

CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
NOVEMBER 12, 2019

Present: Commissioner Earl Jolley, Commissioner Julie Holbrook, Commissioner Michele Hollist, Commissioner Michael Peirce, City Planner Greg Schindler, Planner David Mann, Planner Brad Sanderson, Staff Attorney Todd Sheeran, Deputy City Engineer Jeremy Nielson, Deputy Recorder Cindy Valdez

Absent: Commissioner John Ellis, Commissioner Sean Morrissey

Others: See Attachment (A)

6:30 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Earl Jolley welcomed everyone and noted that four of the Commissioners are present; Commissioner Ellis and Commissioner Morrissey are excused from tonight's meeting. He also welcomed the new Planning Commissioner Michael Peirce to the meeting.

B. Motion to Approve Agenda

Commissioner Hollist motioned to approve the November 12, 2019 Planning Commission Agenda. Commissioner Holbrook seconded the motion. Vote was unanimous in favor; Commissioner Ellis and Commissioner Morrissey were absent from the vote.

C. Approval of the Planning Commission Meeting Minutes held on October 22, 2019

Commissioner Holbrook made a motion to approve the October 22, 2019 Planning Commission Meeting minutes as printed. Commissioner Hollist seconded the motion. Vote was unanimous in favor; Commissioner Ellis and Commissioner Morrissey were absent from the vote.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Staff Business

None

B. Comments from Planning Commission Members

Chairman Jolley said do you know if the next meeting Planning Commission Meeting on Tuesday November 26, 2019 is going to be a lengthy one.

City Planner said I don't know at this time. I think right now there are four or five items on the next Agenda, but that could change either way.

III. CITIZEN COMMENT

Chairman Jolley opened the Citizen Comment.

Darrel Olson, South Jordan- said my wife got an email about recycling in South Jordan, so we called the City and spoke with the Planning Staff about the items that can be put in the recycling can, but the can is only the size of a small bucket. We were told that this was going to be discussed at tonight's meeting, but I do not see it on the Agenda. I wanted to bring this up because it is going to be a problem if we are paying for a garbage can, but you only have room in a small bucket.

City Planner Schindler said the City Council will be addressing the recycling issue at the next City Council Meeting.

Bob Paxton, South Jordan – said I don't see an action item on tonight's Agenda for the General Plan, so is this time to talk about it?

Chairman Jolley said we have already had a Public Hearing on the General Plan at our last Planning Commission Meeting held on November 12, 2019, but you are welcome to give us your comments.

Mr. Paxton said the density that we have in Salt Lake County is 2.4 per acre. If we take out the 32,000 acres that remain in the south-west quadrant, the density is 2.57. Salt Lake City is 2.8, and South Jordan City has a density of 5.23. If we put the remaining 32,000 acres, and estimate 600,000 people into those 32,000 acres over the next 18 years, the density would be 18.75, which is 7.3 times that of Salt Lake County. Last Saturday I went to a nice Town Hall meeting with Kim Coleman, and Lincoln Fillmore, and Others. I appreciate the effort that some of our Legislatures are putting forth in our behalf. Ms. Coleman said we need to be responsible with our General Planning, and to me it is just abusing our land if we are going to go to a density of 18.75. We are already doing our part in South Jordan. I think as Daybreak grows we are going to have even higher density. As we consider our General Plan, we need to be very specific, and as I look at our current zoning, I don't think it has been as specific as it has in the past. I think we need to set the stage now for responsible zoning, so we can have clean air to breathe and plenty of water purity.

Chairman Jolley closed the Citizen comments.

IV. SUMMARY ACTION

None

V. ACTION

A.1 Issue: RESOLUTION R2019-54 ADOPTING THE SOUTH JORDAN GENERAL PLAN

Olivia Sivetco and Jim Carter (Logan Simpson) - said we have the General Plan on the Agenda tonight, and earlier today we received some more in depth comments regarding the General Plan. It is our understanding that the Planning Commissioner's would feel more comfortable making a recommendation on a plan that they have seen with changes in a draft form, rather than seeing the changes listed in a memo. After a discussion with staff, we have decided that it doesn't make sense to discuss the changes tonight, it would be better to postpone the discussion and make a recommendation to discuss it at the next meeting. You will have had a draft General Plan with the highlighted changes by then, so you will have a chance to look it over, and then have the discussion. If you do that, it will push the City Council Meeting out until the first week in January.

Chairman Jolley said I think that would be acceptable. How do the rest of you feel about it?

Commissioner Holbrook said I think the best thing to do is postpone it until the next meeting. I agree with Mr. Paxton on the future land-use map, it is not specific enough. It doesn't show land owners what is going to happen to them in the future. It is good to look at, and you think it is stable, but it is inconsistent when you read the verbiage in the plan. I found several inconsistencies. I don't think they are intentional, I just think it needs to be clarified so that landowners know in the future what to expect. I still have not received the draft copy that was sent out from the City this morning, so I wasn't able to look at it before the meeting tonight. I think it needs to be looked at in depth, so I would not mind putting it off until the December 10, 2019 meeting, because there isn't much on that agenda, and we are not in a hurry to pass it by the end of the year anyway. I think as a Planning Commission, we owe it to everyone in the City to look at this in more depth, and to uphold your great work, because you have done an excellent job on this.

Chairman Jolley said I would be comfortable moving it to the next meeting on December 10, 2019.

Commissioner Hollist said I would be comfortable with doing that, especially if we can get the updated draft copy with changes so we can review it before the meeting.

Mr. Carter said we would like to make ourselves available to you. However, you see us being most productive, and efficient. We do see that you have a big agenda this evening, so the applications behind us would not be thrilled if we engaged in a lengthy discussion. A tool I have seen work well is a work session, which allow for an around the table discussion, and brainstorming. We are willing to make ourselves available to whatever you would like us to do.

Ms. Sivetco said I think you all have my phone number, but if not, I have business cards and I am available to discuss anything you would like by phone as well.

