

# SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 04/19/2022

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**Issue:** SAGEWOOD RANCH BARN  
LAND USE AMENDMENT AND REZONE  
Land use amendment from SN (Stable Neighborhood) to EIO (Economic Infill Opportunity), and a rezone from R-1.8 (Single-Family Residential, 1.8 lots per acre) and R-2.5 (Single-Family Residential, 2.5 lots per acre) Zone to P-O-PD (Professional-Office-Planned Development Floating Zone) Zone and R-3 (Single-Family Residential, 3 lots per acre) Zone

**Address:** Approximately 10431 S. 3200 W.  
**File No:** PLZBA202100266  
**Applicant:** Megan Visser

**Submitted by:** Damir Drozdek, Planner III  
Jared Francis, Senior Engineer  
**Presented by:** Steven Schaefermeyer, Planning Director

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## Staff Recommendation (Motion Ready):

1. Development Agreement—I move that the City Council **approve** Resolution R2022-14 authorizing the Mayor to sign the development agreement.
2. Land Use Amendment—I move the City Council **approve** Resolution R2025-15 approving the proposed land use amendment.
3. Zone Change—I move the City Council **approve** Ordinance No. 2022-02-Z approving the proposed zone change.

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<b>ACREAGE:</b>	Approximately 6 acres
<b>CURRENT ZONE:</b>	R-1.8 (Single-Family Residential, 1.8 lots per acre) and R-2.5 (Single-family residential, up to 2.5 lots per acre) Zone
<b>CURRENT USE:</b>	Single-family residence and vacant ground
<b>FUTURE LAND USE PLAN:</b>	SN (Stable Neighborhood)
<b>NEIGHBORING ZONES/USES:</b>	North – R-1.8 / South Jordan Parkway South – R-1.8 / Single-family residences West – R-M-7 / 3200 West East – R-1.8 / Alexander Park Lane

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## **STANDARD OF APPROVAL**

### **1. LAND USE AMENDMENT:**

The general plan may be amended by resolution of the City Council as follows:

- A. The process to amend the general plan and future land use map may be initiated by members of the City Council, by the City Manager or Planning Director, or by the owner of a subject property or his or her agent. A general plan land use or text amendment which is not initiated by the City may not be reinitiated for an amendment which was considered within the previous year without a majority vote of the City Council. A land use amendment should not impair the development potential of the subject parcel or neighboring properties.
- B. The Planning Commission shall hold a public hearing, as required by state law, after which the commission may modify the proposed general plan amendment. The Planning Commission shall then forward the proposed general plan amendment to the City Council.
- C. After receiving the recommendation of the Planning Commission, the City Council shall hold a public hearing, and may accept, accept with modifications, or reject the proposed general plan amendment.

(City Code § 17.12.030)

### **2. REZONE:**

The rezoning of property may not be considered if the proposed zoning does not conform to the general plan. The following guidelines shall be considered in the rezoning of parcels:

- A. The parcel to be rezoned meets the minimum area requirements of the proposed zone or if the parcel, when rezoned, will contribute to a zone area which meets the minimum area requirements of the zone.
- B. The parcel to be rezoned can accommodate the requirements of the proposed zone.
- C. The rezoning will not impair the development potential of the parcel or neighboring properties.

(City Code § 17.22.020)

## **BACKGROUND:**

The applicant is requesting a land use amendment and a zone change to operate a reception center on property generally located at 3200 West and South Jordan Parkway. The three acre parcel abuts Alexander Park Lane from the east, South Jordan Parkway from the north and 3200 West street from the west.

**2020 Development Agreement:**

In October 2020, the City Council approved a rezone and development agreement for the project site and the rest of the Jones property (the “2020 Development Agreement”). The 2020 Development Agreement allowed the Jones property to develop as a 17 lot single-family subdivision in two phases. Phase one was on the south half of the property and included five lots along Alexander Park Lane (Lots 1-5) and six lots accessed from 3200 West (Lots 9-13). Phase two included the remaining five lots, Lots 6-7 on Alexander Park Lane, Lots 14-15 accessed from 3200 West and Lots 16-17 accessed from Alexander Park Lane.

The proposed reception center will be located on phase two of the single-family subdivision, except for the property where the existing Jones family home is located (corner of South Jordan Parkway and 3200 West). The project will also include Lots 12 and 13 of phase one and an existing vacant parcel located on the corner of Alexander Park Lane and South Jordan Parkway that was not included in the 2020 Development Agreement. In order to approve the reception center project, the City Council will have to approve a modification of the 2020 Development Agreement and rezone the project area to a commercial zone.

**Project Description:**

There is an existing barn on the property that has been with the Jones family since the 1980s. The applicant wishes to preserve the barn and turn it into a reception center. The project will be accessed off 3200 West only. There will be no pedestrian or vehicular access from Alexander Park Lane or South Jordan Parkway. All parking will be provided on site and will exceed the minimum City Code parking requirements.

The reception center will be located in the existing two-story barn and will be roughly 7,000 to 8,000 sq. ft. in size. An eight-foot decorative masonry wall will surround the project on the north, east and south sides. The west end will have simulated wrought iron fencing. Except for Lots 12 and 13, phase one of the single-family residential development to the south of the project will remain as approved by the 2020 Development Agreement.

