

**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
August 25, 2020**

Present: Commissioner Michele Hollist, Commissioner Nathan Gedge, Commissioner Catmull, Commissioner Trevor Darby, Commissioner Sean Morrissey, Staff Attorney Greg Simonson, Assistant City Engineer Jeremy Nielsen, City Planner Greg Schindler, Planner David Mann, Planner Brad Sanderson, Intern Meadow Wedekind, Deputy Recorder Cindy Valdez

Others: Cory Bodily, Gary Langston, Monica Halliday, Lenny Di Sera, Ryan Berry, Paul Shoemaker, Bela Eliason, Reed Stallings Justin Jones

6:30 P.M.

**REGULAR MEETING**

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

Chair Hollist welcomed everyone to the Electronic Meeting and noted that all of the Commissioners have joined the electronic meeting. We have been holding our meeting in an electronic format since the Governor gave an Executive Order and declared a State of Emergency, which has allowed us to do so.

II. Motion to Approve Agenda

**Commissioner Gedge made a motion to approve the August 25, 2020 Planning Commission Agenda. Commissioner Catmull seconded the motion. Vote was 5-0 unanimous in favor.**

III. Approval of the Minutes

**Commissioner Catmull made a motion to approve the August 11, 2020 Planning Commission Meeting Minutes as printed. Commissioner Hollist seconded the motion. Vote was 5-0 unanimous in favor**

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

V. **COMMENTS FROM PLANNING COMMISSION MEMBERS**

Chair Hollist said I sent out an email to everyone earlier, so I wanted to make sure you all received it. All Commissioner's said they received the email except, Commissioner Catmull, so he is going to check his email to make sure he received it, and will let Chair Hollist know if she needs to resend it to him.

VI. **SUMMARY ACTION** – *None*

VII. **ACTION** – *None*

VIII. **ADMINISTRATIVE PUBLIC HEARINGS** –

**A. DAYBREAK VILLAGE 11A PLAT 6, PRELIMINARY SUBDIVISION**

Location: 11705 South 6740 West  
File No: PLPP202000146  
Applicant: Daybreak Communities

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

Commissioner Gedge said where this type of property is Master Planned, will, the architecture go before the Architecture Review Committee.

Planner Schindler said no it does not. In Daybreak they have their own Architectural Review, and part of the Master Plan guidelines also included materials, and other thing that are required.

**Gary Langston, Daybreak Parkway (Applicant)** – said I think Planner Schindler did a great job of summarizing what we are doing with the plat, but I will share a couple of additional details with you. A good portion of this plat will serve as the model home park that will start construction in the next couple of weeks, and we will complete lots for the home builders in the spring, and we will have model homes along the main street that goes north and south sometime next summer, or early fall. These are the first plats along the way, we have already brought before you Village 11 A Plat 1, 2, 3, 4, and the one before you tonight is #6, #5 has been submitted to the City, and 7 and 8 are being worked on. I don't really have any more to add, but I am here to answer any questions that you may have.

Chair Hollist opened the Public Hearing to comments. There was none. She closed the Public Hearing.

Commissioner Catmull said in the staff report there is a recommended motion and a requirement for the applicant to meet all City requirements, but in the past I don't remember seeing that as a requirement. It said in the staff report that they had met all of the City requirements, is there a reason it is stated that way this time.

City Planner Greg Schindler said that is the standard that we have always used for Daybreak applications, it is just in case there are changes that need to be made, and sometimes the Civil Plans have not been signed by the Civil Engineer, and they need to be signed to meet the requirements to record a plat.

**Commissioner Gedge motioned to approve Project No. PLPP202000146 subject to the following:**

1. That all South Jordan City requirements are met prior to recording the plat.

**Commissioner Hollist seconded the motion. Roll Call Vote was 5-0 unanimous in favor.**

**B. RIDGEVIEW COMMERCIAL PARCEL F, SITE PLAN AND  
CONDITIONAL USE PERMIT**

Location: 1553 West 11400 South  
File No: PLSPR202000048  
Applicant: Reed Stallings

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

Chair Hollist said I know this is a conditional use permit, but can we suggest where we would like to see the pick-up window, or where we would like the ordering board to be? And can we specify that we would like them on the sides of the building, versus on the back where it would face the townhomes?

Planner Sanderson said we cannot make that requirement, but you could make a request to the applicant and see if they were willing to move it to one side or the other. I am sure they have reasons for putting it where they have from a functional stand point.

Chair Hollist said am I correct that a conditional use would forever pass on to the next owner?

Planner Sanderson said to make it clear, the condition is not on the use it is on the drive thru portion, so we cannot put a condition on the building any more than we would to require it on an office, or retail building. The only thing that you can condition specifically, is the impact that can be generated from the drive thru portion of what is being proposed.

Chair Hollist said I just wanted to make sure the drive thru doesn't back up into the immediate neighborhood.

Commissioner Catmull this feels really unusual to me to see (4) consecutive drive thru lanes set up like this. Could you respond and let me know if this is unusual?

Planner Sanderson said when we were putting together the design guidelines, we really didn't envision this many drive thru lanes all in a row the way it is proposed. The applicant is very adamant that with this COVID Virus, and the way the economy has changed, this is one of the users they feel comfortable with that they can sustain for the insurable future, so that is the primary reason they have proposed it this way.

Commissioner Catmull said do we have a sense for how many cars can que in each drive thru.

Planner Sanderson said I think it is about 7 to 8, but that is just an estimation.

Planner Schindler said there is at least 24ft. back up space for the parking as well.

Commissioner Catmull said is there anything that we need to factor in if there were more vehicles than 7 or 8 stacking up there, something like a circulation plan.

Planner Sanderson said the entire area is all private, so if they have traffic congestion, or a que problem, our concern would be that they are not stacking up out on the main road, but we cannot regulate anything on the private area.

Commissioner Gedge said Hawthorn Academy is across the street and I can't think of any other areas where we have retail establishment like this with (4) drive thru isles that close to a school, are there any concerns about the kids walking to, and from school.

