

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
August 9, 2022**

Present: Chair Michele Hollist, Commissioner Nathan Gedge, Commissioner Steven Catmull, Commissioner Laurel Bevans, Commissioner Trevor Darby, Commissioner Aaron Starks, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, Planner Ian Harris, Planner Damir Drozdek, City Recorder Anna Crookston, Supervising Senior Engineer Shane Greenwood, Chief Technology Director Jon Day, IS Systems Administrator Ken Roberts, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun

Others:

6:34 P.M.
REGULAR MEETING

A. WELCOME AND ROLL CALL – *Chair Michele Hollist*

Commission Chair Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting. She introduced and welcomed the newest planning commissioner Aaron Starks, who was sworn in prior to the meeting tonight.

B. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to approve the August 9, 2022 agenda as printed. Chair Hollist seconded the motion; vote was unanimous in favor.

C. APPROVAL OF THE MINUTES

Assistant City Attorney Greg Simonsen noted that on page 13 of the minutes, he intended for the word “borne” to be used in place of the printed “born.” The error was located and corrected in the minutes.

Commissioner Gedge motioned to approve the June 28, 2022 Planning Commission Meeting Minutes with the changes noted above. Chair Hollist seconded the motion; vote was unanimous in favor.

D. STAFF BUSINESS - *None*

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Chair Michele Hollist asked to discuss the best way to move forward with required training before the end of the year.

City Planner Greg Schindler didn't know if there would be a night with no items on the agenda, but if there is a light meeting it could be done at the end of the meeting or they could have a work session prior to a future meeting.

Commissioner Nathan Gedge said that in a previous meeting, a joint meeting with the city council was discussed, and he didn't know if that was already scheduled or if that could possibly be used to satisfy some of those hours.

Assistant City Attorney Greg Simonsen commented that meeting would satisfy those requirements.

Planner Schindler said he would speak with Director of Planning Steven Schaefermeyer and see about scheduling that meeting.

Assistant Attorney Simonsen reminded everyone that they satisfied an hour of training last year during the combined meeting.

Chair Hollist asked to confirm that they've done one hour of training this year, attending the meetings will count as another hour, but that they still need two additional hours.

Assistant Attorney Simonsen responded that yes, that is correct.

Chair Hollist said it might be in their best interest to do an hour of training separate from City Council, as well as the hour with them.

Assistant Attorney Simonsen said that Commissioner Aaron Starks has already done one hour of his training.

Chair Hollist suggested coordinating through email a date for that hour of training, and then waiting to hear from City Council to select the other date for the last hour. She also said she will not be at the meeting on September 13, and asked Commissioner Gedge if he was available to conduct that meeting.

Commissioner Gedge said he was available that night to conduct the meeting.

Chair Hollist added that with the new commission numbers, a minimum of three votes is required to pass something, along with a majority of those in attendance. For instance, if all six commissioners are in attendance, four votes are required to pass an agenda item; if there are less than six available, items can still be passed with a minimum vote of three members. A quorum is still three members, and that is the minimum required to conduct business and vote.

F. SUMMARY ACTION – None

G. ACTION - None

H. ADMINISTRATIVE PUBLIC HEARINGS

**H.1. BLACK RIFLE COFFEE DRIVE THROUGH SITE PLAN AND
CONDITIONAL USE PERMIT.**

Address: 3634 W 11400 S

File No.: PLSPR202200036

Applicant: Joshua Helzlsouer

City Planner Greg Schindler reviewed the background information from the Staff Report.

Chair Michele Hollist asked about the strip of land to the east.

Planner Schindler said that is a detention basin, for the North District area.

Commissioner Nathan Gedge noted that even though they have ample parking and queuing, what would happen if they were to exceed that and customers began queuing along 11400 S, would public safety ensure they are out of the flow of traffic.

Planner Schindler said that would have to be quite a long line, but no, they would not allow queuing on 11400 S.

Chair Hollist asked if the applicant was present tonight.

Planner Schindler said they are from out of town and don't appear to be here tonight.

Chair Hollist opened the hearing for public comment. There were no comments and the hearing was closed. She appreciated having additional spots to queue cars, especially with the history we've had in the area. It appears to be a nice fit and completes that last parcel in the area.

