



**Planning and Development Services**

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**MEETING MINUTE SUMMARY**  
**MAGNA METRO TOWNSHIP PLANNING COMMISSION MEETING**  
**Thursday, June 11, 2020 6:30 p.m.**

**\*\*Meeting minutes approved on July 9, 2020\*\***

**Approximate meeting length:** 1 hour 45 minutes

**Number of public in attendance:** 5

**Summary Prepared by:** Wendy Gurr

**Meeting Conducted by:** Commissioner Cripps

**\*NOTE:** Staff Reports referenced in this document can be found on the State website, or from Planning & Development Services.

**ATTENDANCE**

**Commissioners and Staff:**

Commissioners	Public Mtg	Business Mtg	Absent
Clare Collard	x	x	
Dan Cripps	x	x	
Ammon Lockwood	x	x	
Aaron Weight	x	x	
Mickey Sudbury			x
Mark Elieson	x	x	
Todd Richards	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Diana Martinez	x	x
Jim McNulty	x	x
Jay Springer	X	x

**BUSINESS MEETING**

**Meeting began at – 6:31 p.m.**

- 1) Approval of Minutes from the May 14, 2020 meeting.

**Motion:** To approve minutes from the May 14, 2020 meeting as presented.

**Motion by:** Commissioner Richards

**2<sup>nd</sup> by:** Commissioner Elieson

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

- 2) Other Business Items (as needed)

*No other business items to discuss.*

*Commissioner Collard motioned to close the business portion of the meeting, Commissioner Elieson seconded that motion. Commissioners voted unanimous in favor (of commissioners present)*

*Commissioner Weight motioned to open the public portion of the meeting, Commissioner Lockwood seconded that motion. Commissioners voted unanimous in favor (of commissioners present)*

## LAND USE APPLICATION(S)

**Hearings began at – 6:37 p.m.**

**31169-** Dinah & Jack Nielsen are requesting Conditional Use approval for an Oversized Accessory Building (3,000 sq. ft. Garage) and approval to exceed the 25% rear yard coverage maximum. **Acreage:** approximately 0.71 acres. **Location:** 3330 South 8000 West. **Zone:** R-2-6.5. **Planner:** Diana Martinez

The Planning Commission, in its discretion, may request public input on this application prior to acting on the application. If public input is requested, public comment will be limited to three minutes per person.

*Greater Salt Lake Municipal Services District Planner Diana Martinez provided an analysis of the Staff Report.*

*Commissioner Collard said something about 240 sf and is that something to do with the awning. Ms. Martinez said correct, he will remove the awning and meet the 25%.*

### **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant

**Name:** Jack and Dinah Nielsen

**Address:** 3330 South 8000 West

**Comments:** Mr. Nielsen said will be a metal building, insulated, no heat, no facilities, just storage. Second garage is filled with pool equipment and cars. Sold business and has excess equipment. Eating dead space and a farm with goat heads, sun inlets at the top, 30 more solar panels, total 50, mainly storage building. Still a lot of grass and open area to the north. Moving building closer to the garage for more of a buffer to the fence. Bigger setback than required. Wants stuff under storage, eventually getting rid of equipment and will be destroyed if left out. Been here 40 plus years.

*Commissioner Richards asked if taking down some awning. Mr. Nielsen said no issues at all. Whatever it takes to hit the magic number. Backyard faces to the west, if he takes it all down, the house becomes a furnace. Measured the short section and may not have to remove the large section. Commissioner Richards asked if that is a requirement. Ms. Martinez said you do, basing 25 percent off her number, if he measures, shell take them, if he exceeds will have to go to land use hearing officer for approval. Mr. Nielsen said he measured from the corner of the house to the back fence. Gave three feet to their neighbor, willing to do the awning and measurement. Ms. Martinez said can modify the condition or remove part of the awning. Craft a motion to include the items.*

*Commissioner Lockwood motioned to open the public portion of the meeting, Commissioner Elieson seconded that motion. Commissioners voted unanimous in favor (of commissioners present)*

*No one from the public present to speak.*

*Commissioner Richards motioned to close the public portion of the meeting, Commissioner Elieson seconded that motion. Commissioners voted unanimous in favor (of commissioners present)*

### **PUBLIC PORTION OF MEETING CLOSED**

*Commissioners had a brief discussion regarding the awning.*

**Motion:** To approve application #31169 with staff recommendations and meet approvals and ensure the 25% is accounted for, buy measurements or removal of a portion of the awning.

