

SOUTH JORDAN CITY
COMBINED CITY COUNCIL &
REDEVELOPMENT AGENCY MEETING

April 19, 2022

Present: Mayor Dawn Ramsey, Council Member Brad Marlor, Council Member Don Shelton, Council Member Tamara Zander, Council Member Jason McGuire, Council Member Patrick Harris, City Manager Gary Whatcott, Assistant City Manager Dustin Lewis, City Attorney Ryan Loose, CFO Sunil Naidu, Police Chief Jeff Carr, City Recorder Anna Crookston, Associate Director of Public Works Ray Garrison, City Engineer Brad Klavano, Planning Director Steven Schaefermeyer, Fire Chief Chris Dawson, Director of Recreation Janell Payne, IT Director Jon Day, IS Administrator Ken Roberts, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun, Communications Manager Rachael Van Cleave, Planning Commission Chair Michele Hollist, Commissioner Nathan Gedge, Assistant City Attorney Greg Simonsen

Others: Bela Eliason, Lisa Stanley, Harold Stewart, Koreen Stewart, Linda James, Don James, Stephanie Lloyd, Scott Lloyd, Sarah Larson, Kelly Cooper, Ronnie Cooper, Ron Dahle, Katrina Dahle, Lyndsay Christensen, Adam Stanley, Monique Hyde, Julie Stanley, Doraleen Rich, Doris Kalgrone, Robert Paxton, Duaine Rasmussen, Josh Trayner, Brittney Trayner, Kristen Maylett, Dave Bonham, Lora Bonham, CJ Bonham, Sara Schott, JR Feland, Ben Eliassen, Randy & Vicky Hoover, Lisa Reed, Thomas Dejong, Dan Petersen, Marcia Gines, John Evans, Aaron Zepancic, Dianne Kelsey, Jim Kelsey, Kori Wilson, Cody Boler, Morgan Varlour, Joan Wang, Nuu Wang, Kaitlin Jones, Stacy Gibbons, Robert Gibbons, Ashlee Bonham, Lizzie Bonham, Grace Bonham, Hallie Bonham, Alevah Sandos, McKenzie Maylett, Mitch Maylett, Jennifer Nehmer, Lara Langston, Sam Bishop, Brenda Cook, Jason Gatherum, Joann Spencer, Mathew Lee, Brad Beckstead, Kim Bass, Brandon Riley, Paul Johnston, Dan Reed, John Adams, Craig Bonham, Dave Rueckert, Blake Visser, Dan Galli, Dale Evans, Lisa Zupancic, Annette Eliam, Bert Eliam, Kimberli Balfour, Rusty Cannon, Megan Visser, Chanel Thompson, Nicole Thompson, Sharon Compton, Judy Cox, Jan Cremer, Paige Norton, Andrew Child, Shona Peterson, Lorna Eaton, Sandy Traynor, Stephen Traynor, Dave Freiss, Sam Johnston, Matt Petersen, Angie Balfour, Kurt & Kara Jenkins, Travis Wright, Russ & Amber Park, Ellen Brown Sue Seelye, Mark Miller, Susan Savage, iPhone, Amy's iPad, Lorie, Ron's iPhone, JViPhone, Kim's iPhone, Fox 13 News, Guest, Christel's iPad, 8017555686, Connie, Theresa, Michelle Estrada, Bmoon, Abby, Ryan Benson, Tracy Miller, Ace Ventura, Kris Bevans, Gene Bates, Mark's iPhone, Becky Belisle, Wendy, Carol, Dustin, Katie Shoemaker, Tim's iPhone, Kirsten's iPhone, Sant, 18018421338, Brooke Visser, Chad's iPhone, Tristi Lassig, Kirstin Waldron, Deshawn Musta Mohamed, Joshua Timothy, White Cliffs Ward, Lindsey Black, Josh Holmgren, Greg Black, Bob, Eric Carlson, SB, Drew, Robbie

Gibbon's iPhone, Don, Stacy, Bart Sharp, Ralph Spencer, Tim Walsh, Cory Covington, Steve Starks, Laura Lewis, Dina Majahano

6:33 P.M.
REGULAR MEETING

A. Welcome, Roll Call, and Introduction to Electronic Meeting - *By Mayor Dawn Ramsey*

Mayor Ramsey welcomed everyone and introduced the electronic meeting.

B. Invocation – *By Council Member Don Shelton*

Council Member Shelton offered the invocation.

C. Pledge of Allegiance – *By Council Member Tamara Zander*

Council Member Zander led the audience in the Pledge of Allegiance.

Mayor Dawn Ramsey noted that tonight's agenda needs to be amended to reschedule recognizing Addi Bruening, the Cross County Gatorade Player of the Year for the State of Utah. Also, for the sake of time, she suggested removing Item E, Mayor and Council Reports, from tonight's agenda.

Council Member Shelton motioned to amend tonight's agenda to remove Items E and G, as previously recommended. Council Member Harris seconded the motion; vote was unanimous in favor.

Mayor Ramsey said that Addi Bruening is a Senior at Herriman High School who lives here in South Jordan; she is a cross country champion and has signed on to run for BYU in college.

D. Minute Approval

D.1. April 5, 2022 City Council Study Meeting

D.2. April 5, 2022 City Council Meeting

Council Member Marlor motioned to approve the April 5, 2022 City Council Study Meeting minutes and the April 5, 2022 City Council Meeting minutes as printed. Council Member McGuire seconded the motion; vote was unanimous in favor.

E. Mayor and Council Reports

*** Item removed from tonight's agenda via amendment***

F. Public Comment

Mayor Ramsey opened up the public comment portion of the meeting.

Bob Paxton (Resident) thanked the mayor and council for all they do. He discussed the paperwork he received with his water bill and said that he doesn't necessarily like 35 parks, that's a lot of parks; when he moved here he thinks there was one park and that was City Park. There have obviously been a lot of changes but the beauty, value and investment is what caught his eye. He thinks that for those who have lived in this city for a while, and who have larger yards, they have been concerned about water for the last few years. He has drastically dropped the amount of water he uses by 25%-30%. Green is very important, and we know the biological values of green; there is a lot of that, and we need to consider all of that when we come to this discussion with cities, counties and state with water. He thinks many here have sizable investments with the green they have, but we are coming to the point where our state and county have, he thinks, over utilized the natural resource of water. This isn't a magic wand where we can wave it and say we are going to get another 20% of water; our growth has exceeded the natural resource which we have. He would like to know at some point, and hopefully it can be published in something like the resident newsletter, the plans that our city, state and county have for water in conjunction with the growth that we have. He has been told that our culinary water is 7.5% of our total water, our irrigation is 11% and that farmland water is 82%. He doesn't think we can continue until we start having some really hard discussions on where water is coming from as 7.5% for all the growth we are experiencing is not enough water for these people. He is hoping we can think outside the box, and that we don't put blame on the individual landowners that are participating with trying to control water, but still have an investment in that area.

G. Presentation Item

G.1. Proclamation in recognition of Addi Bruening receiving the Cross Country Gatorade Player of the Year for Utah. (*Mayor Dawn R. Ramsey*)

*** Item removed from tonight's agenda via amendment***

H. Public Hearing Items

H.1. Zoning Ordinance 2022-03-Z, 1379 West Shields Lane. RCV
(*Director of Planning Steven Schaefermeyer*)

Director of Planning Steven Schaefermeyer introduced one of our planners, Ian Harris, who has been with us less than a year and indicated that Mr. Harris will be doing the presentation for this item tonight. Mr. Harris has been a great addition to our staff and he wanted the council and mayor to have a chance to meet him.

Planner Ian Harris reviewed his prepared presentation (Attachment L). The applicant is

proposing to rezone the entire property to R-3, which is a single family zone but slightly more dense than the R-2.5 at three units per acre. Their proposal is to create a five lot subdivision, the rezone being done so they can get five lots in the space, rather than only four. The rezone would stay with the current land use of the area, which is stable neighborhood. Castlewood Development plans on doing five lots with a cul-de-sac that bulbs out from Shields Lane. The parcel is oddly shaped, and on the eastern side of the parcel there is a fragment that comes out into the intersection. He will let the Castlewood representatives give more details on that, but he believes the intent is to deed it to the property owner to the south; nothing has been formally done yet in regards to that piece of land. The developer is proceeding with the application to rezone the entire parcel, rather than worry about that fragment slowing them down; they would rather move forward with it as it is now. Staff completed a planning review and they believe the concept plan follows everything under the proposed zone change to R-3, so there are no issues there. The finance department also completed a review and found that it would increase the revenue to the city slightly, as well as lower expenses, but it is not particularly major. As far as infrastructure goes, there were no glaring issues found on the impact review. There are some requirements that would have to be done at the subdivision stage as they build out that cul-de-sac bulb like curb & gutter, park strip, making sure all the utilities connect to each individual lot, etc.; however, nothing at this stage was a glaring issue. Staff and Planning Commission are recommending approval.

Mayor Ramsey invited the applicant forward to speak.

Duaine Rasmussen (Applicant) said his company was fortunate enough to be the successful bidder when the church decided to put this property up for sale, and felt that this zoning would fit the surrounding neighborhoods. They have had meetings with the community development staff and they were very supportive of this, as was the planning commission.

Mayor Ramsey opened the public hearing. There were no comments. The public hearing was closed.

Mr. Rasmussen addressed the remnant parcel that runs along the north side of the property and fronts Mr. Sorenson's property. Mr. Rasmussen knocked on Mr. Sorenson's door, he wasn't taking visitors at the time and made it clear that he probably shouldn't come back.

Incidentally, last week before the planning commission meeting, Mr. Rasmussen received a call from one of his daughters, Mrs. Rust, who lives in Grantsville; she was trying to get online tonight but couldn't. He thinks they are open to taking that property as a part of their property when the developer re-plats this. They don't want any expense in removing the fence that's there now, and they don't want to have to keep the weeds down. The developer would do that for a period of time until they come in to develop, and then they would be required to move that fence out to the new right of way line. The developer is open and it will be discussed during further plat meetings with the staff, he just wanted everyone to know this hasn't been lost on them.

Council Member Patrick Harris thinks this is a very straightforward ordinance, the surrounding

area matches what is being proposed and he moved to approve zoning ordinance.

Council Member Harris motioned to approve Zoning Ordinance 2022-03-Z, 1379 West Shields Lane. Council Member Zander seconded the motion. Roll Call vote was 5-0, unanimous in favor.

H.2. Resolution R2022-15, Sagewood Ranch Barn Land Use Amendment.
RCV (Director of Planning Steven Schaefermeyer)

Mayor Ramsey asked if it would be appropriate to have Director Schaefermeyer present on both the land use amendment and the barn rezone, and then have one large public hearing for both items; or, should they break the items up.

City Attorney Ryan Loose said it would be appropriate for Mayor Ramsey to hear all the issues, Items H.2., H.3., and even Item I.1. as they are all inter-related; you can't have the rezone without the land use, and you can't have that particular zone without a development agreement, so they are all topics that will be brought up at the public hearing. For the RDA specifically, the law allows one public hearing for multiple items that are related, however he has never seen that in the land use. He asked Director Schaefermeyer if he had ever seen that, having one public hearing for both the land use and the rezone. Mr. Loose indicated that he would feel more comfortable having two hearings as that is what they have always done. There is a specific rule for that under the RDA, but he is not aware of any specifications in the land use arena so he would suggest having the whole presentation from the planner, information from the applicant, then opening the public hearing as to the two items knowing that in the past what typically has happened is that everyone will speak on the first item; the second item will have less talking because they are all related. This was discussed in the work session as to how they would handle these items: They will go from Item H.2. to H.3., then I.1., then vote on I.1. because the agreement has to be in place before any rezone is done. After that, they would come back to H.2. and H.3., in that sequence, to vote. Knowing they are going to do that, he thinks they can open the public hearing with the knowledge that at the end of the one public hearing another will be opened, but only to accept new comments.

Mayor Ramsey noted that we are just trying to make sure we do this right, and give everyone the chance to be heard.

Director Schaefermeyer introduced the proposals to amend both the land use and the zoning on approximately three acres of property that would be used as an event center, as well as the zoning on property that would become a residential subdivision. He gave some background on this, reminded everyone of where this has been in the past, because this same property came to the council in 2020. He will let the applicant explain why they are choosing to come back now to try and make the event center happen on this property. This zoning is as complicated as we get, the zone they are looking for does require a development agreement; he will get into that and share what staff has done to try and anticipate some of the issues that many will talk about

tonight in the development agreement. A development agreement is our best way to create predictability, and with that said, City Council can always amend development agreements, and applicants can always come back and request that the city council amend development agreements; that is done through the public hearing process. This does give opportunity for residents who thought one thing was going to happen on the property, and now are being told there is a possibility that something else happens on the property, to come before the council again and express either their support or opposition. Director Schaefermeyer reviewed background information from the Staff Report and referenced prepared presentation (Attachment A). He also referenced the currently proposed development agreement, located on page 102 of tonight's packet with the agenda and supporting documents, which is where the developer obligations begin. He moved to page 103 of the packet and discussed specifically Sagewood's obligations. The development agreement is divided between the obligations of the developer of the single family homes and the obligations of the applicant in regards to the barn event center. He specifically read through Sagewood's Obligations, Section 2.b., regarding the allowed uses. He noted there is nothing in the development agreement about the sale of alcohol, and the applicant has done some work on that and will discuss it later. Event centers like this usually have a third party come in who has the actual alcohol license; a predetermined amount of alcohol is usually sold to the person holding the event and they are responsible for the consequences of serving alcohol at that event. Any questions or concerns regarding the city's involvement in alcohol licensing can be addressed as well if desired. He showed some of the renderings from Attachment A and said there can be some variation once the actual plans are made, however any major changes will have to come before the council for approval; the images being shown are only a concept plan.

Mayor Ramsey invited the applicant forward to speak.

Megan Visser (Applicant) reviewed her prepared presentation (Attachment B). She referenced aerial photos from the presentation, showing the property before South Jordan Parkway connected to Bangerter, and before it was widened. Her family has been through a lot of change over the years, some of that change has been good and a great contribution to the city as well; but it has also been very difficult for not only them, but for neighbors who have been long-time residents of South Jordan. Going through this process with part of the property being sold for development with Phase 1 was difficult, they felt like this might be an opportunity to cling on to what is remaining and they felt this was the best solution to do that. She referred back to Attachment B and their goals for this project, along with the development agreement. She talked about how they reached out to many subject matter experts to make sure they were getting accurate information. She reiterated that the use cannot change outside of the development agreement without this hearing process, and this process is not easy. She hopes that neighbors feel rest assured that it's not turning into a Maverick; it is tied to the development agreement and the use that agreement currently dictates. She touched again on the fact that the development remains the same, the number and size of the lots stays the same with the exception that she is purchasing two of the lots back to include in their parking lot. She wants everyone to know the developer has been very agreeable to this, and also supports this; the zone change is not changing what has already passed. It is also important to note, that

