

CITY OF SOUTH JORDAN  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
SEPTEMBER 24, 2019

Present: Commissioner Earl Jolley, Commissioner Sean Morrissey, Commissioner Julie Holbrook, Commissioner Michele Hollist, Staff Attorney Todd Sheeran, Deputy City Engineer Jeremy Nielson, Planner David Mann, City Recorder Anna West

Absent: Commissioner John Ellis

Others: See Attachment A

6:30 P.M.

**REGULAR MEETING**

**I. GENERAL BUSINESS**

A. Welcome and Roll Call

Chairman Earl Jolley welcomed everyone present. He noted that all Commissioners are present.

B. Motion to Approve Agenda

Chairman Jolley said we need to move one item regarding Westwood Heights from Administrative to Legislative section.

**Commissioner Holbrook motioned to approve the September 24, 2019 Planning Commission Agenda with the noted change. Commissioner Hollist seconded the motion. Vote was unanimous in favor. Commissioner Ellis was absent.**

C. Approval of the Training Meeting Minutes held on September 10, 2019

**Commissioner Holbrook made a motion to approve the September 10, 2019 Planning Commission Training Meeting minutes as printed. Commissioner Morrissey seconded the motion. Vote was unanimous in favor. Commissioner Ellis was absent.**

D. Approval of the Planning Commission Minutes held on September 10, 2019

**Commissioner Hollist made a motion to approve the September 10, 2019 Planning Commission Meeting minutes as printed. Commissioner Morrissey seconded the motion. Vote was unanimous in favor. Commissioner Ellis was absent.**

**II. INFORMATIONAL ITEMS AND OTHER BUSINESS**

A. Staff Business

Commissioners discussed the upcoming Joint Work Session with the City Council on October 1, 2019. The meeting will be held in the Council Work Room to discuss the General Plan and will begin at 4:30 PM.

B. Comments from Planning Commission Members

None

**III. CITIZEN COMMENT**

Chairman Jolley opened the Citizen Comment. No speakers. He closed the Citizen Comment.

**IV. SUMMARY ACTION**

None

**V. ACTION**

None

**VI. PUBLIC HEARINGS AND POTENTIAL \*\*ADMINISTRATIVE ACTION ITEMS**

\*\*Administrative Action = Less Discretion, Substantial Evidence (Objective Standard)

- A.1 Issue: UNIQUE AUTO BODY  
SITE PLAN/CUP  
Location: 11581 S. Redwood Road  
File No: PLSPR201900482  
Applicant: Adam Ashby**

Planner David Mann reviewed the background information on this item from the packet staff report. Adam Ashby, representing Unique Auto Body, has filed an application for review and approval to construct a new auto body repair building at 11581 S. Redwood Road. The site is immediately south of the existing Unique Auto Body building. The proposed building and associated parking lot will not replace the existing, but rather be an expansion of the business. Unique Auto Body's existing site was approved in 2004 and since then the business has outgrown the original property boundaries. The original approval required all vehicles being repaired or waiting to be repaired be stored within the building or within an enclosure concealing them from view. The parking of vehicles outside has been an issue for some time. Within the last year, Unique has acquired approximately three additional acres, south and east of their property, of which approximately two acres will be for expansion of their business. There are no imminent plans to develop the remaining acreage that will be south of the new road. This has met all requirements and is recommending approval.

**Justin Weller**, Manager of the South Jordan location. This is something that has been in the works for 2-3 years. We have designed a nice building that will go along well with our existing building. This will get all of the cars kept in a closed secured fenced lot.

Chairman Jolley opened the Public Hearing to comments. None. He closed the Public Hearing.

Commissioner Holbrook said it is well laid out and will fit nicely.

**A.2 Potential Action Item – (See VI.A.1)**

**Commissioner Holbrook made a motion to approve File No. PLSR201900482, for construction of a new Unique Auto Body Site Plan/CUP at 11581 South Redwood Road. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 in favor. Commissioner Ellis was absent.**

**VII. PUBLIC HEARINGS AND POTENTIAL \*\*LEGISLATIVE ACTION ITEMS**

\*\*Legislative Action = More Discretion, Reasonably Debatable (Subjective Standard)

**B.1 Issue: WESTWOOD HEIGHTS  
LAND USE AMENDMENT & REZONE  
Location: 3667 West 10200 South  
File No: PLZBA201900483  
Applicant: Leslie Mascaro, Wright Development**

