

**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
April 27, 2021**

Present: Commissioner Michele Hollist, Commissioner Nathan Gedge, Commissioner Trevor Darby, Commissioner Steven Catmull, Assistant City Attorney Greg Simonson, Assistant City Engineer Jeremy Nielsen, City Planner Greg Schindler, IT Director Jon Day, GIS Coordinator Matt Jarman, City Planner David Mann, Deputy Recorder Cindy Valdez, Transcriptionist Diana Baun.

Others: Jorie Hill, Rylar Masco, Jessica, Rachel, Sara, Telisa T., Weymar Camargo, Thayne Gardner, Dean Pettit, Steve Scheffield, Connie Pearson, Natalie Gardner

6:31 P.M.  
**REGULAR MEETING**

I. Welcome and Roll Call – *Commission Chair Michele Hollist*

Chair Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting and noted that Commissioner Steve Catmull was absent, but would be there shortly.

II. Motion to Approve Agenda

**Commissioner Gedge motioned to approve the April 27, 2021 Planning Commission Agenda. Chair Hollist seconded the motion. Vote was 5-0 unanimous in favor.**

III. Approval of the Minutes

**Commissioner Gedge motioned to approve the April 13, 2021 Planning Commission Meeting Minutes as printed. Chair Hollist seconded the motion. Vote was 5-0 unanimous in favor.**

IV. **STAFF BUSINESS** - *None*

V. **COMMENTS FROM PLANNING COMMISSION MEMBERS** - *None*

VI. **SUMMARY ACTION** – *None*

VII. **ACTION** – *None*

VIII. **ADMINISTRATIVE PUBLIC HEARINGS** –

**A. WELBY JACOBS CANAL PUMP HOUSE CONDITIONAL USE PERMIT**

Location: 101623 S Redwood Road  
File No: PLCUP202100024  
Applicant: South Jordan City

City Planner David Mann reviewed background information on this item from the staff report.

Commissioner Steve Catmull joined the meeting in person.

Chair Michele Hollist asked how far away the pump house is from the closest residential building.

Planner Mann said it is about 100 feet or so, on the other side of the canal.

Chair Hollist opened the hearing to public comment. There were no public comments, Chair Hollist closed public comment.

**Commissioner Darby motioned to approve File No. PLCUP20210-0024 for the construction of a pump house located at 3788 W. South Jordan Parkway as presented to the Planning Commission. Chair Hollist seconded the motion. Roll Call Vote was 5-0 unanimous in favor.**

Assistant City Engineer Jeremy Nielsen noted the Zoom audience was not getting audio.

**Commissioner Gedge motioned to take a five minute recess while they work through technical difficulties. Chair Hollist seconded the motion.**

Chair Hollist asked if they needed a specific motion to restart the meeting.

Assistant City Attorney Greg Simonsen asked if the feed was now working.

Chair Hollist said yes.

Attorney Simonsen said regarding the first item that was already heard, they know there was no one in person who came to speak to the issue. However, they do not know if there was anyone on Zoom who came to address the issue. Rather than restarting the whole meeting, he suggested the commission ask those on Zoom if anyone had comments on the first item. If someone did come to speak to that, they can vote to re-open the hearing.

Chair Hollist asked if they needed to rescind the vote they took.

Attorney Simonsen said if the vote to ratify is the same, no. If their vote is different after hearing additional public comment, a note should be made on the record as to why they are voting differently and then re-take the vote.

**Chair Hollist motioned to reconvene the meeting. Commissioner Gedge seconded the motion.**

Chair Hollist said that they did already hear the first item this evening, which was under the administrative section, the Welby Canal pump house conditional use permit. They had a public hearing for those present in the chamber and asked for comment from those on Zoom. At this time she asked the Zoom meeting members again if anyone came to speak to that issue.

**Chair Hollist motioned to re-open public comment on the Welby Canal pump house conditional permit. Commissioner Gedge seconded the motion.**

Chair Hollist opened the hearing for public comment.

