

South Jordan City
Planning Commission Meeting
September 13, 2005

I WORK SESSION – 6:30 P.M.

PRESENT: Chairman – Clark Mabey, Planning Commission – Kathie Johnson, Fred Kankamp, Claron Perry, and Dwayne Woolley, Community Development Director – Brian Preece, Senior Planner – Greg Schindler, Secretary – MaryAnn Dean

EXCUSED: None.

A. *Roll Call*

All those present are listed above.

B. *Review of the Agenda*

The Planning Commission reviewed and discussed the items listed on the agenda.

I GENERAL BUSINESS ITEMS – 7:00 P.M.

PRESENT: Chairman – Clark Mabey, Planning Commission – Kathie Johnson, Fred Kankamp, Claron Perry, and Dwayne Woolley, Community Development Director – Brian Preece, Senior Planner – Greg Schindler, Secretary – MaryAnn Dean

EXCUSED: None.

AUDIENCE: Bart Fullmer, Jeremy Hart, Scott North, Ron Pinarelli, Eva Pinarelli, Alberta Tudesman, Liz Taylor, Craig Taylor, John Aurich, Curt Lytle, Steve Adamson, Brent Roberts, Sydney Roberts, Corey Olson, Katie Allred, Rob Allred, Kevin Gray, Larry Short, Troy Herold, Wendy Taylor, Paul Stringham, Christopher Ames, Ben and Zach Whetman, Craig Ames, Tom Belchak, Joseph Davis, Vic Deanvono, Jeff Whicker, Bryce Atkinson, Melba Taylor, Larry and Connie Larson, Phyllis and Terry Seyler, Sharon Briggs, Jerry Payne, Jena Payne, Tim Loveday, Aaron Hall, Bob May, Julie May, Tyson May, Rob Larkin, Kirsten and Mike Staples, Mark and Tami Gunderson

A. *Roll Call*

Chairman Mabey welcomed everyone present. All members of the Planning Commission were present.

B. Approval of Agenda

Senior Planner Schindler noted a grammatical change to item D. The File No. should read REZ-2005.24.

Commissioner Kankamp made a motion to approve the September 13, 2005 Planning Commission agenda, as amended. Commissioner Woolley seconded the motion. The vote was unanimous in favor.

C. Approval of the Minutes of the Meeting held on August 31, 2005

The Planning Commission noted one change made to the minutes in the work session.

Commissioner Johnson made a motion to approve the August 31, 2005 Planning Commission minutes, as amended. Commissioner Perry seconded the motion. The vote was unanimous in favor.

D. Citizen Request/Comments

None.

II SPECIAL BUSINESS ITEMS

None.

III ACTION ITEMS

- A. *File # AP-2005.55, Final Plat for Phase 4-2B Of The Oquirrh Park Subdivision, Located At Approximately 10450 South 3850 West, Zoned R-M, Filed By DJS Elite Development*

Senior Planner Schindler reviewed the background information on this item.

The developer indicated that the improvements are already complete.

Commissioner Kankamp made a motion to approve File #AP-2005.55, Final Plat for Phase 4-2B Of The Oquirrh Park Subdivision, Located At Approximately 10450 South 3850 West, Zoned R-M, with the following conditions:

- 1. That the plat be corrected to be recorded as a Planned Unit Development Town home Subdivision.**
- 2. That any other Planning, Engineering, Fire, and Public Works Department requirements are met.**

Commissioner Woolley seconded the motion. The vote was unanimous in favor.

- B. *File #SUB-2005.62, Final Condominium Map Application For Carriage Home Condominiums Daybreak Phase Two, Generally Located At 11400 South 4750 West, Zoned PC, Filed By Holmes Homes*

Senior Planner Schindler reviewed the background information on this item.

Commissioner Perry made a motion to approve File #SUB-2005.62, Final Condominium Map Application For Carriage Home Condominiums Daybreak Phase Two, Generally Located At 11400 South 4750 West, Zoned PC, with the following condition:

1. **That all South Jordan City Engineering, Planning, Public Works, and Fire Department requirements are met.**

Commissioner Johnson seconded the motion. The vote was unanimous in favor.

- C. *File #SUB-2005.68, Application For A Final Subdivision Plat Approval Located At Approximately 2580 West 10745 South, 5.78 Acres, Ames Group LLC (Applicant)*

Senior Planner Schindler reviewed the background information on this item.

