upon conclusion of the hearing, the City Council shall determine whether or not the permit should be revoked.

BACKGROUND:

Richard Piggott has filed an application for approval to construct a restaurant with accompanying drive-through. There was a drive-through that had been reviewed and approved under a previous application for a restaurant, but since that project was never constructed, it will also be considered with this application. The subject property will be accessed from an internal drive that connects Summer Heights Drive and River Heights Drive. The subject property includes a remnant parcel from UDOT that became available with the reconfiguration of the adjacent intersections on 11400 South and will be leased and maintained by the property owner. This is the fourth restaurant that has been proposed on the site in the past few years, with all four having similar site designs.

ANALYSIS:

The site plan shows the building located on the west side of the property with parking stalls on the east side of the building. The remnant parcel that is being leased from UDOT is encumbered with easements and will be used for parking and landscaping. The proposed building does encroach into an existing public utility easement, so the developer will have to provide release letters from the utility companies before a building permit can be issued. The Planning Commission determines and approves

the landscape buffer between the parking lot and adjacent streets. The proposed landscape area setback along 11400 South varies between 10 to 12 feet wide and the area adjacent to River Heights Drive varies between 20 to 30 feet in width. The landscape plan shows multiple evergreen trees adjacent to the drive-through speaker in order to damper the noise for the nearby residents. ARC reviewed the plans for the proposed restaurant on March 13, 2020 and found the building showed too much stucco, which is required to be used in minimal amounts in the BH-MU Zone. The Applicant submitted new elevations with increased brick and the percentages of each exterior material to ensure compliance.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- The BH-MU Zone permits retail and restaurant uses. Drive-through facilities require a conditional use permit.
- Staff reviewed the proposed drive-through for potential detrimental effects. The speaker for the drive through will be dampened by evergreen trees.
- Based on the proposed use, the subject property will require 33 parking stalls. There are 50 parking stalls shown on the civil plans.
- Staff finds that the proposed building will be buffered by a sufficient amount of landscaping adjacent to streets that is consistent with similar uses in the area.
- Staff received a complete application on March 5, 2020.
- ARC forwarded a positive recommendation to the Planning Commission with the assurance that the amount of stucco used would be minimal.
- The City Engineer has granted approval to present this application to the Planning Commission.

Conclusion:

- Based on the application materials submitted by Applicant, staff review of the Application, and the findings listed above, staff concludes that the proposal is consistent with the City's General Plan and the pertinent sections of the City's Planning and Land Use Code (including section 17.70).

ALTERNATIVES:

- Deny the application.
- Propose modification(s) to the application.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- Location Map
- Zoning Map
- Site Plan
- Landscape Plan
- Elevations

