

**CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
September 9, 2025**

Present: Chair Nathan Gedge, Commissioner Hollist, Commissioner Lori Harding, Commissioner Steven Catmull, Commissioner Bryan Farnsworth, Commissioner Sam Bishop, Assistant City Attorney Greg Simonson, City Planner Greg Schindler, Planner Miguel Aguilera, Planner Joe Moss, Assistant City Engineer Jeremy Nielson, Director Brian Preece, Deputy Recorder Cindy Valdez, IT Director Matt Davis, GIS Coordinator Matt Jarman.

Absent:

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

A. WELCOME AND ROLL CALL –*Chair Nathan Gedge*

Chair Gedge welcomed everyone to the Planning Commission Meeting and noted that all (6) of the Planning Commissioner's are present. We have our new the appointed Commissioner Bryan Farnsworth here tonight, he was sworn in and has had his training so he will be voting tonight.

B. MOTION TO APPROVE AGENDA

B.1. Approval of the September 9, 2025

Commissioner Hollist motioned to approve the September 9, 2025 Planning Commission Agenda. Chair Gedge seconded the motion. Vote was 6-0 unanimous in favor.

C. APPROVAL OF THE MINUTES

C.1. Approval of the August 26, 2025 - Planning Commission Meeting Minutes.

Commissioner Hollist motioned to approve the August 26, 2025 Planning Minutes with corrections. Commissioner Gedge seconded the motion. Vote was 6-0 unanimous in favor.

D. STAFF BUSINESS

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Commissioner Hollist said I wanted to know if the Planning Commissioner's can attend the City Employee picnic on Thursday September 11, 2025, if any of us wanted to attend?

Planner Schindler said yes, you can attend the picnic.

Chair Gedge said there will only be 1 or 2 of the Commissioner's attending, so this will not need to be noticed as a quorum.

Chair Gedge said I attended last week's city council meeting. The City Council did have the Bess Dental office on their agenda, which we heard a few meetings ago and made recommendations. I encourage you all to review the recording for that item or reach out to your city council member for any feedback that you may have. They did pass that 4 to 1, and they did not take any of our three recommendations that we made to them for the development agreement, they left it as is. They also went over the community block development grant report for the staff. So, I found that interesting, having served on that committee previously in a different municipality. We don't get a lot of money for our city because basically, we have no low income people in the city for the census data. I know that's a very short summary of that, but it was a very interesting meeting.

F. SUMMARY ACTION

G. ACTION

H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. ITEM NAME: DAYBREAK SOUTH STATION PLAT 3F

Address: Generally located south and west of the intersection of Daybreak Parkway and Veruca Way (11612 S Vercua Way)

File No: PLPP202500130

Applicant: LHM Real Estate (Vagner Soares)

Planner Greg Schindler review background information from the staff report.

Commissioner Harding said having not known what it will become, do we have any concern with added traffic that it will bring coming so close to an elementary school?

Planner Schindler said that would be addressed by staff during the site plan review. So, even if we knew it wouldn't require a traffic study until they have a site plan.

Chair Gedge opened the Public Hearing to comments.

Pepper Nicks, South Jordan – said I can see my house on that on that map, and the traffic there is an absolutely a nightmare, so that is my number one concern. Are they adding more parking spaces, or is it going to be wall to wall commercial space, and they're just going to be adding more cars without any more spaces for those cars. I just want us to make sure that it is safe for the children. There are a lot of children going in and out of that school across that road that is on the south of the plot right there, so that is a concern between my neighbors. The other thing is, we are all wondering what type of business would be in our neighborhood.. How late would those business hours be? Would they have giant neon signs? We kind of enjoy the 7-11 over where it is, but this would be much closer to where our homes are. Those are my concerns. I would very much have liked it if the applicant was here.

Chair Gedge closed the Public Hearing.

Chair Gedge said I think we've already been told that we aren't aware of what types of business, but Greg, could it be mixed commercial or residential? Is there a body with Larry H Miller Real Estate or like an authoritarian body that would decide what type of business would be an appropriate fit for this type of property?

Planner Schindler said I don't know who makes the decisions with what's going to go in there, but obviously something, because they wouldn't be dividing it. Those size of lots could handle a row of town homes or they could be similar to what the VA clinic is. I noticed the VA clinic seems to have plenty of parking, so hopefully, whatever they come up with, we require a certain amount of parking so they all can't park on the street. It seems like what's being called downtown daybreak to the north, up toward the ballpark, seems to be where most of the high density residential development is going where there's a lot more retail type uses, or else also going in that direction. So, I did reach out and didn't get a response to what they are planning, I wouldn't be surprised if they don't already know what type of use is going to go there, but they may not have an applicant or someone willing to buy it yet.

Chair Gedge said with the daybreak agreement they have parking standards that would be required depending on what use they put in on these three lots. They would have to meet the those that have been agreed to in that agreement.

Planner Schindler said that is correct. The parking standards that they would use are not as rigid as the city has, but they have standards and they would probably have to have parking on site. It won't be on the road, because the road parking is being used already by other uses in the area.

Chair Hollist said the wording in our staff report for Town Center allows almost anything, it sounds like so, without the applicant here I don't know that that's grounds for if it's allowed.