Craig Ames, Ames Group, 5263 S. 300 W. (Murray), said they had determined that the property owners to the north will have a say regarding the fencing. He said they plan to pull back the fence to the setback line on lot #1. Commissioner Woolley said he would prefer that. Senior Planner Schindler said that information should be changed on the mylar. Mr. Ames said they would take the fence to the sidewalk line for lot #13.

Commissioner Woolley made a motion to approve File #SUB-2005.68, Application For A Final Subdivision Plat Approval Located At Approximately 2580 West 10745 South, 5.78 Acres, with the following conditions:

1. **That all Public Services, Planning, Fire, and Engineering requirements are met.**
2. **The plat should be changed to indicate that the fence will be built to the setback line for lot #1.**

Commissioner Perry seconded the motion. The vote was 4-1 in favor, with Commissioner Johnson opposed.

Commissioner Johnson said she feels the fence for lot #13 should be built back to the setback line also. She feels they are creating a safety issue.

IV PUBLIC HEARING ITEMS

- D. *File #LUA-2005.17, Future Land Use Amendment Application From Low Density Residential, Commercial, Office Space And Recreation Open Space To Highway Corridor Mixed Use And File No. REZ-2005.24 Rezone Application From A-5 (Agriculture), C-C (Community Commercial) And O-S (Office Service) To BH-MU (Bangarter Highway)*

*Mixed Use), Generally Located On The East Side Of Bangerter Highway
Between 10300 South And 10900 South, Approximately 135.6 Acres,
Peterson Development (Applicant).*

Senior Planner Schindler reviewed the background information on this item.

Troy Herold, Senior Project Manager (CLC Associates), gave a presentation outlining their proposal. He showed the project boundary, the 300 ft. notice area, the current land use area, and he noted the potential trail corridor. He showed the proposed land use development plan. He noted the proposed access for the trail corridor. He indicated that there will be a lot of open space in the plan. He said they feel the proposed trail location is in the best place.

It was noted that the current plans show the trail on the north side of 10400 South so there is not a crossing at the Bangerter Highway.

Mr. Herold showed a comparison of the current land use and the proposed development plan. He said this is a down zoning and they are proposing a less intensive use. He said they are proposing a residential buffer to the east. He said they will be mindful of the residents to the north, including buffering and open space areas.

Mr. Herold said it is their intent that the residential portion will be an upscale project with nice exterior building materials. He showed the proposed parking for the project and indicated that they will have intensive landscaping and buffering. He said River Heights Drive will be built to its full width with 2 lanes, a center median, and 10 ft. shoulders. He said the road width will narrow as it goes into the residential area. He said that will slow down traffic.

Commissioner Johnson asked what is the percentage of open space proposed? Mr. Herold said they do not know at this time. He said the residential portion will likely exceed the City codes.

Chairman Mabey asked if a park will be developed in this area? Mr. Herold said they could look at that, but that will need to be addressed with his clients. He said the open space areas in the retail area will not necessarily be park areas.

Commissioner Johnson asked what is the temporary easement used for? Senior Planner Schindler said the Jordan Valley Water Conservancy District easement runs along 3200 West. He said that area would be left open.

Commissioner Kankamp asked in the BHMU zone, what is the maximum office building height? Senior Planner Schindler said he would look it up.

Chairman Mabey opened the public hearing.

Tom Belchak, 9579 Dunsinane Dr., said they are discussing a lot of site plan issues with the land use and zoning change discussion. Development Services Deputy Director Preece said a potential site plan is required with this zone.

Mr. Belchak said according to the current land use, the area at the end of the Jordan aqueduct is master planned for reaction open space. He said he hates to lose open space. He said he has concerns if they set a trend for losing open space designations. He said this property is in the 1976 Kennecott mine permit area, and that may have some affect. He said the easement for the Jordan aqueduct was paid for by Federal dollars. He asked if the Jordan Valley Water Conservancy District (JVWCD) is aware of the zone change for this property? Senior Planner Schindler said he believes they are aware. He said JVWCD is not a property owner; they are an easement owner.

Senior Planner Schindler noted that the maximum building height in this zone is 4 stories. He said the building height has to be limited to 2 stories within 400 ft. of a residential area.

Craig Taylor, 3785 W. Norfolk Bay, said there are 15 homes that show in the 300 ft. boundary and the rest is vacant land. He said there are people in the area that would be interested in this type of project. He said he understands there is a transition that takes place in the growth of a City. He said he believes South Jordan wants to maintain some rural atmosphere. He said he wonders what happened to South Jordan? He said they have to balance the growth with the taxes, etc. He said he has a Wal-Mart and an Albertsons in his neighborhood.