as you look at the overall property, the majority of it is what they want which is residential; they are looking at the remaining corner, which is on a busy street, so she believes it is a win-win situation to have that residential area still there. They have taken the effort and expense to have some renderings done to help everyone visualize better what they are thinking about, and the potential of this project (Attachment B). They are committed to the things in the agreement with low impact lighting determined by a photometric study so as not to impact neighbors with lighting, a sound engineer, insulation class, etc.; all of these things are exceeding code and they are committed to the highest level of improvements with this and are sparing no expense with that. She added that Director Schaefermeyer touched on the landscaping during his presentation, but you can see in the renderings that they are exceeding the code for landscaping extensively. There are trees that will border inside the property lines, as well as outside on Alexander, to give more shielding of noise and light, more privacy, and to give a buffer with the wall so they aren't staring at a blank wall. Again, every single design decision has far and away exceeded any code requirement and is top of the industry standard. They went to huge expense to purchase back two lots to move that parking away from the neighbors, and it works out great because it gives them ample parking. They have exceeded that as staff has mentioned, it is one stall per 100 square feet, and at 8,000 square feet they would require 80 stalls; they will have 117 stalls. They have also looked at other venues and their parking, based on what they've seen, on average venues have about 80 stalls and Sagewood is exceeding that. For example, Walker Farms has 80 stalls; she spoke directly with one of their event managers, asking her about parking and if they've had any issues. That event manager said they have never had a problem with parking. Regarding traffic, as was mentioned they paid for the Wall Consultant Group to do a third party traffic study. After all their research with this, the study concluded that "there is sufficient excess capacity to easily accommodate the proposed project and associated traffic volumes." She thinks it is important to note that they didn't just say "accommodate," they said "easily accommodate" and it was said twice to refer to 3200 West and 10400 South. At the planning commission meeting, it was mentioned by staff that the traffic will be a drop in the bucket; the traffic is a nonissue. At the planning commission, they heard some concerns about safety and they take that very seriously. They reached out to the city and filed a GRAMA request regarding calls for service to two other reception venues in South Jordan, Magnolia and Azalea. These venues share similar characteristics with Sagewood because they abut residential areas. The response from that GRAMA request was that after researching, city staff was unable to find any calls for service at either venue last year; this included noise complaints, drunk or disorderly conduct and theft. In response to the concern over alcohol, they have done a lot of research. In that research, they first found out that all venues in South Jordan allow alcohol, done through a third party bar service; the property does not have a liquor license, it is regulated by the state and held by the third party bar service who controls the sale of it. There was some discussion in the meeting about them making extra money for the amount of alcohol they sell, but that's not the case. There is a big difference between private events and public events; in a private event you are not allowed to do that, you have to pre-sale the amount of alcohol based upon the size of the party purchasing it. They have a contractual agreement with only one bar service. The reason they reached out to this one was because they have a reputable background and experience, and they felt that was important because they are more invested in upholding the policies. If they want Sagewood's

business, they have to do a good job and uphold those policies. They have worked to come up with a venue alcohol policy that is very specific, as well as a contract with a bar service expert, who is available via Zoom for any questions. She has the venue alcohol policy and handed that to the council, she shared some highlighted points (Attachment C). She emphasized that in her research she spoke with a venue in Mapleton who said that the City of Mapleton actually required her to allow alcohol in her venue because they had seen so many issues with people sneaking in alcohol to venues without regulations. They feel like this is a better solution for everyone when it is regulated and people are held responsible and liable, and they have a professional bar service handling this. We sometimes have a hard time thinking out of the box, but what's stopping a neighbor from having a party with alcohol or the Harvest Villas Clubhouse, as there was nothing in their clubhouse rules that she could find that prohibited alcohol at parties there. She thinks we should be open to that and agreeing that the best solution is to have the regulations with it. Regarding the fence, she showed some renderings on Attachment B of the proposed fence. Along Alexander they have given an extra five feet of landscaping as a buffer, and have been told they can't do grass in those areas anymore so they filled it with drought resistant plants and trees on both sides to give that buffer and help with the sound. They also feel that this eliminates the concern of people parking on that street who are coming to the venue. She also showed the renderings for the open rod iron look along 3200 West from Attachment B. Industry comparisons to other venues show many are in residential areas, and she shared 12 slides from her presentation showing their proximity to residential areas; this included nine venues off a list that was presented to the planning commission with the claim they were not in residential areas. She is not sure why the presenters determined they weren't in residential areas, but these pictures clearly show they are surrounded by residential and effected. She showed pictures of Wadley Farms and Walker Farms.

Mayor Ramsey asked Ms. Visser to share the cities these venues are in as she shows the pictures.

Ms. Visser said the first three are in Utah County.

Council Member McGuire said he believes the first two are in Lindon, Wadley Farms and Walker Farms.

Ms. Visser said Knot and Pine is in Alpine. The remainder of the venues are located in Salt Lake County including Twenty and Creek, which has surrounding residential and a busy road, which is exactly how Sagewood would be. She continued to show the remaining venues from Attachment B and pointed out that these are in residential areas because they are catering to residents and the convenience of needing a venue like this. She pointed out Azalea specifically because it is in South Jordan; it does sit by other commercial shops and businesses, but across the street is high density and there are homes all around on all sides. Lastly, she mentioned Magnolia, which is on the same street, in the same city and shares a backyard fence with residential. The most impacted people in this Sagewood project are her parents, they sit on the corner and are the closest; they have worked exhaustively to make this project great for everyone, but especially for them. It has been requested that their home and remaining

property be tied in to the development agreement. However, after much thinking and discussion with both their personal attorney and city attorney, and their parents, all parties agree that it's not fair to include that now while they are living there because if the zone was changed they wouldn't be able to live there. They hope her parents live there a very long time, but their plan is to incorporate that home into the barn venue when that time comes. The uses might include overnight accommodations for a wedding party or a family reunion, daytime offices for event planners, photographers or florists. If the barn project is approved, they have to add the right hand turn pocket on 3200 West at the intersection of 10400 South; that has a significant impact on the access to her parents' home and that corner property, so it's much more sensible to include it with their project long term. It would be really difficult for something else to come in there and access it, they would have to access it through their barn property. City engineering staff pointed this out, and she thinks it is helpful to think that through. She thanked everyone for the support they've had; she knows there are some that don't love this, it's a vocal minority though. They have spent time trying to get support in a way that hasn't been coercing people, including through Facebook pages where they allowed people to leave their names and addresses with a comment, allowing people to be open about how they felt about this property and the project, as well as what it has meant to them in the past. The response was overwhelming, and they had over 700 comments and signatures with the number continuing to grow; that petition was submitted before the meetings (Attachment D). She also pointed out that in their responses, 75% of them came from this district and surrounding areas; again, they are hearing from a vocal minority. They hope they have addressed most, if not all of the concerns; they have done their best to do that and they think it's a win-win for everyone. She concluded with a letter from her parents:

“Over 50 years ago, we bought the corner acre where our home is located. The roads were not paved and we were surrounded by open space, filled with wheat and alfalfa fields. As time passed, farmers around us aged and acre by acre relinquished their cropland to developers. Gradually we were fortunate enough to acquire 10 acres of space to create a little farm, where we could raise our family as we had grown up, with fields to irrigate and animals to care for. Central to that dream is our barn. The barn has housed horses, a cow, feed for a menagerie of exotics, ostriches, buffalo, elk, musk ox, yaks, etc.; it has hosted cowboy poets and weddings, high school dances and a half pipe skater ramp. It has created memories for people of all ages, and has become a South Jordan landmark. As we move into our 80s, we have had to make difficult decisions about our property and accept the life changes that come with that. But, with careful management the barn can continue to serve South Jordan citizens and be a center for fun, learning, and celebration; we hope that can be accomplished.” – Otto and Amy Jones

Mayor Ramsey explained Item H.2. is resolution R2022-15, Sagewood Ranch Barn Land Use Amendment; H.3. is Zoning Ordinance 2022-02-Z, Sagewood Ranch Barn Rezone. Below that, Item I.1. is Resolution R2022-14, Sagewood Ranch Barn Development Agreement. These are three separate items, so as was discussed before, we will hold three separate public hearings. She requested that those wishing to speak do not speak at all three public hearing, as

this is all the same thing; everyone is welcome to speak at the first one, then if anyone has new or different information for the second or third one, they are welcome to speak.

Council Member Shelton pointed out that this is technically only two public hearings, as Item I.1. is an action item.

Mayor Ramsey noted the correction and said there will be two public hearings, but she still wants everyone to have the chance to speak; this requires the protocols described above, so the same thing isn't being said multiple times. She reminded everyone, when they come up, to give their name and address for the public record; if they are here representing a group of people she will give them six minutes to speak, and she will have everyone they are representing raise their hands. If we have dozens of people saying the exact same thing, she will stop and ask the audience to raise their hands if they agree with what is being said. After that, if anyone has anything different to say then we would love to hear it. She assured everyone that she and the council have gone through everything from the planning commission; they have heard it, read it and seen it, and they are aware of the comments. They have all received many emails, text messages and phone calls, and they have read through those as well. They are not entering into this uninformed and they want to hear from everyone tonight, she is just trying to figure out the best way to do that. She then proceeded to open the public hearing for Item H.2.

Bela Eliason (Resident) indicated she is speaking on behalf of Kaitlin Jones and requested the additional time; she lives right across the street from the barn. Before they purchased their home they checked on what future land use for the barn would be and they were reassured that once the animals were gone, according to all the records they could find, the area would be filled with homes and their neighborhood would be finished up. They really enjoyed the animals at the farm, and they were said when Justin Jones, Megan's brother, knocked on their door a little over two years ago to let them know his family decided to sell the farm and move on. They knew this day would come and after some time they went back and forth before a rezoning happened and they felt like they found a happy medium where they could preserve their neighborhood and the Jones Family could get smaller lots and be able to sell and arrange their homes better on their property. They were getting ready to welcome their new neighbors across the street, and it was very confusing to hear this past December that the Jones Family is now trying to keep part of the farm and turn it into an event center, thus looking for another rezoning. It was even more surprising to see a Save the Barn petition popping up online when the current approved development agreement was their idea. They as neighbors never asked them to take down their barn, and they are more than okay with having the barn in front of their homes as part of the property; they just don't want commercial in front of their homes. While she thinks that hearing different opinions is very important, in this case she thinks those who should be heard are those who would be directly impacted by the proposed change. Not only the immediately effected properties in the neighborhood oppose the project, but the majority of the neighborhood disagrees with the proposed rezoning plan. She knows that a good, thriving community has to have rules in order to make sure all of its residents' rights are being protected; in an effort to better understand what is being proposed she read through the

general plan of South Jordan and she wanted to share a few things that stood out to her. First, the South Jordan General Plan serves as a future guide for future growth and investment, while preserving the city's high quality of life and unique character. The plan provides South Jordan with a toolkit for guidance on land use and development over the next 20 years. The plan establishes a community supported vision for the future that strives to maintain and enhance the city's neighborhoods. The future land use map describes South Jordan's desired future for the next 10-20 years. As South Jordan continues to experience rapid growth there is little desire for residents in older, traditional neighborhoods to change the city's traditional land uses, therefore a large portion of the future land use map (Attachment E) is zoned as stable residential. The term stable neighborhood stood out to her mostly because it is the current zoning of the Jones' property, and the main reason why the planning commission denied the rezoning. While talking to her neighbors, she realized that a lot of them believe that if an event center doesn't get approved they will probably end up with something much worse, like a Walgreens or a gas station; for that reason she thinks it is important for everyone to understand what the current zoning is and what it means. She read the definition of the stable neighborhood zone from her prepared presentation (Attachment E). The reason she lives in an area zoned stable neighborhood is because they want just that, a quiet place where they can enjoy the benefits of knowing who is on their streets. They worry that the proposed change would take all that away from them, bringing a lot more traffic into the area, noise until late hours of the night, and hundreds of people they don't know across the street from them. As a mother, she is concerned about all of that and she feels that having her kids playing outside would be less safe, and then getting the needed rest on a school night would be difficult to assure. The Jones Family is surrounded by residential land on all four sides, as you can see on the map in Attachment E, so in order to respect the general plan and maintain the same quality of life for the neighbors it has to stay residential. If this rezoning goes through, they are not only worried about the impact the event center will have in their daily lives, but also possible future developments. Based on the general plan and the changes that this rezoning would bring to the character of their neighborhood, and the lives of its residents, she respectfully asks for the denial of this application. She understands that this is an emotional issue, and she respects the fact that the Jones Family has been here for a long time, but she would like the same kind of respect for their families and their stories. She doesn't believe they have less rights for being in South Jordan a shorter amount of time, and she can tell us that each family in her neighborhood has a story worth hearing. They all worked hard and invested a lot in their properties, and she feels that approving an event center in their neighborhood would not only go against the guidelines that keep our city beautiful and thriving, but it would also be unjust. They are at home here, and they don't want that to be taken away from them. As you vote tonight, she asks everyone to consider what their vote would be if this were across the street from their own homes, and she hopes the city will help keep her neighborhood safe.

Ben Eliason (Resident) indicated he is speaking on behalf of Vicky Hoover and requested additional time.

Mayor Ramsey noted that generally, the six minutes is for someone representing an entire group. She granted Mr. Eliason the six minutes, but explained that going forward, the six

minutes will only be granted to those representing more than one or two people. She asked for Ms. Hoover to identify herself, and permitted Mr. Eliason to continue.

Mr. Eliason said that most of them do prize and cherish open spaces, they improve the general feel and quality of life inside our communities; they do not come freely however, a community has to have a strong commitment in the form of taxpayer or other monetary investments if we are to preserve them or have more of them. The Visser's flyer states that they will preserve much needed open space. The South Jordan City General Plan identifies the definition of open space as "areas that are not required to be maintained, but often are maintained for recreational purposes and to develop pedestrian connectivity. These areas may include multi-use playing fields, play structures, pavilions, parking and other recreational amenities. He appreciates that Mayor Ramsey is an advocate for open space, however this is not a park or a playing field; it is a business surrounded by a needed wall for noise, it does not fit the city definition of open space. The event center has minimal green space outdoor area, the entire property is only six acres and as we saw before this is only half of that property. At the last meeting, Megan said she would be willing to take out green space to add more parking. As a side note, he does not believe, based on receptions that he has seen in Utah, that this will be adequate parking and he does believe people will be parking on Alexander. Living there, he knows it is a short walk around and he doesn't believe that will not be utilized. If parking lots are considered open space to the city council, then we already have plenty. They, the neighbors, feel that the use of the word "open space" is an attempt to appeal to Mayor Ramsey's mission, and to sell something they actually can't provide. As a city council, he hopes they honor the definition found in the general plan. He is all for market solutions, but he does believe this stretches that concept a little too far. The advertised vision of the Vissers for historical preservation with peaceful public areas for the locals to enjoy, that is also a business, really stretches that definition of either a historical site or an open space; it results in it just being a business. Their home values and quality of life would be sacrificed for this thing, there would be no way to control the volume of noise, the traffic, and all the degrading factors that come with people drawn into their neighborhood; people who have no personal stake in keeping the neighborhood nice. It would cause a very desirable neighborhood to become much less desirable. The increased traffic, decreased quality of life, loss of investments on the part of homeowners nearby takes advantage of the beautiful location while detracting from it. Once they get one commercial property going, and the money is flowing, there is much less to preserve. As it stands now, this is a beautiful neighborhood, with a high degree of livability that they paid dearly for with decades of hard work to be able to attain such a home in such a neighborhood; to be able to walk in peace and open spaces which people's yards do provide. The Vissers stand to lose nothing except for potentially larger profits when you compare residential to commercial. The funniest statement made at the last meeting was that we don't need more houses, obviously there were many people very much wanting houses in this housing crisis; they would welcome more families in to their neighborhood. Houses around here tend to be beautiful, they perform a vital function for people trying to raise families. The interactions between neighbors inside a neighborhood, inside a safe, private zone is a precious and highly valued commodity; but, they have said they don't want them, we don't need them, but who's we. Proposed new homes will sell the same day they are posted. He thinks it is the

homes that make a neighborhood, much more so than a noisy, crowded commercial construction with celebrations and an outdoor venue in and out of an elongated barn. We live in a time where in our government we see more corruption perhaps than ever in this country, people's trust in our government is at an all-time low. If you vote no to this proposal, it would send a powerful message, at least to some that our neighborhoods are not for sale; it would make our city a shining example of helping to restore that trust. It would set South Jordan apart as a city that actually cares for and protects its citizens. Please uphold the spirit and letter of zoning laws, and protect homeowners.

Paige Norton (Herriman Resident) was raised on her Grandpa Del Wheadon's farm, here in South Jordan, Utah. She represents the fifth generation of her family to live in South Jordan. If we all went on a little walk over to the South Jordan library, we would see her family's name hanging from the ceiling, as they were one of the founding families of South Jordan City. She can strongly relate to what Megan was talking about, watching your multi-generational family farm change again, and again, to accommodate the needs of other people. As a South Jordan farm kid herself, and now an eight year member of the Salt Lake County Farm Bureau Board of Directors, she wants to speak in favor of the preservation of the Jones Family Farm. It isn't just a place of their family history, it isn't just a piece of South Jordan's history, and it is a piece of her history. From her earliest years she remembers going to the Jones' farm to look at their incredible animals and admiring their beautiful barn; she can't imagine driving by and not having it there, it would feel like a piece of her was missing. Even putting history aside, she can tell everyone that as a professional florist and wedding planner for 20 years, we need a place like the Jones' barn. There are already precious few reception centers or gathering places available, or affordable, and we should all be counting our blessings that the Jones' are willing to turn their family barn into a place that everyone can enjoy. The Jones girls are taking on a massive project financially, mentally, emotionally and socially; they aren't doing it to destroy the city they spent all of their formative years in. They are doing this because they love the home of their childhood, they have a lifetime of fond memories on the property, and now they are giving all of us an opportunity to fall in love with their family barn and make it part of our personal histories as well. The Jones' are being excellent neighbors, she is shocked at the amount of care and the extent and expense they are going to, to make sure that this has as little side effects on those around them as they possibly can. What they have proposed is beautiful, purposeful and needed for all of these reasons, especially for the reason of home and property ownership. She would encourage everyone to vote yes.