Chair Gedge said Planner Schindler said obviously, if they are listening online or listening to a future recording, I think we would like to strongly encourage any applicant to attend the meeting in case the this commission or future commissions or councils have questions for the applicant. Does the daybreak development agreement also address lighting? We've had recent items with lighting that has been a concern with traffic and the roads. So does Daybreak have separate standards, different than the typical city standards that we have for lighting and traffic?

Planner Schindler said not that I am aware of on those things. When it comes to street lighting and street widths they are a little bit different. They do have their own standards and that we've agreed to, but most everything else, they have to follow the city code. And also, if you have questions that the applicant could answer and they're not here, you can always table it. I'm not encouraging it, but I keep telling them they need to show up.

Chair Gedge said so does the commission feel like we have any concerns that would warrant that type of action?

Commissioner Catmull said not for a subdivision, because those usually don't consider it. But I wanted to use this as an opportunity to also address the concerns that came in public comment, so that there's a chance to understand. I wish there was a better next step to say, how do I give feedback? You know, when the time comes that they're going to develop something there, that's something that probably will need follow up with a council member or something, especially as we look at further developments down the road.

Chair Hollist said I know this is probably belaboring the point. I would definitely entertain tabling this if I felt like any of the information they could provide would potentially change our decision. But because it is just a subdivision, I'm assuming staff will review and make sure it's allowed in the town city center. I don't actually see a scenario where we would have grounds to stall this anyway, but I will be willing to vote to table things in the future, if there's anything we would need to clear up that could potentially be mitigated, and etc.

Commissioner Hollist motioned to approved File No. PLCUP202500140 Daybreak South Station Plat 3F. Chair Gedge seconded the motion. Roll Call Vote was 6-0 unanimous in favor.

H.2. ITEM NAME: MIMI'S COTTAGE CONDITIONAL USE PERMIT
Address: 2306 W Old Rosebud Ln
File No: PLCUP202500140
Applicant: Chris Kotrodimos

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

Commissioner Bishop said I am just confused by the word opaque, I understand that to mean no light goes through?

Planner Aguilera said the way that we've used it in the past for these specific types of CUP's only to allow natural light in. So, if there's a correction that needs to be made for the word opaque, we can make that. But essentially, what staff is trying to mean is that it is for lighting purposes only, no visible views out to the outside, nothing like that. And so, the staff recommendation is that the windows be only for lighting purposes only. But the property owner is asking the Planning Commission to allow her to have three of those windows to be regular.

Chair Gedge said staff is recommending approval, correct?

Planner Aguilera said staff is recommending approval that the seven windows be for lighting purposes only. However, the applicant does is asking for three of those, which are the North ones to be regular windows.

Chair Gedge said I just want to make note, and it was in our minutes that this item was noticed for our previous meeting, and we did have a public comment that we opened it up for, which was the applicant. I just want to note that was included in our minutes and as part of the public record.

Regina Pikus, (Applicant) said I just wanted to answer your question. This building right here is our next door neighbors ADU, so they use it just for rec space, and they do have a little mother in law apartment on the top of it and they have windows all there as well. That is a 12 foot setback right thereon the space that he indicated, essentially it's going to mirror that exact building. The four windows that are in this general area, those are just in a hallway, and we don't need clear windows there just light would be plenty right there. The ones that are more to the north, that group of three, it's a little loft space for my mom. This is the back of Mimi's cottage, and she has just enough room for like a desk up there and she wants to look out into the yard. All of these are trees right here. We were able to save all of these except for this one right there. But these existing trees are 40 feet high. There's an incredible mature tree privacy screen there, and once we get everything built we're going to plant some more trees there so that we're not looking at them, and they're not looking at us. That's the goal. But those three specific windows are just at the top of her stairs. So you go to the top, there's those three windows, and then you have the room. So it's not like she would be sitting there looking out over. She just wants to see the backyard. These four windows right here are the rec space. This is all open to like a playroom below. So this will just be walkway space. And then right over here, this is all attic space, and then this right here, is that little loft area.

Chair Gedge said we just want to make sure it's on the north so it's looking into your property and not into a neighboring property.

Commissioner Harding said just a clarification. Did you just say those three windows will see into your property or the neighbor's property, and I heard you say it's into your property?

Ms. Pikus said well, I'm saying it's into our property because of the trees, the super tall trees of the property. it's a tiny little backyard. Since we already have all the mature trees, we want to go ahead and plant as tall trees as we can in that one little spot. There's only enough room for one additional tree, but our goal is as much privacy as possible.

Commissioner Catmull said could you clarify or confirm when you're talking about the neighbors, ADU that's built, and you're saying that the windows on the side closest to your lot? Is that the east?

Ms. Pikus said I mean, they have windows all around, but they have two or three over on the side that look down into my yard.

Commissioner Catmull said and then the other question I had is, you were talking about the desire for being able for Mimi to be able to look out over the yard, wouldn't that be the windows on the other side?

Ms. Pikus said that's her entire backyard section. So, we have the trees that are up against the fence, and then that's where we'll do pathways and her table and chairs, that will be her backyard.

Commissioner Catmull said will there be a fence or something?

Ms. Pikus said yes, there's currently a fence in place. It's part of my backyard, you can see. So we're just gonna have a little low like cottage fence, just to kind of tell my kids stay out of Mimi's backyard.