Jerry Hart, 10686 Willow Valley Rd., said they educated themselves before they built their home in Jones Meadow and this plan was not on the master plan. He said high density developments have high turnover rates. He said he is concerned about traffic and the increased congestion to 3200 West. He said kids come and go in and out of schools in higher density areas. He said he is concerned about decreased property value.

Commissioner Woolley asked if the concern is with the proposed residential? Mr. Hart said yes. He said he prefers the light office use over the residential use near their home.

Melba Taylor, 10613 S. 3210 W., asked if Peterson Development owns this land? Senior Planner Schindler said he is not sure. If the Jones family still owns it, then Peterson Development is acting as their agent.

Ms. Taylor said they understood that part of the area would be commercial. She said they lived in a town home in Taylorsville and they know what that kind of residential community that can be like. She said that is a huge concern. She said why have a master plan if there is no guarantee what will be built. She said they might have built somewhere else if they thought they would have apartments in their backyard. She said they have had disappointments with Peterson Development in general. She said they have not maintained areas well that they are responsible for, and she submitted some pictures (Attachment A). She said the street lights were not installed in their subdivision initially.

She said their yard has been torn up three times since it was landscaped to install phone lines, cable lines, and the street lights. She said there is no nice neighborhood entrance. The residents were required to install vinyl fencing, but Peterson Development was allowed to install chain link fencing around their retention pond. She said they understood that they would have secondary water, and they all plumbed for secondary water, but they still don't have it and it has been almost 5 years. She said there has been some maintenance issues with the easement in their neighborhood and they still don't know who is actually responsible for the maintenance of the canal easement. She said she is opposed to the change. She said the area was supposed to have small offices, and that is what they hoped it would be. She said she is also concerned about traffic issues.

John Funus, 3253 W. Lewison Cir., asked what do they need in order for the application to be denied? Chairman Mabey said landowners have certain rights for their property, according to City codes. This request is not illegal or against any codes. He said they will hear all of the evidence and make a recommendation to the City Council. The City Council makes the final decision. He said the Planning Commission tries to make recommendations to mitigate the impact as less as possible.

Mike Russell, 3396 Spring Day, said most people present tonight do not like the high density portion of the proposal.

Larry Larsen, 3287 Lewiston Circle, asked about the number of units that could be developed? Commissioner Kankamp said a couple hundred. Mr. Larsen said they don't want light office space replaced with over 200 residential units. He said the property owners have a right and deserve to be heard. He said Peterson Development tries to maximize the bottom dollar, regardless of the impact to their neighborhood. He said in the past, Peterson Development tried to rip up their street to develop 2 lots, but the City Council denied it. He said it appears that Peterson Development cuts every corner to maximize their dollar. He expressed concern that Peterson Development was allowed to install a chain link fence around the retention pond. He said the retention basin that Peterson Development is supposed to be maintaining is weed and trash infested. He said he does not believe the high density housing will be high quality. He said he would not be opposed to a development such as Wyngate. He said this proposal encroaches on existing homes. He said he would like the original land use plan maintained.

Scott North, 3474 Bear River Rd., asked about the roads coming in and out of Jones Meadows. He said he is concerned about the road width, traffic speeds, and traffic amounts coming into River Heights Drive. He said he is concerned about how people will access the southern portion of office space. He said anything south of Logan Canyon Road should have a narrower road width. He said the access for the southern portion of the office should go through the commercial, rather than using River Heights Drive.

Commissioner Johnson said nothing fronts River Heights Drive. She said they already have a little buffer because no one is backing in and out of the street. Mr. North said there is a small business being run on Bear River Road. He said there is a lot of parking on River Heights Drive and small kids on the street. He recommended that the office be

given a separate access off of River Heights Drive, north of Logan Canyon Road. He said he also has concerns with the high density development.

Kirsten Staples, 3296 Ephraim Circle, said they are concerned about the rezone of commercial to office on River Heights Drive. She said they prefer 1 story office buildings, with no windows in the back if possible. She said they understand that a masonry fence would be required, but they prefer an 8 ft. fence. Chairman Mabey said those issues would be addressed with the site plan process. Ms. Staples said there should be a buffer between the existing residential and the proposed high density development. Commissioner Kankamp said Ms. Staples should also address her concerns with the developers. It is better to address concerns now rather than when the plans get further in the process.

Mark Gunderson, 3237 W. 10755 S., thought the whole area was zoned residential. He said he was ill educated. He said he prefers the whole area remain residential. He said he bought his home because the lots were a minimum 1/3 acre. Now the proposal is to almost triple the density next to them. He asked is the City Council going to do whatever they want regardless of the feelings of the residents?