**Rylar Masco (South Jordan)** said he thought he had seen a drawing that might have been related to the park that is going to be on the open space, which he assumes is what this pump is for. He has no idea, other than the letter that was sent to him, what this entails. He didn't know if there had been a briefing on what this entails. He is on the west side of the canal so he doesn't have irrigation, but he didn't know if this would allow people in his subdivision to get irrigation or not. He asked what this park will look like, as his backyard is the park or open space that might be developed. He also asked if the pump house would allow anybody in their subdivision to get irrigation.

**Weymar Camargo (South Jordan)** seconded Mr. Masco's questions. At the beginning of the meeting they saw a picture or map, but there was no audio for them to hear what that was all about. He asked if there is a visual for the area intended for this park.

**Dean Pettit (South Jordan)** is also interested in what is planned and the future development for the area where the pump house is going and the land. One of his concerns is that the city has used that property to dump overburden and waste on. Last year it wasn't taken care of and when winds came through it was just a dust bowl. He is concerned with how that property is taken care of, also what the future holds for that square. He knows that the developer who originally signed it over to the city did so for water retention, storm drains and as a park area for the future.

Chair Hollist closed the public comment portion of the hearing.

Chair Hollist asked Planner Mann to share the picture from the staff report again for those on Zoom to see. She then asked if what we are hearing tonight has anything to do with the final park plans for the area, or is this just the conditional use permit for the pump house.

Planner Mann said this application is just for the pump house. It is possible that Assistant Engineer Nielsen has more information about where the future park is as far as timeline or construction dates.

Assistant Engineer Nielsen said as far as the park is concerned, this is a concept plan. There is no funding set aside for these park improvements yet. This is a concept that the Parks Department has developed. Obviously the city is heading this direction, but at this point in time there is not a clear time line for when these improvements will be constructed. The pump house is pumping water out of the Welby Canal and will be pumped directly to the Bingham Creek Park up the road. It will be used to irrigate that 60 acres at the park, which is a pretty massive water load.

Chair Hollist asked if any private residences will receive irrigation water from this project.

Assistant Engineer Nielsen said no, not that he's aware of. This is just to handle the park.

Chair Hollist reiterated for those on Zoom that they are only hearing the conditional use permit tonight for the pump house. That pump house is going in to provide water in the future to the new Bingham Creek Park; it will not extend to new households that do not have irrigation. A park is planned in this site, but the funds have not been set aside yet for that, so they cannot comment on that at this time. At some point in the future this will come before the commission and they will see the

plans when that time comes. She then asked what kind of maintenance this property is going to see in the immediate future as far as what will be held there, grass, will it be something that will be dusty again this summer.

Assistant Engineer Nielsen said that once they regrade for the detention basin they will put native seed down. There will not be any irrigation systems so it will be a native grass that grows to prevent erosion. At this point in the time that is the extent of what they would do for the treatment. The city has an interest in not creating a dust bowl, so if there is a problem he would recommend the residents contact the city and they can look at options; if they need to hydro seed or use another means to cut the dust down if there are problems.

Chair Hollist said the staff here at the city are very receptive to issues like that. It would be appropriate to get in contact with them this summer if there are issues with that again.

**Commissioner Gedge motioned to ratify the previous action of the approval of File No. PLCUP200210-0024 from earlier this evening. Chair Hollist seconded that motion. Roll Call Vote was 5-0 unanimous in favor.**

## **IX. LEGISLATIVE PUBLIC HEARINGS –**

### **B. SALT LAKE COUNTY RECREATION CENTER & CITY PARK REZONE FROM A-5 & R-1.8 TO OS-P**

Location: 10866 S Redwood Rd.  
File No: PLZBA202100073  
Applicant: South Jordan City

Planner David Mann reviewed background information on this item from the staff report.

Chair Michele Hollist asked if this was still city property, or if part of it was county property.

