

**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
April 22, 2025**

Present: Chair Nathan Gedge, Commissioner Michele Hollist, Commissioner Steven Catmull, Commissioner Lori Harding, Commissioner Laurel Bevens, Commissioner Sam Bishop, City Assistant City Attorney Greg Simonson, City Planner Greg Schindler, Deputy Recorder Cindy Valdez , Deputy City Engineer Jeremy Nielsen, Planner Andrew McDonald, Planner Damir Drozdek, IT Director Matt Davis, GIS Coordinator Matt Jarman

Other: Mark Hulet, Scott Hulet, Carol Bagshaw

**6:32 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.

Chair Gedge said most of you probably heard the city suffered a loss yesterday. We stand with our public works department, our public safety department, the fire team, and we just want to take a moment of silence in honor of a fallen firefighter, Corbin Summers (1minute of silence). If you haven't heard, in front of the public safety building next door there is a memorial set up for anyone who would like to leave flowers or anything for firefighter Summers.

**B. MOTION TO APPROVE AGENDA**

Commissioner Hollist motioned to approve the April 22, 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 April 8, 2025 - Planning Commission Meeting Minutes.

Commissioner Hollist motioned to approve the April 8, 2025 Planning Minutes with no corrections. Commissioner Catmull seconded the motion. Vote was 3-0 unanimous in favor; Chair Gedge and Commissioner did not vote because they did not attend the last meeting.

**D. STAFF BUSINESS**

Planner Greg Schidler said if you want a badge so you can get in the locked doors or go through the exit to get something to drink in the break room, or use the restroom in the back, you will need to go into the HR, they'll take your picture and print out a badge for you. Commissioner Harding, I will send you an email with the person to contact to set up an appointment to take your picture specifically for the website.

#### **E. COMMENTS FROM PLANNING COMMISSION MEMBERS**

Commissioner Bevans said I just want to apologize for missing last meeting, and to thank you for excusing me. My daughter had her car break down outside of Cedar City, so we had to go rescue her. Hopefully, that never happens again.

Chair Gedge said thank you for excusing me as well, I would like to thank Commissioner Hollist for stepping in for me as Vice Chair that night. I was able to attend the opening day of our new America First Square, I hope I got that right, and it was a sold out event. The mayor and council were well represented by the city. It's a beautiful addition to our city, and looking for many wonderful events to occur there.

#### **F. SUMMARY ACTION**

#### **G. ACTION**

#### **H. ADMINISTRATIVE PUBLIC HEARING**

##### **H.1. DAYBREAK URBAN CENTER PLAT 1 AMENDED**

Address: Generally located: 1) Ballpark Drive between Lake Avenue and Homeplate Drive 2) Homeplate Drive between Ballpark Drive and Split Rock Drive 3) Split Rock Drive between Homeplate Drive and Grandville Avenue.  
File No: PLPLA202500022  
Applicant: Perigee Consulting on behalf of LHM Real Estate

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

Chair Gedge said with the change from private to public will there have to be any re-signing of the actual streets?

Planner Schindler said I am not sure if they have the private street signs up, or if they're the regular green ones, but names haven't changed or anything like that. If they currently have the blue private street signs, they will have to switch those out and it will be at their cost.

Chair Gedge said just because this will now become public property, if there is any budgetary impact, since we are not a budgetary body, that's the legislative of the city council, is there any fiscal impact and has that been appropriately accounted for in the city's budgets?

Planner Greg Schindler said I don't know for sure, because we don't use a fiscal impact anymore on subdivisions and plats. The council asked that they were the ones that would see it, so we don't need to do that. These roads are not that long or big so I think it was originally anticipated that they were going to be public, but when they requested to have them private, that's the only reason that its coming back now, because not all of them are going to become public, just these sections.

Chair Gedge said they will become public, so the snow removal will be done by the city?

Planner Schindler said yes. The snow removal, but of course, we're not taking them back if they have any damage done during the construction either. They'll have to make sure that all of that is fixed, like a brand new street before we'll actually take it.

Commissioner Harding said on your previous slide there were a couple of additional rows, so do I understand it correctly that those remain?

Planner Schindler said those would remain private, the shaded ones are the only ones that can become public.

Commissioner Bevans said where the streets are going from private to public, and obviously this area is still well under construction. Does that change their bonding requirements where it's a public street instead of a private street?

Assistant City Engineer Nielson said I don't know about bonding requirements. It shouldn't, because usually private streets, we bond those as if they're public to make sure that they're built to public standards, so it shouldn't change their bonding requirements.

**Vagner Sores** (LHM Real Estate) said I am the director of land development for Larry H. Miller. We still have bonds in place, even though the streets will be private and just represent Larry H. Miller. We just want to thank South Jordan for all the help for the opening day for the ballpark. We could not have done it without all the staff and everybody's help. So that was one of the main things that I wanted do was to thank you guys today.

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

Commissioner Bishop said I live near this area, and the I just want to say that the tracks connection that we've got there is fantastic. That was due to the Rio Tinto crew and a good bit of foresight and a lot of work from a lot of people to make that happen. It's a huge success. The usage is far higher than would be predicted. I will be going home from work, and it'll be standing

room only, I'm sure, as it usually is. As I'm watching this get built out, I'm thinking about the need for public transportation going on a 90 degree angle from the east to west. I just hope that Larry H Miller group is putting that same foresight and effort into making that kind of public transportation happen. Because unfortunately, a lot of us that would love to see that don't quite have that same pool and that kind of thing. So that's all I wanted to say.

Chair Gedge said I am glad you brought that up, because I believe since we met last, UTA has expanded routes into Riverton and to Bluffdale, which is the first time we've had bus service into the true southwest quadrant. So maybe that will help a little bit.

**Commissioner Hollist motioned to approved File No. PLPLA202500022 Daybreak Urban Center Plat 1 Amended. Chair Gedge seconded the motion; Roll Call Vote was 6-0 unanimous in favor.**

**H.2. CONDITIONAL USE PERMIT: RESTAURANTS WITH DRIVE THROUGH LANES**

Address: 10983 S. Redwood Road

File No: PLCUP202500041

Applicant: Clayton Kitterman; Element Design Co

Planner Greg Schidler review background information on this item from the staff report.