Commissioner Hollist said there is one thing I would like to address with the other Commissioner's present. It has to do with what Mr. Olsen brought up earlier in the Citizen Comment period, about the recycling. In Chapter 7, it talks about encouraging residential onsite recycling, and composting to reduce our impact to the landfill. We have had significant changes in the past 2 weeks to what will be accepted by the company that handles our recycling, so I wanted to discuss the possibility of incorporating a bullet point where the City help find alternative means to recycling paper, and the additional plastics that are no longer accepted. I don't know if that would be placing recycling containers throughout the City, or reducing the amount of times, the recycling company comes each month. I will probably only put mine out once a month now, because of the few items that can be recycled, but I would like to recycle these other things if possible.

Ms. Siverto said the recycling change has gone through pretty much valley wide, and I completely agree, I had the same reaction in my neighborhood. We will read that carefully and see what kind of language we can include.

Commissioner Holbrook said if I am not mistaken there are a couple of places in South Jordan already that will accept newspapers, and other things that we used to recycle.

Chairman Jolley said maybe what we should do is email all of the concerns within the next 3 weeks. This will give us time to review the draft plan.

Commissioner Hollist said in your memo you mentioned after your meeting with Daybreak you are not going to incorporate everything you discussed with them, but you said you wanted some feedback; were there specific items that you wanted to discuss tonight?

Ms. Siverto said we received additional Daybreak comments this evening, and we have been working with them. We have been discussing the best ways to incorporate their comments, and what they are comfortable incorporating, and what they are not. I think moving forward we will highlight their comments in the Draft you will be receiving, and then we can decide what will need further discussion.

Commissioner Holbrook said am I hearing you saying that you would like to have a work session on December 10, 2019.

Mr. Carter said that would be very appealing to me. That would facilitate some discussion and brainstorming.

Chairman Jolley said is there a rough date that we can schedule a work session.

Commissioner Hollist said to Ms. Siverto, when is the soonest you could get the draft to the Planning Commissioner's in its current form?

Ms. Siverto said my plan is to have you a draft by Friday November 15, 2019.

Commissioner Hollist said that would give us time to review the draft, if we wanted to have our work session next Tuesday November 19, 2019. Is there a room that we would be able to use?

Steven Schaefermeyer said we could get a room that should not be a problem. We will need to notice it, but we can get that done. I did just speak with Planner Schindler and he will be able to attend in my absence. I will see if we can get someone from engineering to attend the meeting to answer any questions that you may have. We will plan on next Tuesday November 19, 2019 at 6:30 p.m. I will send out an email to the two Commissioner's that were not here tonight letting them know.

Chairman Jolley said if you send that email out to everyone, they could reply if they are able to attend.

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

Commissioner Holbrook motioned to table the Resolution 2019-54 Adopting the South Jordan General Plan to a time certain Tuesday December 10, 2019. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor: Commissioner Ellis and Commissioner Morrissey were absent from the vote.

VI. PUBLIC HEARINGS AND POTENTIAL **ADMINISTRATIVE ACTION ITEMS

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

B.1 Issue: DAYBREAK SOUTH MIXED USE PLAT 1 SUBDIVISION

Location: 11060 South 6000 West

File No: PLPP201900567

Applicant: Daybreak Communities

City Planner Greg Schindler reviewed background information on this item from the staff report.

Gary Langston Daybreak Communities – said I think Planner Schindler did a great job reviewing the project. I am here to answer any questions that you may have for me.

Chairman Jolley said do we still need to do any road infrastructure to get out to here

Mr. Langston said we are currently building Village 8 Plat 6 right now, and it is directly west of this, so it is just an extension to what is already out there.

Commissioner Holbrook said are you saying the South Jordan Parkway is already out?

Mr. Langston said Daybreak is currently working on a set of design drawings that will pave the remainder of South Jordan Parkway. When this plat comes on line, the Village 8 plat 8, that you are going to see in the next several weeks will all be built about the same time.

Chairman Jolley opened the Public Hearing to comments. There was none. He closed the Public Hearing.

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

Commissioner Holbrook motioned to approve File No. PLPP201900567 as proposed. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Ellis and Commissioner Morrissey were absent from the vote.

C.1 Issue: DAYBREAK VILLAGE 11A PLAT 2

Location: 11645 South 6805 West

File No: PLPP2019000487549

Applicant: Daybreak Communities

City Planner Greg Schindler reviewed background information on this item from the staff report.

Gary Langston, Daybreak Communities – said Village 8 Plat 1 is the one you have already approved several weeks ago, so with that plat, we will already approve the portion of Lake Avenue, and then with this subdivision it will connect on to those improvements. Village 11A Plat 1 will be the model home park. There will be speck lots that will feed that production over time, in some future subdivision plats the gaps will be filled in and you will see them in the coming months.

Commissioner Holbrook said is there going to be a watercourse in this area.

Mr. Langston said there is going to be a watercourse, and there will be an amenities center.

Chairman Jolley opened the Public Hearing to comments. There was none. He closed the Public Hearing.

C.2 Potential Action Item – (See V.I.B.1)

Commissioner Hollist motioned to approve File No. PLPP201900549 as proposed. Commissioner Peirce seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Ellis, and Commissioner Morrissey was absent from the vote.

D.1 Issue: CARTER ACCESSORY GARAGE w/ALU

Location: 10927 South Temple Drive

File No: PLCUP201900598 & PLALU201900597

Applicant: Majestic Homes

City Planner Greg Schindler reviewed background information on this item from the staff report.

Chairman Jolley said could these opaque windows be operational.

Planner Schindler said the windows have to be opaque and fixed.

Kevin Gust (Majestic Homes) – said this was brought to me a while back and we have just gone through the normal process and working with staff. I think we have met all of the criteria, and I know the Carter’s are anxious to get started on this. Their son and his family will be moving in, so we are excited to get this going.

Chairman Jolley opened the Public Hearing to comments. There was none. He closed the Public Hearing.