Commissioner Harding said I'm doing my best to visualize this, but how are the heights compared?

Ms. Pikus said ours is lower. They built before the changes, so ours, I want to say ours is about seven feet lower than theirs, so their windows would not line up with ours.

Commissioner Hollist said can you help me understand how the building flows.

Robert Pikus (Architect) said so for what's primarily applicable, for what I believe you're looking for on the first floor on the right side of the screen here is essentially the ADU portion Mimi's cottage. This part comes down to the garage and this is the west fence line and a 12 foot setback that we're talking about wanting to use as her backyard. And then she'll have a little bit of a north yard as well, but primarily we're talking on the west side. So the residential portion is this. The left half of this is more supplementary accessory for the primary residence. So the space that we're talking about is actually for both spaces, the second floor of the the accessory space for the primary residence has a stair that comes up and serves as this kind of open space. There's no windows there, but then there's a walkway to get to a storage room and mechanical room that would overlook essentially this open rec space. And so that's where she's just looking for these four windows to have the translucent windows to allow daylight. They're looking for natural lighting going here. I would agree, probably with Commissioner Bishop, that I would use the word translucent, probably moving forward, so they would allow light in, but not visibility. So that can be done either frosted glass or ribbed glazing, things of that nature that would obscure that vision. And then on the east side, I'll go back downstairs real quick, there's a separate stair from the residence that accesses the small loft right up here. So here's the stair coming up, and it's just this really small space here at the top of the stairs, again, kind of for storage, possibly even a little bit like she's at a desk or something of that nature. And so there's a window now for egress purposes on the north side, because it's required from any second story space, but we were hoping to get a little bit more of that western view so she could, one see her backyard and that tree line, and also kind of get some of that evening sunlight, instead of just northern, shaded, diffused light.

Commissioner Hollist said I assume, since we're not being asked to consider it as an exception that the square footage associated with the ADU is appropriate to our code and it's completely separate from all of the recreations.

Robert Pikus said so because the structure is larger, the delineation Miguel made sure that we understood that there could not be a door between spaces because they're two different functions, and that the residential side was within the 8 limits. So going back to the elevation, maybe that's the full elevation, if that kind of indicates what Miguel showed a little bit earlier. And again, we're just trying to kind of consider function versus esthetics and use.

Chair Gedge opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Commissioner Farnsworth said I am just curious. Have you talked to the neighbor about what they think, and would be curious what they have to say. I know we can't rely on that testimony, probably because they're not here, but I'm just curious about conversations.

Ms. Pikus said they have signed off on it. They're just fine. They only live there, not very much out of the year. They have a few other homes, but if I need to get something in writing from them, I'm happy to do that..

Commissioner Hollist said obviously, another option you would have is to move your property or building further from the property line. But it looks like, from our staff report, you're willing to proceed where it is currently located.

Ms. Pikus said yes, for sure. There is no changing it the hole is already dug.

Commissioner Bishop said I have a follow up question from Miguel. I didn't understand this when you were up here, but I would like to hear your logic on why you think we should not allow the transparent windows in the loft area.

Planner Aguilera said staff is recommending that the seven windows be the same in terms of being only for lighting purposes. The code the way it's written, staff is following the code. It is for consistency across past CUP's with the same recommendation that that we've made. We have also asked in the past for the Planning Commission to approve opaque windows for lighting purposes only. Apart from that, the only other detrimental effect is privacy. I don't know the history of this building across from it, so it sounds like the views won't be looking into the neighbor's property, but still to be following the way the code is written, that's why staff is recommending the seven.

Commissioner Catmull said Miguel the default, if I'm hitting the right section of code, it says: they shall meet the following requirements, except as approved by the commission as a conditional use permit. And that's the openings, windows and doors that are visible from the property line. If this is the right part, it says "it shall not be located in exterior wall when the floor height exceeds four feet above grade". The default is, there should be no openings, no windows, no doors, unless we say there should be and what I hear you saying, although I don't think we've ever talked about this, is privacy as a detrimental effect. And so I'm going to just try a thought exercise. So if I have a neighbor who's because of the grade of slope that they have like my neighbor is in the South in day break, and they can see over, you know, they can see down into someone else's property. And so even from the base level, because of the slope of the ground is the idea for a conditional use permit, for a change in that expectation that wasn't seen at time of purchase. That's when it comes to the conditional use permit, and that's why we're thinking about privacy. Because otherwise, I don't think there's an absolute privacy detrimental effect that we could say is consistent throughout South Jordan, or an expectation or a way.

Chair Gedge said or a way to remedy that detriment, if we've established there is a detriment.

Commissioner Catmull said because it's just the natural lay of the land and the way it is developed, but in this case, we're making a change, and we're altering it after the fact that it's not the lay of the land. Is that a fair way to think about privacy? There's also offsets I can see down on a slope, I can see down into my neighbor's backyards, and even from my base level.

Commissioner Hollist said are you just asking for clarification?

Commissioner Catmull said is that reasonable, we haven't brought up privacy before. I think it's fair to say we can't say privacy is an absolute in South Jordan. It's connected with this particular development, and there are standards. One of the reasons that this is a conditional use permit is to consider the situation and say, is that a reasonable detrimental effect that needs to be mitigated.

Planner Aguilera said I think that is what the intent of the code is for in this section. But Greg Shindler, or Greg Simon can speak more to this.