Planner David Mann reviewed the background information on this item from the packet staff report. I was in contact with the applicant right as we were preparing to take this to City Council, based on the previous recommendation of this body, and they were in discussions of changing their proposal from an R-2.5 Zone to the R-3 Zone so they could get one additional lot on the property. The reasoning for that change was to offset some of the costs that were required as part of the fencing that would need to be installed on the west and the south sides of this property. With that additional lot they felt more comfortable in moving forward and making this project work. When we initially heard this we were a bit concerned. There have been some discussions in the past about changing the zone of a property if there was not anything that was like it adjacent to it. As you can see on the zoning map, there were some R-2.5 zones to the north. There is some R-3 zoning further west as you get into the Glenmoor area but one of the concerns is often setting a precedent about continuing to increase the zoning as properties develop. In this situation there is not any property within over a mile that has potential to develop, so the likelihood that this would set a precedent is very unlikely. The applicant did contact the neighbors and were very forthright about what they were doing now so they could be very transparent with them. All comments I have heard from the residents were that they were content with the new proposal and were supportive of it moving forward. Staff is recommending approval to change this zoning from R-2.5 to and R-3 Zoning.

Commissioner Morrissey said prior to this applicant, the one that was submitted to us prior to the previous applicant, what was the previous applicant requesting as far as changing land use and zoning.

Planner Mann said I believe they were initially proposing and R-3 and then they changed to an R-4 zone. Part of that was they were having a mix of lot sizes. I believe it was for 16 lots on this property. It was a bigger proposal and more roads they were putting in. That was a lot of the concern back then. This is the updated proposal. They do have the one additional lot that is up against 10200 South. All of the other lots in the cul-de-sac area are all the same as their previous proposal.

Commissioner Morrissey asked how many potential lots they could potentially fit into this area if we did change it to an R-3. Planner Mann said this is the maximum with the R-3. With 12 units on the property that they have to work with it would be 2.69 units per acre density.

Commissioner Hollist said this is a 5 acre piece of land now so they couldn't go up to 15 or is it just not feasible with frontage and everything?

Planner Mann said the property was initially 5 acres but with the subdivision there will be that large swath up against Bangerter Highway and UDOT will hold onto that as part of their expansion of the intersection.

Commissioner Hollist asked for clarification on the extension of 10200 all the way to Bangerter.

Deputy Engineer Jeremy Nielson said that is for the off-ramp coming off of Bangerter. That is why they are holding onto that piece.

Commissioner Morrissey asked what evidence do you have that the residents are all in favor and approve of this change.

Planner Mann said I didn't include it in the packet but there was an email that was sent from one of the residents to the applicant, and they had talked to the other residents in the neighborhood, giving their feelings about this. All of the residents I had heard from gave no objection and I have not received any calls opposing this proposal.

Chairman Jolley said you were talking about fencing that would be eliminated on the west and south side, is there any current fencing right now.

Planner Mann said on the west side there is currently some masonry fencing that they could use and then fill in some of the gaps. Those properties do qualify for farm animal rights. There is currently a vinyl fence on the south side that they would need to replace.

Chairman Jolley said in that entrance down in the lower left hand corner on the south west corner, will that be barricaded off from the office part? Planner Mann said yes. I believe the intent was, because this was originally an Office Zone, was that as it was developed in the future to provide access for any future office buildings to be built there. With the masonry wall being installed there that would be shut off. A masonry wall is required on the south side because you have residential up against office.

Commissioner Hollist asked if lot 12 existed when we saw this the last time? Planner Mann said lot 12 was then lot 11 when you saw it last time.

**John David Jorgensen**, filling in for Leslie Mascaro who was here last time you saw this. We don't like to come back and ask for a change after we have already submitted an application. The requirement for the fencing and some water lines that will need to be moved adds a big expense to us. In order to make the project viable we did cut that one property into two lots. That would just be an expansion of one additional lot. The general land use map had initially identified this as office. I think the reasoning behind that was there was an underpass intended that would connect 10200 South across Bangerter; since that is no longer the case, we feel that single family homes would be a much better use than office there. The neighbors have voiced that is their preference as well.

Chairman Jolley asked if they have had a public meeting with neighborhood residents.