Commissioner Hollist said we saw a structure like this a couple of months ago that we denied. The main property was a two story so he was limited on his footprint to 60 percent of the size of his building, which he wanted to exceed. He argued at that time, that if he had a rambler he could do it because he would have had a bigger footprint, but he was being penalized, because he had a two-story home. At that time, staff informed him that ramblers have a limitation on the height, and that was the tradeoff. I believe these ordinances were written saying: “you have a primary building” because they don’t want another building on the property that dwarfs the main building. I would like the applicant to come back up and ask him if they have considered a one-story structure.

Mr. Gust said the garage space is what that are they were primarily going to use for the attic. That is why it encumbered that much size, and height. If you look at that area, there are buildings with similar height.

Commissioner Hollist said did they talk to the adjacent neighbors to see how they felt about this.

Steve Carter, South Jordan - said we have talked to the neighbors, and they were willing to come to tonight’s meeting and speak in our behalf, but we didn’t think there would be a need to have them here.

Mr. Gust said we have been very upfront and clear about this. I have built many of these in this area, even one right next to McKee Farms, it was a rambler, and we did not have a problem.

Commissioner Hollist said are the homes next-door ramblers?

Mr. Gust said the homes on both sides are ramblers, and there is a two-story to the east of them.

Chairman Jolley said how close is the property line to the east, and to the south, and is this building going to be re-positioned.

Mr. Gust said it is 12 ft. from the perimeter and that was so we could meet the code.

D.2 Potential Action Item – (See VI.C.1)

Commissioner Holbrook motioned to approve the Conditional Use Permit and the Accessory Living Unit Permit (File No PLCUP201900598 & PLALU201900597) based on the Finding and Conclusions listed below, including the following condition of approval:

- 1. All second-floor windows located less than 20 feet from the property line shall be fixed (non-opening) window with opaque glass to maintain privacy to adjacent property owners and function solely for providing light.**

Commissioner Jolley seconded the motion. Roll Call Vote was 3-1 Commissioner Hollist voted (No). Commissioner Ellis and Commissioner Morrissey were absent from the vote.

**E.1 Issue: SOUTH JORDAN BUSINESS PARK
SITE PLAN**

**Location: 10452 South 1055 West
File No: PLSPR201900525
Applicant: Travis Taylor**

Planner Brad Sanderson reviewed background information on this item from the staff report.

Commissioner Holbrook said is the heavier line on the map what they are going to dedicate.

Planner Sanderson said what is actually being dedicated is on the far left side of the property, and what the applicants have agreed to, is to dedicated the entire north property line.

Commissioner Holbrook said what about the landscaping.

Planner Sanderson said that would not fall within that area.

Commissioner Hollist said regardless of where that property ownership falls on that north line, if the neighbors to the north choose to develop, will it be required at that time for the land to be dedicated.

Planner Sanderson said yes, depending on how they choose to develop.

Chairman Jolley said would the 27 feet be dedicated to the City.

Planner Sanderson said it will one way or another, with this development, or if, and when, the properties to the north ever decide to develop.

Chairman Jolley said if this property develops in the future, this property would be excluded from contributing improvements on the north side.

Planner Sanderson said if you notice in our requirements, we are not requiring the property to the north to be dedicated because it doesn't serve any purpose for this development. It is just something the applicant has agreed to do.

Travis Taylor, Morgan County- said it has been interesting working through this process staff. I will just tell you they are rigorous, but I think in the end it has turned out to be a project everyone can be happy with, and I hope that you feel the same way. I am happy to answer any question you have for me, or I can come up afterwards.

Commissioner Hollist said what kind of agreement do you have with the commercial development just south of you?

Mr. Morgan said we have a shared access agreement that we have already had recorded.

Chairman Jolley said what is your buildout time on this.

Mr. Morgan said our intent is to start on the west end right away, and work the rest as we go. We probably will not be able to start in the winter, so we want to get started as soon as possible.

Chairman Jolley said this went to the Architectural Review Committee and they liked it. I like the look of the building myself.

Chairman Jolley opened the Public Hearing to comments.

Michael Austin, South Jordan – said my property is just north of this proposed development. My only problem with this development is the survey that I had done when I bought the property in 1990 shows my property line on the north side of the gravel road. My property description specifies a 25ft right-of-way across my property, because there were two houses to the west of me that had to have access, and that was the only access they had to their homes. My property description specifies a 25ft right-of-way to the south, and my property line is south of the gravel road. I also picked up a survey of the subject property from the County surveyors office, which shows their property line in the same spot as my south property line, so the gravel road is actually on my property. The one I picked up from the County says it was done in 2013, so the problem we have is, why the property lines are different. I bought this property in 1990, I built my house in 1992 to 1993, and the entire time I have lived there, I have owned that gravel road and now 29years later I am told I don't own the gravel road.

Chairman Jolley said the current property owner is going to dedicate that 27 feet, so you will still have access to the gravel road.

Mr. Austin said I own the gravel road according to these surveys, so they can't dedicate property that is not theirs. The other thing is, on the south side of the gravel road there is an irrigation ditch, and I have irrigation rights to my property.

Chairman Jolley said do you use those surface water rights.

Mr. Austin said yes.

Bob Paxton, South Jordan – said I travel and live this every day, multiple times, so I would like to know where the entrances on both ends of this property are. This is a very congested area where the car wash is, the people are driving into the vacuum area when they should be driving into the carwash, so in my mind, something needs to be done to alleviate that traffic. I guess as a business owner I worry about how the viability will be with buildings that are completely unseen from any major road. In addition, on 10400 S. there isn't a very sensitive light system there, so I could see the traffic becoming unbelievable. We have noticed in the last three years a huge increase in traffic already on 10th west. I think people have figured out that it is a short cut from one place to another. This will just complicate this sort of a thing, so it is something the City will need to deal with, because eventually it will be a very dangerous area. It sound like you like the architecture, I think it is out of place for the area. Those are my comments.

Chairman Jolley closed the Public Hearing.

Chairman Jolley said we could see clearly on the map that on 1055 W. there is an entrance across from the entry to the carwash. I agree that it is congested, but there is an entrance that lines up. The other one on the west side is the shared access with the current entrance.

Commissioner Hollist said there is also one across the street from the fire station.

Chairman Jolley said I am sure you have had a conversation with your surveyor on this access road, can you address that.