Chairman Mabey said their input is important. Commissioner Woolley said the Planning Commission listens and make recommendations. The City Council makes the final decision. Mr. Gunderson said they pay a lot of taxes. If the town homes are developed, he'll move somewhere else.

Aaron Hall, 3403 Millville St., said he chose to live here for quality of life issues. He said the City has open space and reasonably sized lots. He said he is concerned about the rezone from commercial to high density residential. He said he is concerned about increased crime and decreased property values. He said if this does move forward, the City should stipulate the requirements for exterior building materials to ensure that they will be high end.

Jeff Whicker, 3251 Smithfield Cir., said he is opposed to the change for the high density residential housing. He said his preference is office over high density residential; low density residential would be preferred over office. He said the class sizes in the schools are already too large. He asked how will they deal with the increase in kids that the additional housing would bring? He said other subdivisions have nice open areas and beautiful parkways; Peterson Development made a lot of money on their subdivision and they were not given parkways or open areas. He said he would like to see that be a requirement.

Tamara Gunderson, 3237 W. 10755 S., said there are a lot of homes being developed in the area and their water pressure has continued to decrease. She said their sprinkler systems are not working adequately. She said they are not doing anything to improve roads, water, and the basic amenities in the area. She said 3200 West is not wide enough; they need a light installed.

Larry Short, 2234 W. Autumn Farm Dr., asked if the developer wants to develop housing, why not make it low density? He said that would fit better with the existing neighborhood.

Brandon Peterson, Peterson Development, said he is happy to address concerns that have been addressed. He said they are trying to downzone the area. He said they are proposing high density housing but it is not apartments. He said it would not be low cost housing. They are proposing high end garden condominiums for empty nesters. He said they want to do something nice and the City will require them to. He said the town homes will also be nice. He said they want to develop high quality housing for those that don't want a yard. He noted that the garden condominiums are planned for 1-2 stories. He said limiting the garden condominiums to 1 story could be done. He said they are trying to buffer the existing residents. He noted that some people would not want an office use in their back yard.

Connie Larson, 3238 W. Lewiston Circle, asked what are the setback requirements for the buildings behind them? She said there should be an adequate buffer. She said 3200 West does not go all the way through. There is already a lot of traffic on that street; she is concerned about increased traffic. She said the town homes west of the Bangerter Highway look awful. She said their property values should be taken into consideration. She suggested that they move the high density development to the north boundary of the project.

Bryce Atkinson, 10138 S. Dunsinane Dr., said a lot of the town homes west of the Bangerter Highway are up for rent. He said he would not want that in his neighborhood. He said the proposal may be condos today, but they will be rental units in the future.

Chairman Mabey closed the public hearing.

Commissioner Woolley said he is in favor of leaving the current designation the same unless they can work out a solution with the neighbors. He said he is against the density of 8 units per acre. He said it appears that they have given up a lot of green space in the new proposal. He said he is against the current proposal unless they can come up with something more palatable to the residents in the area.

Commissioner Kankamp said when people move to a City, they require services. He said plans change. They have to or a lot of the residents would not have been able to move in the City. He said he likes the idea of a residential buffer, but 8 units per acre is too much. He said there was a lot of office space proposed. Office space does not make sense if it is left vacant. He said he likes the change from commercial to office because it moves the office away from the residential.

Mr. Herold said the high density residential would not be apartments. It would be empty nesters or young professionals that don't want a yard. Mr. Peterson said the units would be high end. He estimated the price range to be in the \$250,000 - \$275,000 range. Mr. Herold showed the trail connections. He said they will have buffering and open areas. He

said it will be a requirement, and they would want to provide the green space to be a good neighbor. He said those issues would be addressed with the site plan. He said they will be building River Heights Drive. He said there would be buffering for the existing homes. He said there are front yard setbacks for commercial and office areas. He said the plan is a down zone. He said the current land use proposes too much office area. He said the residential in their plan would serve as a buffer to the commercial and office. He said 8 units per acre would give them some flexibility in the design. The residents concerns will be considered. He said a lower density development would be more standardized and “cookie cutter” and they would not favor that.

Chairman Mabey asked about water pressure problems? Development Services Deputy Director Preece said there are three tanks under design and the construction should be done within a year. He said the City will likely not be installing secondary water. He said the City is still requiring that dry lines be installed; when and if water becomes available, the secondary water would be installed.