Landon Anderson (Resident) is speaking on behalf of Brad & Shona Peterson and Kim Bass, and requested additional time. He first congratulated Mayor Ramsey and Council Members Shelton and McGuire for their recent re-elections; the city is lucky to have their support for another four years. During the oath of office ceremony, Mayor Ramsey said that the council aims to bring opportunities to residents of South Jordan, and he couldn't agree more. Everyone received a letter from him yesterday (Attachment M), and if not he has additional copies tonight. The city staff and city engineers involved in this proposal, specifically Damir, Jared and Steven, submitted to the council the recommendation to approve the resolution and zone changes; he imagines these engineers would not have approved this project if they did not feel

that any potential negative impacts had been addressed. Most of the information he wanted to address tonight has already been shared by the applicant, Megan Visser, so he just wanted to touch on a few items. During public comment at the planning commission meeting, a handful of residents said they were worried about the impact this project would have on traffic along 3200 West. If traffic congestion really was a concern, residents would have opposed the construction of the LDS Stake Building located on the same road. When you truly weigh the benefits of the right hand turning lane, versus the arrival and departure of venue attendees, this project overall will improve traffic along 3200 West. Council Member Marlbor promised during his re-election campaign to improve and expand transportation ability in order to move traffic efficiently within the city. By voting against this proposal, you would also be voting to reject the applicant paid right hand turning lane going from 3200 West onto 10400 South. As the council considers their vote on this proposal, he asked them to remember that the sale and consumption of alcohol is determined by the State of Utah, and not for any individual city. Utah Ordinance 31B-1-102 allows alcohol to be served and consumed at a DABC licensed premise, or by a DABC licensed vendor. Last year the Rooftop Reception Center in Lehi went through a very similar process with the Lehi City Council, the topic of alcohol consumption also came up. Mayor Mark Johnson was quoted as saying "We have to uphold the constitution. If permitted uses fit within the requirements of the code, we cannot deny them; it's hard for us to take action against an assumption." He likes that quote, that it's hard for us to take action against an assumption. The resolution ended up being approved by the City of Lehi. On January 4th of this year, the city council voted unanimously to proclaim January 16th as Religious Freedom Day; who are we to tell anyone of legal age that they are not allowed to consume alcoholic beverages, especially at a joyous event such as a wedding reception, when done so legally, responsibly and abiding by all the laws and regulations. When it comes to home values, based on data provided on Zillow, during the previous 30 days alone each of the homes along Alexander Park Lane increased in value by an average of \$42,350. What an incredible investment opportunity for these families, and an opportunity that should not be denied to others such as the applicant and her family. Should this proposal not be approved, Phase 2 will surely take effect, which means two story homes will be built, removing valuable mountain views from residents living along Alexander Park Lane; this will have a much larger negative impact on home values for these residents once those mountain views are restricted by homes. Finally, he took the time last week to meet with the residents living directly next to the Magnolia Grove Reception Center, located on 10400 South; these residents all live on a street called 10550 South, similar to the proximity of Alexander Park. He spoke with Mr. Robert Farr who lives on that street, he said the reception center is just over his back fence and during events there has never been congestion or vehicles parked along his street. He has never been concerned for the safety of his family while alcohol was being served; if given the choice, he would rather have Magnolia Grove located behind him versus a gas station. Steve Garvin, who lives on the street adjacent to the reception center as well, said that during events there has never been congestion or vehicles parked along his street. Mr. Garvin has never been concerned for the safety of his family while alcohol was being served, he has also never felt that the noise or music from Magnolia Grove has been a nuisance or an issue for him and his family; music was always discontinued prior to 11:00 p.m. Since the opening of Magnolia Grove in 2001, Mr. Garvin also stated that the value of his home has not been negatively

impacted by the reception center; for these reasons, he strongly urges the council to approve the resolution and the zoning change brought before them tonight.

Dennis Wood (Resident) moved to Utah, originally Herriman, in 1999 from Yorba Linda, California. They had a similar idea moving here that they would be on the outskirts of town and when they drove through South Jordan to Herriman, he will never forget stumbling upon the Jones' family farm with the elk, bison, etc. To him, the farmhouse represents something for this city, it always has since he first saw it. He has visited that place at least a dozen times, twice inside the barn, but several times just to park along the side and see the animals which he is sure is its own traffic issue alone. This stable neighborhood thing is an interesting point, but it's not as though there is already a neighborhood developed on any of that land that we are changing going forward; he doesn't see how that's an applicable argument.

Josh Trayner (Resident) they purchased a lot on Alexander Park Lane in the fall of 2020, it was the last remaining undeveloped lot on that street when they purchased it. They are here in opposition to the proposed development of this barn. They have several concerns with this that he'd like to address. Regarding parking, the prior speaker brought up the chapel that is located on 3200 West just south of this. He and his father have been residents of South Jordan for about 20 years and attended that church, he and his father used to joke all the time that the parking lot sat empty while everyone parked on the street. If you go there on a Sunday, or anytime there is an event there, you'll notice the same exact thing; everyone parks on 3200 West and not in the parking lot, the lot is empty. The applicant's resolution to this was to build an eight foot wall, this eight foot wall is very concerning to them. As you can imagine, if you had an eight foot wall as you drove into your neighborhood, you can imagine what that would do to the area. It destroys the neighborhood, the entire look of the neighborhood. As mentioned, they purchased their lot in the fall of 2020, those lots had not yet been rezoned but that process was underway. They acquired their lot with the understanding that those lots across the street would be zoned residential; that rezoning did occur, and a big part of that rezoning was the fact that there were a few larger lots towards 10400 South that brought the rezoning into the requirements of the zoning change that was requested. The applicant is now eliminating those larger lots and only leaving the smaller lots in this development, therefore having an effect on home values. The other thing talked about was the traffic. If someone is coming to this event, driving along 10400 South from Bangerter Highway, coming from the west and they miss their turn on to 3200 West, where are they going to turn; they are going to turn on to Alexander Park Lane. If there is a wall there they may not park there, they may. If there isn't a wall there they will park there. The Trayners have four small children that they are very concerned about with the traffic and sales of alcohol. The applicant has given examples of other event halls that are in residential areas; if you look up a map, those are not in residential areas. They brought up Magnolia that is clearly a commercial area on South Jordan Parkway, the only entrance is South Jordan Parkway. Azalea is on Main Street in Daybreak where there is nothing but commercial. In closing, looking at the city's general plan that was redone very recently, one of the results on the third page of the plan is to preserve stable neighborhoods; granting this change in zoning does not align with South Jordan's goal of preserving stable neighborhoods.

Brittney Trayner (Resident) appreciates that the applicant has taken such effort in trying to accommodate the neighbors, and she can see just in watching, the great lengths the applicant went to; they really appreciate that. They don't think this is right for their neighborhood though. With as much effort as has been put in, they just think it is not for their neighborhood and that it would violate the goodwill they had when they purchased their lot; they are in the middle of building right now, and they thought and were told it would be residential.

Adam Stanley (Resident) is representing his mother and a few of her neighbors who live in Harvest Villas, and requested the extra time. Their concern as neighbors is the rezoning of this property into something that is otherwise residential. They have been referred to this evening as the vocal minority, but he'd like to think of them as the people that are the most affected by this proposal. He collected signatures from those they could get to come to the door who were in opposition (Attachment N), and presented an illustration to show the residents immediately surrounding the property who are opposed to this and signed that petition (a copy of the map was not provided to the city recorder). He is sure their numbers are underrepresented during this meeting, due to the unfortunate circumstance that is spring break this week, and they have a lot of neighbors that are on vacations that had already been planned. To be clear, they love living near this open land, the animals, and of course the barn. They were saddened to hear that they were moving and making some changes, but as has been mentioned tonight, they felt fortunate and happy that it had been zoned as residential; they certainly felt a little blindsided when the plans were changed, and now it's being proposed that there be an event center in the middle of their neighborhood. They also feel that there has been a misrepresentation that the neighbors want the barn torn down, and that could not be further from the truth; they are just against the land being rezoned to affect the way they live in their quiet, low traffic, stable neighborhood. They also presented during the planning commission meeting and brought a list of 35 other privately owned reception centers in Salt Lake County, with only two of the 35 actually partially bordering a residential area (Attachment F). Magnolia Grove was referenced, that the applicant visited some neighbors who didn't feel it was adversely affecting them, but their neighborhood is not even directly accessible; that venue resides on 10400 South which is a commercial area in general. Regardless of the proposed current plans for the property, regardless of good intentions, verbal guarantees, conditional agreements put in place there are never guarantees in these business endeavors. It has been noted this evening that if the business failed it would have to come back to council, but this would only be to approve any modifications to the original development agreement. They feel strongly as neighbors that if it is already indicated, as proposed, those doors have now been opened and it only makes it easier for someone else to get their partial approval for whatever their business might be in that area. Realistically, keeping this land zoned residential is the only plan that would guarantee unwanted commercial business in the middle of their neighborhood. It was mentioned in the previous meeting by someone that nothing like this exists in Salt Lake County, and that they have to travel to Utah County to see these other barn properties. In Draper City, which is only 14 minutes away from here, there is the Old Day Dairy Barn. It was built in the 1920s, and now hosts receptions, parties, reunions and other such events; it is available to residents and non-city residents for rent and usage for their events. Before it became what it is today, in 2010 it was moved from its original location, further to the east, on to city owned property

next to a TRAX station, a library and city park; in other words it was moved to a location more suitable to its usage, and an area of property that made sense. He addressed the city council members and said that rezoning this land and further approving plans for an event center does not better our community, and it does not better our surrounding neighborhoods; at least not in its current location. Not in the middle of their stable quiet neighborhoods, it only benefits potentially the business owners. They understand the applicants have worked feverishly as mentioned before with city staff to make this work, to accommodate neighbors' concerns, and they appreciate that and respect those efforts to be mindful of them as neighbors. However, sometimes despite those efforts, it just doesn't work and it doesn't make sense for the middle of their stable, quiet neighborhood. As residents and neighbors of this property, and even as someone that grew up in South Jordan next to Wheadon Lane down the street from this barn, it is different when you live next door and the way it will affect you; even though it is a pretty thing to look at. They hope the barn stays, they just don't want it to be an event center.

Lisa Stanley (Resident) is representing a group of ladies from their neighborhood who visited Wadley Farms and Walker Farms to knock doors and talk to neighbors; they were interested after the planning commission talked about that. They showed pictures of the venues they visited (Attachment G).

Mayor Ramsey asked if any of those ladies are here in the audience.

Ms. Stanley indicated Kara and Joanne, and they raised their hands. They first went down to Wadley Farms, which was used as an example that it was in a residential area. She talked to Calleen Hardy, the manager and sister to the current owner. Ms. Hardy graciously shared her business card and told Ms. Stanley that the city council members were welcome to contact her. Ms. Stanley sent that information in an email to the mayor and council (Attachment H); she hopes they had the opportunity to call and talk to her. For the sake of time, she wanted to go over a few key differences of these properties as she thinks they are important to point out. First, Wadley Farms has been around since 1852, so the City of Lindon gave it historical status, and that is why it was given special zoning. It is also important to point out that Wadley Farms sits on 23 acres, and it is still currently a working farm with vineyards and orchards; because it is a working farm, they can have a structure on the farm used to bring in revenue. The proposed Sagewood Barn has six acres with most of it being parking lot and the garden space would roughly be the size of their neighborhood's backyards, as many of their neighbors have 0.5 and larger backyards. Ms. Hardy said that generations ago, the land was put into a trust and handed down with specific instruction that it could not be parceled or sold. The Jones property has been parceled and sold throughout the years for financial gain, which is why she has a home built on Bison Ridge. Wadley Farms has over 250 parking stalls, and Ms. Hardy said that on average her wedding uses at least 200. Wadley Farms said they had to learn the hard way that private security must be present, especially when their customers have alcohol vendors, otherwise it overwhelms their police. She also said to be aware of red solo cup drinkers that bring their own alcohol into the parking and parking lot, she said that is why they use vendors; there are two vendors that she trusts that don't over serve. No live music can be played outside; only very low, way lower than city ordinance, instrumental music can be

played for ambiance. The next area they went to was Walker Farms, and it was also brought up by the applicant. Walker Farms is in the middle of a neighborhood, which is correct, however right across the street you can see from pictures there is also an elementary school and a city park. Neighbors told them that event parking always overflows into the school parking lot and into the park parking lot. They knocked on about 10 doors in this neighborhood, and in all honesty at a few of the homes no one answered. About three people told them they were pretty indifferent to the event center, it didn't bother them; they bought the home knowing there is a school and a park that also brought traffic and noise, so it didn't really bother them. However, they did knock on the door of about four other residents who had a lot to say, one of them is directly across the street from Walker Farms, about the same distance as what Alexander would be. Her name is Karen Hill, she was a wonderful woman who discussed how it changed the dynamic of the neighborhood and she wrote a letter that will be read later in this meeting. The next event center was actually one that Ms. Hardy, the manager at Wadley Farms talked about, and this one was something they didn't have called Wild Oaks; this would be more what we are looking at with Sagewood Barn. It is on five acres and they have enough parking to be up to code, but not for the use of the building. It is important to acknowledge that, although Sagewood Barn was parking up to city code, that city code does not account for the use of the building. The size of the building, Sagewood Barn, could be the size of any building like an orthodontist's office or a professional building, but it is an event center and there isn't special coding for that. They said at this particular place that they have so much music and noise that it rattles the windows. She showed a picture of the outdoor space and noted that it kind of reminded her of what Sagewood Barn wants to do with their wall and the trees going up. If you zoom in, the neighbors across the street are a cul-de-sac and they went and knocked on doors there. All the neighbors whose doors they knocked on said that they wished this never happened, that they tried to fight the city council; the city council didn't listen and now they are constantly calling police. They cannot listen to movies on the nights of events, and that music is played inside the event center but can be heard because doors are opening and closing at all times. No parking signs have not helped, the neighbors have been unable to back out of their own driveways at times. The police are being called so often that the owners of this event center have come into verbal altercations with neighbors because they are so sick of them calling. Some of these neighbors were able to respond to email, she had copies of those emails (Attachment O). One of them was named Minta and she said "I would like to add that traffic increase has been a huge problem the nights that there is receptions. We knew these problems would exist, we told City Council it would happen, and the reception center had answers and that it would not happen; but here we sit, with a big, loud reception center next to our neighborhood. It has been a very frustrating couple of years. I wish you luck as you try to preserve your neighborhood, I really hope your City Council will listen." After talking with these people, it has only validated them as neighbors in their concerns for disruption to their quiet, stable neighborhood. They as a neighborhood are asking City Council to say no to this rezoning and event center.

City Attorney Ryan Loose requested that any presentations or anything shown from any device be given to the City Recorder via email.