Mr. Taylor said we have talked with our surveyor and we have no indication of anything different from what we have presented. I have the County map here tonight showing the property lines the way we have presented it. We certainly don't have the right to dedicate someone else's property, but we are showing the property lines the way they have been presented. If we don't own it we can't dedicate it, but we didn't have any indications before tonight that we didn't. We can work with staff to work this out, so there should not be a problem.

Chairman Jolley said what about the irrigation ditch.

Mr. Taylor said we would need to make provisions for the irrigation ditch.

Staff Attorney Todd Sheeran said when this has come up in the past we follow the County records, and if there is a dispute, both parties will need to go meet with the County and go over the records. We don't get in the middle of these kinds of disputes.

E.2 Potential Action Item – (See VI.D.1)

Commissioner Holbrook motioned to approve the 1000 West South Jordan Business Park site plan, file number PLSPR201900525, subject to the Applicant completing the following requirements before the beginning construction of the development.

- 1. Record a shared access agreement between the subject property and the adjacent Property to the south.**
- 2. Dedicate to the City approximately 35.77 feet of property that abuts Hindu Temple lane as a public right-of-way.**
- 3. Record all required ten-foot public utility easements that abut a public right-of-way, and all 15-foot waterline easement.**

Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Ellis and Commissioner Morrissey were absent.

**F.1 Issue: SOUTH JORDAN REMAX OFFICE BUILDING
SITE PLAN**

Location: 3518 West South Jordan Drive

File No: PLSPR201900487

Applicant: Lindzi Bishop, Furst Constructions

Planner Brad Sanderson reviewed background information on this item from the staff report.

Chairman Jolley said the 13 stalls you were talking about, are they off their property line.

Planner Sanderson said yes, it is.

Chairman Jolley said would they need a retaining wall between the properties.

Planner Sanderson said it is kind of hard to see, but the neighbor has a retaining wall in their backyard and it steps up to the property line.

Dave Freis, South Jordan – said we have been almost a year in planning and designing this, so we have been working closely with staff on what the requirements would be. I live in that neighborhood, so we tried to design a good-looking building, because I also developed that neighborhood, so I want it to be nice.

Chairman Jolley said I noticed that we have a dumpster enclosure that is going to be adjacent to that property to the east. How are we going to mitigate the noise and disruption?

Mr. Freis said there would be a 6ft wall along that property line. The building is a little higher than their property, but they will not be able to see in there from the first level.

Chairman Jolley opened the Public Hearing.

Shane Damill, South Jordan – said I think this is a beautiful building, but my only concern is the parking on SOJO Drive, and the entrance to the east. I think that is going to drive traffic down our street and we have young children. We already have some traffic that comes through there with some of the other businesses. I don't know if there is a way to change the entrance and have it come off Loma Vista Drive. It looks like the offset is 5ft, and I would assume that the offset would be more than that when a residential has to be 25ft.

Lexi Freisen, South Jordan – said I also share concerns about the traffic with this entrance. We have 25 young kids that are constantly on these streets, so with these entrances I am concerned. I would like to propose that we don't have these entrances here, and force people to come in at other entrances in the area. In this particular area, a hill raises up, so if you have ever been heading west on 11400 S. and go to turn left, you will have a hard time seeing the traffic that is heading east. I don't know what would be the best thing to do, but I am concerned, I don't have kids, but safety is a concern.

Chairman Jolley closed the Public Hearing.

Chairman Jolley said what is the depth of that parking Pocket on SOJO Drive?

Steve Skoville, (Art Flow Architecture) – said the parking stalls are 9ft. wide.

Planner Sanderson said that mixed-use zone requires zero to 5ft. setback from the property line, or what they call the build-to line. They are taking those improvements and pushing them into those easements so the sidewalks will be laying over the easements on SOJO Drive. The zoning requirement actually require this, whether I like it, or you like it, it is required.

Chairman Jolley said I agree with the residents that they are going to be motivated to come from the east and park on that side of the road; otherwise, they would have to cross a lane of traffic.

Mr. Freis said this is not my expertise, but I assume that there needs to be so many ingresses, and egresses into the property. I am sure that is what is dictating it. I would have no problem getting rid of driveways, like the one on SOJO Drive. We bought this property 4, or 5 years, ago and we developed it, but our hands have been tied because of the zoning. It was a mixed-use zone, which was obliterated by the City, so when we got it approved it was spot zoned, instead of having a mixed use feel. Whatever we can do to alleviate issues is fine with us. I think we have met the requirements, but if there are things that the City would allow us to do, we would be willing to do that.

Chairman Jolley said are we required to have the entrance on SOJO Drive.

Jeremy Nielsen said I don't know of anything in the code that requires them to have multiple ingress, and egresses points, but I think it is good to have them because it is a really busy parking lot. I think being able to spread those loads over multiple points is a good thing.

Chairman Jolley said I agree with that, because the parking lot to the west and north is difficult to navigate. I think this is a nice looking building, and our Architectural Review Board has looked at it and they agree.

F.2 Potential Action Item – (See V.I.E.1)

Commissioner Holbrook motioned to approve the SOJO Office RE/MAX site plan, file number PLSPR201900487, subject to the following documents be recorded prior to a building permit being issued:

- 1. A shared parking agreement for 13 stalls on the adjacent property, and**
- 2. A public access easement for portions sidewalk and park strip improvements located outside the public right-of-way along SOJO Drive, and**
- 3. A maintenance agreement for snow removal, striping, and landscape maintenance for on-street parking and trees along the north side of the SOJO Drive abutting the development.**

Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Ellis and Commissioner Morrissey were absent from the vote.

**G.1 Issue: GLENMOOR GREENS CLUBHOUSE
SITE PLAN**

**Location: 4783 West Glenmoor Drive
File No: PLSPR201900522
Applicant: Teeger Development**

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

Commissioner Holbrook where is this located in relation to the Glenmoor Golf Course.

Planner Mann said the Glenmoor Golf Course is on the east side up against 4800 West. The west side is the future Regional Park.