Planner Mann said he believes the lot created with the preliminary subdivision that was approved by the commission a month ago would be under county ownership. The remainder will still be under city ownership.

City Planner Greg Schindler said the parcel was just the recreation center site, where the building sits is owned by the county. The rest remains as property of the City of South Jordan.

Chair Hollist opened the hearing to public comment. There were no public comments, Chair Hollist closed public comment.

**Commissioner Gedge motioned based on the staff report and other information presented to the Planning Commission during the Public Hearing, and the Planning Commission's discussion, that the Planning Commission forward a recommendation to the City Council to approve the rezone from A-5 & R-1.8 to OS-P for the property located at 10866 S. Redwood Road. Chair Hollist seconded the motion. Roll Call Vote was 5-0 unanimous in favor.**

### **C. THAYNE GARDNER REZONE FROM C-N TO C-N-PD**

Location: 11381 S Temple Drive

File No: PLZBA202100044  
Applicant: Tucker Nipko

Planner David Mann reviewed background information on this item from the staff report.

Chair Michele Hollist said she was in the City Council meeting where this was discussed. She asked if the rezone was necessary because a private residence is not normally allowed in a CN zone.

Planner Mann said that was correct, residential uses are not allowed in a commercial zone.

Chair Hollist asked if the planned development portion is because of this.

Planner Mann said the office building meets the requirements of a 5,000 square foot maximum in a CN zone, it is showing approximately 4,000 square feet. If it was just the office building it would meet the underlying zone, it's just the addition of the residential house.

Chair Hollist asked if the planned development portion of this would make this two properties, or would they always have to move forward as one.

Planner Mann said no, they would do a subdivision after the rezone was approved. You can see on the concept there is a property line, basically splitting it in half.

Commissioner Nathan Gedge said he was assuming with the concept plan that access will be north only off Temple Drive and there will be no southbound due to the proximity to the intersection.

Planner Mann said access will be pushed as far north as possible, only accessed off of Temple Drive, with a shared access agreement as part of the subdivision to protect access to the house.

Commissioner Gedge asked if there would be any consideration for a median on Temple Drive to prevent people from driving southbound due to the proximity to the intersection.

Assistant Engineer Jeremy Nielsen said that will be considered as part of their site plan application. They will be looking at the number of trips. They are not able to say for certain with the information they have right now either yes or no.

Chair Hollist invited the applicant to address the commission.

**Natalie Gardner (applicant)** said right now they are just down the street. Their lease is up in two years and it has been their dream to live next door to their office. They have always had this idea in mind, and then this just kind of fell into their laps. They are looking to build their home and be there long term as dentists don't move very much and they wouldn't plan on moving their family. They would love to abide by whatever the commission asks and are just trying to learn the ropes of all this.

Chair Hollist opened the hearing to public comment.

**Steve Scheffield (South Jordan)** said he backs up to this property. Most of his questions have been answered this evening. A few things he was wondering, how many stories on the house are allowed and what the setbacks would be between the back of the house and the property line.

**Connie Pearson (South Jordan)** said her concern is if this plan doesn't go through with the dental office and home after the rezoning, what would happen. Can a 10 story apartment building be put there? If this is rezoned and the plan doesn't go through, then what.

**Jorie Hill (South Jordan)** said she echoes Mr. Scheffield's concerns with the setback and how many stories above the grade. If it's at the existing grade and within the 35 foot code she thinks they'd be okay with that. Her mother is also there with her as a co-tenant of her home. They asked about the amount of traffic coming off of the driveway.

Chair Hollist closed the public comment portion of the hearing.

Chair Hollist asked about the limitation in regards to height limits, setbacks, etc.