Chair Gedge said are there any concerns with stacking with (2) drive throughs?

Assistant City Engineer Nielson said we don't know what tenants will be there, but there should be sufficient stacking space for a typical drive through.

Planner Schindler said they would be stacking and the only way to get back out to Redwood road is to go all the way around to the other side of their site and then go back again into the in through another parking lot.

Chair Gedge said this is very close to a public safety building, so if needed there could be police presense to move things along.

Planner Schindler said probably, but there would be a fee for that.

Commissioner Hollist said I do want to make sure I understand the traffic study and the access points for this property, so the access off of redwood road is already existing, correct?

Planner Schindler said yes.

Commissioner Hollist said they will share with the mexican restaurant and the beans and brew, and then there's an access off the back on 11000 S, Is that correct?

Planner Schindler said yes, that is correct.

Commissioner Hollist said the traffic study did seem to indicate that the redwood road access, if I'm interpreting this correctly, means leaving the private property and getting onto redwood would potentially go from a D to an E. Is that westbound lane? Is there any potential for that to impact the drive through. I'm not thinking so, because the way it looks like they're stacking, it would take a lot of overflow before it's impacting.

Assistant City Engineer Nielson said I saw that. I was not concerned about it because they hold that light red for so long. They keep the green on Redwood road for so long because it has such a long red time, and so they could easily change the coordination of the signal to adjust that level of service if they needed to. But having a little bit more delay on that westbound left turn movement doesn't really concern me.

Commissioner Hollist said again, anything through a level D is considered acceptable.

Assistant City Engineer Nielson said yes, but keep in mind the level of service here is based on the time you're waiting at a traffic signal, not on traffic volume of a collector street. Usually when we're looking at like a level of D or higher, we're looking at traffic volumes on on roads, because we don't want to overwhelm our roads with too much traffic. But looking at traffic signals is a little bit different, because you're just looking at seconds of delay.

Commissioner Bevans said so if they the decision was to change those signals to upgrade that level of service, that would be up to UDOT not to South Jordan City.

Assistant City Engineer Nielson said correct. We can have some influence, and we can make a recommendation for them to look at it. But, with this little bit of a change in traffic volume, I don't anticipate there'd be much of a coordination change for the signal.

Commissioner Hollist said I do have another question, and it might be for the applicant. How do you ensure that only the people who want to go into the drive through are going into the drive through? I have tried to drive around the building hoping that there's another exit. Is the signage sufficient?

**Clayton Ketterman**, Element Design Co. said yes, there will be signage on site that says, drive through only, and typical signage like that.

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

Commissioner Bevans said do you have any idea of what restaurants or usage on those two end units will be?,

Mr. Ketterman said not at this time, and part of that is because we're waiting to see if we can get approval before we can really even approach any potential tenant.

Commissioner Hollist said do I understand this correctly, that there is a crossover between these two lanes at the end?

Mr. Ketterman said yes that is correct.

Commissioner Hollist said is there signage, or what considerations for safety have been put in there?

Mr. Ketterman said there's signage that shows the diagram of how to cross, and there's a stop sign in a do not block area, so that the inside lane can cross through and and get out.

Commissioner Bevans said have you guys built or implemented a double drive through like this anywhere else?

Mr. Ketterman said this is the first one I've worked on, but there's examples in Cedar City, Layton, and North Salt Lake area. There's a few of them popping up, so they seem to work really well.

Commissioner Harding said have you leased any of these units? Do you know who they would be leased to?

Mr. Ketterman said we're waiting to get approvals before we can lease anything.

Commissioner Harding said there are some in Vegas, and there's proper signage, the people get used to it.

Commissioner Hollist said is the deceleration lane on Redwood road a feature that's being added with this development. It was mentioned it in the staff report, does that mean it's wide enough for two parts?

Planner Schinlder said the deceleration that exists was put in with the original development and is required by UDOT to have that deceleration lane there.

Commissioner Hollist said is it wide enough for 2 cars?

Assistant City Engineer Nielson said it is just a single lane that turns on to redwood road into the access. But the access is north of this drive through, so they would go into the access, and then need to turn into the into this drive through.

Commissioner Hollist said I'm always torn. I like order. I like things to work well, but I also understand that if it's not working well, it'll impact other shops, and I would imagine that they would work together to come up with a response that's appropriate.

Commissioner Harding said we've seen it as out in the district, where there's a very popular drive through, not the one you're talking about, but one nested within a parking lot. And they do put out cones, and they do get employees out there, and they run a double line, and they keep it moving.

Commissioner Catmull said I take great comfort in the past history of when it was explained to us, some of the options that are available for the city to exercise, should something spill out and otherwise. It almost looks like one of those civil matters. It's like, hey, it's an issue, but with those tenants on the property, if it spills out to a public street we have options that can help mitigate it, so you would think that between all that we can make it work.

**Commissioner Hollist motioned to approve File No. PLCUP202500041 Conditional Use Permit; Restaurants with Drive Through Lanes. Chair Gedge seconded the motion; Roll Call Vote was 6-0 unanimous in favor.**

**H.3. SITE PLAN: NEW SOJO RETAIL COMMERCIAL BUILDING**

Address: 10983 S. Redwood Road

File No: PLSR202400192

Applicant: Clayton Kitterman; Element Design Co

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

Chair Gedge can you plant where the garbage storage or containers would be located? Is that on the north west northeast corner?

Planner Schindler said it is that little box on the northeast corner.

Chair Gedge said I guess, it is a sufficient size for up to 8000 square foot building.

Planner Schindler said I don't think we have a requirement for how big they are, it obviously will be the ones that have food in them that will have more more garbage in there than the others, but I'm not sure what size they are.

Commissioner Harding said what is a barrier to the north? Will that just be a small curbing? Is that going to be anything to hold?