Chairman Mabey said he does not want to give up open space area. He said he likes the idea of a residential buffer. He said he is concerned about the proposed density. He said the high density development is surrounded on three sides by low density. He said he does not believe that fits with the General Plan. He said next to commercial, he would be okay with up to a density of 4 units per acre, with clustering and open space. He said he likes the way they are master planning the area. He said he likes the idea of pushing the commercial further from the homes.

Commissioner Johnson concurred with the previous comments. She said a density of 8 units per acre is too high for this area. She said she likes the buffer. She said if this project does ultimately come forward, they should do one story units in the high density area to buffer the existing residents and their views. She said he would like to see a lot of landscaped buffering for the existing residents. She said she does not like giving up open space. She said open space as a buffer to the existing homes would be a bonus.

Commissioner Perry concurred with the previous comments.

Chairman Mabey said Kennecott has higher density areas. He said out of state people are buying and leasing those units. He said Kennecott has had to stipulate that a certain percentage of the homes has to be owner occupied. He said they should make sure those types of things are being put in place to keep so much of the housing from being leased.

Development Services Deputy Director Preece noted that the Planning Commission and City Council cannot take into consideration the number of people that are against an issue; they can take into consideration good reasonable facts. He said they want to listen to the input from the public.

Commissioner Perry made a motion to recommend denial to the City Council for File #LUA-2005.17, Future Land Use Amendment Application From Low Density Residential, Commercial, Office Space And Recreation Open Space To Highway

Corridor Mixed Use, Generally Located On The East Side Of Bangerter Highway Between 10300 South And 10900 South, Approximately 135.6 Acres, as it is currently proposed. Commissioner Woolley seconded the motion. The vote was 4-1 in favor, with Commissioner Johnson opposed.

Commissioner Woolley said things can be done to satisfy both the residents in the area and the developer. He said there will be development in the area and it will be commercial and office. He said the residential component is good, but the density is too high. He said open space and buffering could be proposed.

Commissioner Woolley made a motion to recommend denial to the City Council for File No. REZ-2005.24 Rezone Application From A-5 (Agriculture), C-C (Community Commercial) And O-S (Office Service) To BH-MU (Bangerter Highway Mixed Use), Generally Located On The East Side Of Bangerter Highway Between 10300 South And 10900 South, Approximately 135.6 Acres. Commissioner Kankamp seconded the motion. The vote was unanimous in favor.

It was noted that the developer could request to pull this issue off the City Council agenda. It would have to be re-noticed if the developer wanted to pull it to make changes.

- E. *File #LUA-2005.16, Land Use Amendment Application, From Low Density Residential To Medium Density Residential, And File #REZ-2005.23 Rezone Application From A-5/Agricultural To R-3/Residential; If Not Approved For R-3/Residential, As An Alternative, The Applicant Requests To Rezone From A-5/Agricultural to R-2.5/Residential. Subject Property Is Located At Approximately 3665 West 10200 South, Approximately 24.16 Acres, Jones Mountain Estates LLC (Applicant).*

Senior Planner Schindler reviewed the background information on this item.

Chairman Mabey opened the public hearing.

Bryce Atkinson, 10138 S. Dunsinane Dr., said he lives in an area with lots that are at least ½ acre. He said the master plan calls for 1/3 acre lots on this property, and the developer is asking for a little smaller than that. He said if they put in 1/3 acre lots, or even match the ½ acre lots, the lots won't look good if there isn't any water. He said the City put in funds into their neighborhood to get a water system that works well. He said that has not been the case in other areas of the City. They should put in a water system that works on this property. He said the school is interested in getting their property off of culinary water use, and they would likely partner with the City for a secondary water system for this area. He said there is a City park on 4000 West that could tie in as well. He said the City is capable of putting in a secondary water system that works in this area.

Craig Taylor, 3785 W. Norfolk Bay, said in 1989, South Jordan's goal was to have 1 acre lots, with ½ acre lots at a minimum. He said they have a Wal-Mart and an Albertson's in their area. They also have a high density development near them. He said

the property next to the proposed subdivision is R-1.8. He said he is concerned about traffic congestion. He asked if this project is being done by Peterson Development or Jones Meadows Estates?

Brandon Peterson, Peterson Development, said Peterson Development is proposing the subdivision but it is still under the legal name of Jones Meadows Estates.

Mr. Taylor said they should look at what is developed in the surrounding areas and maintain the South Jordan that he thought he was moving into. He said they should finish the neighborhood the way it was intended.