**Motion by:** Commissioner Lockwood

**2<sup>nd</sup> by:** Commissioner Elieson

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

**31146-** Shaun Johnson is requesting Conditional Use approval for an Office/Warehouse use. **Acreage:** approximately 32.76 acres. **Location:** 7930 West 4100 South. **Zone:** M-1. **Planner:** Diana Martinez

The Planning Commission, in its discretion, may request public input on this application prior to acting on the application. If public input is requested, public comment will be limited to three minutes per person.

*Greater Salt Lake Municipal Services District Planner Diana Martinez provided an analysis of the Staff Report.*

*Commissioner Cripps said originally were putting a fuel station and now down by the freeway. Commissioner Richards said application talks about a warehouse, but Ms. Martinez spoke about an office building. Ms. Martinez said both, will have full time employees and storage warehouse in the rear. Commissioner Cripps said Northrup Grumman building and the structure will be similar requirements with minimal glass, substantial structure. Commissioner Richards asked for height of the building. Ms. Martinez provided the drawing showing 38 feet to the top, up to 40. Building official will look at before it comes back for final approval. Commissioner Cripps asked with the store front on the north side. Ms. Martinez said bottom is west elevation and top to the north. Commissioner Cripps said requirement on the window square footage. Commissioner Elieson said will have to be built to the overpressure zone building standards. Commissioner Weight said he works at the business to the west and his employment does not affect his judgement.*

## **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Applicant

**Name:** Shaun Johnson

**Address:** 522 South 850 East, Suite 1-A, Lehi

**Comments:** Mr. Johnson said thank you with Ginger leaving and stepping in. Flex space, predominantly warehouse. Worked it out with ATK, doing land swapping on the east side, bound to certain covenants, with only so much office space, abiding by those. Estimating 1,400 per units, maximum to get to under agreement. Small office space, large warehouse. 70,000 square feet but think found 47,040 square feet. Height is 28-foot clear height inside, highest is 140 feet, maximum 37 and half feet. Understand building in pressure zone, prepared falls in parameters. Glass look is ideal, moving forward must manage can do the glass. Façade with concrete behind glass, understand where building working with ATK and they will view final drawings. Unique area, possible big tenants taking up half the building, but attract small tenants. Concrete tilt up building

*Commissioner Richards asked if three parcels will be separate or joined. Mr. Johnson said break up into seven different parcels. May remain three parcels, ATK is working with Attorney Craig Smith with amendment to the pressure zone. Looking into seven and maybe breaking those in half too. Commissioner Richards asked will be sold off to individual or owned by your group. Mr. Johnson said vertical on three buildings, the one looking at tonight to the east and behind, conceptual is to go vertical and subject to*

change. One point a developer was going to take a building for a client out of China, balance between their timing and buyers coming in.

Commissioner Weight motioned to open the public portion of the meeting, Commissioner Elieson seconded that motion. Commissioners voted unanimous in favor (of commissioners present)

No one from the public present to speak.

Commissioner Elieson motioned to close the public portion of the meeting, Commissioner Weight seconded that motion. Commissioners voted unanimous in favor (of commissioners present)

### **PUBLIC PORTION OF MEETING CLOSED**

Commissioners had a brief discussion regarding the use of space.

**Motion:** To approve application #31146 as presented with staff recommendations.

**Motion by:** Commissioner Elieson

**2<sup>nd</sup> by:** Commissioner Weight

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

### **PUBLIC HEARING(S)**

**31170-** Spencer Pack is requesting a Rezone from the R-1-6 (Residential Zone) to the R-1-3 (Residential Zone). **Acreage:** 0.12 acres. **Location:** 3027 South 9150 West. **Planner:** Diana Martinez

The Planning Commission will act on the proposed rezone after taking comments from the public during the public hearing. Public comments will be provided pursuant to the planning commission's rules of conduct, which are attached to the back of this agenda. Public comments will be limited to three minutes per person.

Greater Salt Lake Municipal Services District Planner Diana Martinez provided an analysis of the Staff Report.

Commissioner Richards asked the width of the lot. Ms. Martinez said 30 feet. Commissioner Richards asked of height. Ms. Martinez said would have to meet zoning, 35 feet, two story. Mr. McNulty said five foot minimum, when you think of PUD's with those setbacks, in the area there are lots non-conforming to R-1-6, this is deep and narrow, and applicant will work with to meet R-1-3. Plans to accommodate or site a home. Ms. Martinez confirmed will have to go through the subdivision process and come back. Commissioner Lockwood asked where the subdivision will go. Ms. Martinez said no rezoning and does not meet requirements of the zone. Mr. McNulty said correct, must occur to legally subdivide because it was created illegally. Ms. Martinez said must go to R-1-3 to make it work. Commissioner Lockwood asked how he could purchase an illegal property. Ms. Martinez said it happens all the time. Mr. McNulty said recorders are elected officials and come in and record and can do for ownership, but no development right.