Commissioner Holbrook said this is not part of the Glenmoor Golf Course itself, right.

Planner Mann said no. This was purchased in 2014, and they are working on their third and final phase right now.

Chairman Jolley opened the Public Hearing to comments.

Al Hunt, South Jordan – said I have some questions on the dimensions of the clubhouse, I have not seen anything that shows the size. I would also like to know if it is going to have a basement.

Planner Mann said there is no basement.

Mr. Hunt said what about fencing.

Planner Mann said they are not showing any fencing. There are pathways for the neighbors that are adjacent to it.

Cathy Saunders, South Jordan – said I live in the Glenmoor Greens area. My husband and I were one of the first ones to move into Furic Court, which is across the street from where this clubhouse/pool is being proposed. When we were buying our home we were told by the real estate agent that the swimming pool was proposed, but not approved. I don't have any problem with the clubhouse; my issue is strictly with the swimming pool. We were also told that since this area is still being developed that there wouldn't be an official HOA, or a vote on this until all of the properties were sold and everyone was moved in. There are still empty lots and homes that have not been sold, and my main issue is with the swimming pool. I don't think anyone has seen a proposal in black and white of what this is going to cost, the HOA fees, and what it is going to cost to maintain it. I think it is going to be expensive to maintain the clubhouse with the utilities and all of that. There is also an issue with parking in this area. I live on a dead end court that is a one way, and we cannot even get a garbage truck down that street to pick up our garbage right now so we are hauling it down to the main road. I just feel like we have the cart before the horse. I think everyone should be moved in before we have a vote on this, we have not had a vote, but the people in phase 1 are anxious to move on with this because they want a swimming pool. The swimming pool is going to be an expense that I think we will bear for many years to come. Once this pool is in you will be paying for it for a very long time. I agree that we will need to have a clubhouse to have our HOA Meetings, but I do not want a swimming pool. I think it is unfortunate that the developer is not here tonight to address this.

Dian Burnett, South Jordan – said I was just wondering when the proposal is to build this clubhouse.

Chairman Jolley said we will ask them planner is they have been shared that information.

City Planner Schindler said they have one year from the date approved to build it, or the approval expires.

Luanna Spencer, South Jordan – said I live directly behind where they are proposing to put this clubhouse, and in all fairness to the new people who have moved in, I can understand their feelings about this situation. We have lived there for two years, and a pool would really help my health. We purchased a home in this area

because of my health, and we were told there would eventually be a swimming pool put in. I will say the Teeger Development have not honored a lot of things that they said they would do, and the HOA have not honored a lot of things they said they would do. We did vote on a pool whether these people lived here or not, does not deny that we did vote on a pool. I don't even know what the outcome of that vote was, I heard that it was in favor, but I am in total favor of this clubhouse and pool being built. We have lived there with a dirt pile behind our house, and this clubhouse needs to be built, so we as senior citizens can function in this community.

John Bate, South Jordan –said I live on Payne Court in that subdivision. I wanted to say, that we have not officially done anything with an HOA yet. The problem we have found up to this point is the HOA has been telling them that they were going to start construction all along. The builder who I didn't get a chance to speak to directly, but I did get to talk to his foreman today and the plan was to start construction after phase 2 was completed, which they are just now getting to the end. The concept was when we voted as a group and everyone was told, more than the majority wanted to proceed as is. We all want to get the thing done. It is not so important that the pool is put in at this moment, but the majority voted to have both the clubhouse and the pool. We have made a committee, and I am the Vice-chairman of that committee, so that was the consensus and it was more than enough so we think this needs to move forward.

Brenda Fisher, South Jordan – said I also live on Payne Court. I think the real estate agent who is representing the company that is selling the homes, that was a selling point for us moving into this community. The clubhouse to me is not to have our HOA meetings. It is a place to have a family gathering there with our kids and grandkids and have a fun family time. This was promised to us and it needs to be there.

John Maddox, south Jordan – said I would like to thank you for allowing us to come and speak tonight. When we were looking to buy a home, we searched for homes with an HOA, clubhouse and a swimming pool, and the day we signed the papers in September of 2018 the real estate agent told us that we were in phase 2. We have some close friends that have lived there for 4 years, and they were promised that the clubhouse and swimming pool was going to be built. The real estate agent told us it was going to start in April of this year, and it never happened. In February of this year, they up the HOA fees for building the clubhouse and the pool. We have been paying higher fees for 7 months, and we still don't have a clubhouse or a pool, we have been told so many different things, by so many different people. The HOA is ran by the developer, he has it and he won't release it until this phase is completed, and we have no idea of when the completion date is going to be. We would appreciate this moving forward, because we have been told this is moving forward. Thanks again for letting us come and voice our feelings on the clubhouse and swimming pool.

Chairman Jolley closed the Public Hearing.

Chairman Jolley said we have heard a lot from the residents, and we hear the message. The developer/builder is obviously interested in building the clubhouse that is why this application is before us tonight. They will have one year to build the structure, and it will be up to them whether they will build all of the amenities, mainly the swimming pool. It up to him and the HOA to determine what will be built.

Planner Mann said they have actually applied for a building permit for the clubhouse back in April, and we told them at that time that they needed to go through this extra process to get to overall site approved with the City before they could move ahead with the building permits. That is where we are now, so I think they are anxious to get the building permit and start construction as soon as they can.

Chairman Jolley said could you put up the map and tell us what the dimensions of the building are going to be.

Planner Mann said it doesn't show us on the map, but it is a little over 2,000sq.ft for the clubhouse.

Chairman Jolley said the swimming pool dimensions look like they are going to be 32x18 and surrounded by grass, no fencing, just surrounded by sidewalks.

Planner Mann said they would be required to have a 6ft. fence encircling the pool, so that will be reviewed as part of the building permit.

Chairman Jolley said I think this looks like a great amenity to this development.

G.2 Potential Action Item – (See VI.F.1)

Commissioner Hollist motioned to approve File No. PLSPR201900522 for the construction of a clubhouse located at 4782 W. Glenmoor Drive as presented to the Planning Commission. Commissioner Peirce seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Ellis and Commissioner Morrissey were absent from the vote.