Planner Sanderson said there is pad (F) and a detention basin, and then there is the Hawthorn Academy, but there is a space between them. There is also a signalized light that will go in, and that is part of the agreement that the City worked out with the developer. That signal has been fronted and we are working with UDOT to get that in, so it is not a matter of if, but when. The traffic studies show that it should help, because we don't anticipate that a lot of kids from Hawthorn will be walking, but it will be safer once that signal is installed.

**Reed Stallings, Sandy Utah (Applicant)** – said for clarification, all the lanes are about 11 cars stack, and Starbucks is the coffee house going in there. The other (3) lanes are a little wider so they could stack about 12 cars, and there is extra parking in the parking lot. I don't know if you have any other questions, but we just appreciate being able to do this. We have been working on this for a long time and we are anxious to get going on this as soon as we can. Pending this working out we will be submitting building permit plans tomorrow and hopefully get the first 2 building going before the snow flies.

Chair Hollist opened the Public Hearing to comments. There was none. She closed the Public Hearing.

Chair Hollist said will you continue to manage all (4) properties so it works well for all (4) tenants.

Mr. Stalling said that is correct, we are the developer and the owners. This is the Stalling's farm that we have owned for a long time in South Jordan, and when we sold it to the Boyer Company we wanted to have a tie to our family farm, so our intent is to own it for a very long time.

**Commissioner Catmull motioned to approve File No. PLSPR202000048 for the proposed Ridgeview Commercial Parcel F Site Plan and conditional use permit, located at 1553 West 11400 South, with the following requirements which need to be completed prior to construction:**

- **Provide the original Storm Water Facilities Maintenance Agreement to the Engineering Department.**
- **Provide 15' wide water line easement for all main lines, hydrants and services up to and including water meters.**

**Commissioner Hollist seconded the motion. Roll Call Vote was 5-0 unanimous in favor.**

**C. SILVERSTONE AUTOMATION, SITE PLAN**

Location: 10096 South Jordan Gateway  
File No: PLSPR202000181  
Applicant: Ryan Berry, MHTN Architects

Planner Greg Schindler reviewed background information on this item from the staff report. There was (4) letters sent by email from the residents (Attachment A, B, C, D)

Commissioner Gedge said in one of the emails that Damir sent out there was a concern about property lines and what the City has that came from the Salt Lake County Assessor's Office, is that correct?

Planner Schindler said we received the email, but it has nothing to do with this development. This lot is on Lot 2 of the subdivision and it has been recorded with the County. We have a copy of the plat and it matches with what the site shows. The narrow strip on the other side does not pertain to this anyway, it is a different issue and I have no ideas of what the history is there. It has the same IF-Zoning, but it cannot be developed because it is not big enough.

**Lenny Disera, Sandy Utah (Applicant)** – said I would like to thank you for your time. The last 20 years I have been driving through South Jordan to Draper, and I am very excited to build this beautiful building in South Jordan and calling South Jordan our home.

**Cory Bodily, Sandy Utah (Applicant)** – said I am also a co-owner and I would like to thank you for the time you have spent on this project.

Chair Hollist opened the Public Hearing to comments. There was none. She closed the Public Hearing.

**Commissioner Gedge motioned to approved application PLSPR202000181 to allow for construction of a new commercial building on property located at 10096 South Jordan Gateway. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Morrissey was absent from the vote.**

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

### **A. OTTO JONES PROPERTY REZONE Rezone from R-1.8 (Single-Family Residential, 1.8 lots per acre) to R-2.5 (Single-Family Residential, 2.5 lots per acre) Zone**

Location: 10431 South 3200 West  
File No: PLZBA202000131  
Applicant: Justin Jones

Planner Greg Schindler reviewed background information on this item from the staff report. There were (2) letters sent by email from the residents (Attachment E, and F)

Chair Hollist said I have the General Plan Land Use Map in front of me and there is an “L” shaped property just east of this that is marked an economic center, can you tell me what that is?

Planner Schindler said because it is on South Jordan Parkway and it is the only access there, and those are remnant UDOT Lots, and that is why it shows that there. It doesn't mean that they have

to be commercial, it is just that no one wants to go residential on South Jordan Parkway except high density townhomes.

Chair Hollist said how many additional lots are created with this rezone.

Planner Schindler said I believe it is just one or two, because they have such large lots in there.

Chair Hollist said I rarely see these private lanes except for townhomes, is that unusual?

Planner Schindler said it is unusual, but staff came up with this design so they can get what they wanted on the property, and also not to burden it with extra traffic. It can be approved by our City Engineer for this type of approval.

Commissioner Catmull said it is my understanding that those driveways that you have highlighted that are coming off 3200 W are feeding lots 9-14, is that correct?

Planner Schindler said I believe they are going to feed lots 8, 11, 9 and 10, and 12, 13, 14 on the other.

Commissioner Catmull said are looking at about 250ft. on the corner of South Jordan Parkway and 3200 W. through that driveway?

Planner Schindler said that is about right, maybe a little more than 250ft. The driveways are wide enough that they will have driveways off of their garages, so they could back into the lane.

**Justin Jones, South Jordan (Applicant)** – said I am helping my parents with the place that we have been there for 55 years, and it is a very difficult thing for us to see change for us as well, but we have worked with the City and our Engineer to come up with a concept plan that we feel is a good, reasonable and intelligent plan and we are excited to get this first step out of the way.

Chair Hollist opened the Public Hearing to comments. There was none. She closed the Public Hearing

Chair Hollist said Mr. Jones did you consider a concept that would fit with the zoning you currently have?

Mr. Jones said we sat down with staff and engineer to try and lay out a plan that would fit the size of the property and to allow for the best use of it, and this is what we came up with. We have leaned on other people's expertise, along with the Cities expertise and their feedback. We have been through many different concept attempts to get to where we are at this point, and I think we have a good plan.

