SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Issue: DOMINION ENERGY FAIL SAFE VALVE SITE PLAN

Address: 9804 S. Temple Drive **File No:** PLSPR202300143

Applicant: Kevin Mulvey (Mulvey Land Services)

Alex Howard (Dominion)

Submitted by: Andrew McDonald, Planner I

Shane Greenwood, Supervising Senior Engineer

Staff Recommendation (Motion Ready): I move that the Planning Commission **approve** the Site Plan application (file# PLSPR202300143) based on the findings of fact listed in this report and presented by City staff.

ACREAGE: Approximately 0.62 (acres)

CURRENT ZONE: R-2.5 (Single-Family Residential) & A-5 (Agricultural)

NEIGHBORING ZONES: North – R-2.5 (Residential) & A-5

South – R-2.5 & A-5 West – R-2.5 & R-3

East - R-1.8

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.

BACKGROUND:

The subject property is long and narrow. It currently is within both the R-2.5 and A-5 Zones; and is not within a recorded subdivision. Typically, properties are not permitted to cross between zoning designations. Since the property is not part of a recorded subdivisions, it is possible that a consolidation document was recorded at the county, unknown to the City. The proposed site plan for the valve site will be in the area zoned A-5. A current zoning map and site plan is provided in this report.

Meeting Date: 05/28/24

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The application meets the standards of review.
- There will be no new lighting features.
- A solid, masonry fence will enclose the facility, and screen it from public view.
- The facility will be setback from the Right-of-Way about 11-feet, and landscaped with water wise plantings. Landscaping plans are provided in the supporting materials.
- City Code §17.18.040.F requires public notice be provided to properties within an additional 300-feet of the typical 300-feet notice requirement. See supporting materials.
- The subject property has some private utility easements. The owners of these easements consent to the work being proposed (See Supporting Materials).

Conclusion:

• The proposed application meets the City Code requirements and is consistent with the General Plan.

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 proposed Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

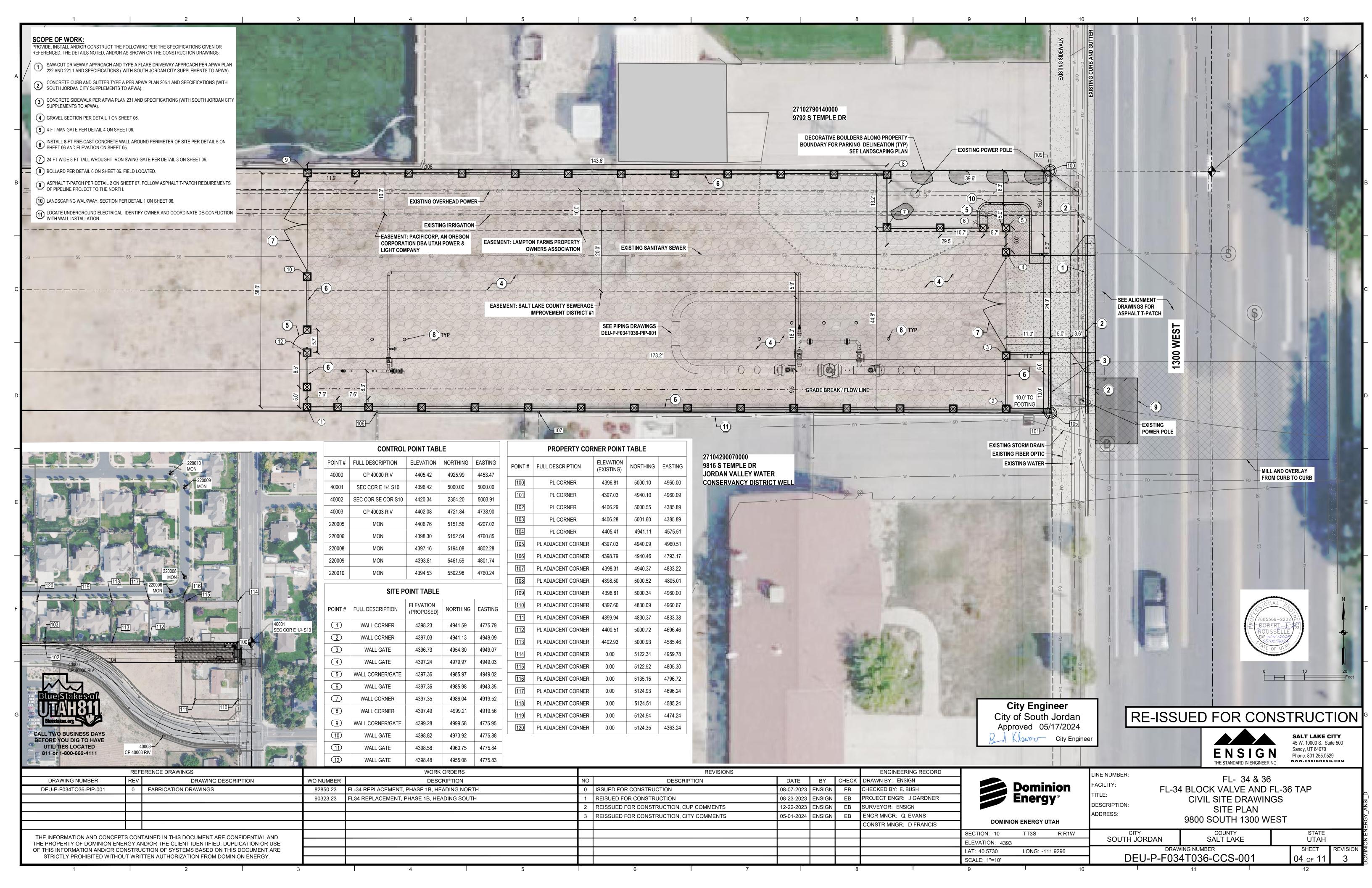
- Location & Current Zoning Map
- Approved Site Plan
- Approved Grading Plan
- Approved Civil Details
- Approved Landscaping Plans
- Additional Notice Requirements
- Public Mailing Notice
- Utility Easement Releases