**New Development Agreement:**

The proposed land use change and rezone requires amending the existing agreement by entering into a new development agreement approved by the City Council. Approval of the proposed PD Floating Zone and development agreement will allow the underlying zone to be modified to accommodate development that may incorporate design elements and a mixture of uses that represent a significant improvement in quality over what could otherwise be accomplished by the underlying zone. The proposed development agreement provides general requirements for the development and includes specific terms addressing site layout, architecture, landscaping, amenities, circulation, and operation of the reception center that are more than what is required by City Code and the proposed underlying zone. The proposed agreement includes the following terms:

- All relevant obligations from the 2020 Development Agreement for the residential subdivision including the layout of Phase One (except for Lots 12 and 13), installation of

a right turn pocket on 3200 West at South Jordan Parkway, and other required public improvements and repair of 3200 South and Alexander Park Lane.

- The existing barn will be preserved and upgraded to operate as an event center only.
- The venue will open no earlier than 7:00 a.m. and close no later than 11:00 p.m.
- All amplified live music will be played inside the venue.
- Recorded music must use the venue's sound system and most music will not be played outdoors after 10:00 p.m.
- The venue will follow all Salt Lake County Health Department noise regulations.
- The barn will be insulated for sound above the minimum building code requirements.
- Lighting will be fully shielded to prevent glare onto the adjacent properties.
- All traffic will access the site from 3200 West only.
- Parking will exceed the minimum City parking requirements for both fixed seating events and flowing receptions.
- "NO PARKING" signs will be installed along the venue's property line on Alexander Park Lane.
- Dumpster pickup must be scheduled between 8:00am and 5:00p.m. only.
- Amenities shown on the concept plan include two-inch caliper trees along the project's perimeter, water features and landscaping that exceeds minimum City Code requirements.
- Security cameras will be installed around the site.
- An eight-foot decorative masonry wall be constructed along the project perimeter except for on the west side along 3200 West.
- Small farm animals equaling up to 90 points (as explained and calculated by City Code § 17.130.040.030.A.2) may be occasionally kept on the property.

## **STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:**

### **Findings:**

- On March 22, 2022, the Planning Commission recommended the City Council not approve the application by a vote of 3-2. The commissioners who voted against the application had concerns that included proposed fencing, anticipated traffic, sales of alcoholic beverages and the proposed change to the City's Future Land Use Map. Some commissioners were concerned that the proposed wall would make the property feel too isolated from the community, the added traffic would create safety and traffic flow problems, and the change to the Land Use Map was not appropriate due to the surrounding land uses.
- After the Planning Commission meeting, the applicant agreed to eliminate the proposed fencing along 3200 West and plans to build a simulated wrought iron fence instead to open up views from the road into the property.
- As required by the PD Floating Zone process (*see* City Code § 17.130.050.020.A.1), the project was reviewed at a City Council study session meeting on December 7, 2021. Based on that discussion, the applicant chose to move forward with her proposal.
- The application meets the rezone standards of approval of the City Code.
- There are numerous places in the General Plan, such as chapters "Where we gather" and "How we grow" that call for historic preservation and enhancement of cultural and



community heritage (*see* Gather Goal 2; Grow Goal 6&8). Similarly, one of the City's Strategic Priorities is to "preserve[] the community's heritage and culture for today's and future generations" (Strategic Goal DAOS-3).

- The project will not be accessed from and no parking will be provided on Alexander Park Lane, mitigating potential traffic impacts on the neighborhood from the proposed use.
- The project is different than other commercial businesses because it will only be open if there is a scheduled event.
- The proposed development agreement provides predictability for how the property will look and be used. Any changes to the use will require further approvals and a modification of the development agreement by the City Council.
- The "Economic Infill Opportunity" land use designation is defined in the General Plan as follows: "Economic Infill Opportunity identifies areas within existing Economic Centers that could support infill or redevelopment of additional commercial, retail and entertainment uses to support and bolster existing uses. Development or redevelopment in these areas shall include public space for gathering such as plazas or parks and be designed with the pedestrian in mind. These areas could support land uses such as retail, restaurants, hotels, entertainment venues, or open space and could strive to include unique design elements to give each commercial center its own identity."

**Conclusion:**

Based on the findings, the Application, if approved, will be consistent with the goals and policies of the General Plan and the City's Strategic Priorities, and as such, should be approved.

**Recommendation:**

Based on the findings and conclusion listed above, Staff recommends that the City Council take comments at the public hearing and **approve** the application, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

**FISCAL IMPACT:**

See attached report.

**ALTERNATIVES:**

- Approve an amended application.
- Deny the application.
- Schedule the application for a decision at some future date.

**SUPPORT MATERIALS:**

- Aerial Map
- Future Land Use Map
- Zoning Map
- Sample Elevations
- Concept (Site) Plan
- Fiscal Analysis
- Infrastructure Analysis
- Traffic Analysis
- PC Meeting Minutes
- Resolution R2022-14 and the Development Agreement
- Resolution R2022-15
  - Exhibit ‘A’- Future Land Use
- Ordinance 2022-02-Z
  - Exhibit ‘A’ – Zoning Map

*Damir Drozdek*

Damir Drozdek (Apr 15, 2022 10:03 MDT)

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Damir Drozdek, AICP  
Planner III, Planning Department