Chair Hollist said in our General Plan we talk about having "zoning kind," and (3) Zones around this are R-1.8 with only the properties across 3200 W. being zoned for R-2.5. I looked up the school boundaries and I know it is only (4) properties on this acreage, but they would attend Monta Vista Elementary, South Jordan Middle School, and Bingham High School, but I know

that these schools are already strained. I follow the Board for Jordan School District and I know they have no intentions of doing any additional school building in this part of South Jordan, so I am always concerned with any increase of density in residential in this area.

Commissioner Gedge said I would assume the school district will provide a “will serve” letter, and that doesn’t mean it won’t be crowded anymore, but I am assuming that if we requested that it would be provided, is that true in these cases?

Planner Schindler said we have notified the school board, but they usually don’t have any comment, so I am not sure about that.

Commissioner Hollist said I follow the school board, and they find this area of South Jordan too expensive. With the growth out west and south, it just isn’t a priority in this area for additional capacity.

Commissioner Catmull said as I look at this design, I do have concerns whether it will fit, and whether it will function well, but clearly it has been brought up many time, and it may turn out just fine. If I could put a message in a bottle for future Planning Commission, and City Councils, it would be to come back and look at this in the future and see what happens. If we find some negative side effects, we put the appropriate items in order to mitigate any unattended side effects that we might have here.

Chair Hollist opened the Public Hearing to comments. There was none. She closed the Public Hearing

**Commissioner Hollist motioned to recommend approval to the City Council for the following:**

- **Resolution R2020-51 authorizing the Mayor to sign the development agreement;**
- **Ordinance No. 2020-07-Z approving the zone change.**

**Commissioner Catmull seconded the motion. Roll Call Vote was 2 No Votes and 2 Yes Vote; Commissioner Morrissey was absent from the vote**

**B. TEXT AMENDMENT, AMENDING CHAPTER 17.130.030 OF THE  
SOUTH JORDAN CITY MUNICIPAL CODE REGULATING THE  
ACCESSORY LIVING UNIT FLOATING ZONE**

File No: 2020-10

Applicant: South Jordan City

Intern Meadow Wedekind reviewed background information on this item from the staff report. There was (1) email received by a resident that Planner Schindler will read to the Public (Attachment G).

Commissioner Catmull said with ADU (accessory dwelling units) do we have any enforcements in the last one to two years.

Planner Schindler said not that I am aware of, but we have had some people that have tried. They have applied for an ADU and we found out they don't live on the property so it is really hard for us to know unless someone complains. At that time we would investigate it to see if they have an ADU permit, and if they have one, don't live there, or rented it out to a family member, then we would take measures, but at this time I don't know of any code enforcement issues.

Commissioner Catmull said are there changes to this code that if you were to receive a complaint something would be in place.

Intern Wedekind said there is a section allowing an annual inspection of ADU's if they receive a complaint.

Commissioner Gedge said my concern is regarding the removal of the Planning Commission in the ADU process, which if they were denied by City Council they can go to the appeal process. I know that the short time that I have been on the Planning Commission there have been (5) ADU applications, and all (5) were approved. Do we know historically in the City with past Commissions what the percentage of approvals were?

Chair Hollist said I am pretty sure that I sat in on one where they asked for an exception to the 35 percent of the floor cap, and I think we denied it.

Planner Schindler said I don't know what the percentage is, but I do know that the Planning Commission has approved some, and denied some in the past. There have been some that were approved that changed the exterior, and then added a walk out after it was first built. That also came before the Planning Commission, but we never quite understood why a walk out in a basement would need to come to the Planning Commission for approval. I think the reason for this change is that it will be in the code already, and if it is denied it would then go immediately through the appeal process to a Hearing Officer, and they would have to prove hardship to receive a variance.

Commissioner Gedge said I know that a lot of the Planning Commission requirements are established by the State Legislature, so I assume this change has been allowed under that, and allowed by State Code.

Staff Attorney Simonson said I have gone through the changes to the code thoroughly line, by line, and they are legally appropriate. I think under the very objective definitions, and the rules, I believe that the Planning Commission process would become redundant and would be a waste of your time, so that was the reason for the change.

Commissioner Catmull said do we know how an ADU would fit with the online Market Place businesses in South Jordan. While we were talking I went and searched online and found (30) listings of them in South Jordan, so would the ADU code cover that, or is there an ordinance that covers this type of thing?



Planner Schindler said are you talking about Airbnb type businesses?

Commissioner Catmull said yes, that is what I am referring to.

Planner Schindler said we do not have an ordinance that regulates Airbnb's. I think it is covered under Code Enforcement, and if they get a complaint they would respond to noise, disturbances, and etc.

Commissioner Catmull said I would think that we would want to have something in place like and ordinance if that type of business continues to grow, and if it is truly out there.

Chair Hollist said I can't remember the House Bill number, but there was some funding from the State that was tied to transportation funds last year, where we were given a menu of (26) options to address Affordable Housing and we had to select (3) or (4) items from the list. The Planning Commission was able to weigh in on that, but ultimately the City Council made the decision. This is one of the items they picked on that menu to address the Affordable Housing to allow Accessory Dwelling Units. They saw the benefit of people being able to purchase a home and generate a rental income on the side. Additionally, it would take a single property in the market and make it available to (2) families. I just view this as a clean-up, and tightening up what we want it to look like in South Jordan. The intent is to add affordable housing within our City.

Chair Hollist opened the Public Hearing to comments.

Planner Schindler read the letter received by email from resident Chris Gebhardt (Attachment G).

Chair Hollist closed the Public Hearing.

Chair Hollist said I understand what Mr. Gebhardt is saying in his letter, but it sounds like the Planning Commission is not seeing the majority of these Accessory Dwelling Unit applications, and when you do bring them to the Planning Commission they already comply with the codes and ordinances. We can listen to the comments, but we don't have a lot of authority to enact change, or prohibit things that staff has reviewed and found to meet the ordinances and codes.

Planner Schindler said as a Planning Commission, you don't have a lot of Legislative power, so we send you the site plans, subdivisions, and those type of things. When they come to you they have met all of the ordinance and codes, so that is why you can approve things that are larger, but with the new ordinance you will no longer have that authority, but neither will staff.