Todd Christensen (Resident) lives about 150-200 yards from the proposed event center. He has been asked tonight to read a letter that Lisa Stanley just referred to from Karen Hill:

“To whom it may concern, my name is Karen Hill and I live directly across the street from Walker Farms, an event center within a neighborhood in Lindon, Utah. I was invited to write a letter expressing my experience living in close proximity to the facility. One week before I was to move in to my newly constructed home in Lindon I found out the owners of the property across the street were approaching the city council that night about rezoning the property to turn their horse pasture into an event center. I didn’t have time to research and delve into the impact of having an event center across the street from my home, and was unable to have an informed response. I applaud the residents of your city who are doing their homework and are fighting to keep their neighborhood free from commercialization. Almost five years ago, after heated objections from some neighborhood residents, the Lindon City Council Members saw fit to approve rezoning the proposed event center property as commercial farm. The facility consists of a large, two story building, an outdoor plaza, and a renovated pioneer home that now houses a store. My initial concerns in having the event center so close were the impact on property values, the increase in traffic, and the influx of strangers on the street; these concerns turned out to be issues. During the discussion at council meetings it was determined that 75 parking spots must be located on the premises; however, I have photos of the many nights when parking overflowed into the school parking lot and all along the streets of the homes by the center. It is a regular occurrence and a nuisance whenever the neighborhood residents have guests needing to park on the street, and when entering or exiting driveways; it is also a safety concern when children are riding their bikes on the sidewalks. I didn’t anticipate noise pollution, parties that include DJs or live bands well exceed the noise levels allowed by the city ordinance; it is a constant battle, asking them to turn down the music. Many complaints have been filed with the police, but noise pollution is low on the list of police priorities. For neighbors, the repetition of nightly noise quickly becomes a community issue. Another unexpected nuisance is the amount of light that shines into the neighbors’ yards. I also did not expect to feel so vulnerable with so many non-neighbors constantly on the street; having strangers constantly parking in front of homes as they do, regardless of provided parking, imposes a worry for parents which can inhibit the sociality of residents and increases the danger for children playing outside. In my opinion, neighborhoods are sacred spaces, when commercialization is allowed in those spaces, or in that space, a disruption occurs that tears down the fabric of the neighborhood and weakens the social strength of the area. Please strongly consider the arguments for keeping commercialization away from healthy neighborhoods. Sincerely, Karen Hill”

John Adams (Resident) is right across the street and said there are several of them from Harvest Villas that are here; he asked them to raise their hands, those who reside in the Harvest Villas, and requested the extended time.

Mayor Ramsey asked if he was speaking on behalf of them, and he responded that collectively, yes, they are speaking for them as he and Doraleen Rich approached the council together.

Mr. Adams said they have 76 homes in Harvest Villas, and we can see that quite a few of the residents are here this evening; some of them have not been able to attend for different reasons, but they have signed the petition that has been submitted (Attachment N). One of the things that has been proposed with this development from the first meeting was how important it is to preserve green space, but one of their concerns is how that can change the accessibility, and how the green space really looks by developing more residences. The barn structure will look considerably different after it is altered. With regard to the green space, he is not sure what the regulations are for entrances and exits, but the only entrance that's listed on the maps is right directly east of their main gate. He doesn't know what the restrictions are with regard to fire equipment and for first responders to get in there, perhaps Fire Chief Dawson might shed some light on that as to what the access is to get in if there is only one exit; if that should become blocked, damaged, or remain non-existent, what kind of rescue facilities could be permitted in there. After rezoning takes place on the corner, they are also concerned if this does not end up being a financial/successful endeavor for the Jones family, will they end up having another convenience store or Maverick. He knows this has come up in the past, but there are no guarantees that this is going to fly, and that would as he understands, impact the opportunity for another businesses to come in. Noise ordinances are also a real concern with regards to them and outdoor sounds. The use of alcohol has also been brought up, and this is really a hot topic for a lot of people who live here in South Jordan and in the valley. He is not sure how to regulate the pre-sale of alcohol, he knows that the Liquor Mission controls the sale of alcohol, but he also knows that in the USANA Amphitheater and at other venues in the city they don't allow alcohol. However, after attending some of those and looking around, he sees many patrons that carry flasks in their boots or belt, coats, etc.; even though they are screened by screeners before they go in and show their ticket. They are searched but there is a lot of alcohol that comes out of purses and so forth at those venues. With that being said, he turned the time over to his associate, Doraleen Rich. Because of the concerns that they have, he recommends that this project not be approved and that it's denied.

Doraleen Rich (Resident) is probably the closest to this project because the road that goes into the proposed venue is directly in front of her house. Every time they said they have contacted the neighbors, they have talked to the people this affects, Ms. Rich has talked to all of her neighbors and none of them on that road have ever been contacted. Some of the things we are hearing she has to question because they aren't the real truth. Her background is that she was involved with the Rock Meetinghouse across from Gardner Village; she was responsible at the time to rent it out, to try and collect from people and keep ordinances governed, and it is one massive headache; you cannot govern people the more people you gather. Alcohol became a problem, getting the police became a problem, so her question to the council members is who is the enforcer; who makes sure that this agreement is enforced, and can the neighbors that live across the street from it have any say. She has also been very upset at two things that have come in tonight. When they say they have a 700 signature petition, all of those people may live in South Jordan, but they don't have to daily deal with something going on across the street from their house every day, every night, or however many they have; she is sure they will have more than just a weekend if they want to make money. She disagrees with the term that keeps being used, that they have endured a lot as the Jones Family; they

have chosen to sell their land. She endured a lot as a child too, she lost her school, her home, her church that she grew up with. She lost the home she lived in for 19 years; she is not saying she endured it, she is accepting change. She is asking the Jones family to accept change. If they want to honor the farm and their family, do what they did in West Jordan. Her dearest friend lived in West Jordan and she often wondered why Leland Street was named that, and he told her the story that he was a farm boy and they came around when they developed the area asking for a name for the street; he jokingly told them to “use mine” and that’s how it came about. Let’s honor the Jones family in a similar way, let’s name a street after them like many have done. She is also very concerned about enforcing this development agreement, and she has to raise a question to the council members; if they have a planning commission, and they know that they vetoed this, why have a planning commission if they are not willing to support their recommendations as a council to make South Jordan the better place that it is. She loves living here. She has only been here five years but she knows what the people think of. Also, Harvest Villa was built because the Jones’ sold the land, and the council approved it to go in as a 55+ community; many of the people are in bed by 8:30-9:00 at night, they are not healthy people. To have something like this going on across the street from them is a big, big concern as the east gate is directly across the street. If it becomes a traffic problem they will have to lock that gate and she can guarantee them city emergency vehicles coming in, an ambulance and the firetruck, can’t get in there anymore until a gate opens. There will be an emergency vehicle sitting out there, and she knows because she lives right by the gate and sees what comes through it.

Dave Rueckert (Resident) has lived at his residence for 18 years, before 11400 South was widened. The council represents the City of South Jordan, not one particular neighborhood; they have to do what’s better for the City of South Jordan. He has lived with 11400 South every day for the last 14 years, but it has helped and benefitted South Jordan with The District and everything around it. Sometimes, things aren’t exactly the way we want them to be, but the job is what is best for the City of South Jordan. Everything we have seen from this rendition of what is going to go into this place is a beautiful thing for South Jordan; it will bring revenue, it will benefit the majority of South Jordan. There will be a few vocal oppositions, but it will benefit the majority. One other thing, he worked with Holliday Oil for 35 years, so all of those worrying that this may bring a convenience store, you are totally wrong. Holliday Oil will not buy any property that is less than two acres, neither will Maverick. When this is done, there will be one acre left where the Jones family lives; the way to guarantee there will not be a convenience store is to let this beautiful structure come and be a benefit to everybody in South Jordan. Based on all the renditions this looks like it will be a beautiful place. If this is denied, we don’t know what will happen in the future. There are a lot of Holliday Oil stations right next to neighborhoods; maybe the zoning will change, maybe it won’t change, but that is a prime piece of land for a convenience store on 3200 West and 10400 South. The only way to 100% guarantee that never happens is to let the Jones’ farm and reception center come in the way it is.

Stacy Gibbons (Resident) said that while she acknowledges the passions and emotionality of fellow neighbors, it has been inferred by some that the motives of the Jones and Visser

families are aligned with financial gains. Her direct experience with the Jones and Visser families are that the motives are in agreement with their stated goal, to preserve their heritage and this city; this is evidenced by experiences she has had directly with them. When she moved into the neighborhood, one of her first interactions with Mrs. Amy Jones was her taking her grandson and Ms. Gibbons' son to a local South Jordan museum, and displaying pride and love in this community. We would be remiss to ignore that home residences, churches and the Harvest Villa clubhouse, which are all within walking distance of the proposed barn, have held large receptions and parties consistently throughout the past year. These have not been subject to parking restrictions, development agreements or lighting/noise regulation, which the barn would be. The Harvest Villa clubhouse delineates on their website the option of rental for events and gathering at their clubhouse. Harvest Villas specifically states on their website "there is extra parking out on the street;" this has not appeared to be an inconvenience or issue within these neighborhoods. In addition, while alcohol is prohibited within church buildings, it is common to have alcohol at community parties or residential parties, in addition to common household use, and does not appear to be prohibited at the Harvest Villas Clubhouse as well. In her conversations with parties involved, in the development of the barn the safety and wellbeing of our children and neighbors are at the forefront of their concerns. However, as alcohol is commonly unused in much of our community, it is important to recognize that we cannot unequivocally equate alcohol consumption to drunk driving or reckless behavior, and it is unfair to assume so. In addition, as addressed by Megan, many regulatory measures have been taken into account by bar services contracted, in addition to her own research. As Megan displayed at the beginning of our meeting, our communities evolve; this is shown as their farm has consistently changed over the years. While change can be uncomfortable, the Jones' are evidence of the flexibility to change, as their farm has been reduced dramatically by continuous development. She asked the council to vote to approve the proposed project and zone changes.

Lyndsay Christensen (Resident) is representing Stephanie Lloyd and Jen Nehmer, asked for additional time. Many people in this room have seen the advertising for Save the Barn. She has had pop-ups on her social media that obviously are the result of hiring out a PR firm and sponsored advertising (Attachment W). She shared some of the advertising from social media, and pointed out that it said "doing so will prevent the property from a potential future rezone to a retail/commercial zone." Next, she shared an example of a local resident who posted on a Facebook page, asking people to save the barn; he included the comment "I hope it doesn't get turned into a strip mall;" why would he think it's going to be turned into a strip mall. If you click on the link they posted, and read the description from the Sagewood Barn Facebook Page, it tells us that without the rezone there is no future for the barn to remain as the land will ultimately be developed for more homes or as a large commercial space. Another flyer that was created and passed out to neighbors says "prevent future developers from tearing down our barn and family home and changing it to an unwanted retail/commercial zone." Ms. Christensen believes that these advertisements are misleading and even a little manipulative. Currently their land is zoned as residential, they are the ones who have chosen to get rid of the animals and sell their property. The only way to keep any business or retailers out of our neighborhood is to keep it zoned residential, and deny the request for commercial zoning. With

these advertisements, people believe that they are choosing between large commercial retail or an event center with beautiful gardens for the community to enjoy. We need to acknowledge that anyone can sign the petition that is circulating, it is not limited to just South Jordan residents who would have the direct impact of the commercial zoning. It would probably be safe to say that a large portion, if not majority of the signatures are residents who are at least half a mile from the proposed event center. They as a neighborhood have had several conversations where people have seen the campaign and thought they were saving the land from being taken over by the City of South Jordan, or saved from a large retail developer. Going back to the Facebook post with the Sagewood Barn that she shared earlier, she shared some of the comments by members:

“Initially, it was going to be all houses but they scaled it back. Now half of it will and the other half will be a reception type center. I am just concerned about traffic and parking during events. I also want to make sure the property designation doesn’t allow it to become a strip mall.”

A comment was made which noted things discussed at the last meeting, which shed light on what the actual plan was, to which these comments were made:

“Thanks for letting us know this info, I definitely don’t want more traffic and if I lived closer I wouldn’t want an event center either.”

“Yes, thank you. This is great, in-depth information. I appreciate your detailed description, we definitely don’t need more traffic on 3200.”

“So sad to see the green space and animals gone.”

“The barn can also be preserved by moving it to a more appropriate location.”

“Thank you, number 3 has been a point of misinformation with the circling Save the Barn posts. Thank you for clarifying that and all of the other considerations affecting the new proposed zoning use.”

What that post was referencing was a previous post explaining items discussed at the last Planning and Zoning meeting. Number 3 has said “they don’t have to tear down the barn, they can keep it on their property as long as they want. There are not just two options, no one is forcing the sale or tear down.

“Thanks, great info. One hundred parking stalls, yikes, trying to even imagine how 100 cars would fit on that land. For sure that does not sound like any garden or green space.”

They wanted to show these comments to demonstrate how people’s minds changed once they were given more information. Without the zone change, their neighborhood can stay safe and quiet, with either the land remaining in the family as open space along with their barn and

animals, or if they choose to sell for residential homes. They feel the Save the Barn campaign should have no bearing on the decision of the city council. They many have hundreds of signatures, but how many are within close proximity to the actual property, and how many were misled into thinking that if the family couldn't save the barn that it would automatically be turned into a strip mall. Finding logical opposition to the proposed commercial zoning would be as simple as knocking on any door surrounding the property, which is how they got their signatures, handed in at the last meeting.

Lisa Reed (Resident) is a part of the Harvest Crossing Villas community. She wanted to make a quick clarification, as she is also a member of the Harvest Crossing Villas Clubhouse Committee and she feels that there is some misrepresentation about their rentals. First of all, the people that rent their clubhouse have to be a resident, they have no outside rentals. Next, they only allow clear beverages in their clubhouse. They have a limited capacity of not over she believes 100 people, if that many, and the reason they ask visitors or guests for the clubhouse on their website to park on Willow Valley Lane is because they have limited parking in their community and very narrow streets. As stated before they have a lot of interaction with emergency vehicles and if people park on the sides of their streets these emergency vehicles can't get in to help their residents, and they do have a lot of that.

Kelly Cooper (Resident) wanted to discuss the economic implications of the barn. She knows a gentleman a few speakers ago spoke about why it could be great for the city and bring in a lot of revenue, so she would like to discuss that. They are requesting that this be treated as what's called an Economic Infill Opportunity, or an EIO. She is going to explain why this actually doesn't meet the criteria for an EIO designation. By the city definition, an EIO identifies areas within existing economic centers that could support infill or redevelopment of additional commercial, retail and entertainment uses to support and bolster existing uses. Development or redevelopment in these areas shall include public space for gatherings such as plazas or parks, and be designed with the pedestrian in mind. These areas could support land uses such as retail, restaurants, hotels, entertainment venues or open space and could strive to include unique design elements to give each commercial center its own identity. Some examples in surrounding areas that represent this type of thing would be The District here in South Jordan, Jordan Landing in West Jordan, and you have The Gateway in Salt Lake City. The Jones property is not located adjacent to an economic center of this source, it is residing within what is considered a stable neighborhood. They have been unable to actually locate any event centers in Salt Lake County or Utah County that function in the capacity as an EIO, and based on all the representations tonight you can see they are all somewhat around neighborhoods, but not big economic centers. Because those centers are public areas and they allow for 24/7 access it creates a need for police to patrol it, and that would come as an expense to the city. Successful event centers charge between \$4500 and \$8000 per event. When you look at similar event centers, the booking rate is about 30%-40% booked, this generates around \$500,000 to \$1.2 million in annual revenue. While that sounds like a lot, the Maverick gas station a few blocks away probably does three to four times more revenue, and the Walmart just down the street is a \$60 million+ store. The difference is that these locations generate sales tax revenue, an event center does not because it is service oriented; service does

not charge sales tax. When talking to people who have had weddings and so forth, their vendors are chosen based on who they know and products provided; they don't necessarily buy from vendors located in close proximity to the event center, so that is unlikely to change the purchasing behaviors of people using the event center or generate more business for South Jordan City. Therefore, this property does not fit the definition of the EIO, and if it tries to function as one then it becomes a public area with 24/7 access that would cause more additional patrolling by our already stretched police force. In addition, the amount of revenue from the event center would come in the form of property tax, which is highly unlikely to offset the additional police patrol, the nuisance calls to the police department, etc. Her recommendation is to please vote this down.