**DEPARTMENT APPROVAL**

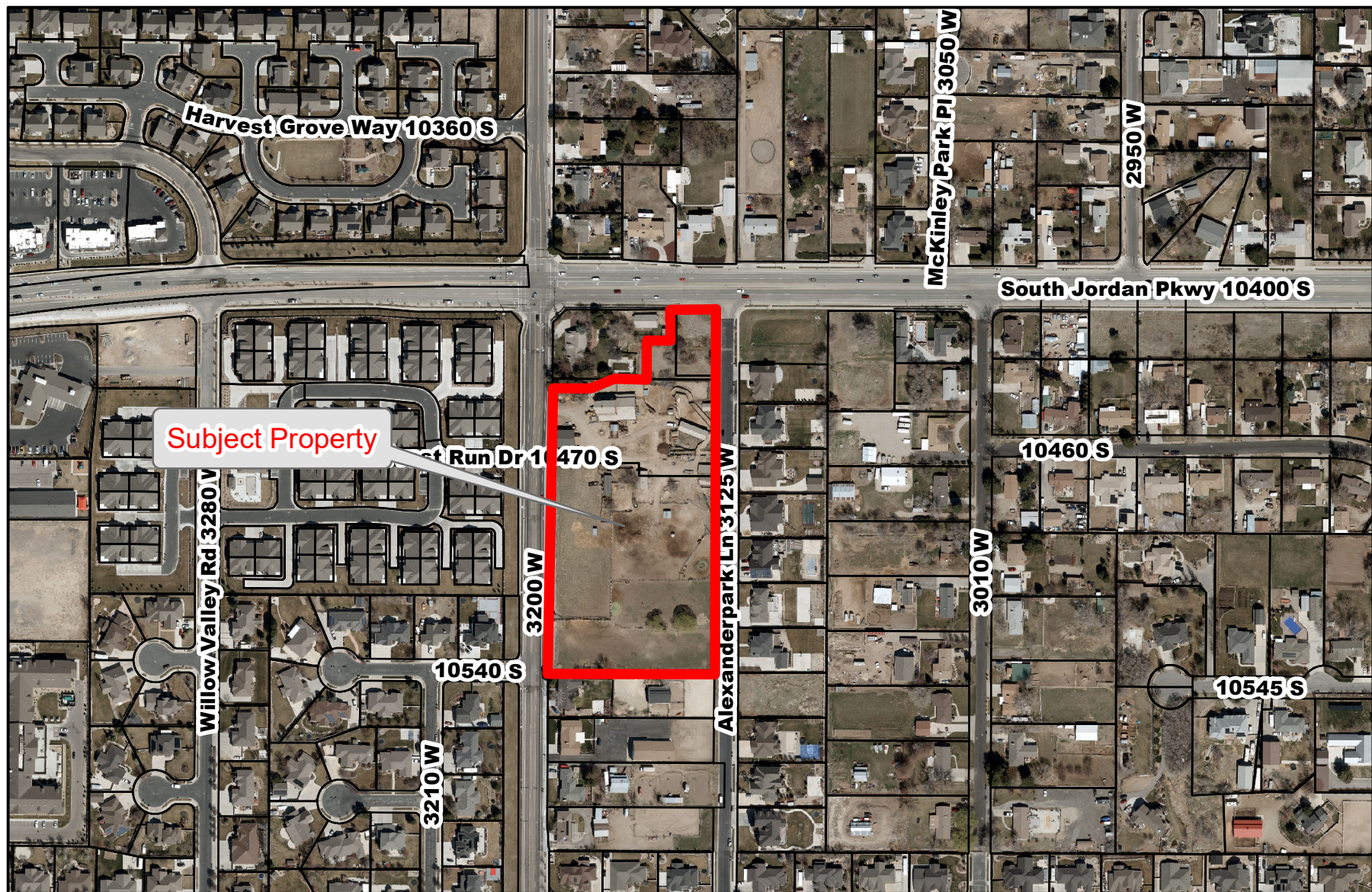
*Steven Schaefermeyer*


Steven Schaefermeyer (Apr 15, 2022 10:05 MDT)

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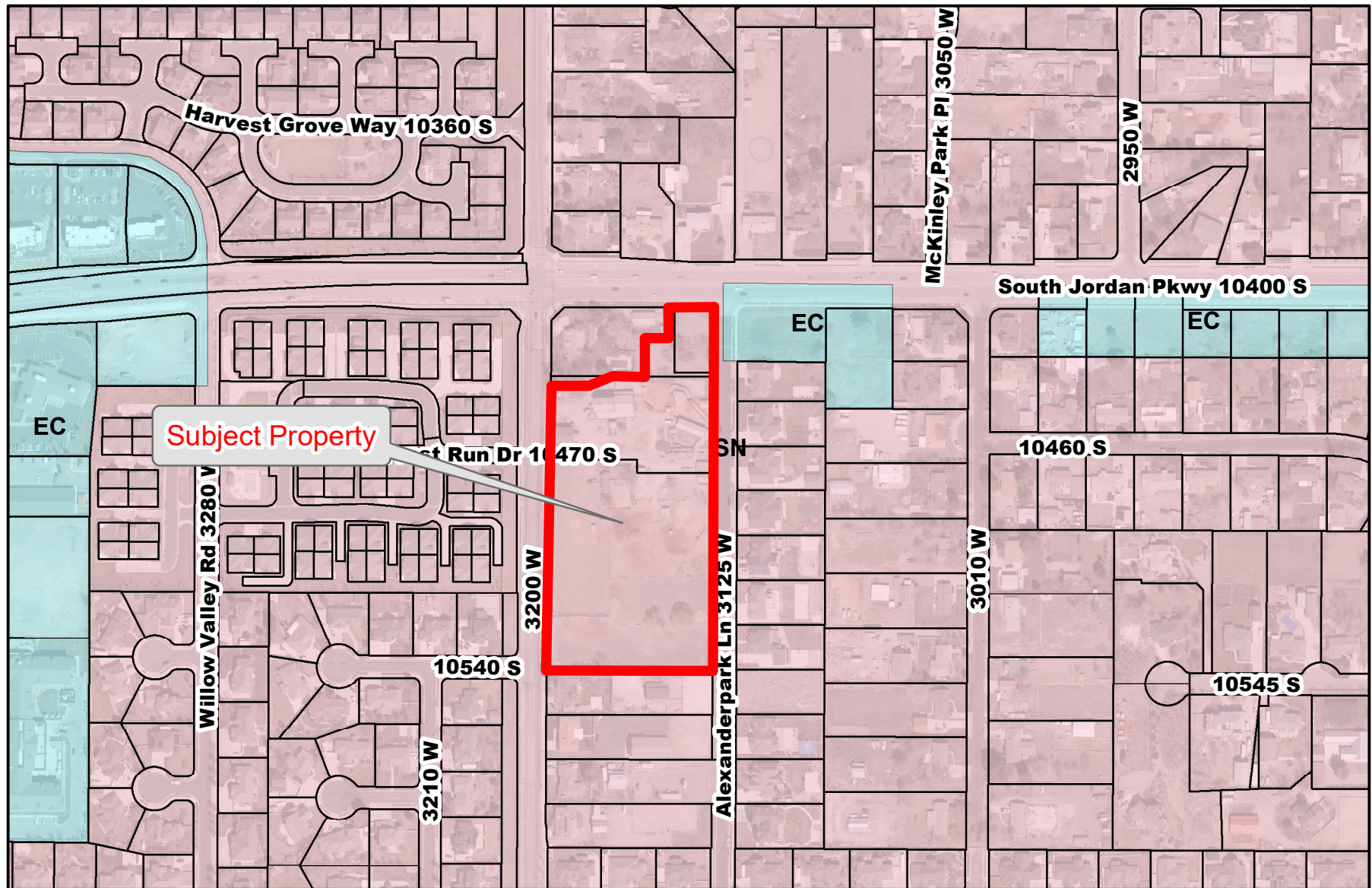
Steven Schaefermeyer  
Director of Planning