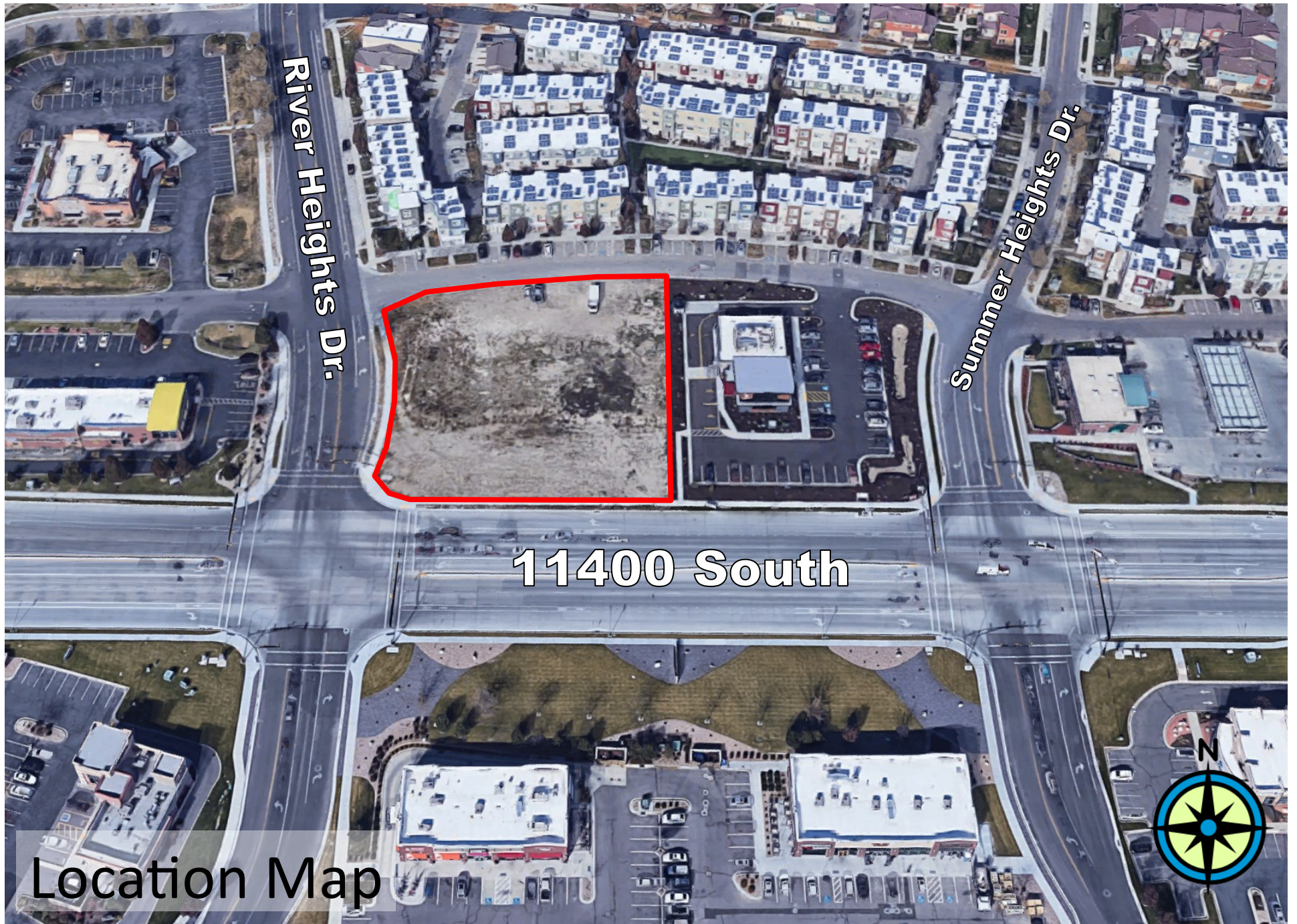
Brad Klavano

Brad Klavano (Jun 16, 2020 15:40 MDT)