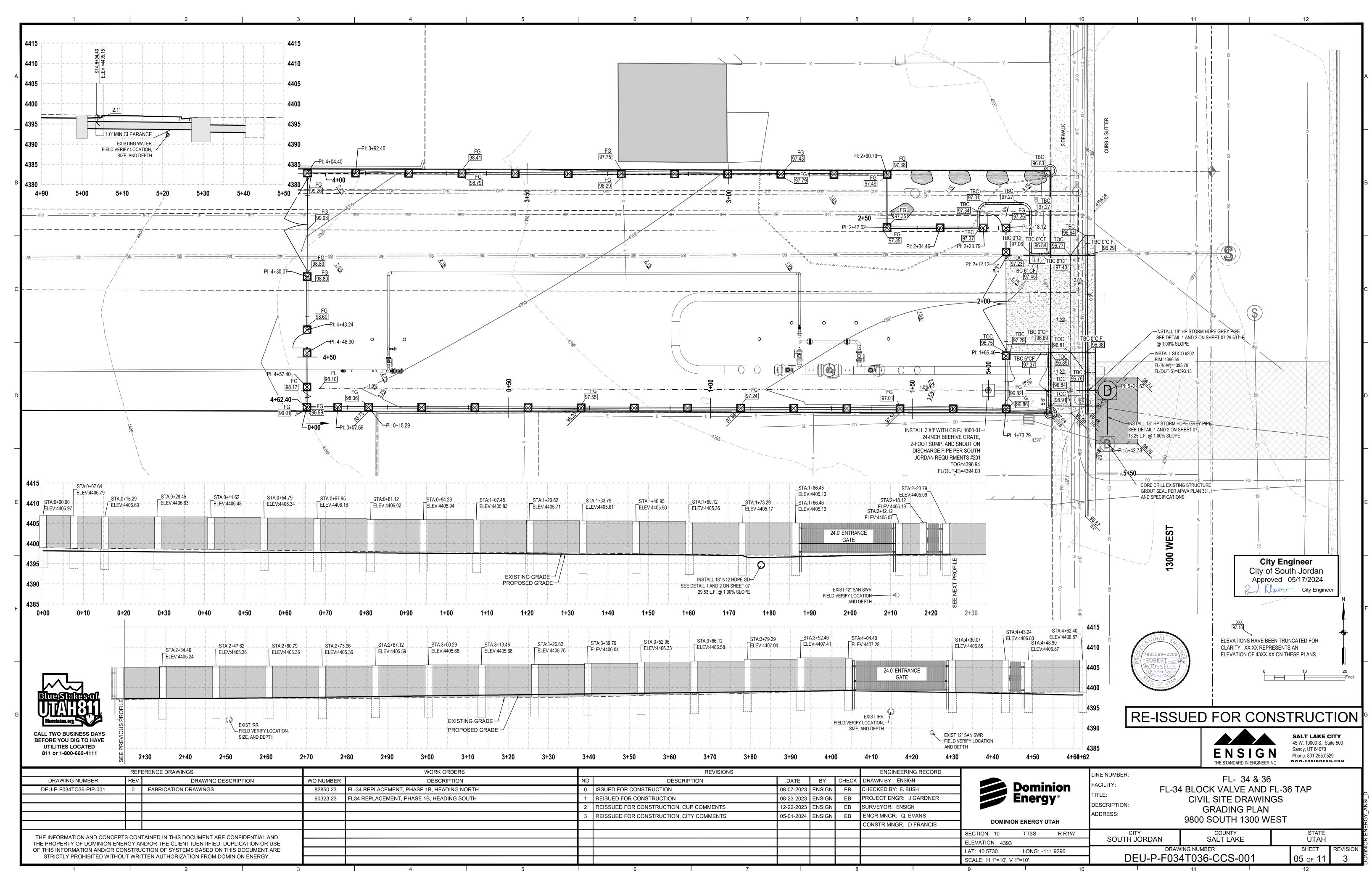
Andrew McDonald, AICP Candidate Planner I, Planning Department

