

**MINUTES OF THE PROCEEDINGS  
OF THE PLANNING COMMISSION OF THE CITY OF JORDAN  
IN THE COUNTY OF SCOTT  
November 14, 2017**

Present: Tom Sand, Sally Schultz, Jane Bohlman, Toni Walsh, Robert Whipps, Jeff Will

Absent: None

Also Present: Lucinda Meyers, Planner, Kathleen Hammer, Planner/Community Development Specialist

1.0 CALL TO ORDER

6:30 p.m.

2.0 APPROVE AGENDA

Motion Walsh second Bohlman to approve agenda. Vote all ayes. Motion approved.

3.0 APPROVAL OF MINUTES

A. October 10, 2017

Motion Bohlman second Whipps to approve October Minutes. Vote all ayes. Motion approved.

4.0 NEW BUSINESS

A. PUBLIC HEARING: Proposed Firearm/Weapons Ordinance Amendment

Case presented by Planner Hammer. The City received a request from a resident to allow for the sale of firearms/weapons retailers as a home occupation. Hammer proposed amending the City Code to allow the use through receipt of a Special Home Occupation License.

Planner Hammer provided an overview of area/regional policies on the topic.

The Planning Commission opened the public hearing.

Jim Holey of 823 Forest Edge Drive addressed the Commission, stating that the use does not seem appropriate within a residential area.

Andrew Pearson of 6380 W 190th inquired upon the number of guns the city would allow the resident/business owner to keep within the home. Pearson recommended the Commission table the item until more information was provided.

Public hearing closed at 6:39

The Commission invited resident Shannon Oleson of 812 Forest Edge Drive to the podium to discuss his business proposal.

The Commission inquired upon the number of guns Oleson would keep as inventory in the home. Oleson assured the Commission he intends to have no more than five (5) guns at the resident at any given time. Chair Sand asked Mr. Oleson where his interest in the home business stemmed. Oleson informed the Commission of his interest in making extra money pursuing a hobby. Oleson stated that he is a former license owner, his license had lapsed due to lack of use. He stated that he does not intend on advertising for business nor listing his home address in any way associated with the business. Oleson stated that his clientele would primarily be comprised of friends, family and colleagues.

Commissioner Whipps stated that the cost of amending an ordinance is expensive and that he would like Mr. Oleson to further pursue his FFL application before the city invests any further in the amendment. Whipps also stated that the proposed Ordinance amendment should be reviewed by the Safety Committee and that it should limit the size of the inventory.

Oleson stated that he would be willing to proceed with his FFL application if that would sufficiently demonstrate his commitment to the proposed home business.

Commissioner Will added that the only current area weapons dealer is the Hunt and Gun Club.

Chair Sand recommended applicant continue his pursuit of Federal licensure and in return the city will continue to invest resources into ordinance development. Sand requested more information and clarity from staff including information on the existing Home Occupation Ordinance and how the proposed use would be integrated and regulated. The Commission reached consensus on tabling the discussion until both measures are achieved.

#### **B. PUBLIC HEARING: Frandsen Bank & Trust Sign Variance Request**

Case presented by Planner Hammer. The City received a request for a variance to Section 154.241 of the Zoning Ordinance to allow for multiple signs at the property located at 200 Creek Lane. The variance requests pertain to the following zoning requirements for signs: setbacks, height, area, and advertising.

The Planning Commission opened the public hearing at 7:14 and closed 7:15.

The Commission invited Mark Siefert (applicant), President of Frandsen Bank to the podium. Siefert informed the Commission that the proposed signs are only one (1) aspect of a larger site-improvement project, which includes landscaping, paving and a new trash enclosure. Siefert indicated that the sign plan experienced constraints to conformity due to grading and the large size of lot.

Motion Sally Schultz second Toni Walsh to approve Frandsen Bank & Trust Sign Variance Request. Motion approved. Vote all ayes.

C. PUBLIC HEARING: Special Home Occupation License Request - Antione Miles, 105 S Varner Street

Case Presented by Planner Meyers. The City has received an application for a Special Home Occupation License from Antoine Miles of Polar North Records and Entertainment and resident at 105 S Varner Street. Miles has operated the business from the residence for the last nine (9) months, recording vocalists and mixing and mastering the recordings. Miles employs one (1) part time employee and records artists Monday through Friday from 5 p.m. to 9 p.m and Saturdays from 12 p.m to 5 p.m.

The Planning Commission opened the public hearing at 7:41.

Commissioner Shultz noted the applicant has been operating for 9 months with no complaints. Planner Meyers clarified that the applicant was unaware of the license requirements and since he was notified has been working with staff to obtain the license.

Mr. Miles spoke about his recording operation and how he used to rent space in the downtown for his (OTHER BUSINESS) and indicated it was too much overhead.

Mr. Miles spoke about the lack of noise complaints on record at the PD, indicated there was one for a bonfire at the location on a weekend night.

Commissioner Walsh asked when the building was sound proofed, Mr. Miles stated prior to recording.

Colleen (LAST Name) spoke about concerns of traffic and indicated there are two teenagers on-site that produce more traffic than the business.

Jim Holey (Address) indicated he is in favor of the request.

The Commission discussed anonymous letters submitted to city staff, in lieu of attending the public hearing and suggested that “name was withheld by the request of the author” should be included in these letters to lend credibility in those instances.

Public Hearing Closed at 7:54 pm.

Motion Sally Schultz second Toni Walsh to Recommend Approval (6-0). Motion approved. Vote all ayes.