Planner Schindler said one thing that was in the code section several years ago, there was no requirement for accessory structures to have a window, they could have windows wherever they wanted on the second floors and so forth. I believe this is probably in Mr. Simonson neighborhood, there was a accessory building that was constructed and it had a lot of windows on the on the second floor, and the neighbors complained about their pending privacy. So, I think that this code was adopted with privacy in mind, and that's the only reason it was adopted. I think at this point they can have the windows, but if you can't see through them either direction, then that should be what we're asking for. That is what the detrimental effect is that causes privacy issues. I think what Miguel is saying, is that all seven windows should be opaque, or however you want to describe,

Chair Gedge said we have the application and the recommendation was for obviously, all windows as we've discussed, to not have visibility. Now we're getting another exception to the three. I just want to make sure we're doing everything proper, because that was information presented to us this evening for those three additional windows. Does that change anything that we need to re notice because of that additional information that's being requested by the applicant?

Assistant City Attorney Simonson said no, I don't think it needs to be re noticed. I mean, you are all familiar with the process on conditional use permits. You need to determine if there's a detriment and where the ordinance has specifically said it's okay to have windows if you're 20 feet away, but it's not unless you get a conditional use permit. If it's sooner, then that leaves it in your domain to evaluate whether there are mitigating circumstances that can be imposed in your motion. Where I see it is before we had the meeting tonight, it was a question of the way we're going to mitigate opaque windows. But you need to now evaluate, is it ameliorated by just having four opaque windows and not the other three? And then the other thing that's come up,

new to me at least, it may have been presented at some point is he trees, has the applicant persuaded you that there will be trees that will address the potential detrimental effect.

Chair Gedge said could we allow the three windows, but have to take condition that the mature trees, or similar height always remain on that property line to protect the privacy of any current or future neighboring property as a possible mitigation factor. So that's just one thing I'm thinking of, but let see what the rest of the Commission's thoughts are on on this. I think it's a unique property, because it's not 20 feet, it's 12 feet and there are three windows that will be partially obscured by trees. So if you just make sure those trees always remain if the neighboring property sold, neighbors might be concerned about that.

Chair Hollist said would you be able to tell us what the offset is for the accessory dwelling building on the adjacent property. I think I'm going along the lines of, they obviously have a neighbor that isn't concerned about this particular issue. And I don't think that's always the right justification to say, this property has it, so why not this one? But it does appear that they are only doing precisely what the next door neighbor has. As far as your comment about do they always have to have trees. It is one of the mitigating impacts. I think maybe a more reasonable stipulation potentially could be if, for whatever reason the trees get removed, that they place a frost screen film I've put that on a window in a bathroom. They're easy and it doesn't require replacing a window.

Planner Schindler said it looks like its hard to get an exact measurement, but it looks like it's somewhere between an 11 and 12 foot setback.

Chair Hollist said I also think they're mutually blocking the view to prevent being able to peer into an entire yard.

Commissioner Catmull said there's a part of me that says, I don't know that I should be that picky about windows, are windows allowed? And then there's another argument where I say there is because of the proximity. I wouldn't say it's an absolute right of privacy, but there's a consideration of privacy, and the non clear windows is a reasonable and balanced way to get both natural light and the safest way for good neighbors over time, not just these neighbors in five years, 20 years, 30 years. And so, I am persuaded by your argument to say if there are trees there and they are removed, then you go ahead and put them in. I actually really like that a lot.

Commissioner Harding said I like the size of the windows. I like the placement of the windows. I think requiring trees could be complicated. We all know the city verifying going forward might be an issue, and I don't want to complicate that, I think they've done a great job showing us that they're not in an alignment, and that they're not causing issues that way, and that the size of the window doesn't really affect, in my mind, privacy. And so those are my thoughts. As far as the three windows, I do agree with the four along the hallway, they're a little bit larger, and I would agree that that would be good to be opaque.

Chair Gedge said we can leave it to the current owner or future owners choice and whatever happens with the current screening. But basically, we're trying to just protect our job as a

planning commission, it is for the long term planning of the city, and not the immediate short term, but for long term as well. So I think that's where I'm leaning. I think staff has helped us identify a detriment, which is the privacy as we've discussed there. I think ways that we can try to mitigate that, the simplest of course, is making all seven opaque, or we can do it saying the four along that corridor are opaque and the other three, as requested by the applicant are either opaque or screened by window coverings like the tree coverage. It may not always be trees, maybe there's some evolution in the future that might make something else come up.

Commissioner Catmull said we had a little bit of a thing about percentage of screening. I'd much rather just say, if those trees are removed from the landscape permanently, I don't know how to say that, because what if a tree dies. So, does a new tree come up?

Commissioner Harding said are we all okay with the seven windows? That's the first question. That's a conditional use and are we okay with that? And how are we feeling about opaque versus regular?

Chair Gedge said I'm opposed to seven regular windows because of concerns, and obviously, making major modifications to the city code, which might set a precedent for future applications. But I think with the uniqueness of this property, my preference is the four that have to remain opaque, and the other three to mitigate further with how we've been discussing.

Commissioner Bishop said given that this is going to be something that will hold for the foreseeable future, definition in a couple dictionaries of opaque is preventing light from traveling through. I just feel like, what word would you like to substitute, translucent?

