

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
February 27, 2024**

Present: Chair Michele Hollist, Commissioner Nathan Gedge, Commissioner Steven Catmull, Commissioner Laurel Bevans, Commissioner Ray Wimmer, Commissioner Sam Bishop, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, City Recorder Anna Crookston, GIS Coordinator Matt Jarman, IT Director Jon Day, Meeting Transcriptionist Diana Baun, Planner Andrew McDonald, Planner Miguel Aguilera

Others: Jeff Seaman, John Warnick, Craig Bonham, Robert Hilsinger

Absent:

**6:35P.M.
REGULAR MEETING**

A. WELCOME AND ROLL CALL – *Chair Michele Hollist*

Chair Hollist welcomed everyone to the Electronic Planning Commission Meeting.

B. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to amend tonight’s agenda as published. Chair Hollist seconded the motion; vote was unanimous in favor.

C. APPROVAL OF THE MINUTES

C.1. February 13, 2024 - Planning Commission Meeting Minutes

Commissioner Bevans motioned to approve the February 13, 2024 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion; vote was unanimous in favor.

D. STAFF BUSINESS - *None*

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Chair Michele Hollist shared concerns over Commissioners Wimmer and Bishop not having access to their city emails. Staff instructed them to talk with Director Day on getting that remedied.

Commissioner Sam Bishop attended the City Council Meetings last week but shared there were no actions taken that pertained to the Planning Commission.

Commissioner Nathan Gedge will not be present at the next meeting in March but noted that if it's needed for a quorum he can join via Zoom.

Chair Hollist shared that she and Commissioner Bevans will not be at the second meeting in March.

F. SUMMARY ACTION – *None*

G. ACTION – *None*

H. ADMINISTRATIVE PUBLIC HEARINGS – *None*

H.1. DAYBREAK NORTH STATION MULTI-FAMILY #1 SUBDIVISION 2ND AMENDMENT

Address: Lots 138 through 156 and Lots 166 & 177

File No.: PLPLA202300217

Applicant: LHM Real Estate

City Planner Greg Schindler reviewed background information from the Staff Report.

Commissioner Ray Wimmer sees no reason to deny this application, but had some issues with signage in the area. When approaching the school, on either side the roads are one way and feed out to South Jordan Parkway, which means you cannot enter once you've reached that point. In order to get to the school from the east you have to get off South Jordan Parkway earlier than you'd expect to avoid missing the school, and they could really use a sign there to indicate that. Also, with the townhomes going in, as you go by you will not be able to see the school to know where to exit South Jordan Parkway.

Deputy City Engineer Jeremy Nielson noted that the city does not typically put up signage for schools, but he understands Commissioner Wimmer's concerns.

Chair Michele Hollist asked the applicant's representative, John Warnick, what type of product needs this kind of change from a zig-zag to a more straight configuration.

John Warnick (Applicant) – this would be something that changes as the builder changes, and Sego's townhome design is different than the previous builder which led to the necessary changes. These lots are the only ones that were sold to Sego, and will be the only ones needing this change in this area.

Chair Hollist opened the public hearing for comments; there were no comments and the hearing was closed.

Commissioner Gedge motioned to approve File No. PLPLA202300217, Subdivision 2nd Amendment, based on the Staff Report and discussion this evening. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Wimmer

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Yes – Commissioner Bishop

Motion passes 6-0, unanimous in favor.

H.2. DAYBREAK VILLAGE 15 PLAT 1 PRELIMINARY SUBDIVISION

Address: 6652 W Lake Avenue

File No.: PLPP202300191

Applicant: Perigree Consulting on behalf of Miller Family Real Estate

City Planner Greg Schindler reviewed background information from the Staff Report.

John Warnick (Applicant) – This model village might serve some of the area in Village 15, but it will primarily serve Village 9, which is the watercourse. These are a new product they are working with the builders to be put in this location, right next to a future amenity, on top of the watercourse. This is called the Cove House, and is LHM's first Model Village launch. They are very excited about it and are hoping to see some of the builders entering these model homes in the parade. They have also been working with the school to get their site situated, and this has worked out really well for them as well. They are hoping to have the model home portion open by late July, and the school is supposed to start construction in the next couple months.

