

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

May 21<sup>st</sup>, 2024

**ISSUE:** Temporary Parking Lot, Conditional Use Permit  
**ADDRESS:** 1602 W 11400 S South Jordan, UT 84095  
**FILE NO.:** **PLCUP202400051**  
**APPLICANT:** Travis Ferran

On May 14, 2024, city staff presented the Conditional Use Permit (PLCUP202400051) application for a temporary parking lot to the Planning Commission. During public comment, information that was unknown to city staff was presented to the commission. To give the City time to consider the previously unknown information, especially the legal consequences of a Shared Access Agreement recorded against the subject property, the Commission tabled the matter. The staff, including the City Attorneys' Office, has now had the opportunity review the record of the testimony presented at the meeting as well as the Shared Access Agreement and is now bringing the matter back before the Commission.

**Findings:**

- The City owns the Subject Property.
- The shared access agreement does not prevent the proposed lease from the City to Travis Ferran or the Conditional Use of a temporary parking lot.
- The City can lease the property to Mr. Ferran and still fulfill the obligations and purposes of the Shared Access Agreement. The proposed temporary parking lot will not impede access to the property located at 1600 W 11400 S.
- The proposed temporary parking lot will not result in a violation of the City's land use ordinance or temporary use regulations.

**Conclusion:**

Based on the application materials and the findings listed in the original report, staff concludes that the proposed application is consistent with City Code pertaining to the A-5 Zone. Staff does not anticipate any significant detrimental effects. Staff is unaware of any findings of fact based on substantial evidence to support denial of this application.

**Supporting Materials:**

- Shared Access Agreement

Miguel Aguilera

Miguel Aguilera  
Planner I, Planning Department

When Recorded Mail To:

City Recorder  
City of South Jordan  
1600 W. Towne Center Drive  
South Jordan, Utah 84095

RECEIVED

MAY 21 2018

South Jordan City  
City Records Office

12769369  
05/10/2018 04:22 PM \$0.00  
Book - 10673 Pg - 3877-3880  
ADAM GARDINER  
RECORDER, SALT LAKE COUNTY, UTAH  
SOUTH JORDAN  
1600 W TOWNE CENTER DR  
SOUTH JORDAN UT 84095-8265  
BY: KRP, DEPUTY - MI 4 P.

Affecting Parcel No. **27-22-251-042-0000** and **27-22-251-043-0000**

### SHARED ACCESS EASEMENT

The City of South Jordan (the "City"), owner of 1602 West 11400 South, South Jordan, Utah, Parcel No. 27-22-251-042-0000, hereby grants and conveys to Diana Ziska & Nancy K. Lowry ("Ziska Lowry"), owners of 1600 West 11400 South, South Jordan, Utah, Parcel No. 27-22-251-043-0000, for the sum of Ten Dollars, and other good and valuable consideration, a permanent shared access easement on a portion of the City's property, more particularly described as:

BEGINNING AT A POINT ON THE NORTHWEST CORNER OF PARCEL 27-22-251-042 THAT IS 577.13 EAST AND 155.80 FT NORTH FROM THE CENTER QUARTER OF SECTION 22, T3S, R1W OF THE SLB&M. ; THENCE EAST 115.00 FT; THENCE NORTH 10.00 FT; THENCE WEST 115.00 FT; THENCE SOUTH 10.00 FT TO THE POINT OF BEGINNING. 1150 SQ FT (0.026 AC)

Ziska Lowry hereby grants and conveys to the City, for the sum of Ten Dollars, and other good and valuable consideration, a shared access easement on a portion of the Ziska Lowry property, more particularly described as:

BEGINNING AT A POINT ON THE NORTHWEST CORNER OF PARCEL 27-22-251-042 THAT IS 577.13 EAST AND 155.80 FT NORTH FROM THE CENTER QUARTER OF SECTION 22, T3S, R1W OF THE SLB&M. ; THENCE EAST 115.00 FT; THENCE NORTH 10.00 FT; THENCE WEST 115.00 FT; THENCE SOUTH 10.00 FT TO THE POINT OF BEGINNING. 1150 SQ FT (0.026 AC)

Each Party shall only be responsible for maintaining the shared access easement to the extent necessary for its use. Notwithstanding the foregoing, to the extent a party causes damage to the shared access easement, such party shall (a) be responsible for repairing said damage to return the shared access easement to the condition in which they were prior to the occurrence of the damage; and (b) to the extent allowed by law, shall defend, indemnify and hold harmless the other party from any claims from any other third parties regarding such damage. If any maintenance is required, the parties shall equally share the expenses.

This shared access easement is effective upon filing this instrument with the Salt Lake County Recorder's Office. Furthermore, this shared access easement shall run with the land and shall be binding upon the parties hereto and their respective successors and assigns.

THE CITY OF SOUTH JORDAN

By: Gary L. Whatcott  
Its: City Manager

State of Utah )  
County of Salt Lake )

The foregoing instrument was acknowledged before me this 3 day of October,  
2017, by Gary L. Whatcott its City Manager of the City of South Jordan.



Melanie Edwards  
Notary Public

DIANA ZISKA

Diana Ziska

State of Utah )

County of Salt Lake )

The foregoing instrument was acknowledged before me this 11 day of October, 2017, by Diana Ziska.