Scott Lloyd (Resident) said that his neighbors, Ron and Katrina Dahle, gave him their time. He moved to South Jordan specifically to be in an area where it was a quiet residential area, specifically where he's at now; that was the future plan and the main plan when he looked at zoning and to see where different areas were. He has been in this valley his whole life, 55 years, and during that time he spent the time out here and it was nice to have the elk and buffalo to be able to stop and see. He is in law enforcement still and has been a police officer for over 32 years, so when he gives his personal feelings on what goes on in regards to where he lives, he can give you a professional standpoint; specifically, as mentioned at the last meeting, dealing with the alcohol. It's correct, no one is here to say you can't have alcohol. The concern is the consumption of alcohol and what happens after that, whether it's in the parking lot, the vehicles, and the parking lot when they leave or when they close the venue down at 10:00; nothing kicks that group out of the parking lot. When the alcohol is consumed, you can't stop that. They can put in rules as an owner saying they don't want that here, and as a venue renter you will abide by those rules. That is a onetime venue that is being rented by one person, they are going to tell you what you want to hear, and then do what they want knowing they may not come back and use that venue again; they are out nothing. When the police are called you will have at least one officer that gets the dispatch call. Any time they go to a commercial property or somewhere with more than one person, they are going to have two to four officers. The lady in front of him talked about the revenue that comes in when you have a place like this, but if you take in and factor the response of law enforcement, that is an additional cost. Some said these problems don't happen, but in his 32 years that's incorrect. If that's the case he must have gone to Wheeler Farms a lot during his career and dealt with parties where there was no alcohol after a certain amount of hours and arrested multiple people in the parking lot drinking alcohol. He is on a youth alcohol crew where he goes out and deals with parties and he gets to those venues and sees the same thing. They didn't allow alcohol, but how did alcohol get in; oh, that's right, the honor system. The alcohol still comes in, whether you want it there or not. When you say that people will come to the venue and eat dinner locally, they are coming to a wedding reception and most likely they will be given some type of meals or sandwich where they will leave the city and go somewhere else afterwards. Depending on the time, they are going to go outside the city or just go home. To say it's going to bring in revenue is incorrect to say. In his 32 years of traffic enforcement, five years were specifically doing traffic enforcement. When he did traffic enforcement he stayed with the areas of speeds lower than 35 miles per hour; he wasn't one that sat up on Bangerter or on

Redwood Road stopping vehicles because he calls those “chicken tickets.” He would write tickets inside residential areas and under 35 mph zones. He has worked with Chief Carr, and in his citation experience, he wrote over 17,000 tickets in five years. Out of those 17,000 tickets in five years, he couldn’t tell you the times he had complaints, but he wrote those for a fair reason in a residential area because it’s a safety issue which is increased by traffic flow. During those traffic flows, and dealing with traffic accidents, when you have a traffic flow increase you are going to have traffic accidents. He was here when the planning commission said it has 4000 cars up and down that road, but it can go up to 12,000; that is correct. However, when you have two entrances exiting from the senior area to the west, to the areas across from where the park is, you have both of your entrances converging on the same center lane travel; having them use the same center lane for travel causes things to get congested. When you have 100 people coming out of the parking lot at one given time, then you have people coming out of their homes across the street, you will not be able to funnel that on a free flow. Will you go ahead and have traffic accidents, yes you will; you are going to have to address those traffic accidents and then come back to a zoning meeting. We all know you can go to those meetings and get zoning changed depending on who’s on the board or the council and mayor at the time. If the right group of people are here they can change the zoning, so despite his respect for what’s happening tonight, that zoning can be changed with time; he hopes it doesn’t and he hopes whatever they decide tonight is going to be for the right decisions. On the commercial license and dealing with the property, you have ordinance violations, and ordinance violations can be anything from the sound, noise, etc. They also talked about the health department code and writing citations over the noise. One of his pet peeves that everyone knows about is the thumping car that goes by and shakes your vehicles; he is one of those officers who writes a ticket no matter where he’s at, no matter what car it is, if he can hear it within 50 feet, and it shakes him, he’s writing the ticket. By noise ordinance and where this is, whether it’s a 10:00 curfew or 11:00, if he can hear it from the sidewalk it is illegal. Is he going to call the police, yes he is. The police may show up, depending on the call for service and whether there are important calls going on at that time. By the time the police get there the noise is gone, it’s not a police incident. His job is to educate his neighbors how to go ahead and file that complaint, make sure it goes to court, and make sure a citation is given. After so many citations, it becomes a grievance and a nuisance property; it will become a nuisance property if those cases or citations are given to the court. He’s not saying without a doubt it will happen, but we have issues we need to look at when it comes to what is actually governed and what we say is governed. If there is alcohol there and they say it’s going to close down at 10:00, that isn’t reality. He has done Wheeler Farm, along with many other areas in high schools where there is alcohol in the parking lot; great intentions, but that’s not what happens. If everyone followed the rules he’d be out of a job, and he’d be happy with that, but that’s not the case; we are here to go ahead and take care of society and do the best that we can. Being in this area and taking care of family being here, listening to everyone else talk, he heard Megan say she went out and talked to a lot of people; no one came through his neighborhood or the neighborhood next to him. Regarding the historical side of it, with the family selling the barn, they had the option of keeping the barn but they chose to go ahead and sell their portions of land. This is a hindsight afterthought, they came back and wanted to get two of their properties back even though they wanted to sell it all residential; they’ll buy those

two lots back because they have a better idea. Either you had the idea it was going to be residential, or you didn't. The afterthought is already telling, they are changing their minds as they go along with this property, this process; they are going to change it again if this function doesn't work, into a commercial property whether it be a Maverick or not. To say that a Maverick can't go on less than two acres, it will be a Chevron. He doesn't care what it is, but something else will be there.

Dan Galli (Resident) has lived in South Jordan for about 18 years, so he is not a long-timer, but not a short-timer; he is somewhere in the middle. He is, however, a seasoned real estate broker and has been doing that since 1996. He wanted to speak tonight specifically about home valuations, because he thinks there is a lot of concern about that regarding this property. Property values generally move based on large macroeconomic factors. Things like scarcity, the availability of properties, interest rates, wars, and hundreds of other things in the world globally, nationally and locally can affect the property values of a home; certainly not so much a facility like this that might be built in your neighborhood. Supply and demand in a marketplace play the main role in property valuation. For example, a normal market in Utah would have somewhere around 8000-9000 homes on the market; over the last couple of years we have been seeing a market with about 2000 homes. That pressure is really creating this valuation increase that we have been seeing over the last few years; he has seen that go down as low as 1400 homes on the market in the entire state of Utah, not including some things like new construction. Another way to look at it is from a homebuyer's perspective. The neighborhoods surrounding this property are beautiful; how many neighborhoods exist, how many beautiful neighborhoods exist that have some element of commercial on the perimeter. When he's driving his buyers around, rarely does that become a problem when they are looking to buy in a certain area. To say that this project alone will drastically affect the value of your home is a bit of an overreach. Rather, it will provide a needed venue and preserve a wonderful piece of South Jordan History.

Matthew Cudd (Resident) is also in law enforcement. There has been talk here about some venues or problems that can cause all these issues. Obviously, he is not going to compare a venue in Magna to a venue in South Jordan, the demographics are different. He works for Draper City, has been there for 15 years. Since the Day Barn opened, since a previous commenter mentioned it here, they have had 12 calls; twelve calls in seven years since 2015. He read some of those calls that they responded to – the first one being “Kids parked in front of the Day Barn making out.” Then “Dog wandered in, owners picked up the dog” and “Needed keys to prepare for a booked party, could not get in contact with Parks and Rec so they called the police to see if they could get in contact with them.” Again they had a complaint for “Kids parked in front of Day Barn making out;” that is apparently becoming a serious problem over there. They had a noise complaint nearby, but it was within reason; they showed up, took care of the problem; it was between 7:00 am and 10:00 pm, they weren't being noisy and it was not unreasonable noise as the noise was within the parameters of the rules, some people are just angry no matter what and they can't help that. Another call “Transients were trying door handles after hours.” TRAX goes down to the park, they thought they could try and get into the barn; that's not a venue issue. They had a civil complaint that

people were taking photos of the barn without paying for the barn. In 2020, they had “found property” calls multiple times. The only call that related to alcohol whatsoever was in 2021, and he looked up the case before coming here today – “Woman intoxicated outside on stairs.” That person actually came from somewhere else to the venue, was not part of the venue and the people in the venue called on that person. This is just to give you some insight on how much of a problem the venues are, at least in the same kind of demographic; you are not going to get that here, so he really doesn’t think that’s an issue or comparison. Alcohol wise, there has been a lot of talk about alcohol; people can drink alcohol wherever they want. It doesn’t matter if it’s supplied there, the Maverick, or at home. He can get drunk at his house with 50 friends and maybe half of them leave; he hopes they wouldn’t, but how are we going to stop that. The venue does not bring people an opportunity by paying \$4,000 to drink alcohol, that’s not what people do. Regarding parking, if he wants to park on the street, he can park there for 23 hours and 59 minutes before you can call the police and have him move; that is his civil right. Does he agree that people park and walk; that’s fine, whatever they are going to work out they are going to work out with no parking signs or whatever else. However, if it’s a public road anybody can park wherever they want as long as it’s not during winter parking hours or 24 hours straight; trailers and semi-trucks are obviously different. The Jones Family are some of the best people you will ever meet, he doesn’t question their intentions; he thinks what they are doing is best for the city, and what they think is best for their family.

Brent Rami (Pleasant Grove Resident) in a roundabout way rented the house from Otto Jones, starting 20 years ago, then was displaced when the road was widened. He has visited the property hundreds of times and been in the barn. He is obviously for this proposal and this is probably the second time he has been in a setting like this at a city council meeting, and really enjoyed both sides of the argument. He is on the “for” side, but he has been really impressed with both sides and the presentations that they’ve had. Everybody that kind of knows him knows his mind and how he looks at things; he doesn’t take anybody seriously that speaks in absolute statements, and he always tries to not do that himself. You may have seen that a little bit on both sides, and so he just wanted to remind everyone to evaluate the facts. Obviously emotion comes into it, but absolute statements are always just anecdotal; stories and evidence just don’t really resonate with him personally, and are more of a reminder to look at everything fairly and understand the situation. This officer that came up here before him kind of took a little of his thunder, he was almost a little interested in the other officer before him and he had a thought. With all due respect, he doesn’t know how many businesses would be approved or that anything would happen if he was running the show; that kind of scared him a little bit. That’s an example where there are a lot of facts, and obviously he has had perfect and factual experiences, but it sure sounded like everything was kind of negative and that’s just something he doesn’t like.

Brandon Riley (Resident) knows many on both sides of this issue. He lives in the nearby McKee Farms and has for 3.5 years. Prior to that, he lived on Bison Ridge Road for over seven years. He comes tonight with a perspective on this issue; it is financial based, because that is his background, but it is not as it relates to the Jones’ and Vissers’. With a degree in Finance, a career in the financial services industry and a certified financial planner, he has had some

experience with clients in the wedding industry. He has done a little research himself about the economic net that can be cast with the addition of an event center and its unique ability to share revenue with many community businesses, not just the Jones' and the Vissers'. He did a little research and on average, we have many participants in a wedding that include a photographer, videographer, florists, rehearsal dinner, wedding cake, caterers, entertainment; this is far reaching, much broader than just the barn and event center itself. Some tonight have mentioned tax revenue, it should be noted that commercial property pays taxes on 100% of the appraised value most of the time; compared to the 55% or less that residents pay on the appraised value of their homes. He wanted to clarify a few things that were said tonight, he thinks we are all on the same page with some of it. USANA Amphitheater does sell alcohol, quite a bit of it. How the Jones' decide to honor their family heritage is not our choice, it is not our place. Clear beverages that may be served somewhere else may very well be alcoholic. He has been going to that church that was mentioned that nobody parks in, and he will say everybody parks there, nobody parks on the street; that is a myth. It has been mentioned that this is in a neighborhood, and it doesn't belong in a neighborhood. He said it is not a neighborhood, he lives nearby and has for over 10 years; it is a small farm on the corner of two big streets. People have talked about green space, he hasn't heard anybody interested in buying the land or that the city is looking to buy the land for a potential park; it is on the corner of two main roads, that isn't the place for a park. He does think it is a place for a great event center, he thinks it is a no-brainer. He thinks our city needs this and the applicant's family deserves to use their family land as they wish with regards to this event center. Knowing the applicants personally, it will be well kept; we have seen how gorgeous it will be and he thinks it is a fantastic addition to the neighborhood area and South Jordan City.

Blake Visser (Resident) it has been a minute since he's been in this building, and he has forgotten that in these meetings we start with an invocation; he thinks that is a really sweet sentiment. He has been in the church building referenced a few times for some basketball games and many of those start with an invocation and end in a punch, so he hopes this meeting doesn't do that. He wanted to echo a few sentiments that both sides have prepared some really nice thoughts, and he appreciates that we live in a place where we can provide feedback to our leaders; especially when we are directly affected. A couple thoughts that have come to his mind while sitting in the back are that we've heard a lot about preservation, the only thing there to preserve is that barn and what's left of the farm. He thinks, as part of the land use that has been spoken about, "to provide a high quality of life and unique character"; that barn is one of the final pieces of unique character in this small area. Not just South Jordan as a whole, but he thinks it's a beautiful piece of unique character and this event center is a wholesome way to see it stay. We have seen the renderings, and they have been really helpful; there is a lot of green, it is very beautiful. Comments have been made about how the barn will be changed, and you can see it's not a monstrosity; it's a really handsome, beautiful thing and he is excited as he continues to drive that road to hopefully see that barn for many years to come. He is in favor of the barn and hopes to see it stay for many years, as he hopes his kids can see that barn as well.

Kris Maylett (Resident) has been in the process of a daughter's wedding, so she feels like she is in the middle of looking at all these venues and options and places. The bride and the groom are both from South Jordan so they started here looking for a venue where their families are, where everything is, and they both have grown up here. As they looked and went everywhere north to south, she wants to say there is a need for this barn; there isn't anything comparable to it in our town or nearby, we have to go a distance. They looked at a lot of venues that were shown tonight, but to have something with all of the options that this venue would offer, we have to go far to find it. Regarding the Day Barn in Draper, that is just an open blank building with nothing in there, you have to bring everything in there. When talking about venues, there is nothing like what this property would offer in this community, our community needs that; instead, we are going to Utah County. With all of her daughter's friends, almost all the receptions they've gone to have been south; when they have bought things through florists they have been Utah County. There have been a few they've bought in different locations around this state, but they have looked in Utah County and we are missing out on that, being local. She would love to support more local community businesses, rather than going and driving 40 minutes to venues, to meet with florists, to meet with people making posters; they are having that experience right now, and that's what we are missing here. This space is beautiful and she thinks we would be honoring that space. When we talk about "saving the barn," what options do we have for that barn. They are going to sell it at some point, what a great way to turn it into something that services the community; it's not only for weddings, it is an event center. The venue she is using was used for a funeral, a family reunion; there are so many options for our community to use and we just don't have anything like that here. She is for the barn.

Matt Visser (Resident) is the applicant's husband. He doesn't envy the council in this decision, but it is a sweet experience to see our government at work. He really appreciates all the comments, they love all the neighbors that support this and those who are against this. They understand there are valid concerns and they have done their very best to address those concerns. They get it, they can't win them all and he is sorry for that; he wishes they could. He can honestly say they have done everything they can do to address those concerns, keeping in mind the most impacted people are his in-laws in their mid-80s that are right there on the corner. He is proud of his wife, this has been her project; since he first met her she has wanted to preserve that barn and do a wedding/event center there. He remembers a long time ago, before Bison Ridge was developed, an occasion where he was sitting there at 3200 West, looking east at the mountains. It was the fall, there was some frost on the ground, buffalo were playing because they had calved, and it was just a really sweet experience to have that and he knows many here have had similar experiences with the animals. The thing about land is, when it's gone, it's gone; it is irrevocable and can't come back. There is some serious finality to the decision that is made tonight, and the crazy thing about South Jordan is that there are strong roots with agriculture and farming, as much as some people may not want to acknowledge that; we are a community that has a racetrack and an equestrian park. There are amazing families like the McKees, the Fullmers and the Wheadons that have been here for many, many generations. He would really like to be able to preserve the Jones family heritage among those by being able to preserve the barn.

Thomas Dejong (Resident) knows that saving the barn will bring thoughts that will reduce one person's stress by delivering the memories of past, slower times. Seeing the barn, just feeling it, that's what he feels from it. He spent many a time parked next to the fence, watching the majestic animals, and his appreciation for the city he lives in has grown through that. He finds himself concerned with the loss across the city of these types of things, one by one. If the city is not careful in keeping as much of the heritage as humanly possible, they may need to consider cutting down the big tree and removing their marketing and branding. He is in favor of this, and in closing he would ask the city to not take once again from the Jones'. They took a lot of their property by widening the road, so please don't take from them again.