Commissioner Laurel Bevans asked if these are all single family homes, and if they are public or private alleyways/streets.

Mr. Warnick responded that he believes that is correct, as he doesn't think there are any townhomes in the mix. Regarding the roads, the main roads will remain public, but the internal lanes will be private.

Commissioner Bevans asked if the markings of the private roads being 24 feet wide were measured before curb and gutter, or if they were including that.

Mr. Warnick responded that the lanes are from edge to edge, and there is not necessarily curb and gutter inside those alleys. As planned they still meet the fire code laid out, with everything else outside of that being up to city standards.

Chair Hollist opened the public hearing for comments; there were no comments and the hearing was closed.

Commissioner Gedge motioned to approve File No. PLPP202300191, Preliminary Subdivision, subject to the following: that all South Jordan City requirements are met prior to recording the plat. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Wimmer

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Yes – Commissioner Bishop

Motion passes 6-0, unanimous in favor.

H.3. HARVEST POINTE WEST PRELIMINARY SUBDIVISION

Address 3773 W South Jordan Parkway

File No.: PLPP202300141

Applicant: Jeff Seaman

Planner Miguel Aguilera reviewed background information from the Staff Report. He added that after the Staff Report was published, it was brought to his attention that the internal addresses of the residences on the streets were incorrect; so the applicant will need to correct that before the final subdivision application. Apart from that, this plat complies with the Development Agreement and staff recommends approval.

Chair Michele Hollist noted that the commission usually gets a copy of the Development Agreement to review but did not with this application. She asked who reviewed this to ensure it met all the requirements laid out by City Council.

Planner Aguilera looked at all of that when reviewing the plat, but did not look at that when reviewing the site plan application because he did not do the whole site application. He noted that he just did not catch the address/coordinate errors before this meeting packet was published.

Chair Hollist noted they have the minutes from the last time the City Council reviewed this and it was a different product than what the commission originally saw and declined sending a positive recommendation for. She sees improvements with the lower density, but her main concern is that

they do not have access to the Development Agreement to review and determine whether this meets what City Council approved.

Planner Aguilera noted that he can share a copy of that agreement with the commission, but other than the address issue, everything looked to comply with the current Development Agreement.

City Planner Greg Schindler added that the Development Agreement does state the density and number of units allowed, and this plat has that. The addressing has nothing to do with the Development Agreement, and incorrect coordinates or address numbers can be easily corrected. If the errors have something to do with the site plan, that is the next item on the agenda. The plat itself has no issues with parking or anything like that, and any other issues like amenities would be addressed by the site plan application as well.

Commissioner Laurel Bevans noted that the pictures show the whole piece of land included in this Development Agreement, and this subdivision is only regarding a portion in the bottom half. She asked if the density of this property includes the entire land space, or just the portion the townhomes are sitting on and included in this specific subdivision.

Planner Aguilera responded that this area will be separate from the rest of the property so all calculations should be made based on the pertinent area only.

Chair Hollist noted that in the paperwork the acreage is listed as 3.16 acres, but asked to confirm that is not referring to this piece being looked at as a whole, it is only the portion developing the townhomes.

Planner Aguilera responded that the whole property is the 3.16 acres, the smaller piece is only a chunk of that at 1.91 acres, as confirmed by Planner Schindler.

Chair Hollist said that works out to 10.5 units per acre using the 1.91 acres of land to calculate the density.

Planner Schindler noted they were approved for up to 11 units per acre.

Chair Hollist discussed the Council's reasoning for approving the higher density with staff.

Deputy Engineer Jeremy Nielson read the following from the Development Agreement regarding density: "The overall density of the project will not exceed 20 residential units."

The commission and staff then continued discussing whether there was an implied or otherwise stated official density, other than just the allowed number of units.

Planner Schindler noted that it doesn't matter which land size calculation is used, the Development Agreement indicates they can have 20 residential units.