Commissioner Darby motioned to approve File No. PLSPR202200036, drive through site plan and conditional use permit at the location above. Chair Hollist seconded the motion. Roll Call Vote was 6-0, unanimous in favor.

**H.2. SLIM CHICKENS RESTAURANT SITE PLAN/CONDITIONAL
USE PERMIT**

Address: 1631 W 11400 S

File No.: PLSPR202200115

Applicant: Tim Leonard

Planner Ian Harris reviewed background information from the Staff Report. He also shared a

design board with the commissioners, which included samples of the materials and colors to be used on the building (Attachment B).

Chair Michele Hollist asked why the Architectural Review Committee (ARC) requested this be submitted to the planning commission.

Planner Harris said he wasn't at the meeting, but he believes it was because the applicant didn't have the materials board ready at that time.

Commissioner Steve Catmull said he believes the applicant wasn't present at the first meeting, so the committee reviewed what was available and then the idea was presented to have the materials possibly brought to this meeting. The ARC did not take a formal vote on this, but in the discussion he said there didn't appear to be any concerns regarding the materials as written.

Commissioner Nathan Gedge asked about traffic flow on 11400 S, specifically in the westbound traffic lane. He assumes there will not be anyone turning left (southbound) on the access road where it junctions with Beckstead, and he is assuming there will be no way for people to cross 11400 S traffic, except for further east where you would access the Starbucks and Swig.

Supervising Senior Engineer Shane Greenwood said that's correct, there are no left turns from Old Cedar onto 11400 S.

Chair Hollist asked if the applicant was present this evening, and invited him up to speak.

Rick Stussy (Applicant) is a franchisee of Slim Chickens and one of the things he could talk about is that they have a lot of cars in their queue. They have learned over time that they need that, and they don't want to have anything spilling out on to the public roads. They just opened a store two weeks ago, and their openings are usually pretty large, and that's both good and bad news; they want to make sure it is good news.

Chair Hollist asked the applicant to tell the commission about the company and what they're known for.

Mr. Stussy said they have two locations open here in Utah, and they have the rights to the State of Colorado and the State of Utah where they have agreed to build 30 stores. They used to be Burger King Franchisees, they sold all of their Burger Kings and went all in on chicken. This concept is from Fayetteville, Arkansas. They now have 183 stores, including 20 of those in London, England and one in Dubai. They have sold most of the states in the United States, and they started in about 2003. They have been very successful in the Midwest. So far he has been very happy with them in their stores. He has six open, one in Lehi and one in Herriman, they have one under construction in Pleasant Grove, and one under construction in Spanish Fork; this location will hopefully be their fifth location in Utah.

Chair Hollist asked for more details on how they handle car stacking, as he indicated they have experience with this.

Mr. Stussy said that Covid changed many things, and when they first started it was pretty much 50/50; fifty percent was through the drive through, fifty percent was in the dining room. It has since switched to about 76% either through drive through, online ordering or delivery, and about 24% in the dining room. Not unlike many restaurant companies where everybody is trying to see where the world is going to settle out, they think theirs is pretty family oriented so they are still pretty sold on having their dining rooms. They have gone to changing a few things to make sure they can handle the current needs, with many people ordering online and coming in to pick it up, or parking and having the food brought out to them. They also have young people in the line with iPads taking orders way before they get to the drive through window. In this store, they have increased their drive through window to be able to go out from a couple of directions to get out to the cars. They have chicken tenders, and when he says “tenders” it is a tenderloin of the chicken, one of the primo pieces, and where many people say “tenders” or “fingers” that is usually just sliced up breast meat. Their tenders are truly that, with only two per chicken; so if you order four tenders that is two chickens. They also have chicken and waffles, wraps, and chicken can be fried or grilled. They have a lot of salads, along with sandwiches and desserts. It has been very well received both in Colorado and Utah for them, and they are really excited about it. They have worked hard on this particular site to make it all work, and have good flow through the site.

Commissioner Trevor Darby asked about the mention of breakout doors on both sides of the window.

Mr. Stussy responded those doors are only on one side of the window. He is also a contractor, and they build for a lot of restaurants. They also say “here’s our prototype” and he has never built the prototype, as they change it every time. Frankly, they have done a lot of changing, trying to figure out how to adjust, as has every other restaurant company recently. He served two terms as a planning commissioner in his own town, so he appreciates everyone here doing that as it’s not an easy job.