Commissioner Catmull said what if we just say that there has to be one frosted or just one privacy measure in place for all seven windows, and it has to be either privacy glass that provides privacy, or some other privacy feature, such as a tree.

Commissioner Harding motioned to approved File No. PLCUP202500140 Mimi's Cottage Conditional Use Permit allowing secondary story windows on the proposed buildings west facade with a condition that four of those windows be translucent, and three of those windows one privacy measure.. Chair Gedge seconded the motion.

Chair Gedge said I have a couple friendly amendments I'd like to make just with your motion. You said secondary story, second story because it's on the second story, not secondary to the use of the building.

Commissioner Harding said on the maps as provided.

Comissioner Hollist ameded the motion to read that the four windows requiring translucent windows be the three in the middle of the structure, with the three at the northern end on the west side of the building being allowed to utilize screening, either provided by the current trees, privacy features installed in the field. Future or a transition

to using the same type of translucent glass as the other windows. Chair Gedge seconded the amended motion.

Commissioner Harding said can you say that one more time? Because I don't want it to be as if they have to have translucent if we're approving other things.

Commissioner Hollist said so those three windows would need to utilize either screening provided by the current trees privacy feature that may be installed in the future, or the same type of glass that the other four windows will have.

Commissioner Catmull said I think if we were going to say privacy feature, I would probably enumerate it as examples, so you see in code, so you would say privacy features such as opaque glass,

Commissioner Harding said translucent?

Commissioner Catmull said I'm struggling with a translucent because my wife does stained glass windows. It's opaque and that's why I call it a privacy glass rather than translucent, because I think that way it there's lots of interpretations.

Chair Gedge said I think what we mean as another measure is not always going to be a tree. There might be something in the future, but we just want it screened at the same height of the 40 feet of the mature trees today, whatever that might be at that time.

Chair Gedge said we would like to have like the architect to come forward to see if he might have a term for translucent, opaque, privacy. What would you recommend?

Mr. Pikus said typically, we would refer to that as translucent. Transparent is usually when you can see through it, but you could also use obscured vision as another option

Assistant City Attorney Simonson said I would like to hear the motion as it presently stands. My basic concern at this point is, do we still have language in there "privacy feature." I have to think about what if there needs to be enforcement of this at any point in the future. And the term privacy feature, I think, is ambiguous. That's just my opinion. You could just override it. That's within your power. But, I'd love to hear the restated motion so it's clear for the record. And this is a personal preference. Would love to see something besides just an open privacy feature.

Commissioner Hollist said I would like to make a 2nd amendment to move that we strike the term privacy feature in the list of screening options available for the three windows in question. Chair Gedge seconded the amendment.

Chair Gedge said Commissioner Hollist will you please restate the twice amended motion.

Commissioner Hollist said I move that the Planning Commission approves File No. PLCUP202500140, Mimi's Cottage conditional use permit allowing second story windows on the proposed buildings west facade, with the condition that the four windows in the

middle of the building use translucent glass, and that the three windows at the northern end on the western side of that building may utilize either the screening currently provided by the existing trees or translucent glass in the future, should they be removed. Chair Gedge seconded the motion. Roll Call Vote was 6-0 unanimous in favor.

H.3. ITEM NAME: BINGHAM SENIOR SEMINARY SITE PLAN

Address: 1940 W South Jordan Pkwy, South Jordan, UT 84095

File No: PLSPR202500064

Applicant: Adam Ferguson

Planner Miguel Aguilera s reviewed background information from the staff report.

Chair Hollist said just an entrance and an exit on 10400 S, no access to the Bingham parking lot anymore for parking puposes.

Planner Aguilera said the only entrance and exit is going to be on on that side, there's not going to be any parking access on the west side anymore.

Chair Hollist said do you know if they're going to keep the trees that line the northern side of their property?

Planner Aguilera said they are just outside their property boundaries.

Chair Gedge said you mentioned the setback, and it's going to be basically grandfathered to its current 27 feet. Any concerns with it being that close to South Jordan being considered an arterial or major road? what's the road classification of South Jordan Parkway?

Jeremy Nielson said it is an arterial road.

Jeremy Nielson said we don't have any concerns.

Chair Gedge said are any concerns, or have we had any incidents with it being within three feet shorter of the recommended 30 foot setback? I'm not aware of any in the past, but I just want to make sure the buildings are not veering off South Jordan Parkway into the property at the seminary.

Jeremy Nielson said engineering does not have any concerns. We don't see a big impact to visibility.

Commissioner Farnsworth said I am just curious. On South Jordan Parkway there, are two lanes? I think there's plans to expand in the future, and so having that reduced setback wouldn't impact any of those future plans with it.

Jeremy Nielson said I mean, further setback is always nice to give you more flexibility with roadways, but there's are no plans to add an additional lane in each direction along South Jordan Parkway. UDOT haven't shown us what they're planning to do there at this point, I don't know if

that's going to be just using up the existing shoulder, or if they're going to widen the road. None of that's been determined yet, so I don't have concerns with them keeping the existing setback.

Chair Gedge said

Jeremy Nielson said it is posted "no parking"

Chair Gedge said is on street parking allowed on South Jordan Parkway, south of this property?

Jeremy Nielson said I don't recall.