Mr. Jorgensen said I am not certain if there has been any meetings. I know that she has had conversations with them after the last meeting and has been in touch with emails and phone calls.

Commissioner Hollist asked if the requirement for the wall was unexpected.

Mr. Jorgensen said we didn't know that it was required to the extent that it does. I don't know all of the details. I do know it something we were not aware of. Moving the water lines will likely be a larger expense.

Chairman Jolley said you are talking about moving the water line on 10200 south because that road will not be as wide as 1, 2 and 11.

Mr. Jorgensen said I am not entirely sure but that sounds accurate.

Deputy Engineer Nielson said I am looking at GIS maps and there is a water line that is about 20 feet off of their western boundary and goes north to south across the whole property. I am guessing that is the water line they are referring to. That would be going right through the rear yards of those homes on the west side of the cul-de-sac.

Mr. Jorgensen said one is the city culinary and one is with the Fractional Water Users Association.

Commissioner Hollist asked if the road out front meets the standards required for the area and couldn't that create a problem for flow through there?

Deputy Engineer Nielson said the cross-section of the road is all over when you look at 10200 south. At one point in time I believe the city was planning for it to go under Bangerter but now it is not. Now it is like a residential street. Doing the taper and constricting that roadway we are not concerned about that.

Mr. Jorgensen said my understanding was that the city was recommending that we narrow the right-of-way there.

Chairman Jolley said they will still require city sidewalks there won't they. Deputy Engineer Nielson said it will be a typical residential width street and the volumes on the road will be residential volumes. It will be a 55 foot road.

Chairman Jolley opened the Public Hearing to comments.

**Dean Pettit**, South Jordan, we were at the last Planning meeting on this and Leslie has been up front with all of us on this proposal. We have talked to a number of neighbors and talked with the neighborhood watch committee. The neighbors that adjoin this property are in favor of putting residential back there. Because of the nature of the road being changed from a thru street several years ago to now a residential road, it does not lend to a future business development. If business were put back there you would have a lot of protests. The way that Bangerter Highway is developing it is conducive to put residential there anyway. Bangerter has taken a big chunk of property on the east side of that and the road continues to taper off. The home that is on the north side of that is owned by UDOT. That taper continues right up to where it joins the Bangerter Highway. While attending the meetings regarding the intersection that is happening at 10400 South, Bangerter basically shifts to the west and that is why the additional property is required from UDOT. Leslie has been open with us and even with the one more lot this is favorable to us as neighbors.

**Greta Betts**, South Jordan, I live on Whispering Sands and I am affected by this property. I reached out to Leslie when the sign first came up and since that first contact she has been good at connecting with us as a neighborhood. When this change came about, she immediately called me and I wanted to let you know they have been forthcoming and open with what their intentions are. My intention in coming tonight was to make sure that they didn't pull a "bait-n-switch" and have additional lots added. It was good to hear tonight that this is the maximum number of lots they can put in. That is exactly what Leslie said their intentions were. I told her I would be in support of it with the additional lot. The neighbors around me support this and the email that

was sent around was from me. I have a lot of family that lives on that street and I am support in this proposal. I am not in favor of office.

**Tracy VanderVaart**, South Jordan, I have a problem with this 1-2 lot. There is a zig-zag sidewalk along there. Why are they not making it level with the street? The other issue I have is that at some point when 10400 S gets done they will limit access to right turn only from where the Credit Union and offices are. I only want to see residential in the area and I don't like the sidewalk.

Chairman Jolley closed the Public Hearing.

Chairman Jolley said it looks like we have some comments from some of the residents and it appears that they are all on board with residential. He asked Deputy Engineer Nielson to describe how that sidewalk will be built for the resident there on the corner so they understand what is going on.

Deputy Engineer Nielson said the width of 10200 south varies as you go up and down and in that area to the west it is about 80 feet wide and there is no need for that wide of a road. We think it is best to taper the road in. The sidewalk, curb and gutter and the road would be restricted and take an angle and go to a width of about 55-feet. When we get the site plan there will be a lot more details to that.

Chairman Jolley said so you are saying the sidewalk will continue on it will just have a meander there.

Deputy Engineer Nielson said yes; it will keep a 6 foot wide sidewalk and a 5 foot wide park-strip with trees and everything will take an angle and there will be less asphalt.

Commissioner Hollist said can you explain to us what is happening with UDOT and what businesses will be affected by this underpass.