Commissioner Aaron Starks asked about the store hours.

Mr. Stussy responded they are usually 10:30 a.m. to 10:00 p.m. They get there early to prep, and they do not do breakfast.

Commissioner Starks asked about procedures for disposal of food, sanitation and keeping trash contained with a residential area close by. How have other stores been able to keep things sanitary, and what might that look like at this location; how do they keep the smell of chicken to a minimum.

Mr. Stussy said trash is continually removed, and they have a pretty large trash enclosure with multiple large trash dumpsters. They have been power washing their sidewalks, as when they take the trash out to the dumpster it drives him crazy to see grease on the sidewalks at other chicken restaurants. At construction they seal their sidewalks very well, and they power wash them, as well as starting to power wash inside their kitchens. They have certain values, and one of those is cleanliness. They get checked, and they check their own restaurants without notice, along with the corporate people coming in frequently; in fact he heard a rumor that the corporate

guys will be here tomorrow. They are very serious about cleanliness and how they take care of their chicken. Their chicken sits for 24 hours in a brine, and is then served fresh so they do not cook ahead and they end up sometimes throwing food away if it's not hot enough, including the french fries.

Chair Hollist opened the hearing for public comments.

Reed Stallings (Sandy Resident) is the owner of this property. At the time he represents 6S114 which is Six Stallings that originally owned this farm that was there. It was their intent to always have a part of this, so this is the one lot they have agreed they would sell to Slim Chickens and they have been really impressed with them, their operations, planning and everything. They have seen these plans before tonight and are in full agreement that this would be a great addition to their retail development east of it. He encourages the approval of this.

Chair Hollist appreciated the attention to the queuing of cars on this property, that has become an issue due to Covid and the increased demand. She thinks it's exciting to have a new company come to our city and she thinks it completes this area and what was intended for it.

Commissioner Gedge motioned to approve File No. PLSPR202200115, site plan/conditional use permit applications at the above address. Chair Hollist seconded the motion; Roll Call vote was 6-0, unanimous in favor.

H.3. EVANS FARM HOUSE POLE BARN CONDITIONAL USE PERMIT

Location: 1396 W 9950 S

File No.: PLCUP202200153

Applicant: Travis Evans, Property Owner

Planner Damir Drozdek reviewed background information from the Staff Report.

Chair Michele Hollist asked if it was standard to include the carport in the building square footage, because without the carport it is below the threshold indicated.

Planner Drozdek said yes, this was discussed with the planning director and he basically said that if there was a gazebo or some kind of pergola, just because it is not enclosed, they would still have that fall under the same requirement as they have here.

Chair Hollist asked about the materials being used, specifically the Hardie Fiber cement siding.

Planner Drozdek said Hardie Fiber is a composite material, similar to stucco, but it can have different finishes made to look like different types of siding.

Chair Hollist asked if this is just for units being occupied that it can be required to fit in with the materials of the main house.

Planner Drozdek said they do not have a requirement for that, as this is not an ADU or a

guesthouse.

Chair Hollist asked if there are other properties near this one with outbuildings that exceed the 60% threshold limit.

Commissioner Nathan Gedge noted that this used to be his grandfather's farm, and the barn that was there should no longer be present on the land, so there shouldn't be any other such buildings.

Chair Hollist asked to confirm that the property to the west is all one larger property that wraps around.

Planner Drozdek responded that yes, it is all one property.

Commissioner Steve Catmull asked to review the map with the easements, and noted that he believed the neighbors all had a 10 foot easement from the boundary, and this property has a 15 foot easement. He is aware this has already been permissioned, but he was curious as to why this was different.

City Planner Greg Schindler believes that is because the 15 foot easement is for a waterline, whereas the other properties have a 10 foot public utilities easement.

Supervising Senior Engineer Shane Greenwood added that is their standard requirement, a 15 foot easement for a waterline.

Planner Schindler believes this waterline comes in going north, then goes in to the subdivision to the north; that's how they got their water.

Chair Hollist asked if the applicant was present, and invited him to speak.