Planner Schindler said I believe it's just a curb.

Commissioner Catmull said back on the on the parking map, and I'll take either one of them, but there were eight parking stalls on the south side there. And I'm particularly looking on the Southwest one where it intersects the drive through. The drive through, comes out at an angle, and then they back out. That's not going to be well used, but are we going to have enough visibility in that area?

Planner Schindler said it's depends on what kind of a tree, if it's a pine tree, probably not, but if it's a deciduous tree, they'll be trimmed at least seven feet above ground.

Commissioner Catmull said I guess a lot of times when we look at some of the parking stalls, I think we're seeing a little more creativity than we have in recent years versus in the past. And so sometimes I like to look at it and say, would I park there? The area that's right where all that flow

of traffic from two drive throughs is going to be going through. I don't think those are going to be used very often, but...

Planner Schindler said they might be used by employees.

Commissioner Catmull said they are parking stalls, and they do meet the requirements, so I appreciate you talking about the shared access or shared parking agreements that were in place, because that helps relieve that for me. I know almost everyone on the drive through will probably go out the closest exit. They're not going to go up, unless it benefits them.

Commissioner Bevans said on their site plan it is only showing 60 parking stalls. Do we have an updated, corrected site plan that shows 64 or are they really just doing the 60. I don't see where they're going to put four additional stalls?

Planner Schindler said well, I don't either.

Commissioner Bevans said even their site plan notes that there's only 60 stalls, 57 parking stalls, three ADA stalls, total of 60 on their proposed site plan, and on all their other documents they're only showing 60. They cannot use the shared parking agreement to get to that 64, the 64 have to be on the site. Is that correct?

Planner Schindler said that I'm not positive about that, I think that's why we have the shared parking.

Planner Drozdek said we don't know the language, but I'm guessing it was allowed so that we could use adjoining properties to meet the ratio. If it's a shared parking agreement between these two properties., We're probably assuming that the property to the north is over parked and they can take additional parking.

Assistant City Attorney Simonsen said as much as I think Planner Drozdek is outstanding, each property and each approval has to meet its own requirements, no matter if it's cross, shared or not. I am not offering an opinion on what the requirement is, but I am saying that if the planning department is saying that it's a certain number, then that property needs to meet that certain number of itself.

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

Commissioner Bevans said the back of this building obviously has all of the employee entrances. Are there sidewalks surrounding the entire building so that someone coming from the parking lot, an employee or whoever that's going through the back entrance does not have to walk through the roads and the drive through to get to that back entrance of each of those units?

Planner Schindler said I don't believe that there's a sidewalk there, but it doesn't go on the north side. It looks like the drive up window is going past that, it doesn't go on either side.



Commissioner Bevans said there's not really safe access to the back of that building for anyone walking.

Planner Schindler said they can come out and that's about as far as they go.

Commissioner Harding said is that a requirement that they have a sidewalk around the building in the city of South Jordan?

Planner Schindler said no, it is not a requirement.

Chair Gedge said for fire code, the drive through would satisfy fire requirements for emergency access.

Planner Schindler said I haven't heard anything different.

**Clayton Kitterman** said so in regards to the parking that buildings is a 12,000 square foot building, and from the parking count number before divided by 250 that came up to 60 stalls required for the site.

Commissioner Hollist said are you doing square footage based on office, retail and not restaurant?

Mr. Kitterman said it was. It was the average of that 250 number that was mentioned before, and then on the two restaurants they're capped at a certain number of seats just so that we meet the parking requirement.

Commissioner Hollist said I struggle simply because the staff report has some uncertainty written into it, probably intentionally for this purpose. But he references that there's spaces that might not be occupied by employees for mechanical and utility, but without knowing who the tenants are going to be. I really hate tabling things, but I wonder if we do need to send this back.

Mr. Kitterman said I have a correction. The the building is 12,000 square feet, so divided by 250 that comes up with 48 stalls as well.

Commissioner Bevans said so the staff report says the building's 8201 square feet. So we may have a discrepancy there as well, or the combined square footage of these units could be 8201.

Mr. Kitterman said you're right. That is breaking out the restaurant use and it's it's also possible that it is a different tenant.

Planner Drozdek said it seems like there are 3000 square feet, and then you have a whole bunch in the middle.

Commissioner Bevans said sorry that was my confusion. I was reading it wrong. So the end units are both 3084 and then the middle ones make up the rest of that 12,000, so the middle six units are a total of like 60.

Chair Gedge said when doing a motion it would have to be that all city requirements are met. And so, depending on the whatever the calculations we need to finalize it with 60 or 64 units.

Commissioner Hollist said they would review the parking requirement and they wouldn't approve it depending on what was left.

Planner Schindler said I don't know what the seating count was that you're limited to because you didn't put that in there.

Commissioner Hollist said I think between the two, you'd be limited to 124 seats, just based on the numbers he provided. It's the same based on square footage, so even using the 250 for those center units, it matches the number he put of 33 and then the 31 for restaurant use. So I mean everything for me is still adding up to the 64.

Mr. Kitterman said going back, if we needed an extra stacking spot we can strike that drive through lane a little bit longer, and there could be another spot there. So, as mentioned, there would still be stacking on our own site. If the tree placement is a concern, we can move the tree, we can move it further down. It looks like there's plenty of room to place it there and I don't think the tree would be a concern as far as visibility.

Commissioner Catmull said visibility is important, it's just a lesser used one. People kind of are somewhat allergic to parking where there's a high volume of traffic, it's gonna be hard to get both in and out of there. I bring it up just because, there's high quality parking and then there's lesser quality parking. Which is not a big deal and we don't do anything about that in our code, but I try to also balance that with the overall experience.

Commissioner Bishop said did we discuss the access to the rear of the building?

Chair Gedge said the access to all eight units on the rear developed building on the west side, I'm assuming there's going to be doors on the back, is there a sidewalk, or is it just the drive through?