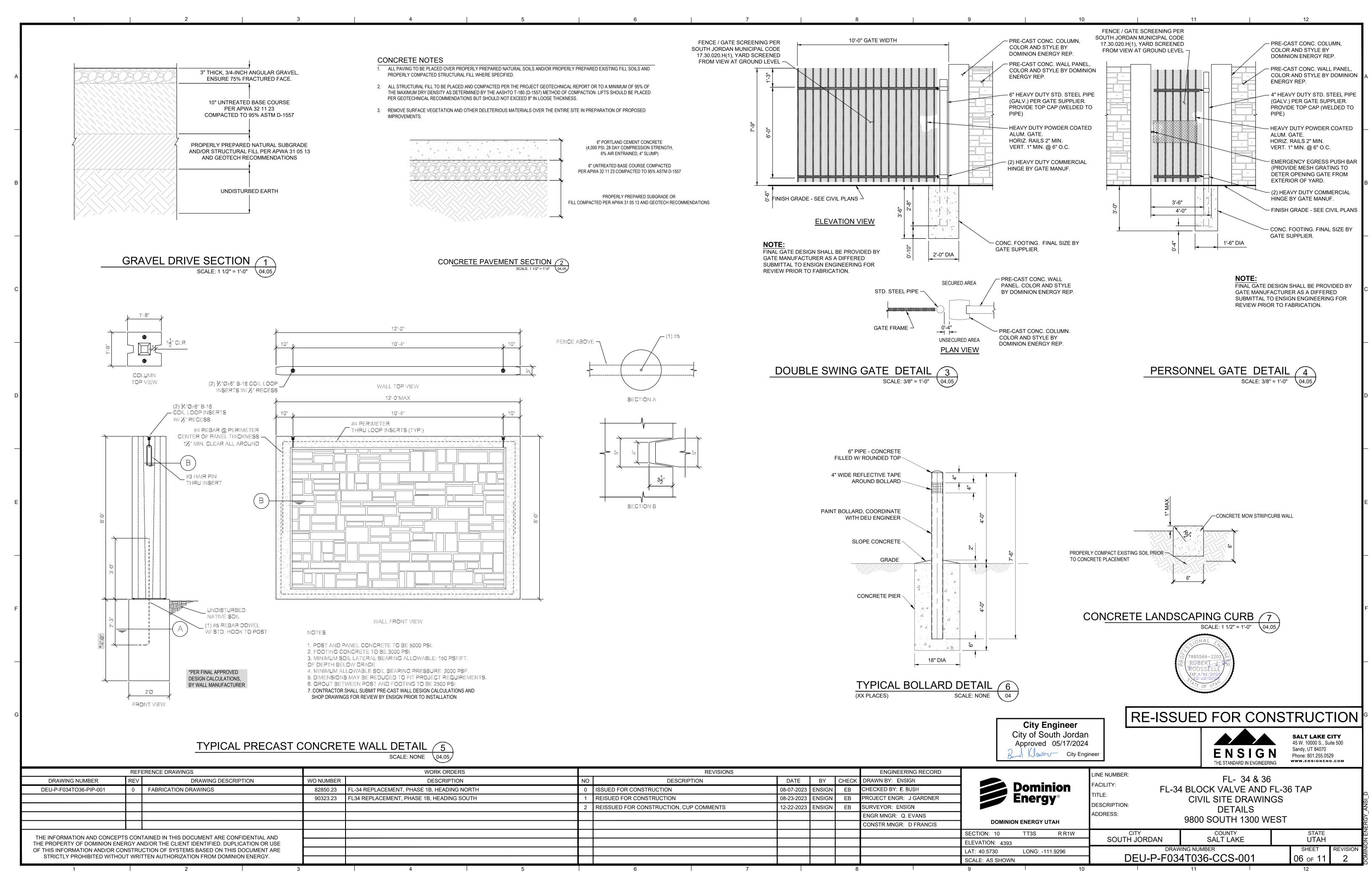
Indrew McDonald

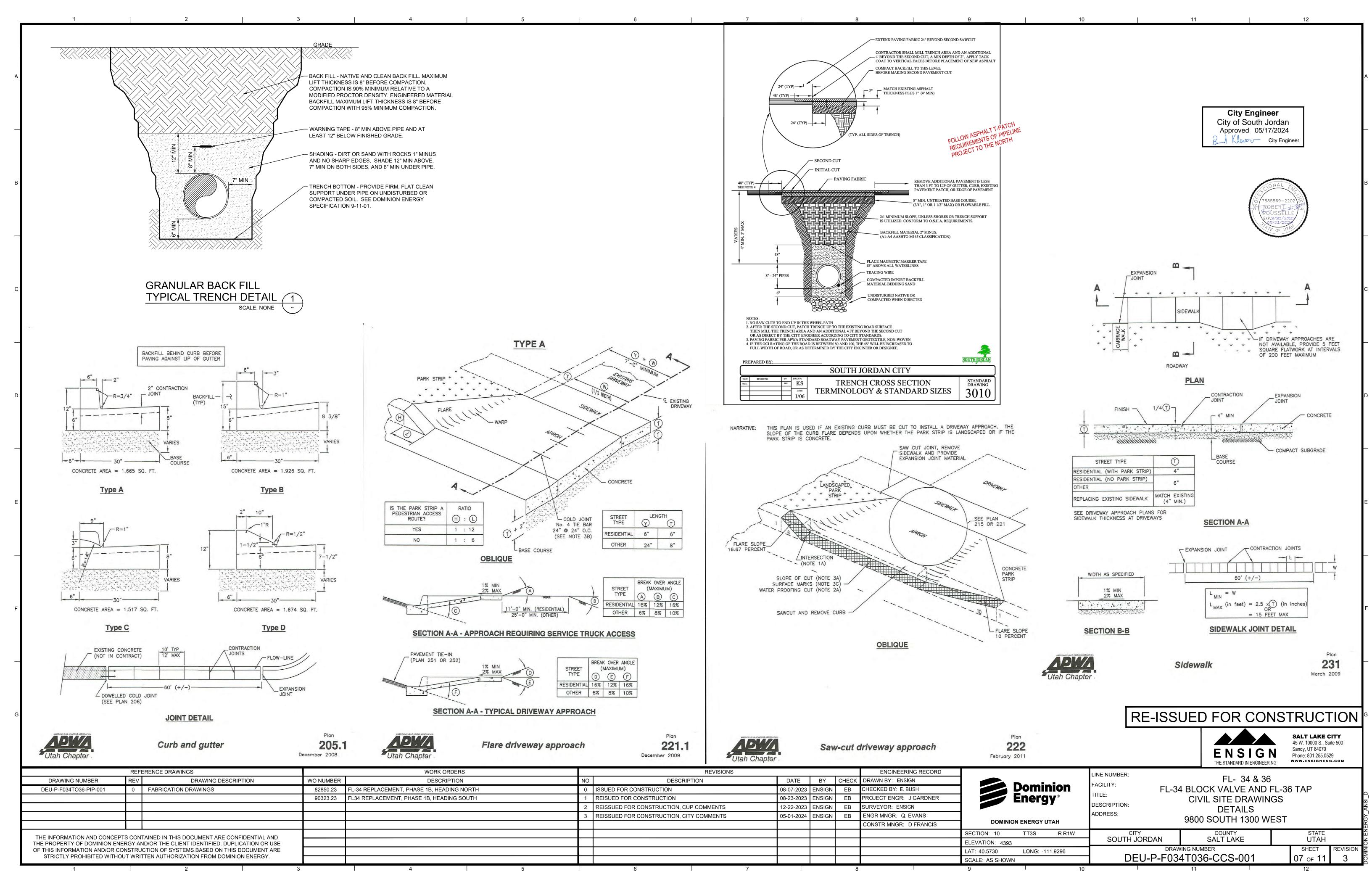
Location and Current Zoning Map

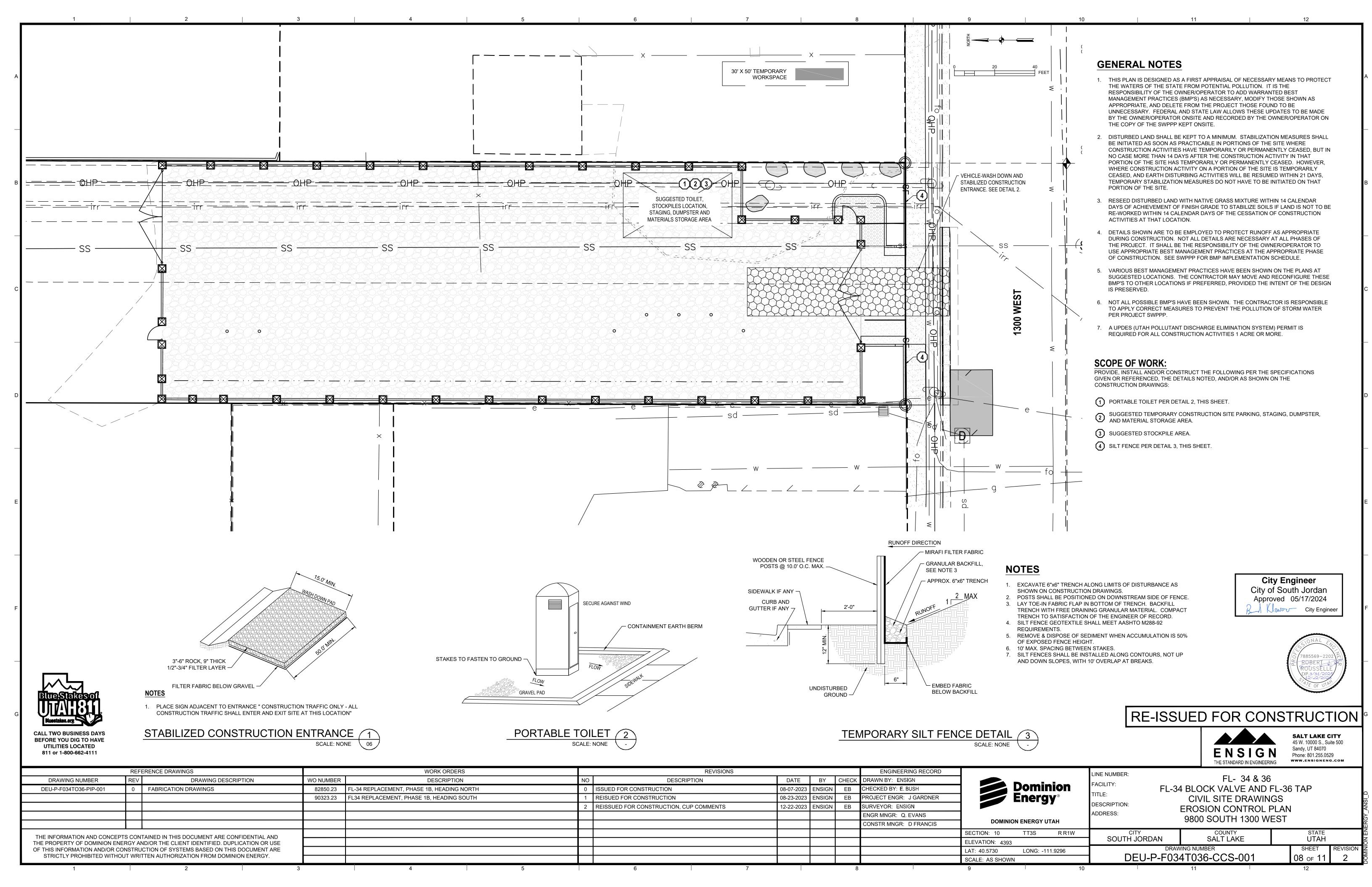


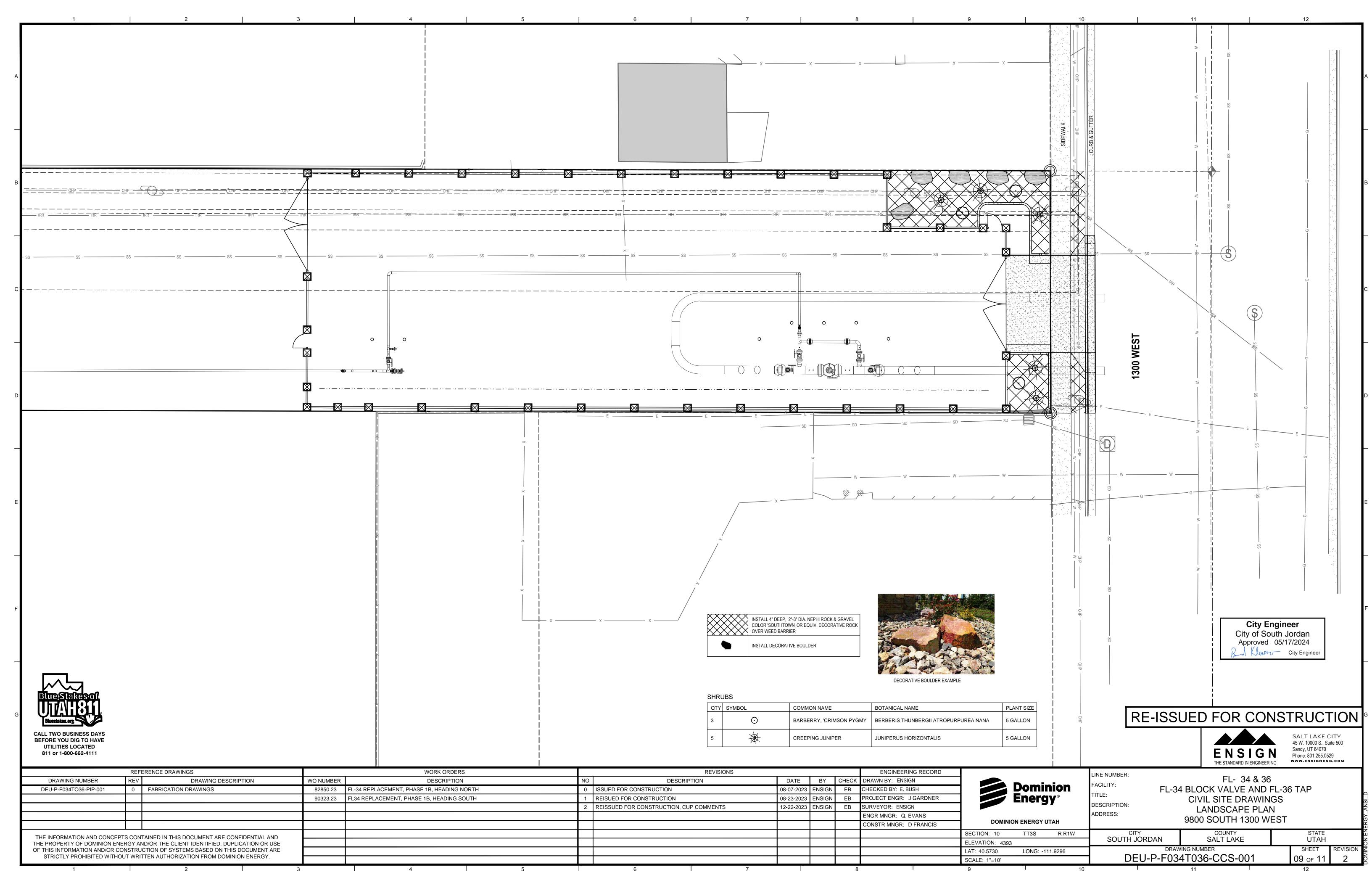


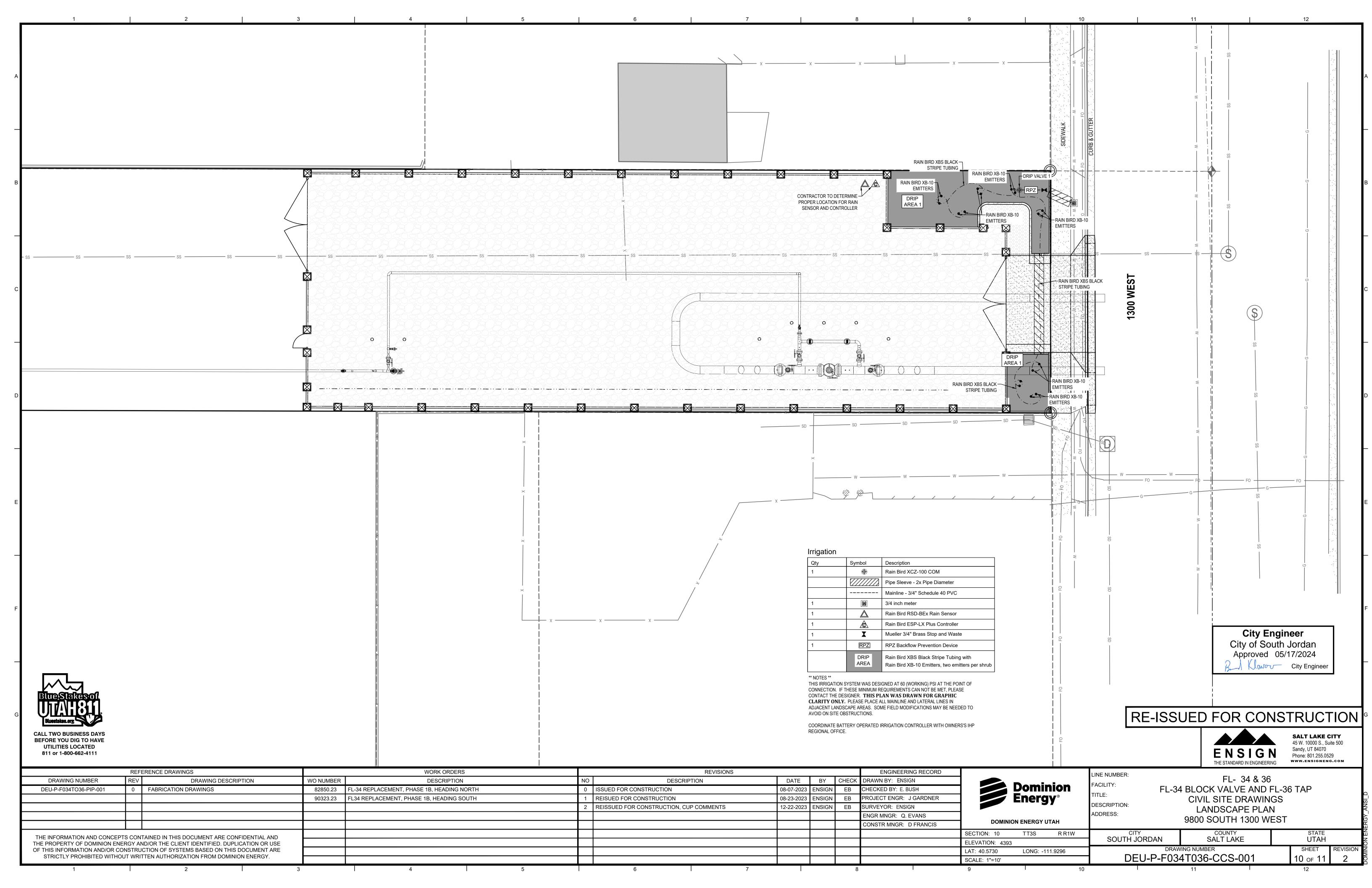


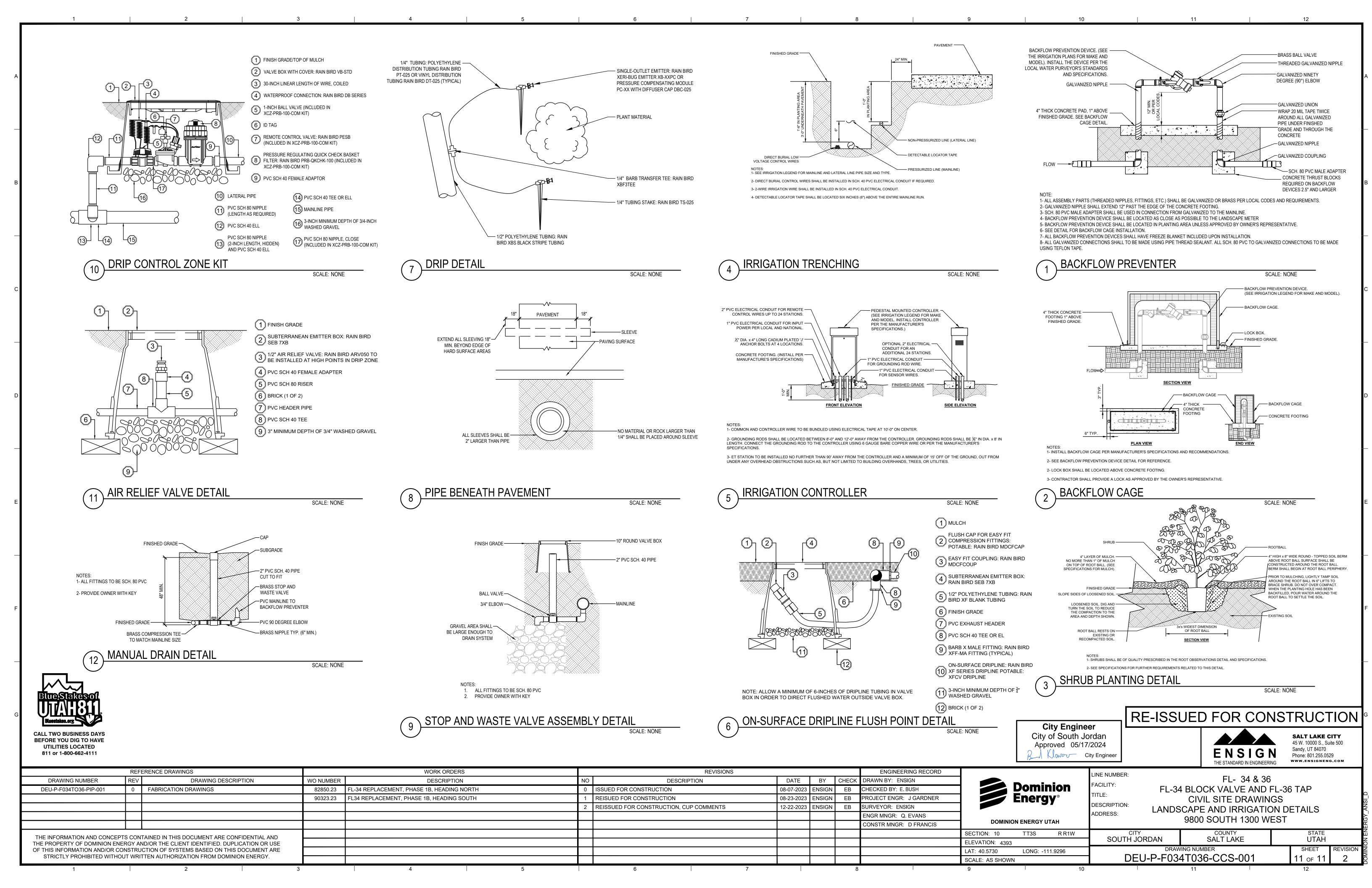












17.18.040: IMPACT CONTROL MEASURES

Impact control measures, as explained by this section, generally apply to allowed uses when the context or scale of a proposed project increases the potential for negative impacts (e.g., traffic, sound, hazardous waste, light, vibration, odor, glare, etc.) on surrounding properties or on the public health, safety, and welfare. Additional measures may be required of conditional uses, according to section 17.18.050, "Conditional Uses", of this chapter. Impact control measures do not apply to permitted uses