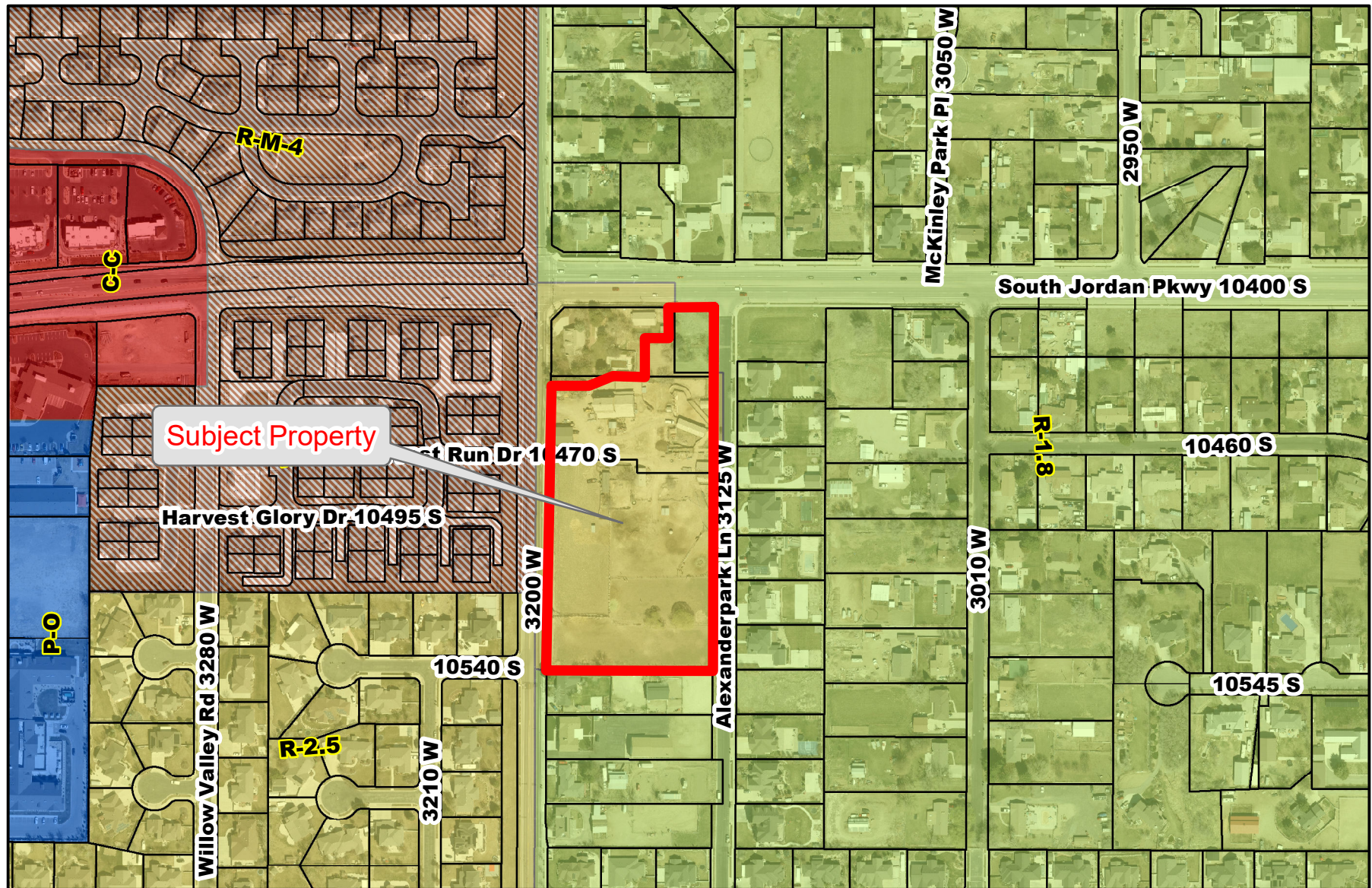
<p><b>Legend</b></p> <p>STREETS</p> <p>PARCELS</p>	<p><b>Aerial Map</b></p> <p><i>City of South Jordan</i></p>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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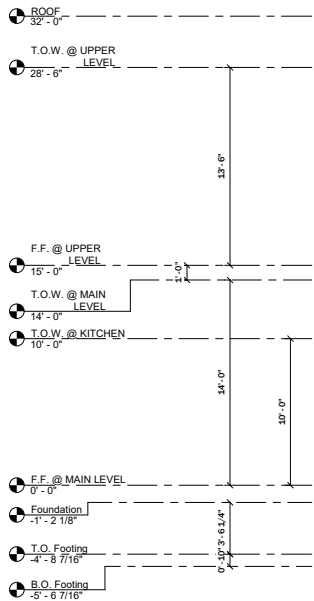