Mr. Kitterman said there is a sidewalk along the building portion and this wasn't really intended to be the main entrance for employees. I mean, they will take trash out of there at night, but there's a sidewalk there, and they were intended to be used more for loading and deliveries and things like that, on off hours and stuff.

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

Chair Gedge said I have a question on the restaurant seating. It's one parking stall for four seats. Does our calculation not calculate any parking for the actual workers who aren't dining at these types of restaurants.

Commissioner Hollist said I am not saying this is going to be a Chick fil A, but even if you're a Chick fil A, your drive thru and your restaurant is going to be packed.

Commissioner Harding said so in our estimates, is there any calculations? Because right now it's all up in the air of who's going to come into the units. Is there any calculations with lower estimates? as a planning commission can we make a recommendation of the two restaurants and a different type of business in there?

Commissioner Gedge said maybe we can. Can we make a motion that says that there's 60 parking stalls being proposed? Of course, it's up to business licensing to enforce that right? And then of course, they can use the cross access to exceed that. Would we be allowed to reference that they can't exceed or be approved for more than 60 or up to 64 because there's only 60 units.

Assistant Attorney Simonsen said I've read very carefully as we've gone through this, and before the meeting when Andrew the planner actually wrote this? The requirement is 64 parking spots and I don't find any problem or fault with these calculations. I don't think that we have the power to sit here and say we're going to make a variance. I think the requirement is 64 so I think our options are, we can either deny because the city code has not been satisfied, which is one of the reasons we can deny an ordinance. We could also table it so that the applicant can take it back and come up with four more stalls, or change the square footage to get to design that allows 60 parking stalls. I think those are our only two options we have for us tonight.

Commissioner Hollist said based on the notes that Andrew left, if it were all office space versus retail, I think they'd be okay. So I don't know, but that does sound like we're being advised that maybe it's not do it in advance. I think Andrew intended that it would be reviewed unit by unit and then approved only as there's sufficient parking.

Commissioner Bevans said the code allows both of those uses, so I don't think we really have the ability to restrict one or the other, because it's allowed in the zone. It's already zoned for both of those.

Commissioner Hollist said going the other way, if it were 100% retail, they would be under parked.

Commissioner Bevans said they would significantly.

Chair Gedge said I know the applicant wants a decision tonight, but if we had to make a decision, and it wouldn't be one favorable to them. Hopefully the applicant understands that. I would agree that we should table this until a date in which the parking concern can be resolved.

Commissioner Catmull said if the allowed use is restaurant, retail and office, we have those three, we just don't know what that mix is. Those drive throughs are telling us they are most likely restaurant's and there's a risk that the applicant is talking about it in a certain way, but not having a site plan that supports that. I guess the city could deny the business license, right? I imagine that, I don't know. I'm sure that's probably in typical tenant contracts or something, but whatever is going to happen there, it feels like what was seven or six of the eight units could easily be or could not be a restaurant.

Commissioner Hollist said it could be a beans and brew drive through, swig or something.

Chair Gedge said that still falls under the restaurant dining.

Commissioner Catmull said without dining, so that's my only hang up. I'm not sure that coming back is how they want to do it, but they have the flexibility, and this is probably what Andrew was talking about. They have the flexibility to do this lots of ways. So my only hang up is looking at it from a developer perspective, we just don't know. And so it feels like the business license is in place to do that.

Chair Gedge said applicant has sort of testified this evening that they do not have any lease agreements. They have not gone out to anyone. No idea who's there. So, we can't make a decision based on the information that's been presented to us. That is why it's probably best to table it. We don't know what the two tail ends are going to be with this. We're going to dedicate the other six to retail or office, whatever it may be. And then we can have a firm number of the required amount of parking stalls, and then come to a formal meeting and doesn't meet what's being presented on the site plan.

Commissioner Catmull said but then what happens in two years when one applicant or one tenant, leaves? that's where it goes to business licensing for meeting the requirements. So why today do we have a special duty to enforce that requirement when it's already engaged?

Chair Gedge said so we can approve today and say your max is 60 stalls for eight buildings, is that what you're saying? Basically, it's up to you to decide if you might only get one business, one restaurant out of the eight buildings.

Commissioner Catmull said in my mind, that's the way it looks like it's going down. It's not like a situation where we have conditional use to get a restaurant into that place.

Planner Schindler said to have restaurants it used to be a conditional use, but that changed a couple years ago.

Commissioner Hollist said can any of these become a restaurant in the future?

Planner Schindler said they could all become restaurants I suppose. They're not going to be having any more drive throughs, but they could be restaurants. But the thing is, I don't know when it comes to regulating this through business licensing, it probably isn't going to work, because that would mean every time we'd have to keep track of who's in each one, and that won't be a business license keeping in track, it would be planning staff. It will be me, because I reviewed business licenses when they come through. I mean, it would work fine on the first eight, but once they start changing around, I'm not going to know which one they're replacing and so forth. I would have to keep a some kind of a record of that. I just don't think that is going to work out. I also I can't think of any shopping center, or anywhere in this city where except maybe in Daybreak that is short on parking.

Commissioner Gedge said I'm gonna invite the applicant up to come forward, we have our proposals and we would like you to chime in on this. Obviously, we can table it to come up with four additional stalls, or work with city council to make a adjustment to the allowed amount, since they have the authority as the elected officials, or unfortunately we would have to deny because we've been told it has to have 64 and we're being shown 60 so based on our discussion. What way are you guys leaning as the applicant?

Mr. Kitterman said I've been trying to go through my emails, because I know we've talked about this parking issue before, and in my emails the goal was to get 60 stalls. I think how we did that was on our floor plans, on our construction drawings, it says a maximum number of 30 seats per per each restaurant. It's not necessarily calculated on the area of of the restaurant, but how many seats to get 60, and I think how we did that was by on our on our floor plans, on our construction drawings, it says a maximum number of 30 seats per per each restaurant. We've kind of accommodated the parking by limiting the number of seats. And you know we still don't know all the tenants that come in there. So it could mix around, and if another restaurant came in, then we might have to do the same thing. Well, there's enough to know X number of seats. Another issue that that I want to just mention is, if any restaurants are in there and the businesses are off hours or something the parking lot would be much more empty if there were late night dining going on. My recommendation would be, if we could approve it at 60 and then we could make sure that the tenants can park based on whatever their use is. That's what I think I would prefer, and probably the owner would prefer. I'm going through my emails. I know we were talking about 60 stalls, so we got to the 60 by limiting the number of seats in those two and restaurants, if they even are restaurants. I just thought this was an issue that we had ironed out in previous submittals. So I guess I'm a little surprised at this. We went to great lengths to get to the 60 stalls to accommodate the eight units and restaurants.