Robert May, 3777 Norfolk Bay, received some clarification on the zoning designations and what average sized lots are associated with the various zones. Mr. May said he is opposed to this proposal. He said town homes were previously proposed on this property. He said at that time, they agreed to move the high density to the south side of 10400 South, and they would leave this property alone. He said he is concerned about traffic congestion. He said the only access to this property is through existing subdivisions. He said when he moved into his home, he was told that a park was being considered on this property. He said it would be nice to see a park on this property.

Kevin Gray, 10187 S. Dunsinane, said the proposed property is painted into a corner. He said the only access is through existing neighborhoods with narrow streets. He said he prefers that the property be left open.

Ron Pinarelli, 10155 S. Dunsinane, concurred with the previous comments. He said the kid's school route is behind his property. He said he could understand putting ½ acre lots next to their subdivision, then a road, and then transitioning down to smaller lots. He said before that was done, the access would have to be addressed. He said the traffic speeds along Dunsinane.

Robert Allred, 3773 W. Norfolk Bay, said they chose to live in South Jordan for the quality of life. He said they had to make sacrifices to live here; their lots and homes had to be a certain size. He said he feels they have now compromised to a lesser quality of life.

Susan Hansen, 3779 W. Norfolk Bay, said access to the property is a huge concern. She said from the east side of the South Jordan border to their subdivision, it is all low density. She said behind the canal, it changes to R-3. She said to keep consistency, they should move the proposed R-3 subdivision further west. She said putting R-3 in the proposed location would not be consistent.

Some pictures were submitted of the subject property and surrounding areas (Attachment B).

Tom Belchak, 9579 Dunsinane Dr., said his subdivision is in the R-1.8 zone, with ½ acre lots. He said there are traffic speeding concerns on Dunsinane Drive. He said an R-1.8

development could work on this site; the developer can have some 1/3 acre lots. He said R-1.8 would be consistent with the neighborhood. He said he opposes the R-3, and would oppose the R-2.5 unless some major concessions were made regarding open space.

Larry Short, 2234 W. Autumn Farm Dr., said the zoning should stay consistent with the area.

Katie Allred, 3773 W. Norfolk Bay, said she would like to see ½ acre lots or larger developed on this property. She said if they make the lots smaller, they might as well change their name to West Jordan. She said they moved to South Jordan for the larger lots.

Liz Taylor, 3785 W. Norfolk Bay, said they should stay with R-1.8 to be consistent with the neighborhood. She said if they allow R-2.5, with some open space then the developer will put a burm down Bangerter Highway for the open space and that does not work.

John Aurich, 10097 S. Dunsinane Dr., said he moved to his home to get a larger lot. He said the quality of life improved. He said they should keep consistency with their subdivision. He said he is also concerned with traffic congestion.

Ray Hansen, 3779 W. Norfolk Bay, said he worked for the department at Kennecott that negotiated the Daybreak development. He said he believes Daybreak will be a mess in 10-15 years; he said they have people sharing driveways. He understands that the City is changing. He said the houses are being built so close together. He said they don't want any more high density. He said they have made considerable investments on their property. He said there is a strain on the school teachers and the class sizes are already too big. He said they need to think about the number of lots being developed.

Curt Lytle, 10169 S. Dunsinane Dr. said he is concerned about the traffic increase with additional homes in the area. He said they need to address the existing traffic concerns before they add more homes. He said they need to keep open space available in the area. He said he would rather leave the subject property agricultural. He said this is a beautiful area. He is concerned about the problems that will come with additional homes and traffic.

Steve Adamson, 3797 Norfolk Bay, said they have a nice subdivision. He said he likes South Jordan. He said half acre lots fit in the area.

Chairman Mabey closed the public hearing.

Brandon Peterson, Peterson Development, said part of their business is to make money. He said they sell their lots to builders within the State. He said the reason that they requested a higher density is because the property borders Bangerter Highway. He said they feel this subdivision will buffer the half acre lots from Bangerter Highway. He said 1/3 acre lots can be hard to sell because of the land price; ½ acre lots are even harder. He said it would be especially hard next to Bangerter Highway. He said the homes will be

built of brick, stone and stucco. He said there are minimum square footage requirements. He said they will be building a subdivision similar to the development to the east. He said they want to be good neighbors. He said they want to build a nice project for the neighbors and the City.

Chairman Mabey agreed that ½ acre lots may not be the best option next to the Bangerter Highway. He said he would like to see R-2.5 zoning on this property, rather than R-3. He said the subdivision can be developed in a way that it feels the same as an R-1.8 subdivision. He said they can't have large animals in either zone. Mr. Peterson said he is not opposed to the R-2.5 zoning.