Chair Gedge said I just want to make sure if it becomes a concern, I guess the city would work with you to make that stripe no parking and enforcement, with law enforcement or public safety, to make sure that is adhered to.

Jeremy Nielson said if it becomes an issue, it will be marked (No Parking) on the south side of the seminary.

Chair Gedge said Mr. Simonson, are we allowed to amend our rules to allow Mr. Ferguson to participate with that video, since he is the applicant?

Assistan City Attorney Simonson said yes, you can by motion.

Chair Gedge said I would like to make a motion that we allow the applicant to attend virtually without having camera enabled due to technical difficulties. Commissioner Hollist seconded the motion,

Adam Furguson (Applicant) said I don't have anything to add, just a question about the trees on the north, those are not on our property and will remain.

Chair Hollist said will this increase the footprint of the building at all?

Mr. Furgeson said the footprint is changing from the current footprint, that's correct.

Chair Hollist said is it an increase in overall footprint size?

Mr. Furgeson said yes, slightly.

Chair Hollist said what is the timing of this? It's my understanding you already have students at another location.

Mr. Furgeson said the timing is as soon as possible. We are hoping to go in for our building permit this week, and hoping for a smooth process so we can push it along. Those students are having to go up the street, to the west, and we want to minimize the amount of time that they have to do that.

Chair Hollist said was this always the timing of this building, or were there any hiccups in getting to this point,

Mr. Furgeson said there's been a few hiccups, just unanticipated delays as far as approvals.

Chair Gedge opened the Public Hearing to comments.

Dezy Nelson, South Jordan - I live at 1900 West, South Jordan Parkway. This is my brother, Brad Wardle, and he lives out 10264 south, 2200 West, which is just across from the back parking lot of Bingham. The reason we are here is we are the landowners that are adjacent to this building to the east, and we have several concerns.

Brad Wardle, South Jordan - said we are the farmers on the east of the building. So are we share a common border line there.

Ms Nelson said Brad lives on 2200 West. I live three doors down from the seminary building, but we as a family own the property that is right adjacent to the building itself. So, we have several concerns. This is the very first thing we've heard about this. We've never been approached by the church, by the city, anything, until we got notice in the mail. The house that is just next to the wall is my dad's house. We have some people living there. It sits on an angle, and I would say the back corner that house is probably 10 feet from the wall. And so we're really concerned about this two story building looking down into our yard, because we do have a one story. I guess we had heard, that's the only rumor that it's going to be a two story. Okay, well, that's that's good, but we are still concerned about in proximity. One thing that we would like to be on the record is, if you looked at the property line from South Jordan Parkway that goes north across the back of Bingham High School by the football field. That's our property line when the seminary was built there. There's a fence, but when the seminary was built there, there was some people in South Jordan that used to be in, and the property line is not where it's supposed to be, and it infringes on our area by about two feet. So we would really need another survey. And if you go down and look at that, you can see their cinder-block wall, and then it juts over to meet Bingham's. We just need a survey showing that that's correct, because there was that discussion when the seminary was built there. So, though the wall that is supposed to be the seminaries is actually on our property. So we just want to make sure that moving forward with the site plan and everything that the survey is included because it is an infringement on our property. That's the first thing. Second thing, of course, is privacy. We've been good neighbors to seminary building, we don't have any concerns about that. However, I do have concerns about the parking being on the east side of the building that it's never been before. There's just a little tiny one lane driveway there, and it would have to move a lot to the east to allow a driveway and parking to where those cars could back out and then go across it. If you can see that it's going to be two separate driveways on the south side of 10600 S and then we have driveways that I'm concerned about, where that approach is because we were told at one time that's where the driveway comes out of Bingham High School across the street there is a neighborhood, and it was done that way intentionally because of the impact of the traffic. In the future, they hope to put a stoplight there, because traffic is horrible, and so to have another driveway exit just a little bit farther to the east is going to impact that traffic when there are houses, apartment buildings, and an island, and now

we have two businesses going in across the street. I know that there are issues as far as how much traffic can be within a certain distance, and that seems to me like that's not a good place for the parking. I know it's not ideal, but file back out into that being a parking lot, because that's where they want the light to be. And if it's going to be just a little bit farther to the east, that's going to be really close to coming out where a light's going to be. We're worried about privacy, because on our house there are big bedroom windows, and they are on the west side of the house, and they're pretty close to that wall. So we are concerned about the privacy looking into those bedroom windows.

Mr. Wardle said the passage ratio on the east side is just an eight foot access road and just a service road. There's no traffic goes back and through that. the east side is their building, and where the red line is, is the property with the cinder block wall that separates us and the seminary property there, it is just an access road where they drive back, nobody circles in there and then parks in parking place. So the parking concerns us a little bit.

Chair Gedge closed the Public Hearing.

Chair Gedge said this is the site plan, so this is basically the final stage of staff approval. I attended the city council meeting, the parking reduction was publicly noticed, because I believe it was on the city council agenda. I personally attended that meeting, and I know it referenced that previously at our commission meeting as well, but that's not noticed. Can you just confirm the public noticing? Because this is the first site plan of this, there is no other public hearings other than the parking reduction. Is that correct?

Planner Aguilera said this site plan was definitely noticed within 10 days or 10 days prior to it being the requirement there, the City Council parking reduction was not as far as code is written. It's not required to be noticed, but Greg Simonson can elaborate more on that. After this is approved, the applicant can apply for a building permit so whenever they're ready.