City Engineer Approval

Jun 16, 2020

Date



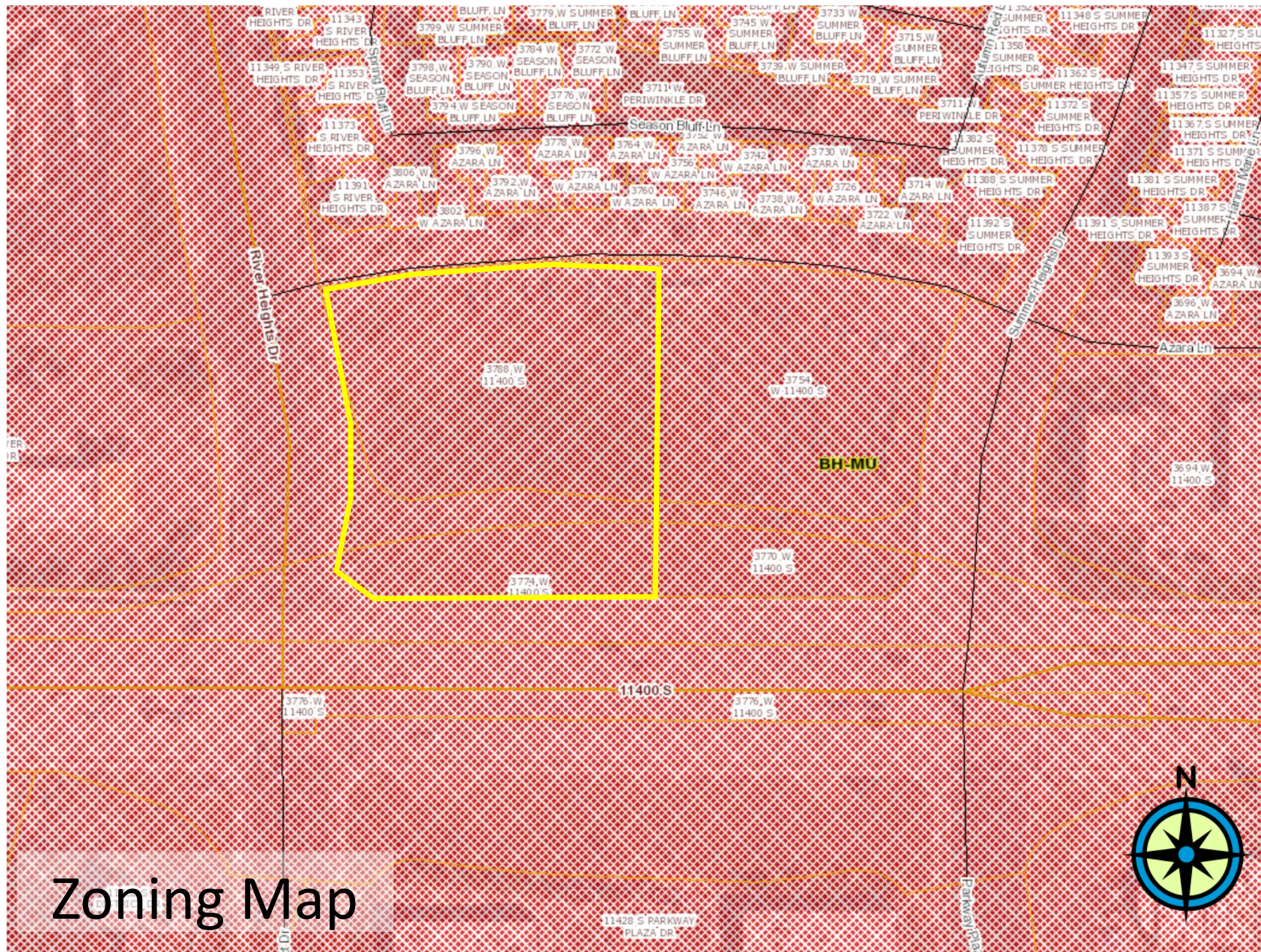
River Heights Dr.