Chair Gedge said so Greg, I know Andrew is the one doing the communication, but can you on his behalf state that we can make a motion to say that we approve this project with 60 parking stalls based on the square footage and the the agreement by applicant that there will be no more than two restaurant uses, with no more than 15 tables each. Is that sufficient? That based on your understanding of this whole process, or based on Mr. Simonsons review of this document, or do we still need to 64 stalls.

Assistant City Attorney Simonson said so we've been looking at the code, and it is correct that it says; you can do it on square feet, or you can also do it on number of seats. And so I think that what our applicant is saying is, is that we've gone off of the seats. And what it's saying in the code, as I understand it, one parking lot or one parking space towards each four seats. I haven't done the math to figure out how they're able to gain four parking places by restricting the seats. Somebody would need to sit there and do that, but I think you could make a motion to approve it, if the applicant agreed on the record to say we are going to reduce the number of seats to what's mathematically necessary to reduce our parking requirement to 60 rather than 64.

Chair Gedge said so you've heard from our legal advice and staff department. Do you on the record agree to do as we've just discussed, to have no more than two restaurants with no more than 30 tables each that will allow you to get at the 60 parking stall threshold.

Mr. Kitterman said yes, I agree to that.

Commissioner Catmull said as flexibility perspective, maybe to say 60 seats total, 60 seats total for the whole building across the eight tenants.

Assistant City Attorney Simonson said but what I care about is compliance with law, and what our code is saying is that you can use square feet, but it is also using the number of seats. And I guess it's the city's job to enforce this. I think that to a certain extent the situation is going to dictate what happens. I don't think you should be basing your decision on that, but that Mi Ranchito restaurant in there, is popular and it uses a lot of parking spaces, so that shouldn't affect these applicants one way or the other. I think it's important to get that on the record, and then if there is starting to be not enough parking over there, we'll have something that we can go back and look at and say, are they complying with their agreement?

Mr. Kitterman said another way of recording it would be on our construction drawings that would be submitted for building permit and on that too. I know that it is noted on our plans right now that will be submitted for a building permit, it'll be on the plans themselves too.

Commissioner Bevans said the ambiguity of this is what makes me a little bit uncomfortable. However, I think approving it at the 60 puts the burden and the risk on you as the developer, and if anything, it puts you at a disadvantage if you have something that wants to come in here, and you don't have the parking. I feel like it kind of takes that burden off of the city now that they're agreeing to the 60, that puts the burden on them that they can have these two restaurants or whatever. However, whatever comes in here they are held to those 60 and they will have to manage and deal with that. So at that point, they're taking the risk, and it's no longer City's risk.

Commissioner Hollist said I also want to put on the record that, as a commission we have found compliance can be met with the 60 parking by using the alternative calculation, using tables to make it very clear that we have not granted a variance. I'm comfortable moving forward with what we've discussed, specifically calling out using the seating calculation.

**Commissioner Hollist motioned to approve the amended File No. PLSPR202400192 Site Plan: New SOJO Retail Commercial Building and specifically call out that the site plan will require 60 parking spots using a calculation for units one and eight, restricting them to a total of 60 seats between the two proposed restaurant locations as agreed by the applicant, As agreed by the applicant and meeting our city code and ordinances..**

**Commissioner Hollist amended the motion to say; restaurant usage is restricted to 60 seats total. Chair Gedge seconded the motion; Roll Call Vote was 6-0 unanimous in favor.**

## **I. LEGISLATIVE PUBLIC HEARINGS**

- I.1. UTAH BLACK DIAMONDS REZONE WITH DEVELOPMENT AGREEMENT**  
Address: 272 W. 11000 S.



File No: PLZBA202500035  
Applicant: Ryan Naylor, Nichols Naylor Architects

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

Commissioner Hollist said will we see a conditional use permit before the drive through is implemented?

Planner Drozdek said A drive through is in the agreement. So being part of the agreement they would not have to come back for conditional use. On the next few slides I'm going to show some building elevations. This is the proposed pickleball center, and as you can see, this is the front. This is also the front, just from a different perspective, and then this is the rear of the building. The building is about three stories high, and then the commercial pads could be two stories or possibly just one story buildings. As for the apartment building, as you can see here, it has two floors of garage parking at the bottom, and then it has five stories of residential living on top of the garage.

Chair Gedge said this was part of the area that we just went through for a text amendment change for the city to allow this type of use. Would this be the first mixed use development in the City of South Jordan? Maybe not in Daybreak, but the non portion of South Jordan.

Planner Drozdek said we have had some, but not to this scale, for sure.

Chair Gedge said this would have, but the front runner line, but this would be the tallest multi residential building we would have in the city, correct?

Planner Drozdek said that is correct.

Chair Gedge said the change we just made would allow this height?

Planner Drozdek said the change was the density that was changed in the CF zone. There's no height limit. So, yeah, this works.

Commissioner Harding said do we have an idea if all of them are apartments, or will any of them be condos or anything.

Planner Drozdek said they are apartments. They were showing studios, one and two bedroom apartments,

Commissioner Harding said do the two levels cover the parking that's needed for them, or will that also affect the other parking?

Planner Drozdek said based on the parking study, they're showing that what they're proposing would work doesn't quite meet the city code. So they're asking for parking reduction for the apartment building, the rest of the sites commercial paths and the pickleball center does meet

the city code, but the apartment building, the way it's proposed it would not meet the city code, and that's why they're asking for parking reduction.