Commissioner Johnson said land costs are high and she agreed that R-2.5 would be more appropriate. She said the R-2.5 zoning would fit the existing land use. She said people buying 1/3 acre lots will build a nice home. She said she thinks the neighbors will be happy with an R-2.5 project.

Commissioner Kankamp said he is against 3 units per acre. He said he does not like the ingress/egress for this property, but he is not sure that it can be resolved. He said the R-1.8 zoning on this property would be nice. He said he has a 1 acre lot, which he likes but it uses a lot of water. He said the R-2.5 zoning on this property would help alleviate the water usage issue. He said they have developed other projects along Bangerter with the R-2.5 zoning.

Commissioner Woolley said he is opposed to the R-3 zoning; he struggles with R-2.5. He said he feels R-1.8 is more appropriate in this area. He noted that the look and feel of an R-1.8 subdivision does not appear that different from an R-2.5 subdivision. He said an R-2.5 subdivision can be done nicely.

Commissioner Perry said the day of ½ acre lots are almost gone because of the cost. He said an R-2.5 subdivision would fit in the area.

Commissioner Woolley said R-1.8 subdivisions are mostly 1/3 acre lots, with a few lots that are deeper. He still feels R-1.8 would be more appropriate at this location.

Commissioner Johnson made a motion to deny File #LUA-2005.16, Land Use Amendment Application, From Low Density Residential To Medium Density Residential. Subject Property Is Located At Approximately 3665 West 10200 South, Approximately 24.16 Acres. Commissioner Woolley seconded the motion. The vote was unanimous in favor.

Commissioner Johnson made a motion to recommend approval of File #REZ-2005.23 Rezone Application From A-5/ Agricultural to R-2.5/Residential. Subject Property Is Located At Approximately 3665 West 10200 South, Approximately 24.16 Acres. Commissioner Kankamp seconded the motion. The vote was 4-1 in favor, with Commissioner Woolley opposed.

Commissioner Woolley said the R-1.8 zone would provide for larger lots backing up to the existing subdivision. If this subdivision get approved, the developer should put larger lots on the west side of the subdivision.

It was noted that this issue will go before the City Council next week.

Senior Planner Schindler said R-1.8 is not an option because the property is land used for low density residential, not rural residential. He said R-2.5 is the only zoning option for a low density residential land use designation.

Commissioner Kankamp made a motion to take a break. Commissioner Johnson seconded the motion. The vote was unanimous in favor.

F. File #SP-2005.39, Site Plan For Harvest Pointe Retail Center Located At Approximately 3700 West South Jordan Parkway (10400 South), Peterson Development, Applicant, Zoned C-C

Senior Planner Schindler reviewed the background information on this item.

Chairman Mabey opened the public hearing. There were no comments. He closed the public hearing.

Senior Planner Schindler said “Shops A” is located on parcel 7. It was noted that parcel 7 was not labeled on the plan. Commissioner Woolley said it was difficult to tell on the plan that the center section was missing. He said it could be labeled more clearly.

Chairman Mabey asked how soon will construction start? A Peterson Development representative said they would like the paving done for the project before the weather turns cold. He said they have some interest from potential tenants.

Commissioner Woolley made a motion to recommend approval of File #SP-2005.39, Site Plan For Harvest Pointe Retail Center Located At Approximately 3700 West South Jordan Parkway (10400 South), with the following conditions:

- 1. That the site is developed as shown and approved by the Planning Commission.**
- 2. That all South Jordan City Engineering, Planning, Public Works, and Fire Department requirements are met.**

Commissioner Johnson seconded the motion. The vote was unanimous in favor.

G. File #CUP-2005.09, Conditional Use Permit For A Payday Loan, Title Loan And Check Cashing Business Located At 10482 South Redwood Road, Q.C. Financial (Applicant).

Senior Planner Schindler reviewed the background information on this item.

Chairman Mabey opened the public hearing. There were no comments. He closed the public hearing.

Wendy Taylor, 10582 S. Redwood Rd., introduced herself.

Commissioner Kankamp asked if this business is regulated by the Department of Financial Institutions? Ms. Taylor said yes. Commissioner Kankamp asked what type of licensing requirements are in place? Ms. Taylor said they have to have a payday loan license as well as a title loan license through the State.

Commissioner Kankamp said he would like to add a third condition of approval that this business must meet the requirements of the Department of Financial Institutions. Chairman Mabey said if this business ever falls out of favor with the State of Utah, their Conditional Use Permit could be revoked. Commissioner Kankamp concurred.