**Commissioner Gedge motioned to move that the Planning Commission recommend to the City Council that it approve Ordinance No 2020-10 amending Chapter 17.130.030 of the South Jordan City Municipal Code regulating the Accessory Living Unit Floating Zone. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Morrissey was absent from the vote.**

**C. TEXT AMENDMENT – ADDING SUBSECTION 17.130.060 TO THE SOUTH JORDAN CITY MUNICIPAL CODE REGARDING THE CREATING OF THE FLAG LOT OVERLAY ZONE**

File No: PLZTA201900519

Applicant: Cody Pearson

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

Chair Hollist said what extent was this specifically tailored to the one applicant.

Planner Mann said since the applicant did pay for the application we felt it was important to use them as a case study. The subdivision that they are in does have a lot of large lots, so if we ignored the density requirement, it could open it up to (15) or (20) flag lots in a single subdivision, and that is what we wanted to avoid. In using that subdivision as a case study, we looked at the 125ft. width that would give this applicant the ability to go through the process and see if they could get it approved. It would allow a Legislative Public Hearing, so in subdivisions where the public is noticed, and they come to the meetings and have concerns, as long as it meets the requirements the subdivision has to be approved. With this they can open it up to the residents, and the residents have a chance to really express these concerns and be heard by the City Council, and the City Council can take those comments and make a proper decision case by case, so it does change the discourse for the proposed development.

Chair Hollist opened the Public Hearing to comments. There was none. She closed the Public Hearing.

**Commissioner Gedge motioned to recommend to the City Council that it approve Ordinance 2020-03. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Morrissey was absent from the vote.**

**X. OTHER BUSINESS**

Chair Hollist asked the Commissioner's if they were still ok with following the decision the City Council makes regarding electronic meetings, or in person meeting for the month of September, and all the Commissioners were willing to follow what City Council decides. She said she will find out what they decided and will let them know at the next meeting.

**ADJOURNMENT**

**Commissioner Catnull motioned to adjourn the August 25, 2020 Planning Commission meeting. Commissioner Hollist seconded the motion. Vote was unanimous in favor.**

The August 25, 2020 Planning Commission Meeting adjourned at 8:35 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez

**This is a true and correct copy of the August 25, 2020 Planning Commission minutes, which were approved on September 8, 2020.**

*Cindy Valdez*

**South Jordan Deputy Recorder**

8-25-20 PC Meeting  
Attachment A

24 August 2020

To  
Damir Drozdek  
[ddrozdek@sjc.utah.gov](mailto:ddrozdek@sjc.utah.gov)

CC  
Patrick Harris  
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From  
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## Issues for August 25, 2020 Planning Commission Meeting and Silverstone Automaton Site Plan

How can you have on the future planning map Ultradents parking lot, north of Ultradents Drive, zoned agricultural preservation, and the adjacent flag parcel remains zoned as commercial? (The DEF property lot size 0.08 acres, parcel number 27-12-300059 – 0000 is zoned commercial.) This is a nonconforming lot.

In the dedication of the 10200 South roadway the South tip of this DEF property was conceded by Ultradent to the dedication of the 10200 S. roadway. Why is DEF strip of property still zoned as commercial?

The history of Ultradent obtaining this flag, nonconforming strip involves Ultradents purchase of fraudulently obtained property. The fraudulently obtained property was created by Calvin Hall a now deceased real estate manipulator who made a living by claiming ownership of properties involving discrepancies between fence lines and section lines. This practice was allowed to continue until finally a law was passed to put a stop to the creation of undevelopable pieces of property. The current DEF property was created as a result of Calvin Hall removing a historic fence line and destroying the evidence of the existence of that fence prior to having the current fence installed and surveyed in conjunction with his purchase of the Burgon property adjacent to the Harrison Estate.

Calvin Hall lost the property purchased from the Burgon family to bankruptcy. However, he retained ownership of the fraudulently obtained strip of DEF ground. Calvin Hall maintained a claim of ownership of this narrow strip of ground from approximately 1971 to 1996 until it was purchased by Ultradent for a

purchase price of \$40,000. Prior to the purchase, by County records, it shows Calvin Hall transferred ownership of that narrow strip of ground to somewhere near 20 different individuals who were likely personal friends. This extraordinary long list of property transfers must surely have been done to avoid some consequence of ownership. Aerial photography provides a visual evidence of the existence of the historical fence line prior to its removal by Calvin Hall. Aerial photography also shows proof of the destruction of visual evidence of the existence of the historic fence prior to it being surveyed to secure Calvin Hall's ownership.

Neither Calvin Hall or Ultradent ever performed any maintenance on that narrow strip of ground. The Harrison family has maintained it since 1971 because the fraudulent fence was located within 6 inches to 1 ft. east of the historic and current open irrigation ditch.

Maintenance of the open irrigation ditch has required maintenance of the currently owned DEF nonconforming property. The resolution of the commercial DEF properties must be resolved prior to the approval of the process involving the approval of the Silverstone site plan. Failure to do this will result in the adjoining agricultural property being able to have a masonry wall constructed to separate the industrial property from the agricultural property according to the city requirements. Perhaps the recent rezoning of the Harrison property to Agricultural Preservation may justify the requirement that the owner of the DEF property provide the masonry wall separation between commercial and agricultural preservation property. Failure of the city to remove this inequity is evidence of deliberate prejudice against property recently zoned from MUTOD to Agricultural Preservation. The least that could be done is for the city to support the proper separation of agricultural property from industrial property. It is not the purpose of the city to selectively protect the interests of commercial property owners at the expense of protecting the environment of agricultural property. In any case we have contacted the Utah Ombudsman's Office and will be submitting a request for their investigation of this circumstance.

There must be a reason for having a city code that is intended to protect agricultural property environment and operations. We object to the approval of this project and site plan until this gross misuse of manipulating zoning designations for the benefit of commercial property owners to deny the implementation of code requirements that would benefit and support agricultural preservation. Why would South Jordan City change the zoning of the Harrison property from a MUTOD to agricultural preservation and then continue to proceed with efforts to deny the adequate support of the agricultural preservation property? The obvious answer to this deliberate manipulation is that South Jordan City unfairly supports commercial property over agricultural preservation. No logical and reasonable answer can be given to explain this contradictory behavior other than to suggest that the motivation for one choice or the other involves a preference for individual personalities.