Luann Jensen (Resident) moved to South Jordan 49 years ago. When 10400 South was widened, from 3200 W to Redwood Road, 32 families did not have a place to live; of the 32 families, only two of them remained in South Jordan. They didn't want the road, but because of subdivisions that were going to be built, the road had to be widened; they didn't have a choice, the state told them they were moving. She sat in on some of the meetings, the state was very fair with the people. When she moved across the street and when Reed Eckbert sold his ground, she asked him why he's selling his ground because she moved out here to have this utopia; he responded that it's his retirement. Farmers are dirt poor until they sell their ground, and we've had a lot of great farmers. The church they talk about on 3200 W was donated by a farmer, Jack McKee, and there is a lot more traffic at that church than there ever will be at this event center. She went around and did a petition of people who have lived here in South Jordan for over 40 years (Attachment J), along 10400 South and 3200 West. It took her six hour to do 26 names because they wanted to reminisce and say how they felt about this city, how their kids were able to go to dances there. Yes, the Jones' would have loved to have kept their animals, but somebody shot the elk and deer, and somebody shot the buffalo. It wasn't people who lived there all these years, it was some new people who came in and did that; the animals could have still been there. At the last zoning meeting they discussed the fences, some say they want fences, others don't because if you have fences you don't have open space. The Vissers and Jones have tried to accommodate that, but it doesn't happen. People don't come or leave at the same time at an event center. When she goes to a reception she doesn't have 100 people walking to the reception with her, because she wouldn't go. Brad and Josh from the audience indicated they would allow her to continue speaking for them for additional time. This won't be used every day, in the winter it probably won't be used a lot. She just appreciates Megan, Trish, Matt, Amy and Otto; she has known them for 49 years. She has taken her scouts up there, Otto would put them in the stagecoach and rock them, and they'd have a great time. She learned a lot, she even did an inoculation with the buffalo. Otto invited her over to help, and what an experience; one of them jumped three feet off the ground and knocked the whole things apart, Otto just said that Shepps apparently didn't want to be inoculated today. They haven't asked for money from the city; we have one sitting down on 1300 West that the city paid over \$1 million for, they are not asking for anything like that. It's not just the barn, it's the property there. Yes, they can sell it and make a lot more money than what they're going to make off of this, but this is their home, and it's a lot of our homes too; we have lived here and loved it. She is a firm believer that the people who have lived here the longest have been dumped on the most. When she lived there, Monte Vista Elementary School

wasn't there; if you want to talk about people that park in the road, come to an event at Monte Vista. That being said, it's great. Abraham Lincoln said you can please all of the people some of the time, and some of the people all of the time, but never all of the people all of the time; she thinks that's where we are tonight. She is a docent at the Gale Center, has been for 16 years; there is a lot of great stuff and the Jones' have a big buffalo exhibit in the center that is great. She loves South Jordan, she loves being on the committees, but she wants to preserve some of the history of it. It is going fast, and as several gentlemen have said, you don't get history back once it's gone. She thinks it's very important that we try and preserve this, not just the barn but the area around it; there will be a lot of neat things that they will have in mind to help the city as a whole and preserve as much as possible since we can't get it back once it's gone.

Aaron Zupancic (Resident) is representing his wife, Lisa, as well as Kurt & Kara Jenkins. They moved into the area 11 years ago; they were attracted to the area first and foremost by the animals, and the farm across the road. That little bit of rural is really what held them to the area, also they knew it would eventually be residential; the farm was not a permanent fixture, but that residents would be to follow was one of the mainstays that held them in place and in the neighborhood for the duration so far. The "Save the Barn" campaign and associated flyers say that the overall goal is to preserve the Jones Family legacy. As stated before, they love the barn and the animals, and they want to see it preserved. However, in general, he believes that most agree having a historical event center is a good thing, they just don't want it in their neighborhood. The reality is no one has been forcing their hand, nor has the family been previously compelled to part with their property; they are the ones who have chosen to sell. Their neighborhood and homes are here because the Jones' sold their land to developers; they are grateful for that. Unlike Wadley Farms which kept their land as a working farm and have never zoned residential or sold property for homes, the Jones' have made money by selling their lands. With this campaign they are looking to make more money by turning their barn into a business, albeit with sentimental value. Had this venture been the original plan, or had originally held the purported sentimental value, the land would likely not been parceled off in the first place and sold for residential homes. In fact, when the first version of the plans was presented to the neighbors, Justin Jones only mentioned the barn from the perspective of how inconvenient it would be to tear down. Kelly Cooper previously discussed how the EIO, or Economic Infill Opportunity, is counter to supporting their neighborhood. In fact, they feel this is the reason guidelines exist for where and how land can be used commercially. Residential and commercial zones are like oil and water, they do not mix. It is frustrating to find so much support for this campaign by those who are not affected by its inevitable fallout; they do not have their homes, property values and everyday life impacted by these proposed changes. As the council considers their position, he respectfully asks that they honestly contemplate whether they would like this fixture 50 feet in front of their own homes, whether you'd like to contend with the noise and light pollution as well as traffic, crowds and unwanted loitering. Please recall Karen's letter, wherein Todd read how she explains how her neighborhood and quality of life have been negatively affected by these from the Walker Farms. It has been mentioned multiple times that perhaps the most impactful aspects of converting this property to a commercial event center is the increased congestion and traffic in, around and through the

neighborhood. As currently proposed in the plans, which as he understands it are no way binding or contractual and therefore subject to change, there are several negative points he'd like to call out. There is no right turn lane on to 10400 South, there is but one entrance and exit into the event center as proposed in the plans today from 3200 West; this will cause lots of congestion and contention on 3200 West with the intersection so close and directly across from Harvest Villas, as has been mentioned previously. This will inevitably lead to another opening being created on Alexander Park Lane; whether as part of this event center, or by some future owner. The agreements and all of the discussion are pursuant to the current plans, but being rezoned does not change the eventuality that those plans might change and they might very well get a road; he thinks that is an inevitable conclusion onto Alexander Park. Traffic will get backed up on 3200 West southbound, as people wait to turn left to the event center. Residents of Harvest Villas will have a more difficult time turning into their neighborhood as well as turning north on to 3200 West, and the Bison Ridge neighborhood and Alexander Park Lane will absolutely be used as shortcuts to 2700 West as there is a connecting road now, but also to loop around to 3200 West. We have heard repeatedly that creating an event center on this property will protect us from unwanted retail space, and as mentioned, the reality is that rezoning the space to commercial puts this land and neighborhood at greater risk than if it were to remain residential. If the event center doesn't work out, the zoning is already in place, or will already be in place, to enable the property to be sold to another buyer. The only way to keep this land from becoming unwanted commercial is to keep it residential. To be clear, the event center is the unwanted commercial retail. The final point is concerning the notion that we need this kind of space in Salt Lake County. Adam Stanley previously mentioned the Day Barn indoor pavilion in Draper just 15 minutes up the road. From Draper City's website we read "The historic Day Barn is an original dairy barn which was relocated from its original location to Pioneer Square, next to Draper Park. The interior of the barn has been modernized with all the trimmings including the wood and rustic décor. The outside has been renovated to make modern improvements, though to keep the look of an old barn. This is a great place for your next private party, reunion, reception and gathering." It was mentioned previously that there have been just a handful of phone calls to the police over the last several years, but he wanted to point out that the barn is not in a residential zone; it was moved from a residential to a commercial space. Were it in a residential zone we could be confident that the number of the phone calls to the police would have been higher. The barn was over 100 years old and citizens of Draper wanted to see it preserved. This kind of space does exist in Salt Lake County, and has been recalled multiple times; they want to see that barn preserved. The historic Day Barn was moved, and perhaps moving the Jones' Barn to a more appropriate commercial space, not near a neighborhood, would be an amicable solution for everybody.

Mayor Ramsey said they will allow those in line come up and speak. We have to be done with City Council by 11:00 p.m, so in the interest of time for everyone she asked that only those with new information or thoughts come up and speak at this point. If your sentiments are the same as what your friends and neighbors expressed, you will have a chance to indicate that by a hand raise, but they are asking for new information only for the remainder of this public hearing.

Craig Bonham Sr. (Draper Resident) said his credentials for being here and speaking are that he has a son, Craig Jr., who is involved in this project. That being said, he is his own man and has been a general contractor for 49 years. He has built hundreds of upscale homes, developed three subdivisions, one of them in South Jordan where they bought a property off an older gentleman who called his place a ranch, so they turned it into a subdivision that Mr. Bonham called Sunset Ranch. He has been through many of these kinds of meetings. He ran for City Council in Draper, made it through the primary then realized what kind of life he was creating for himself and quit putting out signs. He has seen the renderings for this proposed project, and to really get a feel for it you need to be out there and visit the property. He and his wife yesterday, after looking at the renderings, drove out from Draper and got off of Bangerter at 10400 South and drove east, turning onto 3200 West going south. He had seen this property a number of times, but it had been several years; he couldn't believe the traffic increase. A number of people have said here tonight they didn't want this in the middle of their residential area, but to him this property didn't seem like it was in the middle as it seemed like there was a lot of commercial stuff as they drove through. When they saw this piece of property, he thought it was a great transition between commercial and residential. This is going to be a beautiful project, professionally done, professionally landscaped and maintained, and it is being done by a family; you can't ask for more than that, to have a family with the heritage. As they turned that corner and he visualized that piece of property with what they are proposing to do, he had a feeling come over him; he has relied on those feelings through his life as he's built his projects, and this was a very good feeling. However this turns out, a couple years down the road everything will be fine and we'll move on, we'll make the best of it.

Chanel Thompson (Resident) lives in Daybreak, she has lived in South Jordan most of her life so she has many memories of the barn growing up including many field trips and a lot of the same things we've already heard. She came here tonight as a supporter. She has been listening to everything tonight, there has been lots of pros and cons, but she wanted to add her recent personal experience with an event center being added to Daybreak; the Azalea Center that is on Kestrel Rise and SoDa Row. She lives right off of Kestrel Rise which is the main access to and from her home, and she drives SoDa Row multiple times a day. She is in and out all night long, driving kids everywhere, and she passes the Azalea Center. She was concerned when they said an event center was going in there due to traffic, cars parking because there are no parking spots or a big lot over there. They already deal with a lot of street parking in the neighborhood, so it gets really crowded. There has not been a major difference at all. She drives to and from, down that street all the time and she doesn't notice any difference than what was already there before. She doesn't know if it's the open house style that keeps it going, but it's pretty similar. If anything, she finds herself staring at all the beauty inside that it brought to the neighborhood, but it hasn't been a big issue in her neighborhood and she wanted to show her support.

Dina Majahano (Resident) wrote a ton of things but everyone has said a lot of it, so she will summarize what she was going to say. She is a realtor who works for Camden Real Estate and Dakota Homes, doing new construction for the last 10+ years. In the last meeting people kept saying no one wants to live on 10600 South, if you stand there it is so loud. Dakota just

finished a neighborhood off 9000 South and 5600 West in West Jordan and literally one of the houses is on 9000 South; it is facing 5600 West but is on 9000 South and it sold in a second. Inventory is really low, but the noise didn't detour people. This finished the neighborhood and turned it into a community, it's all together; people like to live in neighborhoods. She has heard people say being in real estate, showing houses, you won't even notice because it's a wall; if you're living across from there you will notice. They have had people looking at a church and asking how loud it gets, and the agents respond it's mostly on Sunday and they just park and go inside, it's not that loud. People are concerned, but if people are concerned about churches they will be worried about an event center and it will hurt the neighborhood. As a realtor, and with her knowledge in real estate, she feels that having an event center go in will decrease the desirability of the neighborhood.

Cindy McMullin Miller (Resident) she has lived in South Jordan for 54 of her 57 years. She has been here a long time, and she backed the Alexander Way where all of the houses are now. She would look over her chain link fence when she was young, it was a herd of buffalo; that's what she got to see all the time were the buffalo in the backyard. As you can tell, her neighbors are awesome and she loves them, so it's really hard for her to stand up here. They have done an awesome job of representing their side, what they want to do. She has lived in three houses on 10400 South, family houses that her family owned and like the Jones', they took a bunch of their property. What she noticed from living in those houses on 10400 South is that it's loud, and it's even louder when it's by a stoplight. She looks at this development as a buffer between those houses and the noise on the street. She also did weddings for 20 years and she loves the idea of what they're doing, they are actually fulfilling the dream she had on some of the property she used to have. She has to say she supports what they are doing and the heritage this has for South Jordan.

Dave Freiss (Resident) has been a resident of South Jordan for pretty much his entire life, since he was three years old. He grew up in Glenmoor, the island in the middle of nowhere. It was literally gravel roads going to Glenmoor at that time. He loved the pictures that the Vissers showed of the farm because he can remember it that way. One thing that happens is change, the city has changed a lot in the 46 years he has lived here. There is a development term that goes around government circles in the real estate and building worlds, it's called NIMBY (not in my back yard); we all feel that way, when something is coming that is new we blow up our chests and we don't want to see it happen. As it happens, and development goes, we ended up accepting it and sometimes it becomes an integral part of our communities; but it's hard to accept. He doesn't think this has become divisive, but there is always some cheap shots made at City Council Meetings, he attends a lot of these, and he thinks in South Jordan we are a little more reverent than that; but this has been a good debate. His experience with the Jones' and the Vissers' with Tricia, Megan, Matt, Otto and Amy has been nothing but the best. His company bought the four acres to the south of the proposed development last August and their interactions with the Jones' couldn't have been better. Dealing with landowners and developers, it's hard for families to get rid of their land as it is their heritage, it is part of them. Also, to deal with the Vissers as they've come forward with this project, he can't think of finer people that have gone above and beyond as brand new developers to try to get this passed and

preserve their heritage. Sometimes that gets thrown back and forth, that they are just trying to make money or said something once, and sometimes that is taken out of context. His company has no involvement in this new project, they purchased the property last August. The lot sizes, even though the zoning is changing to an R-3, are not changing one square foot from what the original development plan was. They have not sold any of their lots, they do not have a recorded plat yet; that will happen sometime in the next couple of weeks, the plat will come back with signatures from all the utilities, the sewer district, and will be back in the city's hands for their signatures. They are hoping to start their project within the next month or so. He has a huge financial investment in that area and honestly in his 28 years of doing real estate in this city he looks at their project as an enhancement to what their development is. He thinks people will want to live there because of the kind of money being invested and what they are doing there. He would be in support of the barn development, he thinks it preserves something that is really cool in South Jordan and a place that a lot of people have visited.

Jan Kreiner (Resident) finds it ironic that people are protesting a zoning change, when zoning change is what allowed everyone in this room to come to South Jordan. She asked if anyone had owned their property since before 1915 here, because that's when they got theirs and they've seen a lot of change and inconvenience. They love the Jones', and they are very classy people. She is pretty sure they are not going to let their venue become a saloon. She loves the barn and thinks everybody else loves driving by it. Before everybody moved in they didn't have any parking problems or traffic, noise or strangers; they were all farmers. She loves South Jordan and hopes they can keep the barn.

Mayor Ramsey noted that she would be closing the public hearing after this next comment.

Andrew Child (Resident) loves and respects many on both sides. He comes to us with one issue that was brought up, the parking issue. He is very familiar with parking lots and operations, he owns two businesses. One is Ice Castles in Midway, but it is also runs all across the country and in different countries. He also owns Christmas in Color at the Equestrian Park. He did some quick math and he has parked or moved over one million cars. The Azalea Event Center has approximately 80-90 spaces, but that is shared with three to four other businesses; this particular project would not be shared with any other businesses. They run the Ice Castles at Homestead, or at least they did until this year when a new owner bought the space and is developing it; that was a 72 acre property that had approximately 340 parking spaces, which works out to about four spaces per acre. When you compare that amount to this property, this property has 19 spaces per acre. He knows some of that is dependent on how many people come, so if you can imagine thousands and thousands of cars for his events, this one holds 117 cars. They always use four people per car as an average, but in Utah it's actually a little higher and he would use five people per car; that's about 500-600 people at any given time that should be in this venue based on his expertise. That's a lot of people at a wedding, and he doesn't think 800 square feet is going to hold 500-600 people at any given time. As a side note, with the Homestead developing, they had to move their operations which was okay with them because they had a different vision, but as a business owner and being pro-business owners, he support this.

Mayor Ramsey closed the public comments of the hearing. She said she documented 34 members of the public that we had the chance to hear from tonight, and they appreciate everyone who is here, all the comments and concerns as well as passion for this issue. She also appreciates that the passion and emotion behind this issue never crossed the line to disrespect. At 9:58 p.m. She noted that we will be taking a short break and will plan on resuming the meeting at 10:05 p.m.