Commissioner Catmull said maybe you can help me understand what goes through Architectural Review Committee. Did this go through Architecture Review? I looked in the code, at least in 16 and 17 and I only found one case where it went to Architectural Review. I just it looks a little sparse.

Planner Drozdek said it's gonna come back in the future and it would go to Arcitectural Review.

Commissioner Hollist said does this qualify for the reduced parking requirement because of location with respect to a track station, a front runner station?

Planner Drozdek said it is close to the front runner station. It's about maybe a 15 to 20 minute walk, but it's not within a quarter mile.

Chair Hollist said my biggest concern is parking. I know they've addressed tournaments and that they'll be shuttling is there no parking along the frontage road to this development?

Planner Drozdek said there will be no parking alone.

Chair Hollist said I can already tell you, this is going to spill over into their their commercial parking if you really only have just over one parking stall per unit. For me, this just isn't realistic.

Planner Drozdek said from what I've seen in other cities, if it's near a transit station that usually they go for one one parking unit per park stall, it's pretty standard.

Commissioner Bevans said are we approving the apartment building? Obviously not the architecture, that will come at the later site plan, but are we approving the parking in the development agreement?

Planner Drozdek said yes.

Commissioner Hollist said then, along those lines in the development agreement, I was a little concerned that the development agreement called out approximately 240 parking stalls and approximately 210 units. Who decides what meets the definition of approximate?

Planner Drozdek said it would probably defer to the planning director. If it was a number that is below 240 obviously, it's not going to be an issue. But if they're exceeding that, I would defer to the planning director and he would probably talk to legal and see what we need to do if it's succeeding, you may have to come back for an amendment. The reason they couldn't pin it down is because they still don't have the building designed, and this is kind of approximately what they're hoping to get out of the building, but not having the design yet, they can't really tell us exactly how many units they're going to have.



Commissioner Bishop said about the parking, It usually is that one for one rule for TOD areas is only, are we talking about event parking as well?

Planner Drozdek said yes.

Commissioner Hollist said within the packet, even with respect to the event parking, there was a study done and the parking that they're providing, and what the city seemed to indicate we would require doesn't match. They're also under parking it in normal business operation.

Planner Drozdek said there wouldn't be enough parking. What they're proposing to do is to contract, or make agreements with the adjacent property owners for visitors to come and park on their property, and then from there they would have them shuttled to the to the pickup.

**Russ Naylor** (Architects) said e've been working on this since mid last summer to get it to this point. We have spent a good deal of time trying to identify the things that we needed to address in the development agreement that we could not meet in the basic city ordinance. Those two things were the apartment component and the residential component, As you know, that had come through as a text amendment to allow us to have apartments. We don't intend to build those immediately. And actually, there's a condition that's put in the development agreement that the city wants the pickleball facility, so there's a condition in there. We couldn't proceed with the apartments, if and until, we've taken out the building permits, paid the fees, and started construction on on the commercial pickleball facility. Everybody's excited about this facility. Our client is the president of the National Pickleball Association. He happens to grown up here in Utah, and his father and an uncle currently own e property that we're going to build on, and it's amazing how fast Pickleball is growing. We will have a professional pickleball team here in Salt Lake called the Black Diamond. The founder of the company has a home here, and he has a home in in Dallas, and they conduct tournaments all over the United States almost every weekend of the year. This is the first facility of its type that will be constructed in the country with so many indoor pickleball courts. This is unique in that we have 47 courts, including the 15 outdoor courts, and then we actually have 13 courts that are on the roof of the ground floor courts will be the primary courts used during the tournament play. We do have an arena court that seats, I want to say like 1700 or something. And then we have what we call a championship court that also has bleachers all the way around, but all the courts on the ground floor have some bleachers where spectators can sit and observe the games. I hope you were able to look at the the plans for the for the facility. Not only do we have pickleball, we do have a really nice fitness center with all the amenities that go with that, with a cold plunge, saunas, and a steam room. We do have a food facility in the building. I'm trying to think of all the other stuff we've got got in there. It really did become a pretty complicated building architecturally, because of the the clearance requirements for the pickleball courts. We have 24 foot floor to floor, so they're kind of inserted to get stepped up all the way up to the roof. They also have their administrative offices that kind of run around underneath the bleachers on the southwest corner of the building, and the facility will be up to do national broadcasts. We have a place where the announcers can observe the championship play and so forth. The facility is designed to be able to pull a semi production van and to do national broadcasting. And I've been kind of paying more attention since I started working on this facility. Most weekends, you can watch the tournaments on FS one. I know one

of your city council persons is an avid pickleball player and she is really excited to have this happen. Commissioner Hollist we do actually have enough on day to day to meet the requirements for the people that are playing pickleball and so forth. We don't, obviously, for the tournament play. We anticipate that we'll have two national tournaments in this facility each year, but that doesn't preclude that we might have more local tournaments that would be scheduled for this facility. We're talking something around \$30 million is what we're anticipating the budget will be. I think that is a real benefit to have more tournaments and drawing a lot of people to South Jordan to buy food and spend money. Some will stay in hotels and so forth to help our economy. You talked about, the the traffic and the engineer indicated that we were something like 740 stalls short when we have tournaments. We have identified, like 10,000 courts that are within two miles of the facility, and we've identified a bunch of companies that have as many as 50 busses that would be available for us to use to transport people from the city to parking. I happen to have a list of all those companies that we've reached out to that found out how many vehicles they could help us with to transport people to the facility. One thing though, there are a bunch of parking stalls along the back of the building, on the west side, toward the church, that we don't anticipate would be used on a daily basis much and and we anticipate that we would have kind of a shared parking agreement if we had to come up with a few more stalls for residential, you know, tenants, particularly overnight when we won't have much play at the pickleball facility. We're not worried about meeting the zoning requirements. So they will go to the ARC Committee, which I happen to be a member on, and then they'll come right back to you for site plan approval and so forth. We have submitted the site plan package, and it's currently being reviewed by the staff, and I suspect it's in engineering, so hopefully you'll see that back in the next month or so. But we've already submitted final civil engineering drawings, landscape plans. We're not more than about a month away from being able to submit plans for a building permit, but we have to hopefully get a favorable recommendation from you folks, and then get the city council to approve the development agreement. We then have to go through the site plan process get the engineering and all that stuff approved. At that point, we could submit plans for a building permit. We hope to be able to occupy this facility within the next 24 months. I hope I covered the main points for you, but I will try to answer any questions you might have.