The current plan shows no indication of a setback from a West section line. The west wall of the Social Security building cinderblock garbage storage area is constructed exactly on the section line defining the west boundary of the proposed Silverstone project and the west boundary of the Social Security building.

Adam Meyer owner of the proposed site for the Silverstone development refused to become involved with Ultradent and their fraudulently obtained property, now identified as DEF property. This explains why Adam Mayor's property's west property line is located on the section line. Why does the city continue to show favoritism for property owners who have participated in preserving fraudulently

obtained properties? Isn't it enough for the Silverstone development to be adjacent to agricultural preservation land and have a permanent view of agricultural open space?

Within the last few days since we submitted a first list of questions, we have determined, according to the city records regarding the 10200 S. Dedicated Rd. that a new and never before identified strip of ground labeled as DEF property now extends across the full width of the dedicated 10200 S. Road. The addition of this new description of DEF property is in violation of the agreement for the creation of the dedicated roadway. No private property owners can have any ownership of any part of a dedicated Road and have that roadway be unquestionably dedicated.

The existence of this violation, to the dedicated Road agreement, provides proof of preferential decision-making on the part of South Jordan City. All of this preferential treatment, being made for the benefit of Ultradent should be completely resolved before any approval is given to the continuation of any development adjacent to DEF properties as well as preferential treatment being extended to Ultradent in other unfinished projects that have been approved for Ultradents benefit because of the violation of city codes that exist in the sight plans for those other unfinished projects. This finished project involves the proposed Ultradents parking lot to be located within the powerline corridor over 1000 ft. away from the Ultradents office building.

The concessions made for the preference of Ultradent projects and property, at the expense of other adjacent property owners' border on the inconceivable. South Jordan City Council members need to become aware of the ridiculous decisions being approved by South Jordan Cities staff workers. A copy of this objection and list of concerns is being sent to our city representative with a request for his investigation.

8-25-20 PC Meeting  
Attachment B

18 August 2020

To  
Damir Drozdek  
[ddrozdek@sjc.utah.gov](mailto:ddrozdek@sjc.utah.gov)

From  
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& Marc Halliday  
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## Issues with Silverstone Automation Site Plan

Located at 10096 South Jordan Gateway

Will the access road to this facility be a dedicated public road? (Road that is now current Stubbed off)

The Parcel of land to the West of this property (Parcel # 27123000590000) is current owned by DEF Properties LLC. It has a lot size of 0.08 acreage. Is this a non-conforming lot size for the zoning? If it were attached to their lot to the South (Parcel # 27123760320000) would this not still be non-conforming due to creating a flagged parcel that is not allowed in this kind of zoning? How is this parcel going to be dealt with?

What is the set back from the West property line to the edge of the curb from what appears to be a one direction drive?

What kind of fencing will be erected on the West side of project?

When and if site plans are changed will adjacent property owners be notified.

We would appreciate a written response to these concerns.

8-25-20 PC Meeting  
Attachment C

**Cindy Valdez**

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**From:** Anna Crookston  
**Sent:** Wednesday, August 26, 2020 11:34 AM  
**To:** Cindy Valdez  
**Subject:** FW: Issues with Silverstone Automation Site Plan For Public Hearing August 25, 2020

[Here you go.](#)

**Anna Crookston | City Recorder | City of South Jordan**  
1600 W. Towne Center Drive | South Jordan, UT 84095  
O: 801.253.5203 Ext. 1404 | F: 801.254.3393



**From:** Damir Drozdek <DDrozdek@sjc.utah.gov>  
**Sent:** Monday, August 24, 2020 4:09 PM  
**To:** PLANNING COMMISSION <PlanningCommission@sjc.utah.gov>  
**Cc:** Anna Crookston <acrookston@sjc.utah.gov>; Greg Schindler <GSchindler@sjc.utah.gov>; Gregory Simonsen <GSimonsen@sjc.utah.gov>  
**Subject:** FW: Issues with Silverstone Automation Site Plan For Public Hearing August 25, 2020

[Please see below for public comment.](#)  
Thanks,

**Damir Drozdek, AICP | Planner III | City of South Jordan**  
1600 W. Towne Center Drive | South Jordan, UT 84095  
O: 801.254.3742 | C: 801.946.4377



**From:** Damir Drozdek  
**Sent:** Wednesday, August 19, 2020 4:59 PM  
**To:** Marc H <[marc.halliday2@gmail.com](mailto:marc.halliday2@gmail.com)>  
**Subject:** RE: Issues with Silverstone Automation Site Plan For Public Hearing August 25, 2020

Marc,  
Please see my responses to your questions below in red:

Will the access road to this facility be a dedicated public road? (Road that is now current Stubbed off)

**No, this will remain a private lane.**

The Parcel of land to the West of this property (Parcel # 27123000590000) is current owned by DEF Properties LLC. It has a lot size of 0.08 acreage. Is this a non-conforming lot size for the zoning? If it were attached to their lot to the South (Parcel # 27123760320000) would this not still be non-conforming due to creating a flagged parcel that is not allowed in this kind of zoning? How is this parcel going to be dealt with?

**This is an existing parcel that is not part of this project. Nothing is required to be done with this parcel at this time.**

What is the set back from the West property line to the edge of the curb from what appears to be a one direction drive?

**There is no setback requirement as the adjacent parcel (DEF parcel) has the same zoning designation as the project parcel.**

What kind of fencing will be erected on the West side of project?



Again, no fencing is required because the abutting property has the same zoning designation.

When and if site plans are changed will adjacent property owners be notified.

No notifications are required if it is a minor site plan amendment (see Code section 16.24.020 B.). Major changes or amendments do require notifications to adjacent property owners. In other words if the Planning Commission hearing is required, so are notifications to adjacent property owners.