<p><b>Legend</b></p> <p>STREETS</p> <p>PARCELS</p>	<h2>Future Land Use Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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<p><b>Legend</b></p> <p>STREETS</p> <p>PARCELS</p>	<h2>Zoning Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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TYPICAL HEADER HEIGHT (U.N.O.)

8'-0" PLATE HEIGHT - 6'-8" HEADER HEIGHT  
 9'-0" PLATE HEIGHT - 8'-0" HEADER HEIGHT  
 10'-0" PLATE HEIGHT - 8'-0" HEADER HEIGHT

A 1.0

Drawn by: MDM

Checked by: MDM

Project Date: 01/01/2021

Project #: 0000000

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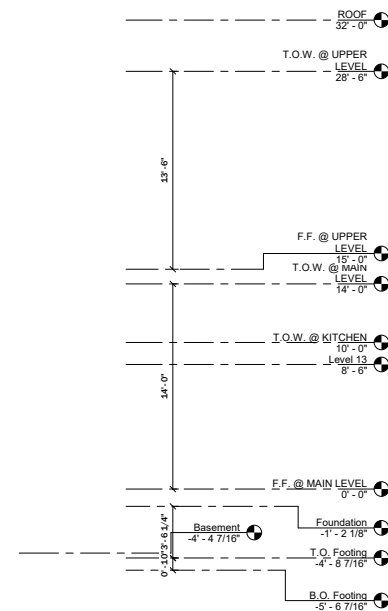
**SAGEWOOD RANCH**  
 10400 S 3200 W, SOUTH JORDAN, UTAH

Harbor Design  
 HOME DESIGN & PLANS  
 E. milan@harbordesigncompany.com  
 P. 801-472-0857

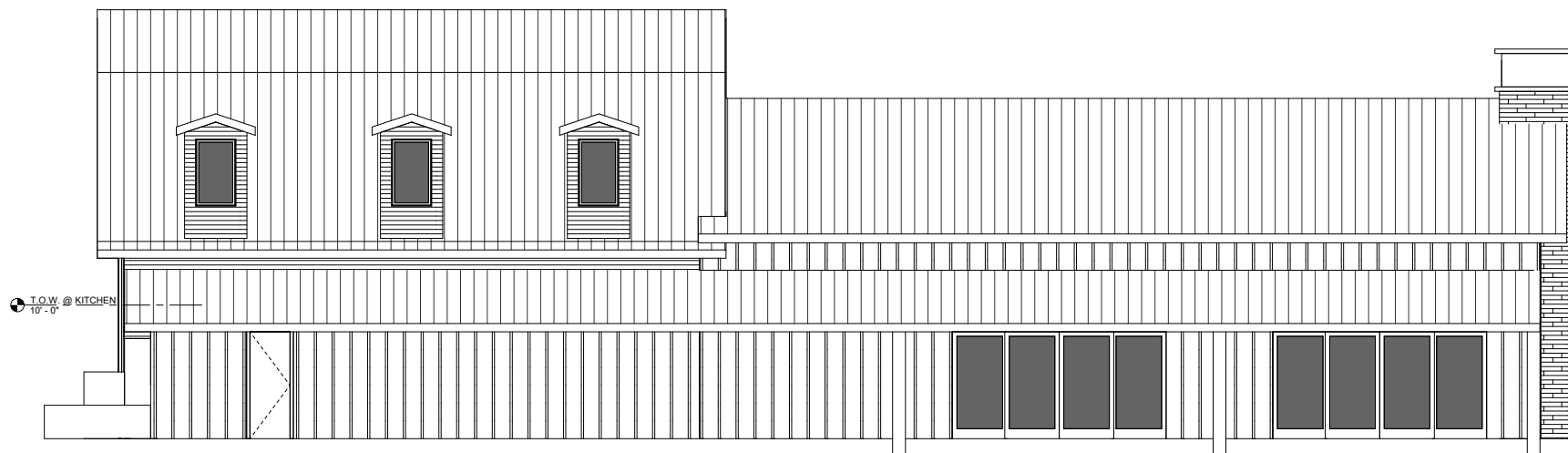
ELEVATIONS

A 1.0

1/4" = 1'-0"



**1 REAR**  
1/4" = 1'-0"



**2 RIGHT**  
1/4" = 1'-0"

## ELEVATIONS

## A 1.1

Drawn by: MDM

Checked by: MDM

Project Date: 01/01/2021

Project #: 0000000

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THE CONTRACTOR OWNER SHALL CAREFULLY AND THOROUGHLY REVIEW & VERIFY ALL INFORMATION PERTAINING TO THIS SET OF PLANS. IN THE EVENT OF ANY DISCREPANCY PRIOR TO CONSTRUCTION, HARBOR DESIGN COMPANY, LLC SHALL BE CONTACTED FOR CLARIFICATION.