Commissioner Nathan Gedge expressed his concerns for both this item and the next one, stating that there is a lot of information the commission has not been given, and feels they may not be able to make a valid determination in their roles because of that. Due to that, he feels it may be prudent to table both items until they receive all the necessary information and before public comment and testimony is opened.

Chair Hollist agreed but is reluctant to hold off on public comment, as someone might have already joined the meeting with the intention of speaking and she doesn't like the idea of making them come back another time; she would like to allow any public commenters their chance tonight. She then invited the applicant up to speak.

Jeff Seaman (Applicant) – is with Peterson Development and noted that they have complied with everything in the Development Agreement with the exception of two minor items that have already been discussed with Planning Director, Steven Schaefermeyer. They originally thought they would get seven parking stalls behind the grass strip, but there are some utilities in there and instead they will only be able to have four stalls; Director Schaefermeyer said that would be resolved since the project still meets and exceeds the code requirements for parking. The other minor issue was square footage of the units. Due to a miscalculation on the coordinates, the Development Agreement indicates they would be 2100 square feet, but they are just under that at about 1900 square feet. This has been a long process, and there has been plenty of opportunities for public comment numerous times. Both the city and applicant have agreed to the Development Agreement, and he shared his frustrations with the suggestions of tabling this for another time.

Chair Hollist opened the public hearing for comments, noting that there was one public comment received prior to the meeting via email from a Mr. Hilsinger, and that is attached to tonight's minutes as Attachment A.

Robert Hilsinger (Resident) – My back porch looks over the park across the street and sees that. My comments are going to be nothing contrary to what I put in my email (Attachment A). I, for one, am all for additional housing; people need places to live. I do not think this is an adequate spot, I think the increased traffic due to the houses will pose a risk to the children that use that park, as well as the children that attend that daycare right next to the empty lot. I also noticed that the parking lot at Nielson's seems too small for the amount of business that they get, especially during the warmer months, so I think expanding their parking lot and maybe expanding the park or moving it across the street, adding more parking there instead would be a better use of the land.

Chair Hollist closed the public hearing.

Commissioner Bevans asked staff if the two admitted and approved changes to the site plan will be added to the Development Agreement as an amendment.

Planner Aguilera noted that those issues would be addressed during the site plan application presentation coming up next, but yes.

Planner Schindler suggested having six copies of the Development Agreement brought to the commissioners for them to review now, but understands that might be more than they are able to do tonight.

Commissioner Gedge responded to Mr. Hilsinger, noting that City Council has already entered into a Development Agreement for this property which instructs what they are now contractually obligated to build.

Chair Hollist motioned to take a recess to review the Development Agreement (Attachment B). Commissioner Gedge seconded the motion; vote was 6-0, unanimous in favor.

Chair Hollist motioned to reconvene the meeting. Commissioner Gedge seconded the motion; vote was 6-0, unanimous in favor.

Commissioner Bevans noted that, according to the Development Agreement (Attachment B) they have reviewed, the land included was the entire 3 acre property. The applicant is now subdividing that larger piece into smaller ones, one of which proposes to include the development being discussed tonight. She is wanting to ensure that in the future the developer can't develop additional residential properties on the remaining land.

Planner Schindler noted that the agreement states they are allowed 20 units throughout the entire 3 acre space, so if those 20 units are used here, they would have no more residential units allowed for additional development.

Commissioners and staff discussed what the agreement means with this new subdivision and that the whole piece of land is still subject to the same agreement, even with this subdivision.

Commissioner Gedge motioned to approve File No. PLPP202300141, Preliminary Subdivision, based on the Staff Report, public testimony and additional information provided this evening (Attachment B), with the following notes:

- **The current addresses will be updated to reflect what is eventually determined to be the official addresses by the County.**
- **The amendment to Item 4b has been agreed to by the Authorized City Designee and the applicant.**
- **Item 5d amendment is entered into by both the Authorized City Designee and the applicant.**

Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Wimmer

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Yes – Commissioner Bishop

Motion passes 6-0, unanimous in favor.

H.4. HARVEST POINTE WEST TOWNHOMES SITE PLAN APPLICATION

Address 3773 W South Jordan Parkway

File No.: PLSPR202300053

Applicant: Jeff Seaman

Planner Miguel Aguilera reviewed background information from the Staff Report.