Chair Gedge said I should just disclose I don't have any material interest in this property, so I don't need to recuse myself. But I've had four children attend this building, two currently, so I just wanted that on the record, just in case there's no conflict of interest. I'm happy to recuse myself because I have current students attending, but I do not have a material interest in this property.

Greg Simonson said they brought up about needing a survey in the property lines, and I believe that would be a civil matter between two property owners that would need to be as outside of our purview as the planning commission.

Assistant City Attorney Greg Simonson said no, that is not an issue.

Chair Gedge said they brought up about needing a survey in the property lines, and I believe that would be a civil matter between two property owners that would need to be as outside of our purview as the planning commission.

Assistant City Attorney Simonson said that's correct. That's something that they need to resolve with their boundary owner. I would say, just make it clear that that approving the site plan does not mean that the city has weighed in on one side or the other on that boundary issue. If there's a boundary problem, it's it's a title problem, and it could be a very complicated problem. The city does not weigh in on that, and, I just stated that for the record. It is still your decision is to approve the site plan that that is not approved, that is not some kind of ruling on where the boundary is.

Chair Gedge said I just wanted to make sure it's a two story versus one story. I believe the site plan we showed, it was a one story building, so I hopefully that's been confirmed for everyone. The last issue brought was there's parking on the east side right now, it's currently a maintenance access road, and there's some potential privacy concerns, so we may need to address that.

Commissioner Harding said so I just want to address that the building itself will be torn down and shifted to allow so even more space for privacy between the actual building and then also the fence, just so you have an understanding there. Then also, I'm part of the ARC Committee and that also showed window coverings, because that will also allow more natural light to come into those windows that are the school classrooms, only used during school hours. And so there will also be window coverings on that side as well. Does that two feet affect this site plan, where they wouldn't have enough property to do what they're asking us to do.

Assistant City Attorney Simonson said so if in the future world or decision that came down to that, you're encroaching on the neighbor's property. They may be required to to adjust the boundary or move the fence or anything that's on there, and we don't know what the reason the ripple effects may be on there. I'm assuming there would still be room to park back there, but if there's not, then they're going to have to deal with it at that time

Commissioner Catmull said around the setbacks and because this is R-1.8 do we kind of look at this building as a house in the R-1.8 or a building that has to have the same if its not the school. I don't remember seeing this in the code, and I didn't look before the meeting, so I'm just curious.

Planner Aguilera said because of its zoning, it has to follow the residential zoning development standards, and those setbacks do apply.

Commissioner Catmull said and it has sufficient distance, because of the parking lot side?

Planner Aguilera said the side of the the proposed building where the parking lot is going to be, the setback is 10 feet, and this is more than 10 feet away from that property line. The only concern with setbacks here were the front because of when South Jordan Parkway was expanded, but that has been resolved via this code section mentioned in the report.

Commissioner Hollist said so the entrance onto 10400 S is allowed because they already have a curb cut. Because now that I'm looking at it again, I am surprised that UDOT would say sure, why not have another access on this road.

Assistant City Engineer Jeremy Nielson said they're working that out with UDOT. They need to get a permit to be able to use that access, and they are doing that.

Commissioner Bishop said just following up with that same topic. Would they be the ones that would put in a light and be considering issues, which I completely agree with, there could be issues if the light were to go in there. The access there is so close to a potential light that would be an issue. UDOT would be the ones that would know if they plan to put a light in there, and that they would address that at that same point where they're considering that access is that correct?

Assistant City Engineer Jeremy Nielson said yes, and the other thing to keep in mind is that the volume of the traffic coming out of this Seminary is quite minimal. They've got eight classrooms, and the parking as I understand, it's just the instructors and the office staff that would be parking there. And so it's, minimal enough. I mean, UDOT would need to approve it, but I don't see it really impacting that traffic signal with the volume of traffic on South Jordan Parkway.

Commissioner Bishop I was just thinking with the backing up at the light, then they're never going to get in there.

Assistant City Engineer Jeremy Nielson said there would be a big delay at the parking lot. You know, with the people using the parking lot, and trying to get out. But as far as impacting the drivers on South Jordan Parkway, I don't foresee that happening. But again, that's something for you not to weigh in that's their jurisdiction.

Assistant Attorney Greg Simonson said so let me just comment on one thing included in your materials is resolution R2025-47, which is the resolution that has been signed by the mayor after a vote by the council. If I could read to you, it says, whereas only staff and faculty, not students, will be permitted to park at the seminary. The applicant has indicated that the maximum number of staff and faculty will be 13, so the point is that it is part of the record, and that has been signed by the mayor, and that's been ruled on by the Council.

Commissioner Catmull said I don't think we've talked about this, is UDOT going to expand the curb cut, because there already is access there?

Assistant City Engineer Jeremy Nielson said yeah, it would be a modification to their existing curb cut.

Commissioner Catmull said so if it's denied, do they still have access, if they choose.

Assistant City Engineer Jeremy Nielson said they still have the access, but they need that approval to modify it.

Chair Hollist said I assume that a site plan means that they are building to what we've been shown, and the dimensions show that they've been given that approval. So should they not get it, then do they lose the ability to move forward?