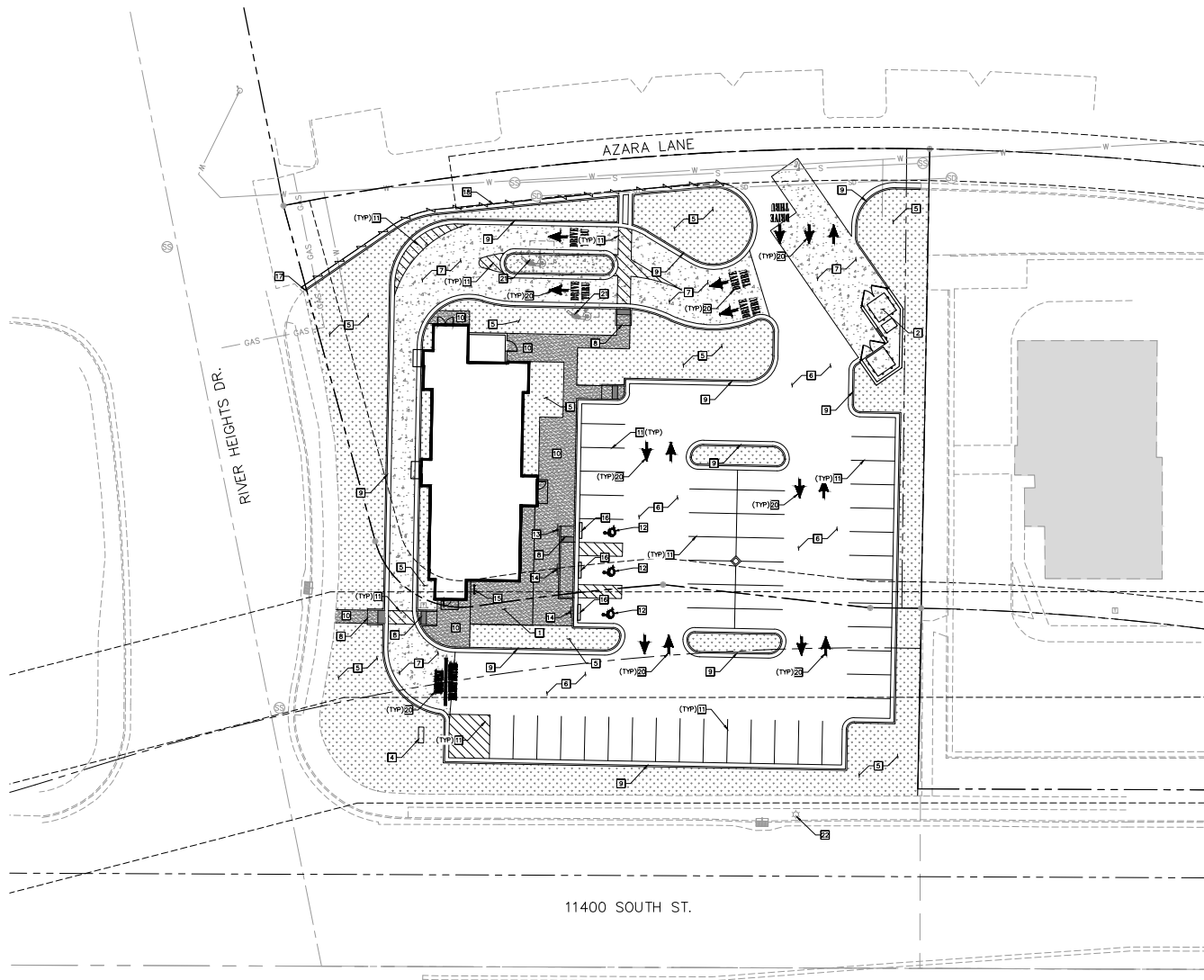
Summer Heights Dr.

11400 South

Location Map





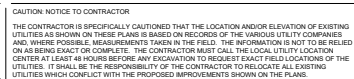


GENERAL NOTES



*3 TREES PROVIDED ELSEWHERE ON SITE DUE TO UTILITY CONFLICTS

1. RAISING CANSITE SITES NEED TO BE 100 PERCENT READY FOR LANDSCAPE INSTALLATION AND LANDRY'S LANDSCAPE WILL MAKE A SITE VISIT THE WEEK BEFORE THE SCHEDULED INSTALL TO CONFIRM THAT THE SITE IS COMPLETED AND READY FOR INSTALLATION.
2. LANDSCAPE INSTALLATION WILL PERFORM FINAL FINE GRADING OF THE SITE'S TOP 4 INCH OF LANDSCAPE AREAS PRIOR TO SOO INSTALLATION. ALL OTHER SITE GRADING TO BE DONE BY THE GENERAL CONTRACTOR.
3. BEFORE FINAL LANDSCAPE INSTALLATION AND FINAL FINE GRADING, ALL DEBRIS IS TO BE REMOVED FROM THE SITES LANDSCAPE AREAS BY THE GENERAL CONTRACTOR (INCLUDING BUT NOT LIMITED TO) ALL CONCRETE DEBRIS, TRASH, AND WOOD FORMS. FINAL SITE CLEANUP AND PRESSURE WASHING IS TO BE CONDUCTED BY THE GENERAL CONTRACTOR. LANDSCAPE WILL PROVIDE PRESSURE WASHING SERVICE TO REMOVE MATERIAL RELAYED TO THE LANDSCAPE INSTALL, ALONG WITH PRESSURE WASHING ANY DISTURBED AREAS DUE TO THE INSTALL AND BLOW THE SITE CLEAN UPON COMPLETION. ANY ADDITIONAL PRESSURE WASHING SERVICE'S LANDSCAPE CAN PROVIDE FOR AN ADDITIONAL CHARGE.