Commissioners and staff discussed the implications of the zoning in the area as a whole, versus just the residential portion, and what minor changes to the agreement would do in terms of the remainder of development in the future.

Chair Hollist invited the applicant up to speak.

Jeff Seaman (Applicant) – answered questions about the privacy windows and noted that, regarding the remaining land, the intention is at some point to extend the existing commercial into that space.

Chair Hollist asked Mr. Seaman to verify the landscaping plans to ensure that what was agreed upon, based on resident feedback, was being applied; it all matched what the commissioners were planning to see.

Mr. Seaman, when asked about the timeline for this project, responded that he didn't know as they are battling interest rates and other hurdles.

Chair Hollist opened the public hearing for comments; there were none and the hearing was closed.

Assistant Attorney Greg Simonsen also explained the legalities of the zone and Development Agreement, along with what to expect and what will be required in the future if part of the parcel sells to another party.

Commissioner Gedge motioned to approve File No. PLSPR202300053, Site Plan Application, based on the Staff Report and discussion this evening, as well as the Development Agreement provided during the meeting (Attachment B), with the following conditions:

- **The current addresses will be updated to reflect what is eventually determined to be the official addresses by the County.**
- **The amendment to Item 4b has been agreed to by the Authorized City Designee and the applicant.**

- **Item 5d amendment is entered into by both the Authorized City Designee and the applicant.**

Commissioner Catmull suggested to amend the motion that, in addition, the applicant and staff review the agreement together to ensure it will meet the additional development plans for the future commercial space.

Commissioner Gedge sustained the suggested amendment. Chair Hollist seconded the original motion with the amendment.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Wimmer

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Yes – Commissioner Bishop

Motion passes 6-0, unanimous in favor.

I. LEGISLATIVE PUBLIC HEARINGS

I.1. WALMER REZONE

Address: 10593 S 3200 W

File No.: PLSPR202300053

Applicant: High Country Homes & Development

Commissioner Laurel Bevans disclosed that she is a neighboring property owner to this property being discussed, and acknowledged that she has no financial stake in this property and will vote as per usual process barring any additional information brought forward that changes her association with the applicant or property. This was discussed before the meeting and approved by the city's legal counsel.

Planner Andrew McDonald reviewed background information from the Staff Report.

Commissioners and staff discussed the subdivision status of properties around the subject property, noting that there are still a few that are not part of a larger subdivision, like the subject property.

Commissioner Laurel Bevans noted that the applicant is not the property owner, and asked if the paperwork was in order to acknowledge the property owner's awareness and approval of these changes.

Planner McDonald responded that the city does have an affidavit from the property owners authorizing the applicant to handle this process on his behalf.

Chair Hollist invited the applicant up to speak.

Commissioner Bevans asked about water movement issues in the area and other properties beginning to sink in towards this one.

Craig Bonham (Applicant with High Country Homes) - Acknowledged that they will have to retain all water on the property, and that will have to be dealt with and figured out. The dirt that was dug up will also be used to fill other spaces on the property. There is already curb and gutter, so they will only have to run the sidewalk on Alexander, they will not be touching anything on 3200 W.

Chair Hollist opened the public hearing for comments; there were none and the hearing was closed.

Commissioner Bishop motioned to forward a recommendation to approve File No. **PLZBA202400014, Ordinance 2024-04-Z, Rezone, based on the Staff Report and discussion this evening. Chair Hollist** seconded the motion.

Roll Call Vote

Yes – Commissioner Bishop

Yes – Chair Hollist

Yes – Commissioner Gedge

Yes – Commissioner Wimmer

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Motion passes 6-0, unanimous in favor.

J. OTHER BUSINESS

Planner Schindler discussed the future meetings come up in March.

ADJOURNMENT

Chair Hollist motioned to adjourn the February 27, 2024 Planning Commission Meeting. **Commissioner Bevans** seconded the motion; vote was 6-0, unanimous in favor.

The February 27, 2024 Planning Commission Meeting adjourned at 8:47 p.m.