

**MINUTES OF THE PROCEEDINGS
OF THE PLANNING COMMISSION OF THE CITY OF JORDAN
IN THE COUNTY OF SCOTT
August 27th, 2024**

1.0 CALL TO ORDER

Present: Jane Bohlman, Scott Penney, Ray Sandey, Amanda Schuh, Lea Schulte, Jeff Will, and Michael Vourlos

Also Present: Jeff Matzke, Planning Consultant; Sahni Moore, Planner/Economic Development Specialist

Meeting called to order at 6:30 pm.

2.0 ADOPT AGENDA

Motion by Bohlman to adopt the agenda as amended. Seconded by Schulte. All commissioners present voted ayes. The motion was declared carried.

3.0 APPROVAL OF MINUTES

A. Planning Commission Meeting Minutes, July 9th, 2024

Motion by Bohlman to approve of the July 9th Minutes as presented. Seconded by Vourlos. All commissioners present voted ayes except Schuh, who abstained, and the motion was declared carried.

4.0 NEW BUSINESS

A. 6380 190th Street Rezone and Conditional Use Permit

Matzke presented the application for 6380 190th Street regarding a rezoning from I-1 to I-2 and conditional use permit to allow for more outdoor storage. Matzke recommended the Planning Commission discuss the item, hold the public hearing and provide a recommendation to City Council.

Motion by Sandey to open the public hearing. Seconded by Penney. All other commissioners present voted ayes. The motion was declared carried.

Will opened the public hearing at 7:09 pm.

Wendy Hagen, 707 Lodge Drive, stated she was not too concerned with rezoning, but had questions regarding the CUP relating to screening from the street side specifically

Planning Commission Minutes – August 27th, 2024

regarding storage, and that her concern was it seemed to be quite a lot of storage and hoped to hear that it would be well-kept.

Applicant, Phillip Mitchell, stated the goal of the berm was to make it so when you are driving you can't see the vehicles parked there. Mitchell stated he was willing to have the area in the back be smaller or cut it in half, which would be more than enough to line up customer vehicles waiting for work. Mitchell stated the purpose of that area being the size it is, is to accommodate future business growth such as a larger building or more employees. Mitchell stated he would also like to have a spot for local timberline residents only for storing ice houses or similar things that they might not be able to on their own lots, but is not trying to fill the space.

Lawrence Jiryis, 502 Lodge Drive, stated he does not believe Mitchell's intention is to start a storage shed and has been very neighborly and has no issues with rezoning.

Joseph Sohns, 626 Lodge Drive, stated when the berm went up, it was a big shock but now he and his neighbors like it, though said it would be better without weeds on it and sees no reason for it to not be rezoned.

Motion by Sandey to close the public hearing. Seconded by Penney. All other commissioners present voted ayes. The motion was declared carried.

Will closed the public hearing at 7:19 pm.

Bohlman asked what the requirements were for outdoor storage.

Matzke stated there are requirements and conditions including screening, berming, landscaping and fencing. There is no restriction on the size of storage allowed as long as it meets the conditions set forth by the City Code and CUP conditions.

Mitchell stated, on top of the citations for the berm every month, he receives citations for nuisance of vehicle storage, and that's how the city of Jordan is classifying it right now.

Penny asked if the cars were parked behind the building if it would no longer be a nuisance.

Matzke stated that there is a difference between I-1 and I-2 zoning land uses allowed. With approval of a rezoning from I-1 to I-2, outdoor storage allowed specifically by a CUP would eliminate the nuisance.

Penny asked if there was any additional grading that would happen besides installing gravel, stating there is no grading plan yet and every time they've previously considered a CUP, there was a more detailed plan. Penny said he understood the applicant needed to invest some money into getting those plans, but so does everyone else. Penny stated if they let him do it, then the next applicant might wonder why this application didn't grading permit and plans.

Planning Commission Minutes – August 27th, 2024

Will asked if he remembered correctly, but that a grading permit was \$150.

Matzke stated a grading permit has a fee of \$150 and there is an escrow, and the amount of the escrow would be determined by the formalized professional plans detailing how much cubic yards are moved on site.

Mitchell stated that amendment was done after construction of the berm, not before.

Schuh stated the applicant was not following the requirements to get a permit currently and not following a CUP currently for the use of outdoor storage.

Mitchell stated he does not have a CUP currently and can't get one with I-1, but is trying to comply which is why if it is rezoned as I-2 it would be within compliance.

Mitchell stated he is not going to get a grading permit for the construction of the berm when the very first exemption states clear that he is exempt.

Schuh stated that staff has mentioned it was not exempt.

Mitchell questioned why it was not exempt and disagreed with the City Staff interpretation.

Schuh stated you are probably looking at it out of context and there are hundreds of pages and it may be somewhere else in there in code.

Mitchell stated, it's not.

Schuh stated, beyond that, what are we actually voting on. We are considering this application and changing the zoning if that gets approved by council. Then we are considering a CUP that doesn't have enough details that has been required by staff previously.

Will stated more conditions to the motion could be added which would cover all the concerns.

Schuh asked if the Planning Commission were okay with changing the zoning and whether there are concerns.

Will stated he couldn't see a reason for it to be denied, given the fact it meets all the parameters.