**SAGEWOOD RANCH**  
10400 S 3200 W, SOUTH JORDAN, UTAH

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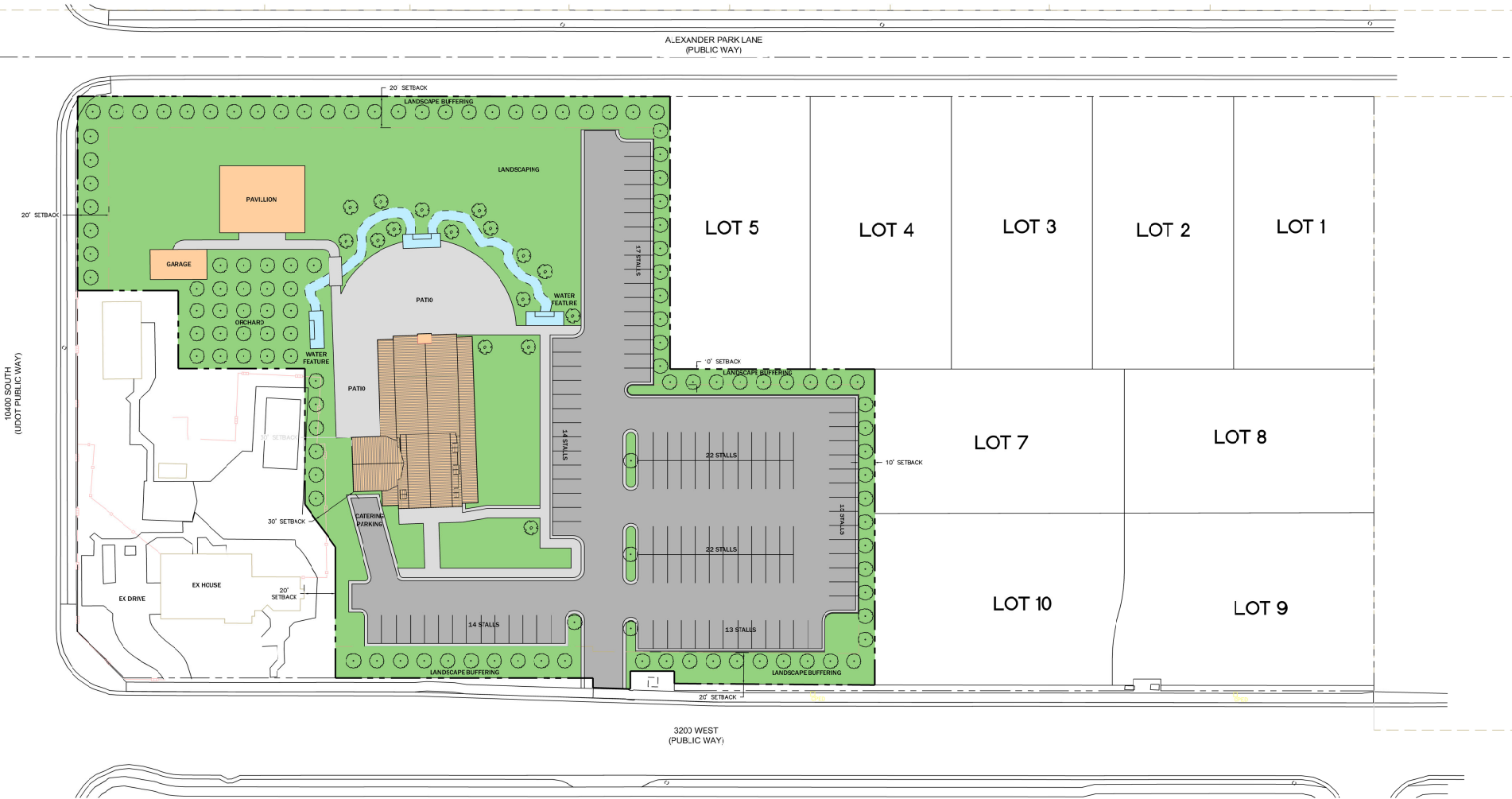
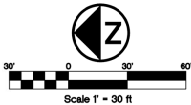
## A 1.1

$$1/4'' = 1'-0''$$



# SAGEWOOD RANCH RECEPTION CENTER

SITE PLAN





**WILDING**  
ENGINEERING

14791 SOUTH HERITAGE DRIVE WAY  
BLUFFDALE, UTAH 84065  
801.563.8112  
WWW.WILDINGENGINEERS.COM

- TABULATIONS:  
TOTAL AREA= 132,742.35 SQ FT, 3.05 AC  
LANDSCAPE AREA= 66,811.02 SQ FT, 1.53 AC  
(L.S. PERCENT OF TOTAL= 50.3%)
- TOTAL PARKING STALLS= 117
- PROJECT NOTES:  
1. 8' PRECAST FENCE TO BE INSTALLED ON PERIMETER OF PROJECT  
2. LIGHTING PLAN TO BE DESIGNED TO SHIELD ADJOINING PROPERTIES  
3. DECIDUOUS AND EVERGREEN TREES TO BE INSTALLED AT A MINIMUM OF 1 TREE PER 500 SQ FT OF LANDSCAPING ON SITE, OF WHICH 30% WILL BE EVERGREEN, DETAILED LANDSCAPE PLAN TO BE PREPARED AND SUBMITTED WITH ENGINEERED SITE PLAN