We would appreciate a written response to these concerns.

Thanks,

**Damir Drozdek | Planner III | City of South Jordan**

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.253.5203 Ext. 1290 | C: 801.946.4377



**From:** Marc H <[marc.halliday2@gmail.com](mailto:marc.halliday2@gmail.com)>

**Sent:** Wednesday, August 19, 2020 11:31 AM

**To:** Damir Drozdek <[DDrozdek@sjc.utah.gov](mailto:DDrozdek@sjc.utah.gov)>

**Subject:** Issues with Silverstone Automation Site Plan For Public Hearing August 25, 2020

Sent from [Mail](#) for Windows 10

Please see attached document with concerns and question in regards to the Silverstone Automation Site Plane.

8-25-20 PC Meeting  
Attachment D

Cindy Valdez

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**From:** Anna Crookston  
**Sent:** Wednesday, August 26, 2020 11:50 AM  
**To:** Cindy Valdez  
**Subject:** FW: Rezoning of property located at 10431 South 3200 West

[Here is one more.](#)

**Anna Crookston | City Recorder | City of South Jordan**

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.253.5203 Ext. 1404 | F: 801.254.3393



**From:** Damir Drozdek <DDrozdek@sjc.utah.gov>

**Sent:** Tuesday, August 25, 2020 3:19 PM

**To:** PLANNING COMMISSION <PlanningCommission@sjc.utah.gov>; Greg Schindler <GSchindler@sjc.utah.gov>; Steven Schaefermeyer <SSchaefermeyer@sjc.utah.gov>; Brad Klavano <BKlavano@sjc.utah.gov>; Anna Crookston <acrookston@sjc.utah.gov>; Jared Francis <JFrancis@sjc.utah.gov>; Jeremy Nielson <JNielson@sjc.utah.gov>; Gregory Simonsen <GSimonsen@sjc.utah.gov>

**Subject:** FW: Rezoning of property located at 10431 South 3200 West

Please see the email below for public comment regarding the Otto Jones property rezone.

Thanks,

**Damir Drozdek, AICP | Planner III | City of South Jordan**

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.254.3742 | C: 801.946.4377



**From:** Mirabela Eliason <[bela\\_sch@yahoo.com](mailto:bela_sch@yahoo.com)>

**Sent:** Tuesday, August 25, 2020 2:52 PM

**To:** Damir Drozdek <[DDrozdek@sjc.utah.gov](mailto:DDrozdek@sjc.utah.gov)>

**Subject:** Rezoning of property located at 10431 South 3200 West

Dear members of the South Jordan Planning Commission,

My name is Mirabela Eliason and I live across the street from the property to be rezoned, located at 10431 South 3200 West. I just wanted to give you my input and let you know that, after reviewing the SOUTH JORDAN CITY PLANNING COMMISSION REPORT, I agree with the proposed rezoning of the property, as long as the main conditions mentioned in the report are being kept, especially:

- "Alexander Park Lane will be fully improved along the project frontage and the sidewalk will be extended from the northeast project boundary on Alexander Park Lane to South Jordan Parkway.
- Lot sizes in the project will be comparable to the lot sizes in adjacent subdivisions.
- The project density will be slightly higher than the density in the neighborhoods to the east of the project. However, the density will be considerably lower than density of the project across 3200 West (Harvest Crossing Villas), will accommodate the efficient use of land and will help create more of a neighborhood feel along Alexander Place Lane."

I am in favor of the concept plan submitted with the application that shows a single row of homes along Alexander Park Lane, which will be the eastern boundary of the subdivision and that these homes will have direct access onto and will front the road.

Thank you !

Mirabela Eliason

8-25-20 PC Meeting  
Attachment E

**Cindy Valdez**

---

**From:** Anna Crookston  
**Sent:** Wednesday, August 26, 2020 11:33 AM  
**To:** Cindy Valdez  
**Subject:** FW: Staff Report for the "Otto Jones Rezone" request

[Here you go.](#)

**Anna Crookston | City Recorder | City of South Jordan**  
1600 W. Towne Center Drive | South Jordan, UT 84095  
O: 801.253.5203 Ext. 1404 | F: 801.254.3393



**From:** Damir Drozdek <DDrozdek@sjc.utah.gov>  
**Sent:** Monday, August 24, 2020 4:22 PM  
**To:** PLANNING COMMISSION <PlanningCommission@sjc.utah.gov>  
**Cc:** Anna Crookston <acrookston@sjc.utah.gov>; Greg Schindler <GSchindler@sjc.utah.gov>; Gregory Simonsen <GSimonsen@sjc.utah.gov>  
**Subject:** FW: Staff Report for the "Otto Jones Rezone" request

[Please see below for public comment for the Otto Jones rezone project.](#)  
Thanks,

**Damir Drozdek, AICP | Planner III | City of South Jordan**  
1600 W. Towne Center Drive | South Jordan, UT 84095  
O: 801.254.3742 | C: 801.946.4377



**From:** Ryan Benson <[bensryan@gmail.com](mailto:bensryan@gmail.com)>  
**Sent:** Monday, August 24, 2020 1:51 PM  
**To:** Damir Drozdek <[DDrozdek@sjc.utah.gov](mailto:DDrozdek@sjc.utah.gov)>; Steven Schaefermeyer <[sschaefermeyer@sjc.utah.gov](mailto:sschaefermeyer@sjc.utah.gov)>  
**Subject:** Re: Staff Report for the "Otto Jones Rezone" request

Hello Damir,

I wanted to say thank you to both Steve and yourself for the information that has been provided concerning the zone change request for the property located at 10431 South 3200 West (Jones Farm). As the property owner located at 10531 S Alexander Park Lane, situated across from Lot 1 on the Sagewood Ranch Subdivision concept plan, I am in support of the rezone request from R 1.8 to R 2.5 as long as the concept plan does include the development agreement that would hold the future developer to this concept. I have seen instances in other cities where concepts are presented and approved, the land sold, and then the developers have quickly changed to another concept that is not appealing to the city or the neighborhood, but gets approved because the zoning change was approved. I would not appreciate seeing that happen here. As a resident on Alexander Park Lane, we built and had always desired to have homes facing us from the West side of the street. This Sagewood Ranch Subdivision concept really brings that together and would complete a unified neighborhood. I also appreciate the concession for the right turn lane on 3200 W. This will help the traffic on 3200 W to not use Alexander Park Lane as a cut thru during rush hour traffic.