Deputy Engineer Nielson said those two businesses are being acquired by UDOT. The reason for that, the entire intersection, all on ramps and off ramps, everything that is added to that interchange is being pushed to the west. It is not being widened around the centerline. The reason for that is because there is an aquafer. It is an 84 inch waterline, it's the Bureau of Reclamation and it is a very difficult waterline to work around. For that reason, that is driving the entire road width section to be pushed to the west. Those two businesses are being acquired by UDOT and also the two homes to the north of this subdivision have been acquired by UDOT.

Commissioner Hollist said to Planner Mann, you had commented that there is no land within a mile to be developed. What is the land just west surrounding the Welby Jacob canal just east of the Church. What is that land and why you are confident that won't be developed?

Planner Mann said that is City owned property. I believe we have a tree farm and plans for a potential park there. Right now the area is under City control.

Deputy Engineer Nielson said there is also a large storm drain facility.

Chairman Jolley said what are your thoughts regarding the issue of the R-3 zoning. We have surrounding zoning of R-2.5 and this is an isolated pocket. We don't like to see that; we like to see continuous zoning in adjacent properties, but there are some special circumstances here with this property. We are only adding one additional lot. The residents are for this proposal change and I don't have an issue with that.

Commissioner Morrissey said my initial reaction was reluctance to even consider this change based on previous discussions and previous proposals that have come before us. Based on the discussions today have been helpful and enlightening, especially with residents coming forth with some of their thoughts and recommendations for approval for homes in the area. With the limitation on the amount of homes that can be built there are only 2 additional lots. I could be persuaded to go either way. I would like to hear thoughts from the other Commissioners.

Commissioner Hollist said I am reluctant as well. I like to see the continuous zones and I like the bigger lots. I was not on the Commission when you saw the proposal for 16 lots that you discussed. Ultimately I would be reluctant to go with more than the R-2.5 and potential for setting a precedent.

Commissioner Holbrook said I still have a couple of my original concerns. The one is that we require all other developments to have two entrances and this still only has one. The reason they want the higher zone was because of their expenses but decreasing your expenses shouldn't be a consideration to up-zone a property.

Chairman Jolley said it is a unique property and I think there is an opportunity for a second entrance. We are giving a recommendation to City Council. Regardless of the motion, this will go forward to City Council for their final decision. This originally came to us for 11 lots, they are now asking for 12. The surrounding residents are for this proposal and do not want office in this location.

Commissioner Hollist said my notes indicated that when this came to us before it was for 10 lots.

Planner Mann said just to clarify, the concept that was presented to Planning Commission last time was for 11 lots. They were showing the portion where the turn-a-round is as a potential lot. Now they are going from 11 to 12 lots.

Chairman Jolley asked if the cul-de-sac is currently owned by the city. Planner Mann said yes. If the rezone were approved, they would need to come back before the City Council to have Council approve vacation of that lot.

## **B.2 Potential Action Item – (See VI.B.1)**

**Commissioner Holbrook made a motion that based on the staff report and other information presented during the public meeting to us the Planning Commission forward a recommendation to the City Council to Deny the proposed land use amendment from Office to Low Density Residential and rezone from R-1.8 and A-5 to R-3. Commissioner Hollist seconded the motion. Roll Call Vote was 3-1 to Deny. Commissioner Jolley voted No and Commissioner Ellis was absent.**

## **VIII. OTHER BUSINESS**

None

## **ADJOURNMENT**

**Commissioner Hollist motioned to adjourn the September 24, 2019 Planning Commission meeting. Commissioner Holbrook seconded the motion. Vote was unanimous in favor. Commissioner Ellis was absent.**

The September 24, 2019 Planning Commission Meeting adjourned at 7:30 p.m.

Meeting minutes were prepared by City Recorder Anna West.

**This is a true and correct copy of the September 24, 2019 Planning Commission minutes, which were approved on October 8, 2019.**

*Anna M. West*  
**South Jordan City Recorder**





SEPTEMBER 24, 2019

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Peggy Pettit

1038 Whispering Sand Cir

Dean Pettit

11

Jon-David Jorgensen

9178 W. Legacy crossing blvd Centerville

Grace Betts

10343 SO. Whispering Sand Cir

Justin Walker

13661 Antree Hillview Dr

Ray VanderVaart

10219 Whispering Sands Dr

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