Planner Mann said this is where the flexibility of the planned development zone comes in. If there are concerns about setback they can put a number in the development agreement that the house has to be at least "this many" feet away, keeping in mind that it needs to be within reason so there is still a decent building envelope for the property owner to build a house that will work for them. Typically, with this house looking like it's facing west, it would be a side setback on the north side which would be 10 feet. Again, if it is something where the City Council, after hearing concerns from the residents, feel that should be increased they can do that with the development agreement. As far as the height, it is 35 feet as the maximum height. As far as whether it is going to be close, it is not very common that a house is over 30 feet tall. They usually range from 20-30 feet on average.

Chair Hollist said she knows the property is unique in how it slopes. She asked if from the front will it look like a single story, but from the back look like two or three stories.

Planner Mann said as far as the house, the concept plan is the only thing they've seen to indicate what the house will potentially look like; it is only the footprint. They haven't seen any architectural plans for what the house is looking to be designed as.

Chair Hollist asked if that has to be submitted so the City Council knows what they are approving before they approve this planned development.

Planner Mann said one of the things staff is considering putting in the development agreement is that the house needs to be reviewed and approved by our Architectural Review Committee during the site plan process. The Architectural Review Committee would look at the office building and the house at the same time, so when it came to the Planning Commission for approval that would be taken care of. If there are specifics for architecture, height or setback, that would need to be in the development agreement.

Chair Hollist asked if they were to approve this rezone this evening, how closely it has to follow this plan. If it is approved, can it be completely changed in the future if this were to fall through.

Planner Mann gave an example, the property by Santorini Village on Redwood Road and 9800 South on the northwest corner; that was approved with a rezone and development agreement for a gas station. The developer went away and we've had two other gas station proposals on there that would have to meet the development agreement requirements, none of them developed. At this point, the only thing that could be developed there would be a gas station; it would be the same thing here. If

the Gardners decide this isn't going to work out and someone wanted to buy the property, they would either need to build according to this concept, or they would need to rezone it.

Chair Hollist said that we are going to get some sort of small office building and a home. She asked if it was specific enough to designate that.

Planner Mann said yes, and the concept plan would be included in the development agreement.

Chair Hollist said there wouldn't be any surprises.

Planner Mann confirmed that no, no surprises.

Chair Hollist asked what kinds of traffic they can expect.

Assistant Engineer Nielsen said with the rezone he doesn't have a traffic study, but based on the square footage he is seeing he thinks a rough estimate during the PM peak would be about 10 trips, which would be about one vehicle every six minutes. That is something they would consider on whether that access would need to be a right in or right out. Considering 1300 West is a collector street and immediately adjacent to a major artery, the primary concern is going to be to make sure that access is designed safely. As far as getting on the main roads, there are no concerns there.

Commissioner Gedge said for the residents listening, the City Council will review and approve the development agreement. That will be done in an open hearing with the City Council so they will have the right to hear what is presented and give input.

Planner Mann said that from the time that this meeting ends to the time that it is presented to City Council, they will be working on the development agreement to work on those items that would need to be addressed as part of the development. It will be included with the staff report and presented to the City Council where there will be a public hearing, any residents that attend that meeting will know what's in the development agreement. The development agreement could change with the motion by City Council if they want to change, add or remove any items based on their discussion and public comment.

Commissioner Gedge said that if they do move forward with a recommendation to the council on this, he encourages the people here this evening to also go to the next phase of the process and let their voices and concerns be heard.

Chair Hollist asked if it would be appropriate to request that part of the planned development agreement be that all the offsets, height requirements related to the residency meet the standards for the residential zone it buffers against.

Planner Mann said that if the Planning Commission wants to provide any suggestions for things that they see that would be beneficial to include in the development agreement, they are open to that. That is something that staff was planning on, to allow the standard requirements for a residential zone, or even to specify the adjacent zone which he believes is the R-2.5 zone.

Chair Hollist would be comfortable with that being included so that it feels like a part of what it abuts. This falls in Council Member Tamara Zander's zone and there have been a series of people trying to develop this property, it's a tricky piece of property. City Council really was appreciative of

this unique solution that allows a portion of it to remain commercial, but to use the entire property. It is sloped enough that there just isn't another commercial venture that can go in on that portion of the land according to what was presented to City Council that evening.