**H.1 Issue: JORDAN HEIGHTS OFFICE 2 CONDO
SUBDIVISION AMENDMENT**

**Location: 4040 W Daybreak Parkway
File No: PLPLA201900553
Applicant: Steve Broadbent**

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

Chairman Jolley opened the Public Hearing to comments. There was none. He closed the Public Hearing.

H.2 Potential Action Item – (See VI.G.1)

Commissioner Hollist motioned to approve File No. PLPLA201900553 for the subdivision of real property located at 4040 W Daybreak Parkway as presented to the Planning Commission. Commissioner Holbrook seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Ellis and Commissioner Morrissey were absent from the vote.

VII. PUBLIC HEARINGS AND POTENTIAL **LEGISLATIVE ACTION ITEMS

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

**I.1 Issue: OAKESON / JORDAN WOODS
LAND USE AMENDMENT AND ZONE CHANGE**

**Location: 9526 South Redwood Road
File No: PLZBA201900556
Applicant: Scott Yermish**

City Planner Greg Schindler reviewed background information on this item from the staff report.

Commissioner Holbrook said did you say there would be masonry fencing on one side, or all sides?

City Planner Schindler said there would be fencing on all sides.

Chairman Jolley said does the applicant own all of the properties right now.

Planner Schindler said I don't think so, he is in the process of purchasing them at this point.

Chairman Jolley said what is the adjacent intersection on the east side of Redwood Rd going to be.

Planner Schindler said it would be Temple View Drive.

Chairman Jolley opened the Public Hearing to comments.

Scott Yermish (Newman Construction) – said to answer the previous question. We have all of the property under contract, and a large earnest deposit has been made. We have been working with staff to go over the concept plans to see the best low density as possible, but make the project work for everybody. The Oakeson's are who currently own four of these homes have asked us; when we tear these down to build them build four single-family ramblers for them to move into. They are going to upgrade. They have had opportunity to sell at a higher, but they didn't think that would be appropriate. They have lived in South Jordan their entire lives and they want to remain in South Jordan. We have worked closely with them to make a project that would be architecturally beautiful and flow within the City. We have met with staff many times, and if they have asked us to do something, we have never said no. Whatever, the City has asked us to do we have agreed to. We have even gone above, and beyond, we didn't have to but we told them we would put trees in, and we will make it as nice as we can.

Bob Elder (Ensign Engineering) – said I am actually a South Jordan resident and I have lived here for 27 years. As we sat down with staff and I looked at this property, I let them know that I always look at a community and do my very best to do the project right. When you look at the avenues and you want to leave a legacy for your City, you want to have strong streetscapes, and in home construction, you want to have hardy plank, rock, and stone, things that will stand out. These homes are going to sell for over \$600,000, so these are not entry-level homes. I live in an area where most of their children have moved out, so they are looking to downsize in some way, but they still want to live in a nice community. This is a perfect neighborhood for myself, and my neighbors. I am here to support the development, and I know it is the right thing for this area.

Chairman Jolley said have you had discussions with UDOT about a separate entrance.

Mr. Yermish said we have, but they have been less than cooperative. If staff meets with them tomorrow and there is a way to put another entrance in here, we will do it.

Commissioner Holbrook said you are asking for R-6 zoning, and you said it would be built to the R-5, but you will get a little more leeway with some things is that correct?

Mr. Yermish said more leeway and smaller lot sizes.

Commissioner Holbrook said are you totally against doing an R-3 or R-4 zone?

Mr. Yermish said the project wouldn't make any sense to us at that level. It is written in our agreement with the Oakeson's, to get the R-6 approval with this density in order move forward with the project.

Commissioner Holbrook said do you mean financially.

Mr. Yermish said yes. The infrastructure that we have to put into this financially is tremendous. We need that to make this right.

Chairman Jolley opened the Public Hearing to comments.

Paul Uber, South Jordan – said I live in The Cottages at Temple View Drive, and we have an indoor pool and they are very expensive, they are not an asset. My main concern is the entrance on Redwood Road. Somebody mentioned something about a right hand turn, there are no right hand turns, and they are like highways. The County or the State, or whoever did it, took away all of the right hand lanes and it is like a six lane highway with a center lane, so it is going to be really hard to access it. In my opinion, one entrance would be better, because they are all filing in one at a time. I think for them it would be advantageous, but I don't know where you would put another access. Those are my concerns.

Gary Gardner, South Jordan – said I live off Lawrence Circle in South Jordan, and back in the early days, I was a Planning Commissioner for 5 or 6 years, so I appreciate your service. I think this zoning change is wrong in many ways. Back when I was on the Planning Commission, we didn't allow hammerhead turns, so I am wondering how a garbage truck is supposed to get down this place and turnaround. There have been comments about redwood road, and I know that it is ridiculous to try to get across on Redwood Road if you are making a left hand turn, so I don't think we need any more traffic there. I know that the Oakenson's have a u-shaped driveway, so unless those lots are facing west there wouldn't be any way to get on to Redwood Road. I am wondering about the square footage, I looked at some rendering of these homes and they look minimal to me. The surrounding homes have 95 to 100 percent brick, and these homes are showing a little trim of flagstone and such, I think these homes are incompatible with the surrounding homes. In fact, there is a home to the north of these homes that is probably worth several million dollars. I moved to South Jordan for the semi-rural atmosphere and that ship has left, because South Jordan has gone full steam ahead with high-density housing. When you are putting six lots to an acre that is dense. There is no shortage of high-density housing in South Jordan. I think this needs to be less dense, and higher quality homes.