The only added request that I might suggest is that if approved, sold and development were to begin, would it be possible to have the large share (if not all) of the land development vehicles enter the development off of 3200 West to avoid big vehicles and small children interactions. I understand that during home construction this would not be feasible, but during land development, I believe it might be a reasonable request.

Thank you again for the time, energy, and foresight the city staff put into bringing this possible concept as a real option to our neighborhood,

Ryan Benson  
10531 S Alexander Park Lane  
South Jordan, UT 84095

On Thu, Aug 20, 2020 at 5:10 PM Steven Schaefermeyer <[SSchaefermeyer@sjc.utah.gov](mailto:SSchaefermeyer@sjc.utah.gov)> wrote:

As promised, I have attached the completed staff report for the Otto Jones Rezone across the street from your homes. Please feel free to share this with your neighbors. If you would like to join the meeting, please go this webpage <https://www.sjc.utah.gov/planning-commission/> the day of the hearing where you will find an update link to join the Zoom meeting.

Thanks,

**Steven R. Schaefermeyer | Director of Planning | City of South Jordan**

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.253.5203 Ext. 1260 | F: 801.254.3393



8-25-20 PC Meeting  
Attachment F

**Cindy Valdez**

---

**From:** Anna Crookston  
**Sent:** Wednesday, August 26, 2020 11:32 AM  
**To:** Cindy Valdez  
**Subject:** FW: Rezoning request for 10431 S 3200 W (Jones)

Cindy,

Damir sent me several emails. Please let me know if any of them I am forwarding you does not pertain to planning commission.

Thank you,  
Anna

**Anna Crookston | City Recorder | City of South Jordan**  
1600 W. Towne Center Drive | South Jordan, UT 84095  
O: 801.253.5203 Ext. 1404 | F: 801.254.3393



**From:** Damir Drozdek <DDrozdek@sjc.utah.gov>  
**Sent:** Monday, August 24, 2020 4:26 PM  
**To:** PLANNING COMMISSION <PlanningCommission@sjc.utah.gov>  
**Cc:** Anna Crookston <acrookston@sjc.utah.gov>; Greg Schindler <GSchindler@sjc.utah.gov>; Gregory Simonsen <GSimonsen@sjc.utah.gov>  
**Subject:** FW: Rezoning request for 10431 S 3200 W (Jones)

Please see below for public comment concerning the Otto Jones rezone.  
Thanks,

**Damir Drozdek, AICP | Planner III | City of South Jordan**  
1600 W. Towne Center Drive | South Jordan, UT 84095  
O: 801.254.3742 | C: 801.946.4377



**From:** C Zundel <cz5778@gmail.com>  
**Sent:** Wednesday, August 19, 2020 6:59 PM  
**To:** Damir Drozdek <DDrozdek@sjc.utah.gov>  
**Subject:** Re: Rezoning request for 10431 S 3200 W (Jones)

Thank you for your reply. I understand what you are saying and have already seen the proposed development map. My Biggest concern is the thinness of the lots facing Alexander Park Lane that seems to limit the size of homes that could be built there. The homes in this neighborhood are well over 5000 sq ft in most cases and those lots look to be very thin for comparable homes. I ask that the commission please consider removing one of those lots from the plan and create larger, wider lots. The lots on the other side of Alexander are all .5 acres.

Thank you Again for your consideration. Please forward my additional comments.

Thank you,

Clint Zundel  
8015993843

On Aug 19, 2020, at 5:42 PM, Damir Drozdek <[DDrozdek@sjc.utah.gov](mailto:DDrozdek@sjc.utah.gov)> wrote:

I will forward your email with your comments and concerns to the City Planning Commission. I forgot to mention this in my previous email.

Thanks,

**Damir Drozdek | Planner III | City of South Jordan**  
1600 W. Towne Center Drive | South Jordan, UT 84095  
O: 801.253.5203 Ext. 1290 | C: 801.946.4377  
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**From:** Damir Drozdek  
**Sent:** Wednesday, August 19, 2020 5:25 PM  
**To:** 'C Zundel' <[cz5778@gmail.com](mailto:cz5778@gmail.com)>  
**Subject:** RE: Rezoning request for 10431 S 3200 W (Jones)

Mr. Zundel,

Please check the attached draft project plan for some additional information. As you are probably aware, the current zoning on the property is R-1.8. The minimum lot size in the zone is 14,520 sq. ft. As you can see from the attached document, all but one lot are meeting and exceeding that requirement. The lots facing Alexander Park Lane are over 1/3 acre in size. As a matter of fact, they are all in between 1/3 and 1/2 acre in size. There are only eight lots facing Alexander Park Lane. In terms of traffic, eight additional homes should not generate unsafe driving conditions on the road. The reason for these homes to be facing the street is to create and promote neighborhoods, and not just pods of housing that are separated and disconnected from each other. Residential streets should have homes facing the street and each other for safety (eyes on the street), neighborly/community togetherness, etc.

The two rows of homes along the western edge will be accessed off 3200 West via private lanes. Please keep in mind that a lot of gated/high end communities have private lanes and streets. This will also limit the number of people driving down Alexander Park Lane.

The agreement, if approved, will lock the developer into this specific design and thus give you some predictability in terms of future development of the property. With no concept plan, a developer could develop the property some other way. In addition please keep in mind that the City zoning ordinance requires certain architectural and setback requirements that are no different from the ones used for your development (see City Code 17.40 for said standards).

Hopefully this sheds some additional light on the proposal and please let us know if you have additional questions or concerns.