that are accessory to an established residential primary use. The City Engineer and Planning Director may modify the requirements of a required impact control measure upon the applicant's showing of good cause (a reason rationally related to the development) and in the best interest of the City. With all required impact control measures, the applicant shall provide the applicable documentation, at the applicant's expense, and demonstrate that the design of a project and operation of the use will adequately mitigate the contextual impact. If the City Engineer or Planning Director determine that the regulations of this section conflict with other regulations of this Code, the more restrictive regulations shall apply.

- A. Traffic Study: The purpose of a traffic study is to identify the extent of traffic impacts generated by a use or project on transportation system capacity, level of service, and safety. At applicant's expense, the City shall commission a traffic study from a licensed professional engineer. The applicant shall pay the fee for the traffic study prior to the commencement of the study. Proposed uses and projects that meet any of the following criteria shall provide a traffic study:
 - 1. Initial establishment of uses identified in the required impact control measures table in this section.
 - 2. Project that may generate more than one hundred (100) trips in a peak hour or one thousand (1,000) total daily trips.
 - 3. New construction project that exceeds ten (10) acres.
 - 4. All uses proposing to access residential streets and that may generate more than twenty five (25) trips in a peak hour or two hundred fifty (250) total daily trips.
- B. Circulation And Access Plan: The purpose of a circulation plan is to identify a proposed project's potential traffic conflicts generated by proposed access points and vehicular, pedestrian, and bicycle routes. The circulation plan shall show adjacent roads, access points, primary travel routes, drop off and pick up areas, stacking and queuing areas, connections with adjacent properties, and pedestrian and bicycle routes. All projects that meet any of the following criteria shall provide a circulation and access plan:
 - 1. Initial establishment of uses identified in the required impact control measures table in subsection H of this section.
 - 2. New construction projects proposing the use of a drive-through, car wash, or vehicle bay.
 - 3. Projects that require a traffic study per subsection A of this section.
 - 4. Projects that include proposed private streets in residential areas.