H.3. Zoning Ordinance 2022-02-Z, Sagewood Ranch Barn Rezone, 10431 South 3200 West. RCV (*Director of Planning Steven Schaefermeyer*)

Mayor Ramsey opened the public hearing for comments; there were no comments. The public hearing was closed.

Council Member Marlor motioned to approve Zoning Ordinance 2022-02-Z, Sagewood Ranch Barn Rezone. Council Member McGuire seconded the motion; vote was unanimous in favor.

I. Action Items

I.1. Resolution R2022-14, Sagewood Ranch Barn Development Agreement. RCV (*Director of Planning Steven Schaefermeyer*)

Mayor Ramsey noted that we have already had the presentation for this project by Director Schaefermeyer and the applicant, and we have had the public hearings. Before asking for a motion, she turned the time over the council for any questions and discussion.

Council Member Shelton referenced a comment by Mr. Zepancic, who noted that there was no right turn lane included in the development agreement; he asked if that was in fact the case.

Director Schaefermeyer said under the 2020 development agreement there is a provision for a right turn lane, under this development agreement there is also a development for a right turn lane. Regardless of tonight's decision, the right turn lane is connected with, he believes, Phase 2 under the old agreement.

Council Member Shelton asked staff to discuss parking and how we calculate the parking required.

Director Schaefermeyer referenced the memo from the Wall Consultant Group that talks about capacity of the barn under some assumptions they make about occupants per vehicles, and based on the 7000-8000 square feet. Under the code, if this is a commercial zone allowing this use being discussed, there are two different uses that could apply for parking. One is a social, fraternal, professional or other meeting hall; that is defined in Title 16 and requires one parking stall per 300 square feet of floor area. The more restrictive use is the

recreation, amusement, entertainment and other assembly; that's the one that we have used as the benchmark for how much parking would be required. There are two different standards under that, one is based on seating but we don't have clear data from the applicant about how many seats could be in the venue; the other is by square footage, and that is the one we have been relying on more. Based on 7000-8000 square feet, if we use 8000 square feet it is one parking spot per 100 square feet. If this were going into a zone where it's already allowed, the minimum required spaces would be 80 stalls. Sometimes in larger commercial areas we have parking agreements between businesses, but generally speaking the use has to provide the number of parking stalls. Under that standard they would require 80 stalls; they are showing 117 on the concept plan.

Council Member Harris asked if there will be a maximum amount of guests allowed at the venue in the contract for events, and what is that number.

Ms. Visser said there will be capacity restrictions, just like any other venue. They have square footage only right now because they have been focusing on rezoning and an overall plan. This means the building department is really reluctant to talk capacity, but that capacity is based off of parking. No matter what, they are tied to the 117 stalls and that will determine their max number. They were reluctant to give them a number until they have building plans approved.

Director Schaefermeyer has spoken to the building department as well, the issue is that it depends on so many things that go into the building; whether it's sprinkled, the materials that are used, what the actual spaces look like as that is how the capacity of the building under the building code is determined. In the parking section of the development agreement, on page 104 of the packet and page 5 of the development agreement, it says "the project shall exceed the minimum city code parking ratio for reception centers and the capacity for seated events shall be limited based on the parking ratio for seated events." By that standard, the capacity is limited by the parking.

Council Member Harris acknowledged that eventually we will have a max number, and that will be in relation to the size of the building and the parking stalls. He asked if there is a pretty good assurance that the building and parking stalls are going to be able to accommodate that maximum amount, and we are not going to allow a number larger than that to flow out into the streets.

Director Schaefermeyer said yes, as those are connected. After this point, if this were to be rezoned, the next step for Ms. Visser would be to submit a site plan application and potentially a subdivision amendment because of those two lots that are in the subdivision that was approved. Neighbors would again get a notice about coming to the planning commission, but it only goes to the planning commissions. The planning commission at that point would make sure not only that it complies with the city code as far as it is applicable to this, but also that it complies with the development agreement. At that point we would have more clear specifications for the building that would go to things like capacity. After

that point, she has to submit for a building permit. The planning department, along with the engineering department, reviews building permits with the building department and that gives us yet another opportunity to make sure that parking and building capacity match.

Council Member Marlor thought Director Schaefermeyer gave a great report regarding this project. He doesn't recall hearing staff's recommendation as it relates to the resolution, zoning ordinance and the development agreement.

Director Schaefermeyer doesn't believe he emphasized staff's recommendation during his report, but they are in support of it based on the assurances in the development agreement.

Council Member Marlor said we heard 34 different individuals stand up, some were obviously in favor, some opposed. He asked if there were any comments tonight that changed Director Schaefermeyer's mind as far as staff's recommendation. He asked if he feels the applicant has done everything in the development agreement to address as many of these comments and issues as he would expect.

Director Schaefermeyer responded yes, to the extent possible, the applicant has. We heard many comments that this or that will or won't happen, he can't speak to all of the eventualities. However, given the information we have now, and the constraints, we have done the best we can to put those items in the development agreement. Are there things that Ms. Visser could agree to that go beyond what we've already done, yes; would those affect the viability of the venue, he thinks so. It's a balance between giving enough flexibility, however most development agreements that we have don't have the number of terms that this one does. They have tried to check as many boxes as possible, there are a few issues that have been brought up tonight that aren't addressed in the development agreement and given the council's feedback there are certainly things they can continue to go over. However, again, there is a line between giving them enough flexibility given all the information that we have to make this successful, and trying to accommodate some of the concerns that we've heard tonight.

Council Member Zander has a few pages of notes, but wanted to address a few things that were mentioned tonight. One is from a resident from Harvest Villas, who asked who will enforce this; the resident gave an example of the Rock House where she used to work. Council Member Zander noted that on page 104 of our packet, paragraph F2, it says "street parking shall not be allowed and the project shall enforce all parking regulations during the event." We have some parking regulations, alcohol regulations, lighting and sound regulations, and she asked staff who will enforce those regulations if the venue is approved.

Director of Engineering Brad Klavano said that regarding parking on the public streets, they have requirements to put up No Parking signs on Alexander Park, also on 3200 West. On 3200 West, the way it's striped, we really don't want parking on there, but haven't had signs posted. We have traditionally done that around the city, in fact there was a discussion recently with Council Member Shelton regarding Skye Drive. As it becomes an issue they

will add the No Parking signs, but for this project they have required the applicant to put up No Parking signs on 3200 West as well as in the subdivision because they don't want anyone parking there. At that point, it becomes a police enforcement issue regarding parking on public streets.

Council Member Zander asked who enforces the noise pollution regulations and anything else not within this development agreement, would that still be the police.

Director Schaefermeyer said that police are always the first line for noise and disturbances, things like that. However, Salt Lake County could be involved at some point as it is their noise ordinance. We have referenced it specifically because we wanted to call it out in the development agreement. If there are pervasive problems, or we are seeing that there are terms of this specific agreement not being followed, then there are other enforcement mechanisms. Does this agreement mean there will never be problems at this venue, absolutely not, that's not what he's saying. If the problems are pervasive, and there are specific terms to this agreement that are clearly not being followed, there could be other enforcement mechanisms that the city could go to.

Council Member Zander noted she is not overly concerned about it, she just wanted everyone in the room to hear what the process would be. Her next question was related to Mr. Freiss' comments that he has not sold any lots yet in the Sagewood Ranch area, yet she has received a few emails this week from people that said he actually had sold lots, and one or two people alluded that those people couldn't speak to this point. She asked the developer to explain whether or not he has sold lots yet.

Mr. Freiss said they do not have a recorded plat, therefore it is illegal to sell a lot; they can't even take a contract on a lot. There are reservations on lots, but there are no contracts and he has complete control of the development at this point.

Council Member Zander asked him to address why they got a bunch of emails, with at least one or two alluding to the fact that some people had been silenced.

Mr. Freiss responded that no one has been silenced. He could think of who she may be thinking of, and because of his personal relationship with that person he opted not to say anything negative about it.

Director Schaefermeyer added that it happens sometimes, where someone thinks they've bought a lot in South Jordan that is actually not a lot, and they actually submit house plans; we don't process those or approve those house plans. Until that subdivision is recorded, they will not be reviewing any house plans or giving permits to begin construction.

Mayor Ramsey wanted to make sure it's noted that everyone was welcome to speak during this public hearing, whether they lived in South Jordan or not; she thinks that was very clear, and she hopes everyone saw that and recognized that.

A member of the audience asked to make a comment, Mayor Ramsey allowed it saying it is out of protocol for her to call on someone with the public hearing closed, but she allowed him to make his comment.

The member of the audience noted that based on what was just said, Dave Freiss brother is building their home, and when they purchased that lot they were told that they were developing those other lots and the audience member mentioned they had a neighbor that is going to want a piece of land; he was told they were all sold. They do have reservations, they are deep into this he does know that, and they were told there would not be a lot available for one of their friends.

Council Member McGuire, as a moment of protocol, asked the audience to refrain from clapping and other shows of support; that's not something we typically do in the chamber. He said he had a few questions, the first being for Fire Chief Chris Dawson. There were concerns about the emergency response to Sagewood and Harvest Villas, and asked him to address that.

Fire Chief Chris Dawson said they have looked at the development with the applicant, as well as with the engineering division, met with his Deputy Chief; they have no concerns, there is nothing abnormal here or different from any other development, commercial property or residential area anywhere else in the city.

Council Member McGuire said a specific concern raised with Harvest Villa was about being able to open the gate. He asked, if they would just drive through the gate if there was as true emergency.

Chief Dawson responded that they have access to all of the gated communities; gated communities do simply add some time to their response, there is no doubt about that. There are two access points to that development, and typically they do respond from the west, so it would really be no significant delay and they have access codes or a means to access every gate inside of South Jordan City.

Council Member McGuire asked the applicant about the hours of operation, listed as 7:00 a.m. to 11:00 p.m., and what days they plan on being open for people to book an event.

Ms. Visser said she thinks they would operate as the other venues in South Jordan and typically they are open Monday to Saturday; they do not plan on booking out every night, that's not how it works with most of these venues as they usually only book for about two times a week.

Council Member McGuire saw that her closing time is listed as 11:00 p.m. He asked if that was when everyone has to be out of the building, doors locked.

Ms. Visser said she believes that is actually at 10:00 p.m., that's when the event would end,

then they gave that hour as a buffer for cleanup.

Council Member McGuire asked about the cutoff for alcohol.

Ms. Visser said that per their suggested alcohol policy, that would be 45 minutes before the end of the event.

Council Member McGuire asked regarding noise, item 3, it says “all music shall not be played after 10:00 p.m., except for music that is not measurably louder than 70 decibels” which he assumes is ambient city noise, “as measured from the exterior lot lines of the project.” He was wondering why music needed to be played at all after 10:00 p.m.

Ms. Visser said she doesn’t believe it’s referring to music necessarily, and she could be wrong, but if they are ending an event at 10:00 p.m. there could be some noise associated with cleaning up and moving things out.

Director Schaefermeyer said the provision says all music shall not be played after 10:00 p.m., except for music that is not measurably louder; so it does provide for some music after 10:00 p.m., but that’s something they can look at.

Ms. Visser said that can be eliminated. If an event is ending at 10:00 p.m. they wouldn’t have music after that time.

Director Schaefermeyer clarified that if their internal operations or contracts say 10:00 p.m., the development agreement does say 11:00 p.m. We try to accommodate things in these development agreements, and there is a lot of back and forth; certainly, if there are items that need to be looked at differently that can be done. They do try to bring the council something they can adopt tonight to avoid negotiation, but if that is necessary we do have the city attorney here.

Ms. Visser said she thinks that was really meant to just give leeway for cleanup after an event.

Council Member McGuire said he expected that, he just didn’t want events ending at 11:00 p.m. if this was to go through. He knows this is all early on, but he asked if Ms. Visser had any idea of how far apart the trees would be spaced; are they looking to create a wall of trees.

Ms. Visser believes it was addressed in the development agreement.

Council Member McGuire said it only stated “a minimum 2 inch caliber trees along the project’s perimeter.”

Director Schaefermeyer said they would default to the city code, and he went to look that

up to see what is required for that zone.

Council Member McGuire asked staff about the right hand turn pocket, if that needs to be installed now. He realizes it was part of the original agreement, but does traffic warrant putting that in or is that something that will have money set aside for installation later down the road.

Director Klavano said they were requiring it to be put in originally with Phase 2, but they are essentially developing Phase 2 right now. Prior to occupancy, we would expect that to be in. From a volume standpoint it's probably not warranted, but from an operational standpoint it is felt that that signal and intersection will function much better with that right turn pocket. With the traffic being added they felt it would be good and appropriate to put in at this time. He knows there are some concerns regarding how it will impact the parents that still live there, so they are going to work with the engineers to see if we can get that in and try to mitigate it as much as possible; they will probably still have to relocate that wall just a little bit.

Council Member McGuire asked why the proposed entrance to Sagewood Barn is lined up with the Harvest Villa intersection, as that seemed to be a concern as well.

Director Klavano said that from a traffic standpoint you always want to line up your intersections and your streets so your left turns don't conflict with each other; intersections always function better when they are aligned across, instead of staggered, from turning movements to visibility and a lot of other issues.

Director Schaefermeyer went back to the landscaping, and noted there is an extensive section for the zone that talks about landscaping, including the number of trees and parking areas, types of trees; some of the trees are required to be Evergreens. A minimum of one tree per 500 square feet, or part thereof, are required in the PO zone. We have both the concept plans, which show the trees surrounding it and we look at that. We also default to the underlying zone, and that calculation will be made at site plan because that's when we get all the data regarding the actual landscaped area; they could give us an estimate, but that's where we review it. What they were showing, with the fence pushed back and that landscaping, looked to go beyond what is required. In a typical park strip, which this wouldn't be, as discussed in the study meeting there are a certain amount of trees required and what they were showing appears to be more. The number of trees isn't specifically identified in the development agreement, except for showing generally the density along the boundaries of the project, and that would be looked at by staff with the minimum requirements.

Council Member McGuire just doesn't want it to end up being one tree every 30 feet.

Ms. Visser said, from her understanding, there is a percentage required from the overall acreage; they are currently exceeding that percentage and code requirements.

Director Schaefermeyer said they would look at the amount of landscaping being provided, and then take the requirement that they need one tree per 500 square feet, and make sure they are evenly spaced throughout the site so we are not just grouping trees in one section.

Council Member McGuire said that in Director Schaefermeyer's presentation, along Alexander Park Lane they showed two different renderings. One of them showed the sidewalk and the buffer zone all landscaped with the fence, another one showed a park strip with trees, then the sidewalk, then the buffer zone. He asked the applicant if they are settled on one approach over the other.

Ms. Visser said they had worked with Director Klavano on that option. The reason they like the one shown tonight is because it actually pushes the fence back with the 10 foot landscape buffer; they felt like it gave more of a buffer in front of the actual fence. If they go with the park strip then they only have a five foot buffer in front of the fence.

Council Member McGuire noted that no park strip would mean a greater buffer against the fence.

Mayor Ramsey explained how the motioning works and remarked that she appreciates everyone coming in, along with all the interaction and feedback on this project. She acknowledged that half the room is going to feel like their side wasn't heard tonight, no matter what. That being said, she expressed her faith in this council and in this staff, and in our residents. It's a fine line to walk, to try and figure out how to both preserve the past and protect the future, how to ensure those who have been here a long time and those who are new here both have their best interests protected. Of course it matters so much for those who live immediately next to this project; even she has been here long enough to remember the public hearings where residents were convinced the world was coming to an end when Harvest Villas was proposed. Many people believed the neighborhoods were going to be ruined, property values were going to be ruined with more density; however, it didn't turn out that way. A great deal of time has gone into listening to all sides of this.

Council Member Marlor motioned to approve Resolution R2022-14, Sagewood Ranch Barn Development Agreement. Council Member Zander seconded the motion.

Council Member Harris asked to amend the motion to add that all music ends at 10:00 p.m., versus 11:00 p.m.

Director Schaefermeyer said Ms. Visser nodded in agreement with the proposed amendment.

Council Member Marlor amended his motion to include music stopping at 10:00 p.m. Council Member Zander seconded the amendment to the original motion.

Council Member McGuire noted that Item 3 already says all music shall not be played after

10:00 p.m., and asked if this amendment is necessary.

Mayor Ramsey noted that it does note the exception is music measurably louder than 70 decibels. This would take that part out and leave in the agreement that no music will be played after 10:00 p.m.