NO.	REVISION	DATE

DRAWING TITLE	SITE PLAN
LOCATION	10431-1C551 S 3200 W
	SOUTH JORDAN, UTAH

PROJECT NAME	SAGEWOOD RANCH RECEPTION
DRAWN	KCW
CHECKED	GDW
COUNTY	SALT LAKE

DATE	03/02/2022
SCALE	1" = 30'
SHEET	1 OF 1



# Project Analysis

Project: Sagewood Ranch Barn

January 25, 2022

## Scenario Descriptions

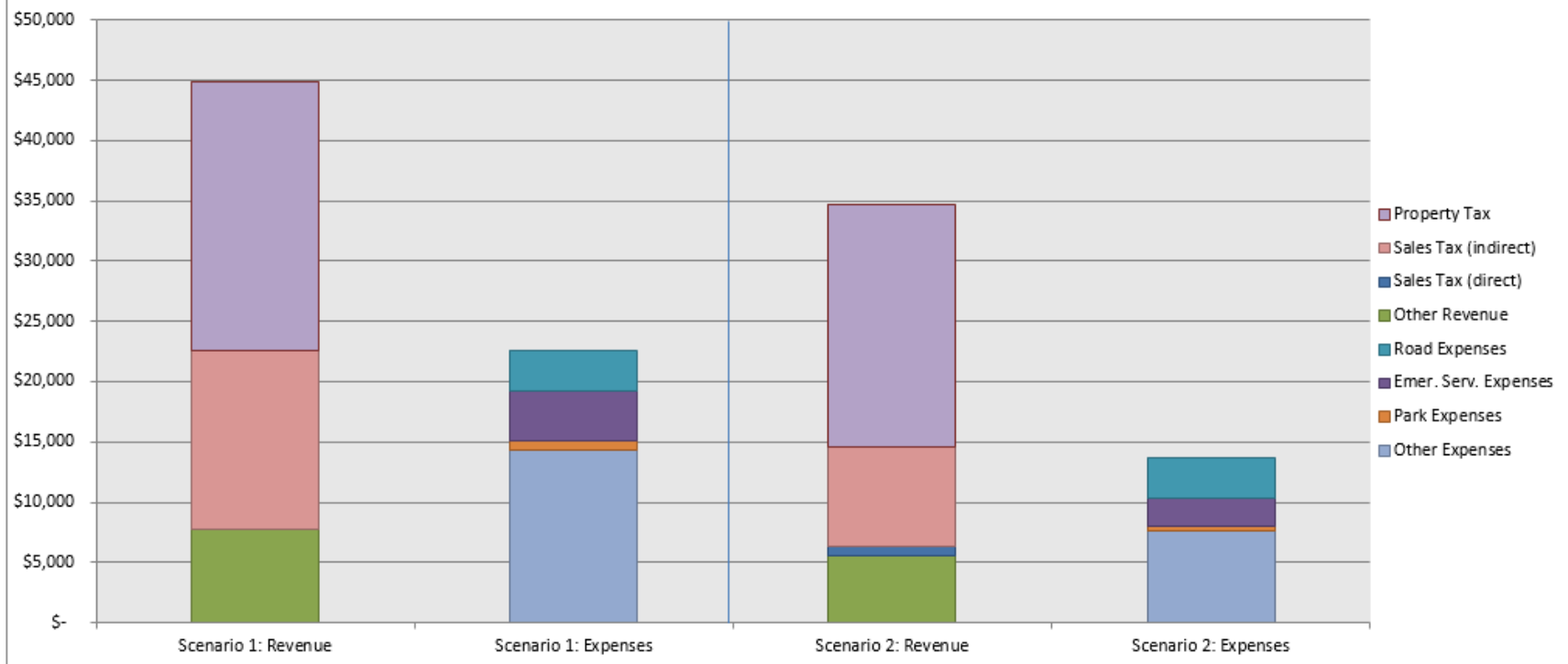
## Financial Summary by Scenario

Scenario 1: No Change (R-2.5 & R-1.8)		Projected Short-Term Operational Impact (General Fund)	No Change (R-2.5 & R-1.8)	P-O, R-3.0, & R- 2.5
R-2.5 - Density 2.5 units per acre (6.78 acres) and 1.8 units per acre (0.31 acre)		Revenue	\$ 30,024	\$ 26,390
		Property Tax	\$ 22,334	\$ 20,089
		Sales Tax (direct)	\$ -	\$ 750
		Other*	\$ 7,690	\$ 5,551
Scenario 2: P-O, R-3.0, & R-2.5		Expenses	\$ 22,532	\$ 13,676
Professional Office (3.31 Acres); Density		Roads	\$ 3,328	\$ 3,328
3.0 units per acre (3.30 Acres) and 2.5 units		Emergency Serv.	\$ 4,145	\$ 2,303
per acre (0.48 Acres)		Parks	\$ 740	\$ 411
		Other**	\$ 14,320	\$ 7,635
		Total	\$ 7,492	\$ 12,714
		Per Acre	\$ 1,056.67	\$ 1,793.18
		Per Unit	\$ 416.21	\$ 1,271.36
		Per Person	\$ 117.95	\$ 360.29
Indirect Impact				
Potential Retail Sales		\$	1,464,888	\$ 813,827
Sales Tax (indirect)		\$	14,881	\$ 8,267

\*Other Revenue - Includes Permits, Licenses, Motor Vehicle Tax, Energy Sales & Use Tax, Telecommunications Tax, and Cable Franchise Tax.