Brent Anderson, South Jordan – said I have some mixed feelings about this. I came to this meeting tonight not knowing much about this subdivision, and Gary was kind enough to acquaint me with it. On one of the performance pages said that the sell value was \$406,000 dollars, at least that is how I read it. I am a little confused on the \$600,000 dollars all of the sudden. Let us take a look at the dynamics here, if you look between 9400 S, and 9600 South, and 1700 W, and 2200 W, there have been four sales recorded in the last 365 days. They have ranged in value of \$444,000 dollars, for an older dwelling to \$675,000 dollars for a dwelling that was built in 2006. The median value is \$575,000 if you look at that range. I am acquainted with some lot sales in the area, and the lots have been selling for about \$220,000 dollars. If you apply a 35 percent lot to sell ratio that means that you need to build a \$665,000 dollar home to make it work. I think that these lots are under-sized for the area. There needs to be larger lots, because you are abutting up to ½ acre lots, there are some lots that are 1 ½ acres, and then you have the 3 acre lots. I am concerned because I don't want someone staring at me because they are 20ft away. There are also the list to sale ratio's, and if you were to draw a 2 mile circle around that property and you look at values between \$500,000 and \$600,000 you will find that you will have 90 day list sale ratio of 8 to 1, and an annual list sale ratio of 6.67 to 1. Anytime you have a ratio that is above six you have a shortage in the market. There is a demand for the larger lot and the property that is worth more money, and incidentally 43.75 percent of the existing inventory is pending. That is a further indication of a market that demands that a nice home be built on a larger lot.

Kimberly Schaefer, South Jordan – said I reside in Rylie Circle, which is very close to this property. I appreciate getting the notice I the mail indicating that there was a possibility of this property being rezoned. I believe that you as a Planning Commission have a huge obligation, because what you decide affects people's lives. It is very important to remember that fact. When my husband and I moved to South Jordan, we moved

here for the life style. We moved from a very busy Murray Utah to the country, and that was 15 years ago. It has been in creditably disheartening for me to see the changes that have taken place in this City. It is not the same place, and that is sad. You have developers that want to come in and gobble up every bit of land and build, build, and build, and what is their motivation, money. You do not have to zone this for an RM-6. It is crazy to put six units on 1 acre. It is ridiculous. For years my children went to this cute little farmland and watch the sheep, they love this land. It is sad for me to see a developer take this much time and effort into trying to fit as many possible homes into this square footage as they can, when it hasn't even been rezoned yet. I along with everyone else are very concerned about the Redwood Road access. Trying to get on to Redwood Road with the three lanes is scary. When you are putting 55 cars in, and out of there all day long, every day that is just adding to the congestion. Where are the kids going to play that live in this area, there is no outlet, there isn't any parks, or anywhere for them to play. I would like at the end if you would go through the process where it would allow the residents in this area to appeal the decision, and what the process is like.

Gary Howland, South Jordan – said I live in the home that was referred earlier to a two million dollar property. All of my property abuts one to seven lots. I am a developer and I have appeared before South Jordan many times. I developed Kelsey Cove who Kim Schaefer lives in. I also developed Spratling Woods on 2200 W and 9700 S, and several others, I have a significant amount of experience in development. Something I learned a long time ago when appearing before the Planning Commission is, it is not up to the Planning Commission to make a developer/property owner make the property profitable. I bought a piece of property on 9800 S, and I held on to that property for 7 years. I tried many times to get density that would even let me break even, but all I could do was what the property was zoned for at that particular time. I could only get seven lots, and I lost quarter of a million dollars on that development. I know that Kelsey Cove only has seven home in that development, and I lost about \$40,000 dollars in there. The reason being, is I wanted to protect the value of my property by purchasing this property. I even had half of this property under contract, not with the Oakeson's, but with another family that was related to them. I did not want to hurt the Oakeson's and damage them in anyway, so I walked away from the contract because I didn't want to be the one to stop them from doing what they wanted to do. The last things we should see is six units per acre. You can go back to the Planning Commission and City Council Minutes when I was developing Kelsey Cove, I was promised that when you come down Redwood Rd in South Jordan City there is a little swath of ground there that says "Welcome to South Jordan," that ground was partially developed by me to South Jordan City. The City compensated my slightly for what I had paid for it, but I bought it from Farmers Market, and then I donated an additional part of it to the City so they had an entrance or gateway into to the City. We tried to buy the three homes that abut up to Redwood Road so we could clean it up. We couldn't do it, because one of the homeowners that sat on about a 10,000sq.ft. Lot, and trade the three homes in Kelsey Cove, but he wanted about \$500,000 dollars for a 10,000sq.ft.lot. I couldn't make that happen, when we were already losing money on the development. I am looking at this site plan as a developer, and I would love to come in and be the developer on this. This goes against every piece of information I have received from South Jordan City on all of the developments I have ever done. The West River Estates was denied by the City to the developers that originally tried to do it, so I ended up having to go down there and but another 2 ½ acre piece of ground and take all of the utilities out to 9600 S. About half of those homes had to have sprinklers put in them, because the Fire Department couldn't get back far enough, and the City Code required that it had to be so many feet. This just doesn't meet the standards. I don't understand how the Planning Commission and the staff have allowed the developer to come in with a plan like this. They are allowing a hammerhead, and even the cul-de-sac is not up to code. Again, it is not up to the Planning Commission or the City to make the developer profitable. It is up to the Planning Commission and City Council to make sure that the neighborhoods are safe, and the people are safe. I have my office off Redwood Road and I cannot tell since they have done away with that lane how many close calls there have been, because of the speed they are traveling. We can no longer have deliveries into our commercial property there, because no trucks can stop on Redwood Rd, so now they have to pull up on 9400 S and go through the neighborhoods to get to our property. There is a way to provide a secondary access on to Redwood Rd, just eliminate some of the lots and make it

happen. I think you need to make it so Fire Trucks can make it in there and take care of the health and safety of the people. In the City Council Minutes when they approved Kelsey Cove, we were promised that from 300ft. to the west side of my property going forward to where my office was, they would maintain the 2 ½ units per acre, so the home's would be consistent with the homes that are in Kelsey Cove to maintain the value. My home now since I have recently upgraded, and remodeled it, it is worth substantially more than 3 million dollars based on the appraisal we have received.

Chairman Jolley closed the Public Hearing.