Commissioner Bishop said I appreciated that background. My family went and played pickleball not that long ago and had a great time. And I think it's a sport that probably has some pretty good staying power, but for sports like basketball and volleyball which we're new at one point, and they didn't fade away. I just look at this and I wonder if pickleball cools off in a couple years, what would be plan B for you guys?

Mr. Naylor said I assume they could be converted to tennis courts, because you'd get four pickleball courts for one tennis court, so that would be a possibility. Were sure banking on the fact that it's going to be a killer, because my clients are certainly making a huge investment. But from everything we can see its expanding exponentially. I obviously don't have a crystal ball, but we certainly think it's going to continue to grow. From talking with people in the city, every court that the city builds you have to go and sit and wait for a time to get on a court. We're confident it's going to continue to grow.

Commissioner Bevans said on the apartment will there be an on site leasing office?

Mr. Naylor said yes.

Commissioner Bevans said okay, so my question is for you and for staff. Where we're looking at reducing parking because they don't fall in that TOD where it would just pretty much be assumed. Can we recommend anything. Does the city council have the ability to put something in the development agreement to reduce their parking and requires the leasing office to somehow run, a shuttle van or some sort of vehicle between this complex and the front runner during peak morning and peak evening hours.

Mr. Naylor said to do that, obviously the Development agreement that we've proposed would have to be amended. How my clients would feel about that, I wouldn't venture to guess.

Commissioner Bevans said it's a big ask, but I think also reducing parking is a big ask where it's it's not within that TOD.

Assistant City Attorney Simonsen said this is why the PD zone was enacted, it was for flexibility and these kind of things. It's not like we're going to have 300 applications for pickleball facilities this year. It's one of those things where in this particular zone the city enacted it with the idea that we're going to be flexible and do some things, and it's up to you guys and to the city council to decide whether those things are wise or not.

Mr. Naylor said frankly, one of the reasons why we were so insistent that we had to have the residential was to help offset the costs to support the pickleball facility. There was a great deal of discussion with the City Council at one of their work meetings about six weeks ago, about rather this was going to be an owner occupied condos, or there was it going to be for rent. I think we were able to convince them that the condominium owner occupied thing wouldn't work for us.

Chair Gedge said we did receive a letter from Mark Hulet and it has been saved as an attachment to the minutes

Chair Gedge opened the Public Hearing to comments.

**Jeff Burnson**, South Jordan – said I will give the address to our property right across the street. 10901, South Jordan gateway SOJO self storage. We love storage so those people who have garages full, please tell them to just bring it over. We've got units still available, and now we have outdoor storage there too, so maybe we can park some of these cars. We are overly excited about this. I happen to know the owners. I've known the owners for probably 20 years, and done a lot of business with him up in Idaho. I sold him all the land so I'm very familiar with the work he does. He's a great guy. Class A developer doesn't mess around with that. I know he is very aware and cognizant of the situation and the parking. I've talked to him about his apartments and I feel like the apartments will be big. I would imagine they'll probably be anywhere from 10 to maybe 15 or 20% higher than some of those just across the railroad tracks, just by virtue of the height, the views, those types of things that can be offered with this. I also think that for the city, and for us, I think the pickleball facility is going to be exemplary. I think as far as the longevity for pickleball, I first heard about it 15 years ago, people were tearing down tennis courts to build

pickleball courts, so I think pickleball, and the National Association, and it's big money, I don't see it going away anytime soon. I am overly excited about this. I think it's great again. I love the apartments, but because those people are going to have to store whatever extras they've got across the street, and we will be happy to facilitate that. So we are overly excited. But again, I just want to let you know that the people behind this are great class a people, and I think you will be very happy that you will have moved forward however it needs to be done. I'm a developer guy myself, so I would just say, just go do it. But I know you have other parameters you have to be guided by. It's been great over the years. But anyway, thank you very much for your time. I appreciate all the work you do.

Chair Gedge closed the Public Hearing.

Commissioner Gedge said this type of facility with additional residents, and of course the influx of spectators for the attended use there, there is nothing other than a Walmart and a snack bar at the Sam's Club for food options in this area. So it's really going to make traffic for the residents of district tougher than it already is. I think some improvements need to be made to the road, especially crossing the railroad track. I feel like I'm gonna pop a tire every time I go over the New Union Pacific required bumps that are on the railroad track. So there are some concerns there. So hopefully those can be filled in this summer during road repair. I do have some concerns with the traffic flow. You know, at Jordan Gateway you're going to have all these cars coming there during large events, it's really going to slow it down. Every time there's a break and they need to go somewhere like the mall is basically the closest place, or the river bottom, and it's just going to really have a east west traffic problem in this area. Hopefully, Council is fully aware of that. I'm fine with the location for the apartments and the properties to the north of this do do shuttles for their employees to get to the front runner station. I see them every morning and every evening, so hopefully the applicant, the owners of the apartments, will consider that to encourage the use of public transit. But if not, people from daybreak are going to have more than one car, and they're all going to get on the freeway right there. So it's just going to make, living in district one a little bit more miserable. There are a lot of benefits of having another kind of professional sports thing in South Jordan, and then hopefully it's just more thoughtfully constructed and not rushed, as the most recent one was.