Commissioner Sean Morrissey said it's a unique piece of property that presents a lot of challenges based on the evolution of that corner and that property surrounding it, especially across the street where it has evolved into commercial and office space with the school down the street as well. Over the past seven years he has seen how this area has evolved quite a bit from the school being built out, properties across the street as well as near the school, moving from a residential to more commercial and office space. On this unique property he sees a resident house already on it, the zone changed. He assumes most of the houses behind it where a lot of the audience members live, were actually built at the time that the original home and property was zoned correctly in a residential zone. He doesn't see any problem with a residence being built on it, based on the conditional or actual notice. At the same time it has evolved into something unique, but we can make it work at this time. It looks like the Gardners have a good plan to make it work and he is excited for that, to see it move forward, as long as it meets all the ordinances which he thinks it does.

Commissioner Trevor Darby likes the idea of adding in that the zoning setbacks match the neighboring zones.

Commissioner Steve Catmull has a lot of similar thoughts. He likes the abutment against the residential zone, also having the setbacks and heights match so it feels like part of that. The only questions he really has is that as he looks at the concept drawing, when it gets to site plan he is envisioning a sight triangle around that driveway near what might be garbage bin. Staff may want to look at this as it goes further. For instance, if someone tried to back out and do a U-turn into their driveway while someone is coming back out. There are some tricky things that could be worked out, but he otherwise understands that this is a tricky property and this is a reasonable solution.

Commissioner Gedge really liked the way that staff has come up with the option, and City Council with a development agreement, and the zone we are considering this evening to help protect the neighbors from having a monstrosity if this were to fall through. Also, to be able to keep a current South Jordan business and keep them in our city, especially since it looks like they are committed to our city. This is hopefully a win-win for everybody. He also likes the idea of making their recommendation to staff to hopefully be included in the draft of the development agreement.

Chair Hollist asked if Mrs. Gardner would be comfortable with them adding that to their motion; would she be amenable to having all the same type of setbacks and restrictions that the residential zone to the north of her has.

Mrs. Gardner agreed.

Chair Hollist noted that she doesn't have to have the frontage requirement, these requirements would only apply to their side yard.

Planner Mann said this is basically needing the same format as a flag lot since they have the shared access going back to a lot that doesn't have access to a street. It would be treated the same way.

**Commissioner Gedge motioned based on the staff report, other information presented to the Planning Commission during the Public Hearing, and the Planning Commission's discussion to**

**move that the Planning Commission forward a recommendation the City Council to approve the proposed rezone from C-N to C-N-PD for the property located at 11381 South Temple Drive. Also directing staff in the interim to draft a development agreement with setbacks and height requirements similar to the adjacent zone. Chair Hollist seconded the motion.**

**Commissioner Gedge amended his motion to change from adjacent zone to the zone neighboring to the north and east. Chair Hollist seconded the motion. Roll Call Vote was 5-0 unanimous in favor.**

**X. OTHER BUSINESS –**

Commissioner Steve Catmull said that the Planning Commission website still said the Planning Commission was meeting virtually. He asked that be reviewed. The agenda states the meeting is in person with the electronic element.

Chair Hollist confirmed that the website did still say meetings electronically until further notice.

Deputy City Recorder Cindy Valdez said she would have the City Recorder, Anna Crookston, change that.

**ADJOURNMENT**

**Commissioner Catmull motioned to adjourn the April 27, 2021 Planning Commission meeting. Chair Hollist seconded the motion.**

The April 27, 2021 Planning Commission Meeting adjourned at 7:42 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez

**This is a true and correct copy of the April 27, 2021 Planning Commission minutes, which were approved on May 11, 2021.**

**Cindy Valdez  
South Jordan Deputy Recorder.**