Council Member Shelton applauded everyone, he was amazed by arguments on both sides of debate; by the diligence and clarity of the arguments, the good research and preparation that was done on both sides. This is why South Jordan is such a great place, we have really sharp residents and he appreciates that diligence. He is on the City Council today because many years ago the city council approved a road to be built behind his house that he hated. His city council member wasn't responsive, didn't respond at all to him and didn't even acknowledge him. When you are here and concerned about the impact on your neighborhood, he gets that. He knows there is nothing they deal with as a city council that is more delicate or precious to the residents than their homes and surrounding areas. He acknowledged that a proposed development going in there will have an impact on the neighborhood. He also thinks that the Vissers have gone to great lengths to acknowledge that as well, and to try and address it the best way they can, given the circumstances. The comment that probably turned his mind to supporting this development was the resident who talked about having to go to Utah County for her daughter's reception. He realized he goes to a lot of receptions, but can't remember the last time he went to one in South Jordan; he has however been to a lot of receptions in Utah County. He does think this development is an exquisite way to preserve some heritage in our city, and he thinks preserving that heritage when we have the opportunity without taking money from the city is something that should be seriously considered. He will vote to support this development.

Council Member Harris considers all the comments heard tonight to be valid, on both sides, based on how people perceive they will be impacted by this. He is glad people are here to talk to us about these things. When we hear about these things, even if we don't reject it, we can try to make it as palatable as possible; this council pushes back when people are trying to develop because they take these things very seriously. The council has heard everything, read all the emails. When it comes to crime, every rezoning that comes in raises the concern of increased crime, but we really don't see that. There was a development near his neighborhood where people were filling the chambers until late in the night because they were trying to develop five to six homes per acre. Parents said they wouldn't be able to let their kids out to play, crime would go up, etc. Now, they know all of those people well and there has been no increased crime in the neighborhood; they are all friends. He spoke with Chief Carr and asked if he thought this would be a hotspot for police, he said no. Regarding traffic, he went back to the comment that land was taken from the Jones family to make roads that could handle heavier traffic. For us to now funnel many more cars, have busier roads, and then come back and tell their family we can't accommodate this because of the traffic just doesn't make a lot of sense. If he didn't think parking was going to be addressed he would have shot this down. He will be relying heavily on staff to make sure we don't go over the occupancy with the parking, and to make sure there is no parking on the streets. He

thanked everyone for being here, but regardless of the vote tonight he doesn't believe that this will be a massive problem over time. He thinks our police get called to neighborhoods just as much, or maybe more frequently, than they will be called to this venue; same thing with our fire and ambulances.

Council Member Marlor is glad the mayor prefaced any vote with the hope that no one leaves tonight feeling like the council didn't listen to them. One thing he has learned from being on the planning commission for four years and the city council for 16 total, is that he needs to make sure he listens to both sides of every argument and every public hearing. He really appreciates everyone coming tonight. He knows there will be some disappointment, but he hopes they feel that if nothing else they have tried to listen, understand the issues, and if you have done one thing it was to make sure the development agreement for this project will hold the applicant's feet to the fire. This will have to be a good project, and it will have to continue to be a good project; he is very confident that it will.

Council Member Zander agreed that tonight has been very respectful. She has read all the emails and letters sent before this meeting; not only were you heard tonight, but she had long conversations with Ms. Visser last week, read a ton of emails this week, and she echoed what Council Member Shelton said about our community. She specifically wanted to thank Ms. Visser for all the hard work and facts that were provided to night. She also wanted to thank Lisa Stanley and her group, who traveled to Utah County and took pictures of those venues and emailed them to the council with articulate descriptions; she was so impressed. She hopes she can be that articulate when she is in their seat one day. She also wanted to thank Lindsay Christenson, who gave an excellent presentation on what she felt were some misleading facts. All of these residents came with such good information, and she wants them to know it was heard, it was appreciated, it was articulate and great fact finding. She also acknowledged Luann Jensen, she loved what she said as someone who has probably lived in our city the longest with a few exceptions. Like everyone else in the council she didn't run because she had spare time, she ran because she cares about her community, just like everyone here; if they didn't care they wouldn't be here tonight. Even though we may not agree on the next step for this particular issue, everyone in this room agrees that our city is exceptional, otherwise she wouldn't be sitting where she is. This is the beauty of our government, we have elected officials that listen and are accountable to the residents, and the respect goes both ways. Her heart aches every time she has a vote like this. She aches for those who won't be happy with what she votes on, and she aches for people that are affected, but she will say to trust the system. She doesn't think this will turn out as badly as some think, and one of the things she has to do when voting is look at the big picture and what's in the best interest of the city. For that reason, she is voting to support this. She knows that doesn't make everyone happy, but she wants everyone to know they were heard.

Mayor Ramsey asked Attorney Loose about a motion to continue the meeting past 11:00 p.m. because our ordinance says we must end at that time.

Attorney Loose noted that it technically says they can't move on to a new item after that time. Since these three items have been opened, they can finish them and then do the motion so as to not interrupt the flow.

Council Member McGuire echoed what the other council members have said. He has taken many phone calls from those in the neighborhood; he felt like he tried to give the applicant equal time as well, so both sides were being heard. There was a lot of talk about the stable neighborhood shown on the future land use map. Something he noticed while reviewing it was that along 10400 South, between 2700 West and 3200 West, there are already small strips labeled as future EIOs. Those may seem like too little space to develop, but places like the small eyeglass store across from Bingham High School are an example of what that could mean. He doesn't think it's too outrageous to say that rezoning this would not take us way off course from what our future land map is calling out. A lot has been said about noise, but he wanted to mention that throughout the summer months, two to three times a week he has a neighbor that has a garage band; sometimes it's great, sometimes it's not so great, but it's the reality. They didn't have to get a permit or submit an application, there are no noise regulations, and it's just what he got with his home purchase. They are wonderful neighbors, but that is the reality of what he got with his home purchase. The alcohol concerns are bigger if the venue doesn't partner with someone, as the Vissers have committed to tonight. He has been to many family weddings with the red solo cups out in the parking lot; that's not how you want the alcohol controlled at the event. He is grateful the Vissers are thinking ahead and planning for better ways to control the alcohol. Regarding traffic, as already mentioned 3200 West is a major road but it's not at its full capacity. There is still plenty of room on that road for increased traffic, and he doesn't think adding a reception center will dramatically impact things; he trusts our staff on that. He called Wadley Farms and spoke with Ms. Hardy, asked her about their event center and she said they seat 100 for seated events, about 300 people for the open flow events and for parking they have between 150-200 stalls; what's being proposed is even smaller than this Wadley Farms comparison. Regarding the comment about our planning commission, he actually spoke with his planning commission appointee to get her input. Just because they don't see eye to eye and agree on an issue, doesn't mean that her input is any less valued. With that said, he plans on voting in favor of this.

Council Member Marlbor said that when he was appointed to the city council in 2000, there was not a way to get from the east side to the west side of South Jordan on one road. Shortly after he was put on the city council they rectified that and one of those roads added was in his own subdivision. He made a motion to connect the road from Redwood to 2200 West, and he caught hell for that, but it needed to be done. They did the same on 10400 South, it needed to be connected to Bangerter; there were a lot of people in opposition. One of those in opposition was Otto Jones, and he was not very happy with him or the council, but could you imagine 10400 South with one lane in each direction. Some of the things we do to change our city won't make every resident very happy. He knows this will be a great project, just as 10400 South was a great project.

Mayor Ramsey actually doesn't have a vote in this, in our city's form of government she chairs the council and conducts the meeting. That being said, she has gone through her 100 pages of notes; she was not able to reply to every email that has come in. She has gone back and forth several times tonight with all the compelling thoughts brought about. Someone asked why we have a planning commission if we aren't going to take their recommendation. She said she got another letter from someone else that said as mayor she talks about how much she appreciates her professional staff, so why does she call them professional staff if we aren't going to take their recommendations; that questions is in direct contrast to what was said about the planning commission. The planning commission voted three to two against it, while our staff is recommending it; this leaves the council with a difficult decision to make, and these are hard decisions.

Roll Call vote for Resolution R2022-14 was 5-0, unanimous in favor.

Council Member McGuire motioned to approve Resolution R2022-15, Sagewood Ranch Barn Land Use Amendment. Council Member Shelton seconded the motion. Roll Call vote was 5-0, unanimous in favor.

Council Member Zander motioned to approve Zoning Ordinance 2022-02-Z, Sagewood Ranch Barn Rezone. Council Member Harris seconded the motion. Roll Call vote was 5-0, unanimous in favor.

Mayor Ramsey thanked everyone for being here, for caring about their neighborhoods and their neighbors. She pled with everyone to not let differences of opinion on this issue filter back into their neighborhoods and interactions with neighbors and friends.

Council Member Zander motioned to extend the meeting. Council Member McGuire seconded the motion; vote was unanimous in favor.

Council Member Shelton asked if it would be a problem to table Item I.2. to a future meeting.

Mayor Ramsey suggested they continue.

Attorney Loose said that adopting the fireworks regulations has to be done by May 1 to ensure noticing.

I.2. Resolution R2022-12, Adopting Fireworks Regulations. (Fire Chief Chris Dawson)

Fire Chief Chris Dawson discussed adopting the updated fireworks regulation and an updated fireworks restriction map was included as part of this resolution (Attachment K). Since implementing prior restrictions, we have had great support from our community. In fact, we have only received requests to add to the restricted areas as opposed to taking areas

away. He believes we have been reasonable in our approach to the restricted areas and adhered to the definitions that exist in state law. There are areas that have been requested by residents, but there has only actually been one area that we were able to add as a result of that request as it met the definition in state law. They will continue to evaluate this every year and make sure it meets the needs of our community.

Council Member McGuire added that this is standard and done annually.

Council Member Harris motioned to approve Resolution R2022-12, Adopting Fireworks Regulations. Council Member McGuire seconded the motion; vote was unanimous in favor. Council Member Marlbor was absent from the vote.

Council Member Zander motioned to recess the City Council Meeting and move to the Redevelopment Agency Meeting. Council Member Harris seconded the motion; vote was unanimous in favor.

RECESS CITY COUNCIL MEETING AND MOVE TO REDEVELOPMENT AGENCY MEETING

I.3. Resolution RDA 2022-02, Approving and adopting the Community Reinvestment Project Area Plan for the Southwest Quadrant Urban Center Community Reinvestment Project Area. RCV (*Director of City Commerce Brian Preece*)

Mayor Ramsey reopened the public hearing for comment.

Rusty Cannon (President of Utah Taxpayer's Association) knows there was a lot of discussion at the last meeting about the issue at hand. They have had issue with tax increment financing projects for quite some time. As an association, they are celebrating their 100 year anniversary this year, founded in 1922. The issue they would like the council to continue to consider is that this is a very large ask in their view, with the tax increment package we see being put forward right now. With about \$370 million that could possibly be foregone by these taxing entities, the city's portion could be somewhere around \$50-\$60 million. We often ask the question "would this pass the 'but for' test," would this development happen but for this incentive. They have not been convinced that this would pass anywhere near a "but for" test. They are continuing to speak with the developer, and will continue to see if they can figure out what they are missing. They worry that often times the thought becomes "with our great ideas and the taxpayers' money, we can do some great things," but tax entities would be giving up quite a bit of increment over that 20-30 years as proposed. They still don't see a reason as to why an incentive is needed in a market like this, with a project like this. As they learn more, they realize that the costs of what is going to be constructed in the proposal are driving up the cost quite a bit; they wonder if there are ways that can be mitigated so there doesn't need to be as big of an ask of these taxing entities. The school district could be giving up, over this time period, close to \$200

million. That is not the city's figure, that is the district's figure, but kicking off this process is going to kick off the process for them and they are asking that we consider whether or not this is the type of thing we want to do with the taxpayers' money. This is forgone revenue for those taxing entities, including the city, that they won't be able to use going forward to pay for police or whatever else comes up during that increment period. He wanted to make sure that is on the record and hopes the city considers modifying this or looking at it further before moving it forward.

Laura Lewis (Financial Advisor) appreciates the previous comments and the questions the council has been studying, related to this issue. She said the issues just raised will be addressed, they are just diving into those numbers relative to what will happen in that area if there is no tax increment, because they know what will happen there as opposed to the betterment of that development, making it a truly urban center if there is tax increments to be used. It is not like they are ignoring those questions, they just haven't put together all of that data yet.

Mayor Ramsey closed the public hearing.

Director Preece said he has had several conversations with Mr. Cannon, and understands his concerns. He also reminded everyone that without a \$5 billion private investment, we would not get the tax increment anyways; this is why we are talking about some more expensive things like parking structures. As Ms. Lewis said, this allows us to go to the next step, which is to work with all the taxing entities. He said Craig Smith will discuss a map change that actually shrinks the map; as previously stated, they can't enlarge the project area, but they can shrink it. There are some areas that are already developed that he wants to discuss and that would be an amendment to the motion, along with other items that need to be amended.

Craig Smith (RDA Attorney) said that these are always started with a survey, which was done a while back. In that survey they had the biggest area they thought they might want, during the process they decide whether areas can be deleted. He showed the map (Attachment L) and explained that they have made some changes and removed areas that are already developed and individually owned. The number of properties has been reduced to the ones that have development potential, and this is their current recommendation to the board.

Director Preece said that in the last budget they inadvertently left some numbers blank for the Mosquito Abatement District which totaled to, over time, \$491,000 in present value or \$209,000 in net present value; they would to amend the budget to include those numbers. They originally proposed a 2.5% RDA admin fee, and they want to cut that back to 1%; on further review they think that will be enough to cover our costs. They also want to add a 2% maintenance fee off the top since there will not be a lot of tax increment coming in to the city; it would be similar to the ones in the other Daybreak RDAs. They would also like to take the city to a 90% participation rate, rather than 75% like the rest of the taxing entities,

so we have more as a percentage and are throwing more into the pot. The 2.5% maintenance fee helps maintain roads, sidewalks and those types of things; it has worked out very well in the Commerce Park and South Station CDAs.

Council Member Zander asked for the proposal last time.

Director Preece said it was a 2.5% fee for admin previously, this actually adds a half a percent but we dropped the admin fee down and added maintenance. In our CDAs it has been a 5% maintenance fee, but they feel the 2% will be enough since these numbers are quite large. We will not be getting huge sales tax areas in here, so we want to help defer that and allow us to maintain these areas.

Council Member Shelton motioned to approve Resolution RDA 2022-02, Approving and Adopting the Community Reinvestment Project Area Plan, with amendments proposed by Director Preece and Craig Smith. Council Member Marlor seconded the motion.

Council Member Harris noted that he appreciated the comments about taxes. We don't know all the details and information here; he thinks conceptually we like the idea and the direction it's going, but he thinks there will be lots more information coming before the council. We are not rushing in to making any final decisions, but he does like the direction it is going.

Roll Call vote was 5-0, unanimous in favor.

I.4. Resolution RDA 2022-03, Approving and adopting the Community Reinvestment Project Area Budget for the Southwest Quadrant Urban Center Community Reinvestment Project Area. RCV (*Director of City Commerce Brian Preece*)

Council Member Zander motioned to approve Resolution RDA 2022-03, Approving and Adopting the Community Reinvestment Project Area Budget, with the amendments as proposed. Council Member Shelton seconded the motion. Roll Call vote was 5-0, unanimous in favor.

Council Member McGuire motioned to adjourn the Redevelopment Agency Meeting and return to the City Council Meeting. Council Member Marlor seconded the motion; vote was unanimous in favor.

ADJOURN REDEVELOPMENT AGENCY MEETING AND RETURN TO THE CITY COUNCIL MEETING

I.5. Ordinance 2022-10, Adopting the Project Area Plan for the Southwest Quadrant Urban Center Community Reinvestment Project Area. RCV (*Director of City Commerce Brian Preece*)

Council Member Shelton motioned to approve Ordinance 2022-10, Adopting the Project Area Plan, with the amendments as proposed. Council Member Marlor seconded the motion. Roll Call vote was 5-0, unanimous in favor.

J. Staff Reports and Calendaring Items - *None*

Council Member McGuire motioned to adjourn the City Council Meeting. Council Member Zander seconded the motion; vote was unanimous in favor.

ADJOURNMENT

The April 19, 2022 City Council meeting adjourned at 11:33 p.m.