Travis Evans (Applicant) responded that the Hardie Board is the same exact material he is using on his house, basically wood planks that look like a siding but are more of a composite material. It will match identically to the house. On the top will be a metal roof that will match the aesthetics of his front porch which is covered and has a metal roof. He was unaware it was a standard to have that, so while going through preplanning he found out it wasn't included and thought he was okay. However, the whole purpose for adding the carport on the back end is to have some additional storage for his lawn tractor and things like that. They also like to do holiday decorations, so this gives them access to display their fun holiday decorations and he needs somewhere to eventually finish his basement for storage. His goal is to continue the roofline and cover the shed/carport area, he was hoping to continue that same roofline because it will look a lot better and more complete, rather than having a separate shed for those types of things. He is hoping to get the approval so it can all flow and stay looking like one complete buildings, otherwise he would have to look into how to accomplish it with a detached shed.

Chair Hollist asked the applicant to confirm that this will just be personal use and storage, that he won't be running any sort of business out of this unit.

Mr. Evans said he has a 1982 International school bus that's 25 feet long that he has converted over to a camper, and he was looking for somewhere to house that and that it would fit. He also has a boat, so the depth of 60 allows him to park those two back together, which still allows him one bay for moving other cars. He also has a classic '67 Mustang that would go in there, so he wants space to be able to work on his hobbies. This is truly only a hobby, not for any commercial use, and just looking for space to work on his hobbies that isn't right next to the house which allows him some more peace and quiet from his wife and sharing walls between the living room and garage. He is a mechanical engineer by schooling and he loves designing and tinkering, that's what his garage is for.

Chair Hollist opened the hearing for public comments. There were no comments and the hearing was closed.

Commissioner Gedge asked if they eventually wanted to add an ADU, and this is for a CUP, would that require a new permit process to come before the PC to approve that use.

Planner Drozdek said that depending on the size it would either go through staff or the commission if large enough.

Chair Hollist asked the same question, but regarding the requirements if he wanted to run a business out of this.

Planner Drozdek said he would need to get a business license.

Chair Hollist asked if the city would then review and note that was not a use that was approved tonight, and then require a reconsideration by a future Planning Commission.

Planner Drozdek said yes.

Commissioner Trevor Darby added that everyone nearby would be noticed if he started a business.

Planner Drozdek said it would have to be a home occupation business.

Planner Schindler said that home occupation business licenses are not reviewed by the planning commission.

Chair Hollist explained that tonight they are approving this under the conditional use that it is just for private use and storage. If the use were to change in the future, would it be flagged and reviewed by a future planning commission and have to receive a different CUP

Planner Schindler said he doesn't believe so, since you can run a business from your garage. This permit is for the size, not for the use.

Commissioner Bevans motioned to approve File No. PLCUP202200153, conditional use permit application at the above address.

Chair Hollist asked to note that the address printed in the packet was incorrect, however the address on the agenda is correct. She also asked if the correct neighbors were noticed.

Assistant City Attorney Greg Simonsen said they are okay to proceed.

Planner Drozdek said that yes, the correct people were noticed as they use the GIS, and once a property is chosen it highlights that address and creates a buffer around the property.

Chair Hollist seconded the motion; Roll Call vote was 6-0, unanimous in favor.

I. LEGISLATIVE PUBLIC HEARINGS - None

J. OTHER BUSINESS

City Planner Greg Schindler said he texted Director of Planning Steven Schaefermeyer regarding the meeting between the commission and the council, Director Schaefermeyer responded that nothing has been set up yet. If they have any preferences, they can pass them along to either Planner Schindler or Director Schaefermeyer. Also, Chair Michele Hollist can reach out to the mayor herself and work something out since the mayor would be the one to schedule that with the council.

Chair Michele Hollist asked what the agenda for the next Planning Commission meeting was looking like.

Planner Schindler said he doesn't believe there is much on the next meeting, maybe one or two items. Planner Drozdek has two items, but they are for the same project. He also believes Planner Ian Harris has one item for the agenda.

Chair Hollist asked to hold off on scheduling anything, and she will follow-up with an email for dates. She would also like to get some ideas from the commission on what they would like to receive training on.

ADJOURNMENT

Chair Hollist motioned to adjourn the August 9, 2022 Planning Commission meeting. Commissioner Darby seconded the motion; vote was unanimous in favor.

The August 9, 2022 Planning Commission Meeting adjourned at 7:20 p.m.