Commissioner Catmull said I think it's a unique opportunity and a unique design. So we're doing it in the right way, through the right mechanism. I guess I'm really just interested to see what the design looks like, because it's going to be the highest structure going in there. I'm looking at the city code, and it looks like, if I'm reading it correctly, it just needs a four inch relief on a 60 foot wall, which is just four inches out. I think I'd like to see a little bigger than that. It would be my recommendation to city council to consider it so it looks good. But thinking a two by four from the freeway is probably not very visible, and so that would be my main comments, is to make the architecture look good and like a jewel that it could become and place it where people want to spend their discretionary time in a pleasant place.

Commissioner Hollist said I am a little concerned with the density. I know that we've recently revisited what densities allowed in this area specifically, but even if you apply the density they're asking with the number of units across the entire footprint, we're talking 26 units per acre. That

feels like a lot. I'm a little bit worried about the parking. I'm excited about the pickleball feature. It's a shame that it isn't self sufficient. It requires such a high impact housing piece to make it work. That's the biggest part that I've got concerns about. I am a little concerned about the church. I know that they have some concerns as well to make sure their parking isn't being used. I don't know if that's appropriate to address now, or if that would be a site plan thing. I assume that there would not be a fencing requirement between these properties, since they're the same zoning.

Planner Drozdek said there are no fencing requirements there.

Commissioner Hollist said I am sensitive to the the sound, I know that we haven't been presented operating hours, but I think that would be very neighborly thing to do, to limit the outdoor and the rooftop play potentially during their standard service hours.

Commissioner Bevans said obviously, there's multiple access points to this project. Is there any plan to install a light at any of those access points along Jordan Gateway, specifically, maybe along 11000 south? Are we restricting right in, right out, are we doing anything at this point in time?

Assistant City Engineer Nielson said no, there's no plans for any additional traffic signals. There is an existing traffic signal at the corner of 11000, South Jordan Gateway. And that's the only traffic signal that we're we're planning to utilize.

Commissioner Bevans said it looks like they're mostly aligned on this access point. Are those two roads going to be aligned? So it looks like it's 10920 south, and then this northern access point off Jordan Gateway. Are those directly across from each other?

Assistant City Engineer Nielson said that is my understanding, yes.

Commissioner Bevans said one of the reasons we passed that text amendment was to allow for this kind of flexibility. I like the apartment complex and that they will be able to use the gym and hopefully some other facilities, and have that extra livability so that they can live and play on the same property, with the restaurant coming in, and the restaurant already in the pickleball facility. I think it'll be a good addition to the city. I do share some of the parking concerns, but where they're only studio, one and two bedroom, that's not as much of a factor for me. I don't necessarily feel like I want to recommend that the city council alter their development agreement to require some sort of shuttle, but I would really like to start seeing that. I think that as we develop these pieces of property that are kind of those infill locations that are close enough to transit, that something like that could be utilized, that's going to make a world of difference in how this property lives and how the people here live, work and play within the city, and so I think that's an important aspect of it. I don't feel like we need to alter anything tonight, but I know the city council.

Commissioner Bishop said I will second the feeling that this is a great use for this area and for the new flexibility that that's been granted. I just wanted to say the city really should have an



ordinance requiring bike parking for for something like this, and hopefully we will have one, perhaps by the end of the summer. But in the meantime, the only thing we can do is ask the applicant, out of the goodness of their heart, to to include that sort of thing in their in their plan.

Commissioner Bevans said I think if we're shuttling between where people park during tournaments, the same idea could be utilized for public transit, a shuttle running between the front runner station and the building.

Chair Gedge said is there a UTA bus that travels along Jordan Gateway? Is there any communications that the staff has with UTA regarding expanding that in the future, once this is built in two years, especially like on event days, maybe from the front runner,.

Assistant City Engineer Nielson said it's certainly something that could be discussed with UTA, but I don't think just for a tournament, they're not going to be interested in participating.

Commissioner Harding said this might be in that short bus area where it's door to door, where people can order one.

Chair Gedge said just for the future. If the the apartments don't supply a shuttle, you're going to have all these residents there now, maybe potential expansion in the future to also people who take front runner and want to get to Walmart. Maybe whoever has the discussions at the city with UTA down the road. Maybe just other short term planning and making sure we didn't miss anything.

Chair Gedge said we did receive a letter, so I am going to invite the applicant up front, because we receive a letter from one applicant who is, I'm assuming is at the property here on the south that's surrounded on all three sides. There was five items he listed. I think a lot of these are going to be addressed during site plan.

Mr. Naylor said I met them while I was waiting, we went out in the hallway and Planner Drozdek had sent this to me this morning, so I had it to look at. The only item that I didn't think we could resolve was they would prefer that we not have a drive through. They apparently have a deck that's on the south side of the building, that's kind of up a floor and they're concerned about exhaust smell from people waiting in the drive thru lane. All of the other stuff blocking off a pathway so that they could go between our property and theirs to the facility between our fence around the outdoor courts, so we would offer to extend their aluminum fence to close with ours, so that people couldn't walk through there. I didn't think that was a problem. And most of this stuff we would certainly support, as well as no parking signs on South Jordan Gateway. I told them that I thought the right time to do this was when we come back with all the details for the site plan review, and that they would get a public notice when that hearing would be held in the future. I told them that I would talk to my clients about enclosing the drive through lane. So maybe that would help with smells. But anyway, we'll search for something to do with that. But other than that, I was confident that we could satisfy these requirements.

**Chair Gedge motioned to send a positive recommendation to City Council to approve File No. PLZBA202500035 Resolution R2025-23, authorizing the mayor to sign the development agreement and two, ordinance number 2025-03-Z, approving the zone change with the recommendations discussed this evening of considering the Language of estimated approximate more definite term. Commissioner Bevans seconded the motion**

**Commissioner Catmumill motioned to change definite terms to “definite minimum”**

**Commissioner Gedge motioned to approve amendment. Commissioner Bevans seconded the amended motion. Roll Call Vote was 6-0 unanimous in favor.**

#### **J. J.1. OTHER BUSINESS**

Discussion regarding Commission Rules for 2025.

The Planning Commission had a discussion regarding the rules for 2025.

#### **ADJOURNMENT**

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

**The Planning Commission Meeting adjourned at 9:15 p.m.**