Jeremy Nielson said we could probably verify with the applicant where they're at with that UDOT approval. I was told that they're in the process. Sometimes that does take quite a while to get through that approval process, and so it would be good to get an update from the applicant on where they're at with that.

Chair Gedge said Mr. Furguson, could you answer that question about where the you guys are at with the UDOT application process to extend your expand your opening on the east side of the property?

Mr. Furguson said we have a UDOT permit.

Chair Hollist said one follow up question, is the fence between you and your property to the east going to remain?

Mr. Furguson said to address the concern, we did have a survey performed, and it's actually the opposite of what the neighbor said. The fence comes on to the church property two feet on the north side.

Commissioner Harding motioned to approve File No.PLSPR202500064 Bingham Senior Seminary Site Plan located at 1940 W South Jordan Parkway, South Jordan, Utah 84095. Chair Gedge seconded the motion.

Chair Gedge motioned to amend the motion to add: subject to all city code regulation being satisfied. We typically have that disclaimer in our motion, just to make sure that things we've discussed with UDOT and well, which the applicant said they've met. Commissioner Harding agreed to the amendment. Roll Call Vote was 6-0 unanimous in favor.

LEGISLATIVE PUBLIC HEARINGS

I.1. ITEM NAME: WATER ELEMENT, GENERAL PLAN AMENDMENT

Address: 1600 West Towne Center Dr.

File No: Resolution R2025-49

Applicant: Joe Moss, Long Range Planner

Planner Joe Moss reviewed background information from the staff report.

Chair Gedge said I know Jordan Valley Water Conservancy District is our source today. I know some municipalities have their own water sources. I know we're in the desert, but there's not a lot of sources of water wells. How far along are we pursuing those other sources? Because we didn't want to be as the report or as the General Plan obviously says, depending on one singular source, how far along are we?

Planner Moss said a lot of that would be contained instead of the drinking water master plan that said we plan on continuing the relationship with what Jordan Valley Water Conservancy District to supply drinking water to us. We're looking at ways to stretch that, to make it go further,

whether that comes to water recycling, those kinds of things, as well as further conservation measures to make sure that we're maximizing the water resources that we do have available Jordan Valley Water Conservancy District does have well heads within the boundaries of South Jordan, so they do pull some water from city limits that way. And then obviously there's other water sources when it comes to things like secondary water, and then also private wells.

Chair Gedge said and then the annex property, I believe it was in the last couple years that we had, there was an agreement with Jordan Valley Water Conservancy with some of those water standards we had to make to be able to annex that property can Is that correct? I'm not vaguely remembering that

Planner Moss said at is correct, yes. And those figures were included in our new drinking water system Master Plan and the land use connections there. They're referred to in the water element here as that the Midas property is kind of the name it's been given, which we use to make sure that we were congruent with with those plants.

Chair Gedge opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Commissioner Hollist said how much did our statistical information change? What was the biggest change that you saw between 2020, and now?

Planner Moss said the population projections in there were fairly accurate, but it just we updated them with, you know, the actual numbers as time went on. And I would say that the overall population projection is pretty similar to actually what was already in the plan. That growth rate has been fairly consistent for us.

Commissioner Catmull said I guess maybe my only question is, we do post an updated general plan document as part of this with those new statistics?

Planner Moss said if the council goes ahead and approves this resolution, we would then change the documents that we have online that are available to be the most current and up to date. You know, we would be probably looking at other additional updates the general plan sometime next year, when you know it's been five years since our initial adoption of that plan. So this is kind of the first part of potentially other updates to the plan to make sure that we're checking in on those things, and such as the implementation, you know, making sure that we're still moving along in those items

Planner Moss said that include updating maps for areas where we've changed the the so zones and and the future use

Planner Moss said that that's correct, yeah, one of the one thing you'll notice is the framework map in this chapter has not been updated. That was intentional, because we're anticipating that where it would be updating all of those framework maps. I. On at a future date that would include the new annexed area and more up to date information on those.

Commissioner Hollist said were there any new actions taken as a result of this law, besides updating our plan. I assume that those updates were then just documenting some of these, like flip your strip type activities and water reduction activities that we were already putting in place.

Planner Moss said yes, we have made a number of changes to our code already, kind of preemptively So, such as prohibiting commercial properties from having non functional turf, limiting turf on residential properties, front yards, as well as some of those other encouragements for like local scapes and, you know, working with the Jordan Valley Water Conservancy District to sort of adopt their best practices. If we had, I guess, we have done everything we can to kind of comply with that. And our water conservation plan is a pretty active document that gets updated annually. So we have been making progress on a lot of these elements. To be frank, the general plan is a little bit of an awkward fit for some of these requirements, and so it's not that we haven't been working on them. They've just generally been included in other plans in the past.

Commissioner Bishop motioned to send a favorable recommendation to City Council on Resolution Resolution R2025-49. Commissioner Harding seconded the motion. Roll Call Vote was 6-0 unanimous in favor.

J. OTHER BUSINESS

Chair Gedge said we have a meeting in two weeks from today. What's that looking like?

Planner Schindler said there's nothing on that agenda and this point.

ADJOURNMENT

Chair Hollist motioned to adjourn. Chair Gedge seconded the motion.

The Planning Commission Meeting adjourned at 8:30 p.m.