

**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
February 23, 2021**

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, Deputy Recorder Cindy Valdez

Others: Dwayne Golder

6:30 P.M.  
**REGULAR MEETING**

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

Chair Hollist welcomed everyone to the Electronic Planning Commission Meeting and noted that 4 of the 5 Commissioners are present, Commissioner Morrissey has not arrived yet.

II. Motion to Approve Agenda

**Commissioner Gedge motioned to approve the February 23, 2021 Planning Commission Agenda. Commissioner Hollist seconded the motion. Vote was 4-0 unanimous in favor.**

III. Approval of the Minutes

**Commissioner Gedge motioned to approve the February 9, 2021. Planning Commission Meeting Minutes as printed. Commissioner Hollist seconded the motion. Vote was 4-0 unanimous in favor.**

IV. **STAFF BUSINESS** – *None*

V. **COMMENTS FROM PLANNING COMMISSION MEMBERS**

Chair Hollist said I would like to note for the record that Commissioner Morrissey has arrived.

Vi. **SUMMARY ACTION** – *None*

VII. **ACTION** – *None*

VIII. **ADMINISTRATIVE PUBLIC HEARINGS** – *None*

**IX. LEGISLATIVE PUBLIC HEARINGS – None**

**A. BINGHAM CREEK REGIONAL PARK**

**Rezoning from Agricultural (A-1) to Park Open Space (OS-P)**

Location: 10004 South 4800 West

File No: PLSPR202000323

Applicant: Jonathan Ruedas

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

Chair Hollist opened the Public Hearing to comments.

**Dwayne Golder, South Jordan** – said how does this affect what's already been done in the back of the field? Our house actually abuts this new area and the park, and they already been bulldozing and doing all types of other stuff.

Chair Hollist closed the Public Hearing.

Chair Hollist said Planner Mann can you explain what difference this makes and what is being accomplished by this action.

Planner Mann said this is basically just a process that we need to go through to bring our zoning map in conformity with what's being developed there. There are no changes to the park that have been presented to residents. In the past, that has been developed over time, but this is what was presented in the site plan application review that Planning Commission did and ultimately approved. At that meeting we did mention that this rezoning needed to take place, just so that it would bring our zoning map to allow a park-use on the entire property, or the park would be going, so there's no changes it is just more of an administrative type application to make our zoning map conform.

Chair Hollist said how many more times will this come before us, and will these neighbors be notified every time an action is taken?

Planner Mann said it is going to go to city council, because city council has to approve it after your recommendation. But again, there's not really anything new, it's just to make the zoning map match, it is to make it all legal on our end.

Commissioner Gedge said so typically, will we see the rezone first before the site plan and actual movement of dirt. I would think that be the normal process, and if so, why wasn't that the case in this project. Why did we do the site plan first and not the rezone?

Planner Mann said I agree, that is how it works 95% of the time. In this case, and we've seen this with other projects involving government entities. There's a lot of moving parts, a lot of different government departments, so things kind of get shoved to the side sometimes without thinking about it. We wanted to make sure that it was done, it's not done in the ideal order, but it's done

nonetheless, so that everything can be legal and we're showing that the city will conform just like any private citizen developing in the city.

Commissioner Gedge said just thinking worst case scenario down the road with other projects that we might see in the future. What would happen if we approve the site plan, the work had already begun, but for whatever reason the other rezone wasn't approved, would that cause conflict that would have to be remedied some other way?

Planner Mann said typically, if it was a private citizen or developer that was developing this, it would be held up front, just because that's a change that is new to the city. The City has been aware, and most of the residents have been aware that a park has been going here for many years, so it didn't come to us as a surprise. If this was a new project we wouldn't have even brought the site plan before you, we would have pulled it off the agenda and put on the rezone, but we didn't want to delay the work that's already taken place, so I'm kind of glad it was handled this way.

Assistant City Engineer Nielson said just to add to what Planner Mann was saying. The way the County has contracted this project is they are trying to expedite the project to move the schedule up, and so they advanced the grading before they had a 100% design completed, just to try and accelerate the project. And so, we really didn't have enough details to approve the site plan until it recently came to you. There are a lot of moving parts to it and the city recognized what was happening, but they really wanted the project to move as quickly as possible and so that is how things have played out.

Commissioner Gedge said we're not setting any type of precedent by having the city granting it in this order, and then denying it in this order for a private citizen.

Assistant City Attorney Simonson said I don't think we're setting any kind of precedent. The way I look at it is, I would rather see the rezone, and then the site plan, all in that order, but this is like the universal project that everybody wants. This is going to be the largest Regional Park in the County. This is going to increase the value of everybody's property immediately around it. If worse came to worse and somebody objected, and this went to court and was enforced because things were done a little bit out of order, I guess the worst outcome could be the work stops until it's all sorted out. What's going on right now is saving taxpayers money and will expedite the project.

Commissioner Gedge said I just wanted to make sure that it was on the record so if a worst case scenario came up that we had something in the minutes, so thank you. I have no objections to this project I just wanted to make that concern was addressed.

Assistant City Engineer Nielson said I wanted to provide a little bit more context on that question. Also, keep in mind that there have been cases where developers have requested that they start grading before all the formal approvals have been completed. The city engineer has allowed them in cases to get a grading permit from the City, as long as they recognize that it's at their own risk doing that before all the approvals are completed. There have been cases where the City's allowed private developers to do this, so I feel like we are still playing within the rules.

Chair Hollist said who owns the park? Is this completely a County property, or is there a joint ownership with the City.

Assistant City Engineer Nielson said it is my understanding that right now the county owns it, but it's going to be turned over to a Park Authority, and that Park Authority is going to be basically 50% managed by the city and 50% by the county.

Assistant City Attorney Simonson said that is correct. I've seen the agreements and the City has just completed a contract for running canal water to do most of the irrigation in the park, so it's been a hand in hand thing. That is the plan, and there will be citizens of South Jordan that are going to be asked to sit on the park board, as well as citizens from the County that will also sit on the board.

**Commissioner Gedge motioned based on the staff report and other information presented to the Planning Commission during the Public Hearing, and the Planning Commission's discussion, I move that the Planning Commission forward a positive recommendation to the City Council to approve the proposed rezone from A-1 to OS-P. Chair Hollist seconded the motion. Roll Call Vote was 5-0 unanimous in favor**

**X. OTHER BUSINESS – *None***

## **ADJOURNMENT**

**Commissioner Gedge motioned to adjourn the February 23, 2021. Planning Commission meeting. Commissioner Hollist seconded the motion. Vote was unanimous in favor.**

The February 23, 2021 Planning Commission Meeting adjourned at 6:50p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez

**This is a true and correct copy of the February 23, 2021 Planning Commission minutes, which were approved on March 9, 2021.**

**Cindy Valdez  
South Jordan Deputy Recorder.**