- C. Operations Plan: The purpose of an operations plan is to identify the potential sound, vibration, light, glare, odor, crime, hazardous materials, fire, and environmental impacts generated by a use or project based on the operational nature, scale, or practices of an establishment. The operations plan shall include the following information, if applicable: date of commencement of operations; proposed hours and days of operation; a general description of the operation; a projection of the number of persons on site (e.g., employees and customers); types of accessory uses anticipated; hazardous materials to be used or produced on site; and all other relevant information to describe the nature, scale, practices of the establishment. Initial establishment of uses identified in the required impact control measures table in subsection H of this section shall provide an operations plan.
- D. Sound Study: The purpose of a sound study is to determine the potential for detrimental effects from sound generated by the proposed use or project. A sound study shall be commissioned, at the expense of the applicant, from a member of a national acoustical association (i.e., National Council of Acoustical Consultants, Acoustical Society of America, or Institute of Noise Control Engineering) or an expert consultant with demonstrated experience and capacity as determined by the Planning Director. The sound study shall include sufficient information to determine the likelihood of compliance with Salt Lake County Health Department noise regulations and the requirements of this title. All uses that meet any of the following criteria shall provide a sound study:
 - 1. Initial establishment of uses identified in the required impact control measures table in subsection H of this section.
 - 2. All nonresidential uses that anticipate using outdoor speakers or public address systems.
 - 3. Initial establishment of the following uses shall require a sound study when located within three hundred feet (300') of a property line of a Residential Zone, an existing dwelling unit, a religious assembly use, or an elementary, secondary education use:
 - a. Outdoor animal activities associated with nonresidential uses, including kennels, runs and corrals.
 - b. Drive-through facilities.
 - c. Car washes or car vacuums.
- E. Rehabilitation And Containment Plan: A containment plan shall be prepared by a qualified expert documenting hazardous materials to be stored, used, or produced in significant quantities and the policies and practices to prevent and contain the accidental or inappropriate discharge of those materials. The plan shall demonstrate that the proposed use will comply with all State and Federal requirements and that the public and the environment will be protected from hazardous conditions. A rehabilitation plan shall also include actions that will be taken upon cessation of activities or uses involving potentially hazardous materials to ensure that the site is free from hazardous materials for future activities or uses. A containment and rehabilitation plan shall be provided for the following uses:
 - 1. Uses identified in the required impact control measures table in subsection H of this section.
 - 2. Accessory uses that involve significant quantities of hazardous materials.

- F. Additional Notice: The purpose of the additional notice control measure is to ensure that property owners are notified of uses and projects with a greater likelihood for negative impacts on properties beyond the immediate vicinity. Uses and projects requiring additional notice according to this section shall provide notice to all property owners of record within six hundred feet (600') of the boundary of the subject property for any statutorily required public hearing, in addition to other noticing requirements of this Code and State law. The additional notice requirement shall apply to the following uses and projects:
 - 1. Initial establishment of uses identified in the required impact control measures table in this section.
 - 2. New construction projects that exceed ten (10) acres.

G. Residential Protection Area:

- 1. The purpose of a residential protection area is to minimize the impact of a use on existing residential areas that are planned to remain residential and areas that are planned to become residential in the future. A residential protection area minimizes impacts on residential areas by applying additional restrictions to a use or prohibiting a use with the protection area as outlined below.
- 2. A residential protection area is the area within a distance prescribed by the required impact control measure table in subsection H of this section. A residential protection area is measured from the boundary of a residential land use designation into the adjoining non-residential land use designation on the future land use map.
- 3. Uses or buildings that were compliant when initially established are not nonconforming uses or buildings, according to the requirements of this chapter, due to subsequent rezoning and development of a residential use within the residential protection area.
- 4. Residential protection areas shall be applied according to the following:
 - a. Prohibited: Uses are prohibited, except for associated parking or open space, within the distance identified in the required impact control measures table in this section.
 - b. Stadium/Theater/Auditorium: The residential protection area identified in the required impact control measures table of this section may be reduced to one hundred feet (100') when the activities associated with the use are conducted within completely enclosed structures and the floor area of the structure is less than one thousand (1,000) square feet.
 - c. Gas Station: Underground fuel storage tanks are prohibited within the residential protection area for the gas station use as identified in the required impact control measures table in this section. The following exceptions to the residential protection area are allowed:
 - (1) The residential protection area is reduced to one hundred feet (100') from the property line of properties with a residential land use designation that do not have an existing residential dwelling unit.
 - (2) The residential protection area shall not apply to properties located on the opposite side of a minor collector road or greater, as classified by the City's master transportation plan, from the gas station use.
 - d. Aircraft Transportation: Aircraft transportation landing and takeoff facilities shall be located no closer than one thousand feet (1,000') from the property line of a residential zone, except for rotor craft used by emergency services in temporary situations.
 - e. P-O Zone: Drive-through facilities are prohibited.

H. Required Impact Control Measures Table:Key:X = Required

		Required Impact Control Measures							
Category	Uses	A. Traf fic	B. Circulati on And Access	C. Oper ation s	D. Sou nd	E. Rehabilitatio n And Containmen t	F. Additio nal Notice	G. Residentia I Protection Area	
	Animal husbandry			Х				100'	
	Horticulture			X				100'	
Agricultura I	Plant nursery			Х			X	100' ¹	
	Public agricultural facility		Χ	X	X		X	150' ¹	
Residential :									
Group	Community residential facility		X	Х			X		
living	Dormitory	X	X	X			X	300'	
	Institutional facility		X	X	X		X	1 Mile	
	Live-work	X	X	X			X		
	Multi-family	X	X				X		
Household	Neighborho od residential facility								
	Single- family, attached		Х				X		
	Single- family, detached		Х						
Public:									
Civic and community	Cemetery								
	Community services		X	Х					
	Public safety		Х	Х	Х		X		
	Religious assembly and worship		Х	Х					