### **PUBLIC PORTION OF HEARING OPENED**

**Speaker # 1:** Applicant

**Name:** Spencer Pack

**Address:** 2017 East Lexington Hills Drive, Sandy

**Comments:** Mr. Pack said his vision is, toured a home builder in Payson, Iron Town Custom Homes. Make modular products, and build in a warehouse in controlled, general contractor places the home on foundation, do a lot of custom, narrow beach lots, that do not have a lot of width, but length. Two story plans and can accommodate the lot, sounds like the lot does not permit and he is recognizing and jump through hoops to make legal. Lots south of him. 11 lots, kiddie corner northeast. 08 acres, if they can do it, he believes can do it with the modular builder. New for resale or rent out.

*Commissioner Elieson motioned to open the public portion of the hearing, Commissioner Richards seconded that motion. Commissioners voted unanimous in favor (of commissioners present)*

*No one from the public present to speak.*

*Commissioner Weight motioned to close the public portion of the hearing, Commissioner Lockwood seconded that motion. Commissioners voted unanimous in favor (of commissioners present)*

### **PUBLIC PORTION OF HEARING CLOSED**

*Commissioners and staff had a brief discussion regarding setting a precedent of the smaller lots, character of the neighborhood, flag lots, and configuration of the lot.*

**Motion:** To recommend application #31170 to the Magna Metro Township Council for approval with staff recommendations and one additional condition that only single-family residence, all other uses prohibited.

**Motion by:** Commissioner Weight

**2<sup>nd</sup> by:** Commissioner Lockwood

**Vote:** Commissioner Richards noted nay, all other Commissioners voted in favor (of commissioners present). Motions passed.

**31173-** Scott Braithwaite is requesting a street improvements waiver (curb, gutter, and sidewalk). **Acreage:** approximately 3.85 acres. **Location:** 2330 South 7200 West. **Zone:** M-2. **Planner:** Diana Martinez

The Planning Commission will act on the proposed waiver after taking comments from the public during the public hearing. Public comments will be provided pursuant to the planning commission's rules of conduct, which are attached to the back of this agenda. Public comments will be limited to three minutes per person.

*Greater Salt Lake Municipal Services District Planner Diana Martinez provided an analysis of the Staff Report.*

*Commissioners, staff, and counsel had a brief discussion on the length of a delay agreement, terms, legal review, bonding, safer and excess drainage, improvements not in place, public works plan and input.*

### **PUBLIC PORTION OF HEARING OPENED**

**Speaker # 1:** Applicant, Jacobson Construction

**Name:** Scott Braithwaite

**Address:** 3131 West 2210 South

**Comments:** Mr. Braithwaite said would like to request the exception as part of Jacobson warehouse project. No storm drain and private development requirement retain storm drain and percolate. If required, collect in the gutter, and directed to the north end of the property and point discharge to the adjacent property. Collect on private property from public roadway. Mr. Braithwaite read his comments. Does not work from an engineering perspective to put curb, gutter, and sidewalk on a flat road. Trying to be great neighbors, current facility for 38 years and want to do it right, does not make sense currently. Challenge is would like a five-year, engineering is not clear when it will be done and prefer the exception and does not feel fair to build bigger retention ponds to hold public water runoff.

*Commissioner Weight motioned to open the public portion of the hearing, Commissioner Elieson seconded that motion. Commissioners voted unanimous in favor (of commissioners present)*

*No one from the public present to speak.*

*Commissioner Elieson motioned to close the public portion of the hearing, Commissioner Collard seconded that motion. Commissioners voted unanimous in favor (of commissioners present)*

### **PUBLIC PORTION OF HEARING CLOSED**

*Commissioners and staff had a brief discussion regarding continuation and public works input,*

**Motion:** To continue application #31173 to a special meeting of June 29<sup>th</sup> at 6:30pm and invite engineering to provide input and feedback on installation of curb, gutter, and sidewalk or delay agreement.

**Motion by:** Commissioner Cripps

**2<sup>nd</sup> by:** Commissioner Elieson

**Vote:** Commissioner Richards and Commissioner Weight voted nay, all other commissioners voted in favor (of commissioners present). Motion passed.

*Commissioner Lockwood motioned to adjourn, Commissioner Weight seconded that motion.*

### **MEETING ADJOURNED**

**Time Adjourned – 8:16 p.m.**