Thanks,

**Damir Drozdek | Planner III | City of South Jordan**  
1600 W. Towne Center Drive | South Jordan, UT 84095  
O: 801.253.5203 Ext. 1290 | C: 801.946.4377  
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**From:** C Zundel <[cz5778@gmail.com](mailto:cz5778@gmail.com)>  
**Sent:** Sunday, August 16, 2020 3:00 PM  
**To:** Damir Drozdek <[DDrozdek@sjc.utah.gov](mailto:DDrozdek@sjc.utah.gov)>  
**Cc:** C Zundel <[cz5778@gmail.com](mailto:cz5778@gmail.com)>  
**Subject:** Rezoning request for 10431 S 3200 W (Jones)

To Whom It May Concern:

I am writing to express my opinions and possible concerns regarding the proposed rezoning of the Jones' property on 10431 S 3200 W and the letter dated August 11, 2020, and public hearing scheduled for August 25.

I live across the street from the proposed development on 10453 S Alexander Park Lane. While I am not opposed to the development of the property, I would like to request from the Council and the developer that the following needs are considered and met:

1. Alexander Park lane is part of one of the most high end neighborhoods in the city of South Jordan (Bison Ridge) and the homes on this street are some of the largest, highest valued, and larger lots in the city. I would ask that you consider ensuring that the development keeps to this same level of size and quality (or better), as to not negatively impact existing home values. The lots in the proposed plan seem to be quite a bit smaller than those in the rest of the neighborhood.

2. The proposed development map looks to have many homes facing Alexander park lane with driveways coming off of the Alexander Park Lane street. I worry that design could cause a public safety issue, as Alexander Park is not an easy road to access coming from the east (most often accessed direction). Most often, drivers will make a U-turn off of 3200 W to access the street. Please consider an alternative route to access these homes, for example a through street from 3200 W to Alexander on the south side of the development with a cul-de-sac or dead end street running through the middle (with houses on both sides, with the back of the property bordering Alexander. The road receives a lot of traffic already from the overall neighborhood and I worry this could cause an unsafe situation. Having a street in the middle may be safer. If



that is not possible, please consider larger lots to reduce the numbers of houses facing that direction.

3. I would like to understand more about how the access streets from 3200 West will work? Will they look like track homes with a shared driveway, which would be concerning for the reasons mentioned in number 1.

In summary, my main concerns are ensuring that the quality and size of the homes do not negatively impact the values of the existing homes on Alexander Park Lane and to ensure the traffic levels and public safety concerns are addressed. Currently, the design seems to have a lot of relatively thin lots facing the road, I'm not sure that would allow for the same size of homes to be built.

Please help us to keep one our highest end neighborhoods as valuable as possible, not just for the current homeowners on the street, like myself, but I also think it helps with the overall reputation of our city and keeps our reputation as an elite place to live intact.

Thank you for your considerations. If you have questions or would like to discuss further, please contact me.

I am not sure if I'll be able to make the meeting for public comment, but would like this to be considered for the record.

Sincerely,

Clint Zundel

10453 S Alexander Park Lane  
South Jordan, UT 84095

801-599-3843 (Cell)

8-25-20 PC Meeting  
Attachment 6

**Cindy Valdez**

---

**From:** Greg Schindler  
**Sent:** Tuesday, August 25, 2020 4:52 PM  
**To:** Cindy Valdez  
**Subject:** FW: TEXT AMENDMENT, AMENDING CHAPTER 17.130.030 OF THE SOUTH JORDAN CITY MUNICIPAL CODE REGULATING THE ACCESSORY LIVING UNIT FLOATING ZONE

Cindy,

I am going to read these comments into the record tonight. This is your copy for the minutes.

-Greg-

**Greg Schindler, AICP | City Planner | City of South Jordan**  
1600 W. Towne Center Drive | South Jordan, UT 84095  
Office: 801.254.3742 | Direct: 801.253.5203 ext 1291



**From:** Chris Gebhardt <christcpd@yahoo.com>  
**Sent:** Tuesday, August 25, 2020 3:30 PM  
**To:** Nathan Gedge <NGedge@sjc.utah.gov>; Michele Hollist <MHollist@sjc.utah.gov>; Trevor Darby <TDarby@sjc.utah.gov>; Steven Catmull <SCatmull@sjc.utah.gov>; Sean Morrissey <SMorrissey@sjc.utah.gov>; Michael Peirce <MPeirce@sjc.utah.gov>; Greg Schindler <GSchindler@sjc.utah.gov>  
**Subject:** TEXT AMENDMENT, AMENDING CHAPTER 17.130.030 OF THE SOUTH JORDAN CITY MUNICIPAL CODE REGULATING THE ACCESSORY LIVING UNIT FLOATING ZONE

These comments are in reference to Item C on this evening's agenda for the Planning Commission. I am absolutely opposed to this action by City Staff. This represents a further power grab by non-elected or non-appointed staff to wrestle control from our governing bodies. Here, the City Staff want to eliminate the need for ADU applicants to come before this Commission. That poses an abundance of problems.

First, it removes this very body from a long recognized responsibility. You are charged with representing us and asking the hard questions. Please continue to do so.

Second, it removes the ability of all South Jordan residents to speak their mind and offer opinion about changes to our City as the Public Comment portion would be entirely removed.

Third, it allows entrenched City Staffers to decide the fate of property. Most likely, they would approve every single applicant. But what would happen if the opposite were true? What would happen when they start denying applications? We as citizens would have no recourse other than another City entrenched Staff Member to appeal to.

This body has long approved these applications and should continue to do so. City Staff have been wrestling power away from the City Council and have now started on the Planning Commission. Do

not let this happen on your watch. We as fellow South Jordan residents rely on you to hear our voices and work for us.

Thank you for your time and dedication.

Mr. Schindler, as per the meeting announcement, this comment was sent prior to 5PM this evening so it shall be read into the public record.

///Chris\\

Chris Gebhardt

10868 Martingale Lane, South Jordan

(801) 613-1033

[christcpd@yahoo.com](mailto:christcpd@yahoo.com)

<https://www.linkedin.com/in/gebhardtchris>