Schuh asked if this zoning change would fit the future comprehensive plan.

Matzke stated the comp plan only has one category for all industrial land uses. Both I-1 and I-2 are in conformance with the comprehensive plan even if it changed from a Light Industrial Zoning District to General Industrial Zoning District.

Planning Commission Minutes – August 27th, 2024

Sandey stated the reason it's I-1 is because the existing business that was there before, when it got zoned I-1.

Sandey stated the CUP might take a little bit more work. Isn't it usually staff and the petitioner the ones that create the CUP conditions?

Schuh asked if we had an application or if it was something we were waiting on.

Matzke stated Mr. Mitchell has applied for a CUP and rezoning application.

Motion by Sandey to approve the 6380 190th Street Rezone as stated from I-1 to I2. Seconded by Bohlman. Schulte had to leave the meeting before the motion was made. The motion was carried with a vote of 6-0. The motion was declared carried.

Penny asked if the Planning Commission approved the CUP, would the council actually get a CUP with the plan as it would not come back to the Planning Commission with the full plan. Penny asked if the Planning Commission was comfortable approving something they wouldn't see before the City Council sees the final plan.

Sandey stated it is stated in the conditions of approval to prepare a plan before the City Council consideration.

Will stated they just recommend but the City Council makes the decisions.

Mitchell stated he was one hundred percent willing to do a survey.

Penney stated that would help his cause.

Will stated that then they could make it a requirement in the motion.

Motion by Schuh to approve the 6380 190th Street Conditional Use Permit as presented with the following conditions:

- **All approved outdoor storage areas shall be surfaced with bituminous pavement, concrete, or Class 5 gravel.**
- **A grading permit shall be obtained for the previously constructed berm.**
- **Prior to City Council consideration, the applicant shall obtain an updated survey and site plan of the property to help guide the development to meet the applicant's business goals while complying with the established City Code requirements related to surfacing the outdoor storage areas and parking areas.**

Seconded by Sandey. Schulte had to leave the meeting before the motion was made. The motion was carried with a vote of 6-0. The motion was declared carried.

Planning Commission Minutes – August 27th, 2024

B. Event Center Ordinance Text Amendment

Matzke presented information on an Event Center Ordinance Text Amendment to allow an Event Center as a Conditional use in the General Business (C-2) and Highway Commercial (C-3) Zoning District. Matzke recommended the Planning Commission discuss the item, hold the public hearing and provide a recommendation to City Council.

Motion by Sandey to open the public hearing. Seconded by Penney. All other commissioners present voted ayes. The motion was declared carried.

Will opened the public hearing at 8:26 pm.

No public comments were made.

Will closed the public hearing at 8:27 pm.

Motion by Schuh to approve the Event Center Ordinance Text amendment as presented with the following conditions:

Removing the condition of only allowing one event to occur at a time.

(1) A parking plan shall be submitted to the city for approval. The parking plan will be evaluated in accordance with the 2024 Downtown Jordan Parking Study.

(2) Any signed parking agreements for the proposed use must be submitted to the city before a certificate of occupancy is issued for the event center.

(3) Parking agreements shall be reviewed annually to ensure adequate parking is provided.

(4) Hours of operation for the hosting of events shall be limited to 7:00 a.m. to 12:00 a.m. unless otherwise approved specifically by the conditional use permit. This shall not limit work conducted by contractors and employees of the business.

Seconded by Vorlous. The motion was carried with a vote of 6-0. The motion was declared carried.

C. Design Review, Site Plan Review, and Industrial Dimensional Standards Ordinance Amendment

Planning Commission Minutes – August 27th, 2024

Matzke presented information on a Design Review, Site Plan Review, and Industrial Dimensional Standards Ordinance Amendment. Matzke recommended the Planning Commission discuss the item, hold the public hearing and provide a recommendation to City Council.

Motion by Sandey to open the public hearing. Seconded by Schuh. All other commissioners present voted ayes. The motion was declared carried.

Will opened the public hearing at 8:48 pm.

No public comments were made.

Will closed the public hearing at 8:49 pm.

Motion by Schuh to approve the Design Review, Site Plan Review, and Industrial Dimensional Standards Ordinance Amendment as presented. Seconded by Penney. All other commissioners present voted ayes. The motion was declared carried.

5.0 OLD BUSINESS

No old business was discussed.

6.0 PLANNERS REPORT

A. General Updates

Matzke stated currently there are no items for the September Planning Commission meeting so it may not happen, and that would mean the next meeting would be November 13th.

B. Next Meeting – Wednesday, November 13th, 2024

7.0 CITY COUNCIL MEMBER UPDATE

Schulte stated it was budget season.

Planning Commission Minutes – August 27th, 2024

8.0 COMMISIONER MEMBER UPDATE

Schulte stated Heimatfest was happening September 6th and 7th.

Penney stated that they had no update.

Vourlos stated that they had no update.

Bohlman stated there is a bird living on the outside of the Council Chambers building and causing damage to the building.

Sandey stated that they had no update.

Will stated in the spirit of being a Jordanite: Go Brewers!

9.0 ADJORNMENT

Motion by Sandey to adjourn. Seconded by Schuh. The meeting was adjourned at 9:05 pm.