Melanie Edwards  
Notary Public

NANCY K. LOWRY

Nancy Lowry

State of Utah )

County of Salt Lake )

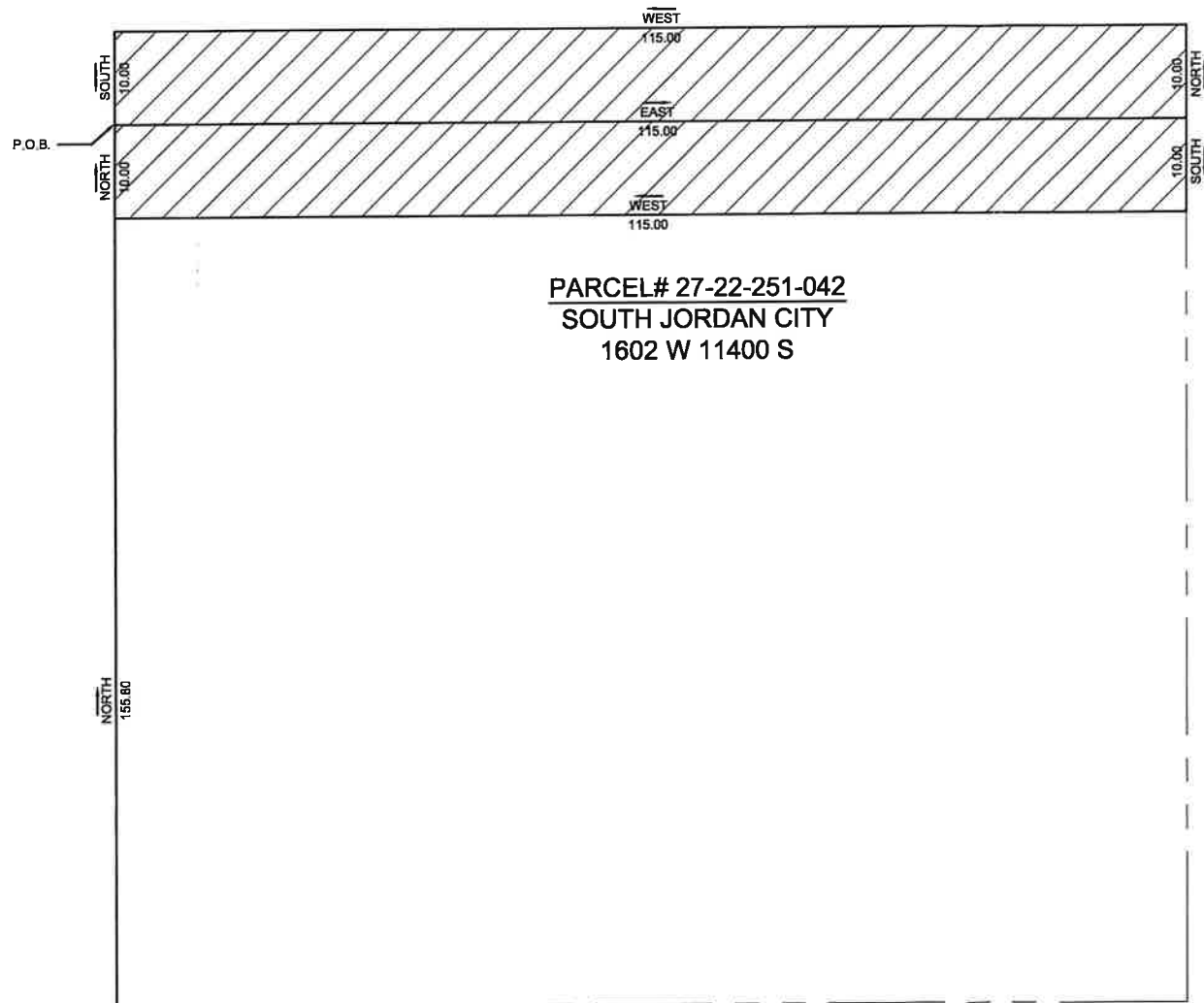
The foregoing instrument was acknowledged before me this 11 day of October, 2017, by Nancy Lowry.



Melanie Edwards  
Notary Public



PARCEL# 27-22-251-043  
DIANA ZISKA & NANCY K LOWRY; JT  
1600 W 11400 S



PARCEL# 27-22-251-042  
SOUTH JORDAN CITY  
1602 W 11400 S

CENTER QUARTER  
CORNER SECTION 22  
T3S, R1W, SLB&M.

22 22  
22 22  
EAST  
577.13

PARCEL 27-22-251-043 SHARED ACCESS EASEMENT  
BEGINNING AT A POINT ON THE SOUTHWEST CORNER OF PARCEL  
27-22-251-043 THAT IS 577.13 EAST AND 155.80 FT NORTH FROM  
THE CENTER QUARTER OF SECTION 22, T3S, R1W OF THE SLB&M. ;  
THENCE EAST 115.00 FT; THENCE NORTH 10.00 FT; THENCE WEST  
115.00 FT; THENCE SOUTH 10.00 FT TO THE POINT OF BEGINNING.  
1150 SQ FT (0.026 AC)

PARCEL 27-22-251-042 SHARED ACCESS EASEMENT  
BEGINNING AT A POINT ON THE NORTHWEST CORNER OF PARCEL  
27-22-251-042 THAT IS 577.13 EAST AND 155.80 FT NORTH FROM  
THE CENTER QUARTER OF SECTION 22, T3S, R1W OF THE SLB&M.  
THENCE EAST 115.00 FT; THENCE SOUTH 10.00 FT; THENCE WEST  
115.00 FT; THENCE NORTH 10.00 FT TO THE POINT OF BEGINNING.  
1150 SQ FT (0.026 AC)

LEGEND



SHARED ACCESS EASEMENT



NO.	DATE	REVISION COMMENTS



SOUTH JORDAN CITY  
ACCESS EASEMENT

Project No: \_\_\_\_\_  
Drawn By: \_\_\_\_\_  
File Name: \_\_\_\_\_  
Checked By: \_\_\_\_\_  
Designed By: \_\_\_\_\_  
Date: \_\_\_\_\_