DRAWN BY:

DESIGNED BY:

CHECKED BY: _____

PROJECT NO.: 093610

1

LANDSCAPE PLAN

RAISING CANE'S RESTAURANT
3788 W 11400 S
SOUTH JORDAN, UTAH

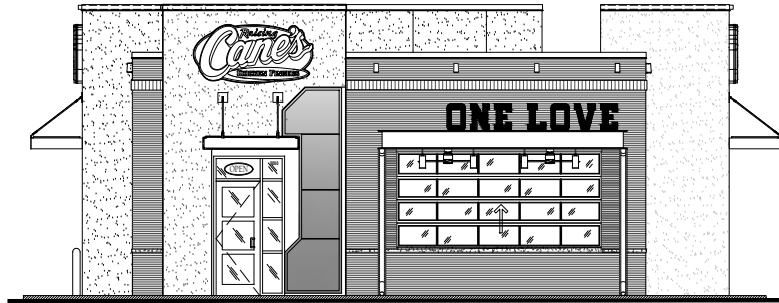
Kimley»Horn

SEAL

State of Utah

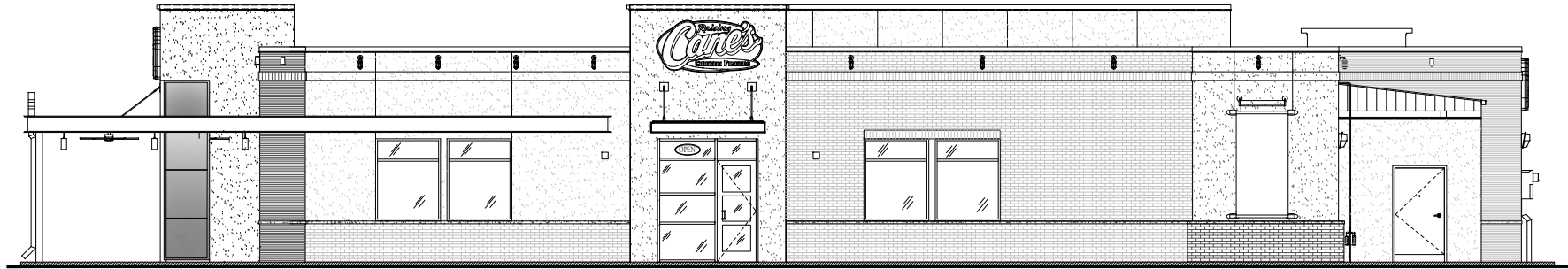
CHRISTOPHER
PEARCE HEPLER
No. 11514932-5301
Mechanical Engineering

SHEET
LI.0



1 SOUTH ELEVATION (FRONT)
1/8" = 1'-0"
1/8" = 1'-0"

STUCCO PERCENTAGE	SQUARE FOOTAGE	PERCENTAGE
SOUTH ELEVATION (FRONT)		
ELEVATION AREA	823 SF	
STUCCO AREA	337 SF	41%
OTHER MATERIALS	486 SF	59%
EAST ELEVATION (SIDE)		
ELEVATION AREA	1815 SF	
STUCCO AREA	755 SF	42%
OTHER MATERIALS	1061 SF	58%
NORTH ELEVATION (REAR)		
ELEVATION AREA	772 SF	
STUCCO AREA	482 SF	62%
OTHER MATERIALS	290 SF	38%
WEST ELEVATION (DRIVE-THRU)		
ELEVATION AREA	1813 SF	
STUCCO AREA	736 SF	41%
OTHER MATERIALS	1077 SF	59%
BUILDING TOTALS		
ELEVATION AREA	5223 SF	
STUCCO AREA	2310 SF	44%
OTHER MATERIALS	2913 SF	56%