Commissioner Kankamp made a motion to approve File #CUP-2005.09, Conditional Use Permit For A Payday Loan, Title Loan And Check Cashing Business Located At 10482 South Redwood Road, with the following conditions:

- 1. A building permit for tenant improvement is issued and all required fees paid.**
- 2. The business cannot expand in size without obtaining an amended Conditional Use Permit.**
- 3. The business must meet the requirements of the Department of Financial Institutions.**

Commissioner Perry seconded the motion. The vote was unanimous in favor.

H. File #SUB-2005.53, Application For A Preliminary Subdivision Plat, Located At Approximately 3050 West 10200 South, 2.30 Acres, Pine Canyon Apartments LLC (Applicant).

Senior Planner Schindler reviewed the background information on this item. He said stub street signage should be shown on the plat.

Chairman Mabey opened the public hearing. There were no comments. He closed the public hearing.

Commissioner Woolley said all of the lots are on the larger side. He said he feels better about this subdivision than when it was originally proposed. He said it will be a good addition to the subdivision. He said he does not like the single entrance into the subdivision, but there is little chance of the road going through to McKinley Drive. He said it would be nice to see the road go through, but it will likely not happen. Senior Planner Schindler said someday 10200 South will continue, but that may take several years.

Commissioner Woolley made a motion to approve File #SUB-2005.53, Application For A Preliminary Subdivision Plat, Located At Approximately 3050 West 10200 South, 2.30 Acres, with the following conditions:

- 1. All improvements to 10200 South are to match those approved in Phase 1 of the development.**
- 2. Owner of lot #201 shall be required to provide maintenance to the retention pond until the pond is no longer needed. The minimum required maintenance is to cut weeds, and to keep the pond free of any garbage or debris.**
- 3. A minimum 6' tall pre-cast concrete wall, matching the wall in Phase 1, is to be installed along the east & south property lines.**
- 4. That all other Public Services, Planning, Fire, and Engineering requirements are met, and that all remaining red-lines be corrected and completed plans submitted before Final Plat approval.**
- 5. Standard stub street signage should be included on the plat.**

Commissioner Johnson seconded the motion. The vote was unanimous in favor.

- I. Ordinance #2005.18, An Ordinance Amending Title 16 Of The South Jordan Municipal Code, Development Code, Chapter 16.04, General Development Provisions, 16.04.210, Utilities And Other Improvements*

Senior Planner Schindler reviewed the background information on this item.

Commissioner Woolley asked if the change means that they can't plant a tree in the easement without approval of all utility companies? He said he feels the term "landscaping" is too broad. He said shrubbery would also be included with landscaping.

Commissioner Johnson asked if someone's driveway encroaches on the easement, and the City does some work in the easement, is the homeowner liable? Development Services Deputy Director Preece said they always have been. He said most companies will replace the driveways, etc. but they are not legally obligated to.

Chairman Mabey and Commissioner Woolley expressed concern that they would have to get permission from every utility company to pour every driveway, walkway, etc. in the City. Commissioner Woolley said every house has an easement in the front. Commissioner Johnson said the permit for the driveway would likely be wrapped in the original building permit. Chairman Mabey said more information is needed.

Chairman Mabey opened the public hearing.

Larry Short, 2234 W. Autumn Farm Dr., said he is concerned that this will create more red tape for canal companies wanting to put fences up to keep the kids away from the canal.

Chairman Mabey said he would like to get an opinion from the City attorney on this issue. Senior Planner Schindler said the main concern is people putting swimming pools

in their back yards that encroach on the easements, including the secondary water easement.

Commissioner Woolley said he is okay prohibiting buildings on the easement. He said this is going too far. He said this change is too onerous.

Chairman Mabey closed the public hearing.

Commissioner Kankamp made a motion to recommend denial of Ordinance #2005-18 to the City Council.

Commissioner Kankamp said the wording is so vague that they are not sure what “improvements” mean.

Commissioner Perry seconded the motion. The vote was unanimous in favor.

Commissioner Woolley said he feels the definition of “improvements” is so defined that it could include everything. He said he feels it is too detailed. He said including driveways and landscaping is way too liberal. Commissioner Kankamp concurred. He said the City requires trees in the park strips. It was noted that there are easements in some park strips.

V OTHER BUSINESS

A. Calendaring Items

It was noted that Commissioner Woolley and Commissioner Kankamp will be gone for the meeting in two weeks.

B. Planning Department Matters

None.

VI ADJOURNMENT

Commissioner Woolley made a motion to adjourn. Chairman Mabey seconded the motion. The vote was unanimous in favor.

The September 13, 2005 Planning Commission meeting adjourned at 10:10 p.m.