Mr. Yermish said the RM-6 that we are looking for is the lot size. The density is actually 4.97 per acre. We are going to offer a variety of homes from 3,400 4,500 sq. We have looked at the homes in the area and they are not going to be done with stucco, they will have brick and stone. We followed all of the guidelines of the City. I have been to a lot of Planning and Zoning meetings and there is no last man in, people want to come to South Jordan because of the lifestyle. They want to move into a particular development, and there is a housing shortage. We are going to build a quality product, but so many things have been put on us, and we have bent over backwards to do our best. If I really wanted to make money we would have done townhomes, and go for a higher density and make more money, but we didn't. We want to put single-family homes here, so it make sense for everybody.

Mr. Elder said I am mixed in many ways because I am the engineer on the project, and a resident of South Jordan. I have my own self- serving interest in it, and I want to see something done right. I have worked over 35 years in developing our state, and my legacy is to do things right. There were some things brought up about how this was designed, but we met with staff and asked them what we needed to do to meet the intents of the City Code, and to comply with them. This plan complies with the City Code, and the Fire Code, and I appreciate the time and effort that staff has put into this process. We know that infill properties are difficult, we have some infill properties in the City here and there, and that is why this zone was created. This is a plan that we developed with the direction of staff.

Chairman Jolley said has staff addressed how we are deal with these ends, regarding fire code.

Mr. Elder said if you look at the Fire Code, and the International Building Code, you cannot exceed 150ft before you have a turnaround. You have to have a hammerhead or a certain type of turnaround to meet the code, and this complies with those codes.

Mr. Yermish said at our initial meeting the Fire Department was there and went over this with us, and we made the changes that they asked us to at that meeting.

Chairman Jolley said what about the garbage pickup have you address that.

Mr. Elder said we have the turnaround at the backend where they can turn.

Commissioner Holbrook said where is the masonry fencing. Do we know what kind of fencing are they proposing to put on the south side?

Planner Schindler said there would be masonry fencing completely around on all four sides, but we don't know what kind, because there are many different kinds.

Commissioner Hollist said the applicant stated that they did everything the City asked them to do, but did the City ever ask them to match the density to the west?

Planner Schindler said I don't know that, I wasn't involved in the discussions they had.

Staff Attorney Todd Sheeran said I was at the meetings with the developer, but I don't remember them discussing matching the density. The only thing I remember was that it was a significant decrease from what was proposed on this property before, and the RM-6 with the gross density being under 5 was workable at staff level to recommend approval.

Commissioner Holbrook said I have been looking at the different lot sizes for the different zones, and R-3 is 10,000sq.ft, R-4 is 8,000sq.ft, R-5 is 6,000sq.ft, so are we going to allow these lots to be less than 6,000sq.ft?

City Planner Schindler said the RM zone allow smaller lots, and it may have to do with the width of the property. I don't have the code in front of me.

Commissioner Holbrook said even though it is being requested, I have a concern that the R-6 really doesn't meet the rest of the surrounding areas, and it harms one of the neighbors. I guess because I lived in a development that only had one way in and out, it is uncomfortable. I do see that the surrounding ones do have just one way in, and out, but they don't have 27 lots. I just have concerns about the R-6.

Chairman Jolley said I have similar concerns. It doesn't match the surrounding zoning, and we even have 1.8 zoning to the south. I think the fit would be R.2-5, which doesn't work for the developer. We do have a little different zoning across the street on Redwood Road, and I am assuming it is R-6.

Planner Schindler said it is RM they didn't have a number designation at the time. I think the density in that area probably exceeds the six units per acre.

Commissioner Peirce said I share your concerns with the R-6 zone.

Chairman Jolley said regardless of what is determined tonight by the Planning Commission, it will still go to the City Council along with our recommendation. City Council will make the final decision on whether this zoning and land-use is changed. There are other processes after that, but the next step will be to go to the City Council.

Chairman Jolley said it is obvious that we all have concerns about this.

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

Commissioner Holbrook moved that the Planning commission recommend that the City Council approve the following:

- **Resolution R2019-61 authorizing the Mayor to sign the development agreement;**
- **Resolution R2019-53 approving the land use amendment: and**
- **Ordinance No. 2019-08-Z approving the zone change.**

Commissioner Hollist seconded the motion. Roll Call Vote all (4) Commissioner voted No; Commissioner Ellis and Commissioner Morrissey were absent from the vote.

VIII. OTHER BUSINESS

Chairman Jolley said we will see you next Tuesday November 19, 2019 at 6:30 p.m. for a work session

ADJOURNMENT

Commissioner Holbrook motioned to adjourn the November 12, 2019 Planning Commission meeting. Commissioner Hollist seconded the motion. Vote was unanimous in favor.

The November 12, 2019 Planning Commission Meeting adjourned at 9.58 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez.

This is a true and correct copy of the November 12, 2019 Planning Commission minutes, which were approved on November 26, 2019.

Amanda West
South Jordan City Recorder



November 12, 2019

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

<u>Michael Austin</u>	<u>1058 W. 10400 South</u>
<u>AL & Sherry Hunt</u>	<u>10126 Glenmoor Dr.</u>
<u>Russ Fousen</u>	<u>651 W GALENA PARK BLVD. DRAPER</u>
<u>DORIS GREGORY</u>	<u>1012250. GLENMOOR DR</u>
<u>GARRY GREGORY</u>	<u>1012250. GLENMOOR DR.</u>
<u>Timmy Vancott</u>	<u>4783 W. EL'S COURT.</u>
<u>Bob Payton</u>	<u>1073 W. 10250 S</u>
<u>Scott Yarns</u>	<u>13381 S Redwood Rd</u>
<u>Harold OLSON</u>	<u>10348 S Venezuela Hillway</u>
<u>Diane Burnett</u>	<u>4784 Puryk Ct</u>
<u>John Friesen</u>	<u>11512 S. RK Cove</u>
<u>John Bates</u>	<u>4773 West Payne Court</u>
<u>Jennifer Ulibarri</u>	<u>11523 S. RK Cove.</u>

November 12, 2019

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Ryan Schworer

11523 S PK Cove

Ray Spencer

10082 So Glamour

CARY HONOLAND

9450 So Redwood Rd

John & HELEN MADONX

20061 S. SNEAD LN.