Education	Elementary/ secondary education	X	Х	X		X	
	University/c ollege	X	Х	Х		Х	
	Vocational/p rofessional	Х	Х	Х		Х	
Open	Natural open space						
space	Park open space						
	Energy conversion			X			100'
Utility and communic ation	Telecommu nication facility						
	Utility services			X	Х	Х	1,000' ²
Commerci al:							

	Animal services			Х	X		X	100'
	Business support							
	Daycare		X	Х				
	Financial institution			Х			X ³	
	Hospital	X	X	X			X	100'
	Light service and repair			Х				100'
	Lodging							100'
Services	Medical/den tal office or clinic							
	Mortuary/fu neral home							50' ⁵
	Office							
	Personal services			Х				
	Professional services							
	Restaurant							50' ⁵
	Self-storage		X	Х				
	Vehicle repair		X	X	X	Х	X	200'
	Vehicle services		Х	Х	Х	X	Х	150'

	Arts and recreation		Х	Х	Χ			
	Convention/ reception center	X	Х	Х			X	50' ⁵
	Indoor gun range		X	Х	X			100'
Recreation and assembly	Instruction and training		Х	Х				
asserribly	Outdoor gun range		Х	Х	Х			1,500'
	Outdoor recreation	X	X	Х	Х		X	50' ⁵
	Stadium/the ater/auditori um	X	X	Х	X ⁴		X	250'
Retail	Gas station	X	X	Х		Х	Х	300'
	General retail							
	Kiosk, freestanding		Х	Х				50' ⁵
	Shopping center/depa rtment store	Х	Х	Х			X	
	Vehicle sales and rental							200'
Industrial:								
Manufactu ring and production	Assembly			Х				100'
	Fabrication			Х	Х	X	X	300'
	Manufacturi ng			Х	Х	X	Х	500'
	Mining			X	Х	X	X	500'

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Sales and service	Commercial service and repair		X	X	X	X	X	500'
	Food and drink preparation			X	X	X	X	500'
	Heavy equipment sales and rental			X			Х	200'
	Research and developmen t			X	X		X	300' ⁴
	Storage yards			X	Χ	X	X	300'
	Wholesale and warehouse			Х		Х	X	300'
Transporta tion	Aircraft transportatio n	X	Х	X	Х	Х	X	500'
	Parking facility	X	X	Х			X	150'
	Passenger terminal/stat ion	Х	Х	Х	Х		X	100'
	Railroad facility			Х	Χ	Х	X	300'
10/4	Refuse			Х	Х	Х	X	500'
Waste	Salvage			Χ	Χ	X	X	500'

Notes

Amended by Ord. <u>2018-21</u> on 10/16/2018 Amended by Ord. <u>2019-01</u> on 3/5/2019

¹When located in an R-1.8 Zone, the residential protection area shall apply to adjacent residential properties.

²Only applies to major utility facilities.

³Only applies to nondepository financial institutions.

⁴Only applies to outdoor or open air facilities.

⁵Buildings used for nonresidential uses located within 100 feet of the property line of properties with a residential land use designation shall not exceed 35 feet in height.

Dawn R. Ramsey, *Mayor*Patrick Harris, *Council Member*Kathie L. Johnson, *Council Member*Donald J. Shelton, *Council Member*Tamara Zander, *Council Member*Jason T. McGuire, *Council Member*



PH: 801.446-HELP @SouthJordanUT

NOTICE OF PUBLIC HEARING

May 17, 2024

Dear Recipient:

Dominion Energy has filed an application (File **#PLSPR202300143**), located at 9804 S. Temple Drive. The applicant is requesting that the South Jordan City Planning Commission review and approve a site plan application for a failsafe block valve installation.

You are receiving this notice because Salt Lake County records indicate that you own property that is within 600' (feet) of the subject property boundaries; or are listed as an affected entity. A map showing the property location is attached to this notice.

A public hearing regarding this proposal will be held before the South Jordan City Planning Commission at 6:30 p.m. on May 28, 2024 in the South Jordan City Council Chambers (1600 W. Towne Center Drive). All interested parties are invited to attend. Virtual attendance can be done by following instructions provided at: http://www.sjc.utah.gov/planning-commission/. Virtual attendance is contingent upon on individual's internet connection, not the City. Virtual attendance does not permit participation. Unless written comment is submitted, in-person attendance is required to participate in public comment.

Public comment may be submitted in writing by mail or by emailing Andrew McDonald at amcdonald@sjc.utah.gov, by 12 p.m. on May 28, 2024. This ensures that any comments received can be reviewed by Staff and the Commission, and included in the record prior to the meeting. Any emails or signed letters received will be placed on record. Comments may also be given, and added to the record, during the public comment portion of the hearing.

Should you desire further information, you may contact the South Jordan Planning & Zoning Department: (801) 446-4357 during regular business hours or by contacting the email provided.

Respectfully, Andrew McDonald, AICP Candidate Planner I, Planning Department

Location Map





March 12, 2024

Kevin J. Mulvey Mulvey Enterprises, LLC 736 S 120 W American Fork, UT 84003

RE: Dominion Energy FL-34 Block Valve and FL-36 Tap Project APN: 27-10-429-002; 9800 S 1300 W, South Jordan, UT

Dear Mr. Mulvey,

Rocky Mountain Power has reviewed Dominion Energy's civil site drawings for construction and operation of a block valve and tap on the above-referenced property in relation to Rocky Mountain Power's existing electrical facilities and easements in the vicinity. Rocky Mountain Power sees no conflict and expresses no concerns with Dominion Energy's project provided Dominion Energy follows all National Electric Safety Code and Occupational Safety and Health Administration clearance requirements during construction.

Thank you for reaching out.

Regards,

Shawn H. Graff

Sr. Property Specialist

April 8, 2024,

To: South Jordan City

From: Lampton Farms Property Owners Association

We have previewed the enclosed information from Dominion Energy and find no problems with their projects.

President, Diane Stemmons 801-897-2695

Diane Stemmons