D. PUBLIC HEARING: Conditional Use Permit Request - Andrew Pearson,  
6380 W 190th Street

Case Presented by Planner Meyers. The City has received an application for a Conditional Use Permit from Andrew Pearson 6380 W 190<sup>th</sup> Street to allow for expansion of Pearson Greenhouse operations. Pearson proposes to farm 4.1 acres of his 9.6-acre property.

The Public Hearing opened at 8:15p.m.

Mr. Pearson addressed the Commission, providing an explanation for his request and the complaints received by the Commission from his neighbors.

Commissioner Walsh inquired upon the feasibility of improving the on-site bathrooms and parking. Mr. Pearson stated he had attempted to expand his parking lot several years ago but was denied by the City Administrator.

Mr. Pearson stated he cut down the trees on his property in an effort to increase the visibility of his neighbors who had been encroaching on his property. He cut down trees near his property line (buffer) as a preventative measure- stating that the trees were going to fall on the neighbor's property.

Commissioner Schulz stated that she believed some of the comments worth-while and others less so. Shultz suggested the applicant work with staff to improve on-site parking.

Mr. Pearson stated his belief that the field to the east, which consists of winter wheat, is a fire hazard.

Eichten Matthias, 606 Lodge Drive, stated his concerns regarding what is being proposed to be planted. Matthias stated that he cannot grow pumpkins in his soil, which is just 100 feet away. He spoke of his concerns regarding the use of fertilizer instead of manure, and stated his preference for manure. Matthias asked if the City can put a control on what is sprayed and cited concerns with the dust from the harvest. Matthias raised further concerns regarding hours of operation during harvest, suggesting the hours not extend past 8 p.m. He stated that the trees located within the buffer between Mr. Pearson's property and abutting Timberline residential properties are mature pine trees and therefore accomplish very little in the way of screening. Mr. Matthias cited concerns about the type of crops that will be permitted.

Public Hearing Closed at 8:31 p.m.

Commissioner Whipps indicated that he would be in favor of alfalfa and that pumpkins would bring additional traffic.

Chair Sand inquired upon the current use of the land. Mr. Pearson stated that stumps needed to be removed and that the other area was pasture. Sand asked why Mr. Pearson removed the trees from his property. Mr. Pearson stated he had issue with people trespassing on his property and police searching for people of interest.

Commissioner Will clarified the tillable area is 4.1 acres after the tree removal. He clarified that the property was rezoned when it was annexed, and his belief of the scenario as a perfect example of a property being ‘grand-fathered in’.

Chair Sand suggested a condition that restricts crop to alfalfa. Commissioner Whipps suggested tabling the request to allow the applicant additional time to propose site-improvements (additional parking).

The Commission agreed upon the following conditions:

1. Limit the 4.1 acres to alfalfa and pumpkins.
2. Improvements to on-site parking.
3. Hours of operation limited to 7 am to 8 pm
4. Expansion of business operations will require a new CUP
5. Equipment and materials are not allowed to be stored outdoors.
6. The permit will expire when the greenhouse business ceases operations.
7. Annual review of CUP to ensure compliance with City Code Chapter 154 and the conditions of the permit.

Motion Sally Schultz second Toni Walsh to approve Conditional Use Permit Request - Andrew Pearson, 6380 W 190th Street. Motion approved. Vote all ayes.

## 5.0 OLD BUSINESS

### A. Solar Energy Systems Ordinance Amendment

Planner Hammer presented with the assistance of Cameran Bailey, SolSmart Technician, requesting the Commission to discuss the proposed ordinance changes.

The Commission discussed options for height, relative to the zoning district (residential versus non-residential). Bailey detailed the best practices, stating that ground mounted arrays require ground clearance of three (3) feet. A common dimension for residential ground mounted arrays is four (4) feet by six (6) feet, which with the three (3) foot clearance would require a height of ten (10) feet. The Commission discussed allowing a maximum height of ten (10) feet in

residential areas and determined they were not in favor of it. Bailey noted the best practices for non-residential systems, stating that between ten (10) feet and fifteen (15) feet is friendly.

Bailey recommended that the city identify the locations where it is appropriate to allow ground mounted arrays, and to proceed from there.

Continuing the discussion on height but transitioning to roof-mounted arrays, Planner Hammer stated that the current ordinance requires that the array height not exceed the maximum height allowed for buildings in the zoning district. Hammer proposed to allow the height to exceed the maximum height allowed in the zoning district by an identified amount. Commissioner Whipps stated that he is in favor of allowing an additional two (2) feet.

Screening options are discussed. The Commission voiced their satisfaction with the existing ordinance as it pertains to screening, with the addition of a provision which includes screening from the public right-of-way.

The Commission agreed that in residential districts the roof-mounted array shall not exceed eighteen (18) inches, while in commercial districts that height not exceed three (3) to four (4) feet. The Commission agreed to restricting the angle to permitted to forty (40) degrees.

#### 6.0 PLANNER'S REPORT

- A. Next Regular Meeting- December 12, 2017
- B. General Update

Planner Meyers updated the Commission on the status of Stonebridge 3<sup>rd</sup> stating that the applicant has submitted additional materials for review and city staff and engineer are in the process of reviewing the materials. The Commission inquired upon whether the new plans included a park, Planner Meyers stated they did not. The Commission stated that they would like to see a park in the development.

#### 7.0 CITY COUNCIL UPDATE

#### 8.0 COMMISSIONER MEMBER UPDATE

#### 9.0 ADJOURNMENT

Motion Toni Walsh second Sally Schultz to adjourn. Motion approved. Vote all ayes.

---

Tanya Velishek, Mayor

ATTEST:

---

Tom Nikunen  
City Administrator