2 EAST ELEVATION (SIDE)
1/8" = 1'-0"
1/8" = 1'-0"

PM
DESIGN
Architectural
Solutions Group
7200 South Alton Way
Suite B-270
Centennial, CO 80112
PH: 303.223.7931
E-MAIL:
twoody@pmdginc.com



Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tele: 972-769-3100 Fax: 972-769-3101

ELEVATIONS

RAISING CANE'S RESTAURANT
3788 W 1400 S
SOUTH JORDAN, UTAH

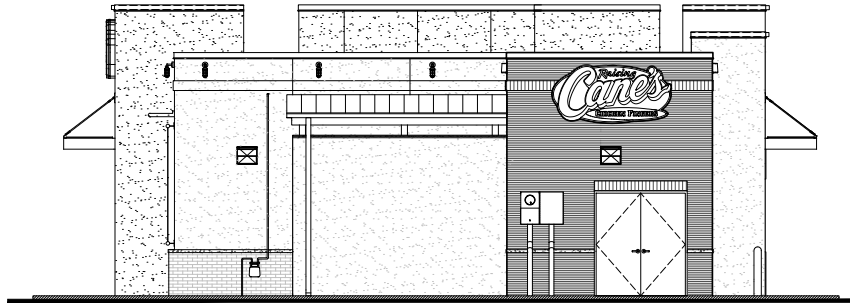
DRAWN BY: AUB
CHECKED BY: BNP
PROJECT NO.:
SCALE: AS SHOWN

FOR REVIEW ONLY
NOT FOR
CONSTRUCTION
Kimley»Horn

SHEET
A4.10



CAUTION: NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.



1 NORTH ELEVATION (REAR)
1/8" = 1'-0"
1/8" = 1'-0"

STUCCO PERCENTAGE	SQUARE FOOTAGE	PERCENTAGE
SOUTH ELEVATION (FRONT)	823 SF	
STUCCO AREA	337 SF	41%
OTHER MATERIALS	486 SF	59%
EAST ELEVATION (SIDE)	1815 SF	
STUCCO AREA	755 SF	42%
OTHER MATERIALS	1061 SF	58%
NORTH ELEVATION (REAR)	772 SF	
STUCCO AREA	482 SF	62%
OTHER MATERIALS	290 SF	38%
WEST ELEVATION (DRIVE-THRU)	1813 SF	
STUCCO AREA	736 SF	41%
OTHER MATERIALS	1077 SF	59%
BUILDING TOTALS	5223 SF	
STUCCO AREA	2310 SF	44%
OTHER MATERIALS	2913 SF	56%



2 WEST ELEVATION (DRIVE-THRU)
1/8" = 1'-0"
1/8" = 1'-0"

PM
DESIGN
Architectural
Solutions Group
7200 South Alton Way
Suite B-270
Centennial, CO 80112
PH: 303.223.7931
E-MAIL:
twoody@pmdginc.com



Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tele: 972-769-3100 Fax: 972-769-3101

ELEVATIONS

RAISING CANE'S RESTAURANT
3788 W 11400 S
SOUTH JORDAN, UTAH

DRAWN BY: AUB
CHECKED BY: BNP
PROJECT NO.:
SCALE: AS SHOWN

FOR REVIEW ONLY
NOT FOR
CONSTRUCTION
Kimley-Horn

SHEET
A4.20



CAUTION: NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

Kimley-Horn
215 South State Street, Suite 400, Salt Lake City, UT 84111 Tel. No. (801) 225-5376