\*\* Other Expense - Includes all other General Fund Expenses excluding Roads, Emergency Services, and Parks.

**Annual General Fund Impact**



# LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

## *INFRASTRUCTURE ANALYSIS*

<b>Project Name/Number</b>	Sagewood Ranch Barn      3200 W. 10431 S
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<b>Planner Assigned</b>	Damir Drozdek
<b>Engineer Assigned</b>	Jared Francis

The Engineering Department has reviewed this application and has the following comments:

**Transportation:** *(Provide a brief description of the access, transportation master plan and how this change affects Master Plan, condition/status of existing roadways. Determine whether a Traffic Study should be completed)*

The subject property is bordered on the east by Alexander Park Lane, on the west by 3200 West and on the north by South Jordan Parkway. There won't be any new public streets constructed as part of this development other than the dedication and improvement of property for a right turn lane on 3200 West, turning eastbound onto South Jordan Parkway. The subject property will have a single access, on the east side of 3200 West at approximately 10461 South.

**Culinary Water:** *(Provide a brief description of the water servicing the area, look into deficiencies, and determine if water modeling needs to be performed at this time, look at Water Master Plan and evaluate the change to the Master Plan)*

There is an existing City owned 12" water main in 3200 West and another City water main in the park strip on the east side of Alexander Park Lane. Depending on how the property is developed, it may be required to provide a looped water system. Fire hydrants will be required on site as per City standards. A water model will be required when the property develops.

**Secondary Water:** *(Provide a brief description of the secondary water servicing the area, briefly look into feasibility)*

There appears to be a City owned secondary water system adjacent to the project on Alexander Park Lane. Further investigation would be required to determine if the line is active and has sufficient capacity for the proposed project.

**Sanitary Sewer:** *(Attach letter from South Valley Sewer stating that this zone/land use change does not affect service and that any future project can be serviced by the District)*

There is a sewer main line in 3200 West and another one in Alexander Park Lane. Connection requirements will be determined by the South Valley Sewer District.

**Storm Drainage:** *(How will this area be serviced for storm drainage, kept on site, Master Storm Plan, etc. any other issues with drainage)*

In order to comply with State and City guidelines, the proposed development must retain on site, through use of approved low impact development devices and best management practices, all rainfall events less than or equal to the 80<sup>th</sup> percentile rainfall event. For storm events greater than the 80<sup>th</sup> percentile, the additional storm water must either be retained on site or discharged into an approved storm drain system. There are existing storm drain systems in 3200 West, South Jordan Parkway and Alexander Park Lane.

**Other Items:** *(Any other items that might be of concern)*

**Report Approved:**

  
Development Engineer

2/10/2022  
Date

  
Brad Klavano, PE, PLS  
Director of Development Services/City Engineer

2/10/2022  
Date

## TECHNICAL MEMORANDUM

Date: Wednesday, April 6<sup>th</sup>, 2022  
To: Jeremy Nielson, PE & Jared Francis, PE  
South Jordan City  
From: Jeremy Searle, PE, PTOE



**Subject: South Jordan – Reception Center Trip Generation Study**

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### **INTRODUCTION**

The purpose of this memorandum is to provide an estimate of the number of trips that will be generated by the proposed reception center development, located at the southeast corner of South Jordan Parkway (SR-151) and 3200 West in the city of South Jordan. A site plan of the proposed project is included in the Appendix.

### **PROPOSED DEVELOPMENT**

The proposed reception center will be located in the existing two-story barn and will be roughly 7,000 to 8,000 square feet in size. The project will access South Jordan Parkway using 3200 West. The South Jordan Parkway / 3200 West intersection is signalized. 3200 West is a 30 MPH three-lane minor collector roadway with one lane in each direction and a center two-way-left-turn lane. The proposed access to the reception center allows movements in all directions and is located directly across from Harvest Run Drive.

### **TRIP GENERATION, DISTRIBUTION, AND ASSIGNMENT**

Project trip generation estimates were developed by estimating maximum capacity levels according to the City of South Jordan municipal code. While the proposed development meets parking ratios as described in section 16.26.040 of the municipal code, offering more than 1 parking stall per 300 square feet area, the maximum capacity is estimated by assuming 2.5 persons to vehicle ratio and a typical operational capacity of 80%. The development proposes a total of 117 parking spaces, which sets its maximum capacity near 293 guests. According to the Brides American Wedding Study, the average attendance for a wedding is 167 guests, with most weddings having less than 200 guests. Assuming 100% operational capacity at 293 guests is considered a conservative estimate. Since receptions are primarily held in the evening, trips were only assigned for the PM peak hour.

The number of trips generated by the overall project is shown in **Table 1**.

**Table 1: Overall Trip Generation**

Land Use	Units	Daily	PM Peak Hour		
		Total	In	Out	Total
Reception Center	293 Guests	300	120	34	154

Project traffic from **Table 1** was assigned to the roadway network based on the type of trip and the proximity of project access points to regional roadways and major population/employment centers. Existing travel patterns observed during data collection provided primary guidance to establish distribution percentages, especially near the Project.

Trip distribution for the reception center was estimated as follows:

- 45% East
- 30% West
- 15% South
- 10% North

From a regional perspective traffic from I-15, from both south and north, is anticipated to use the 10600 South Exit and follow South Jordan Parkway to the site. Bangerter Highway also provides easy access to the site. 3200 West provides access to local guests. Using these assumptions, the overall distribution and assignment of project traffic is shown in **Figure 1**.

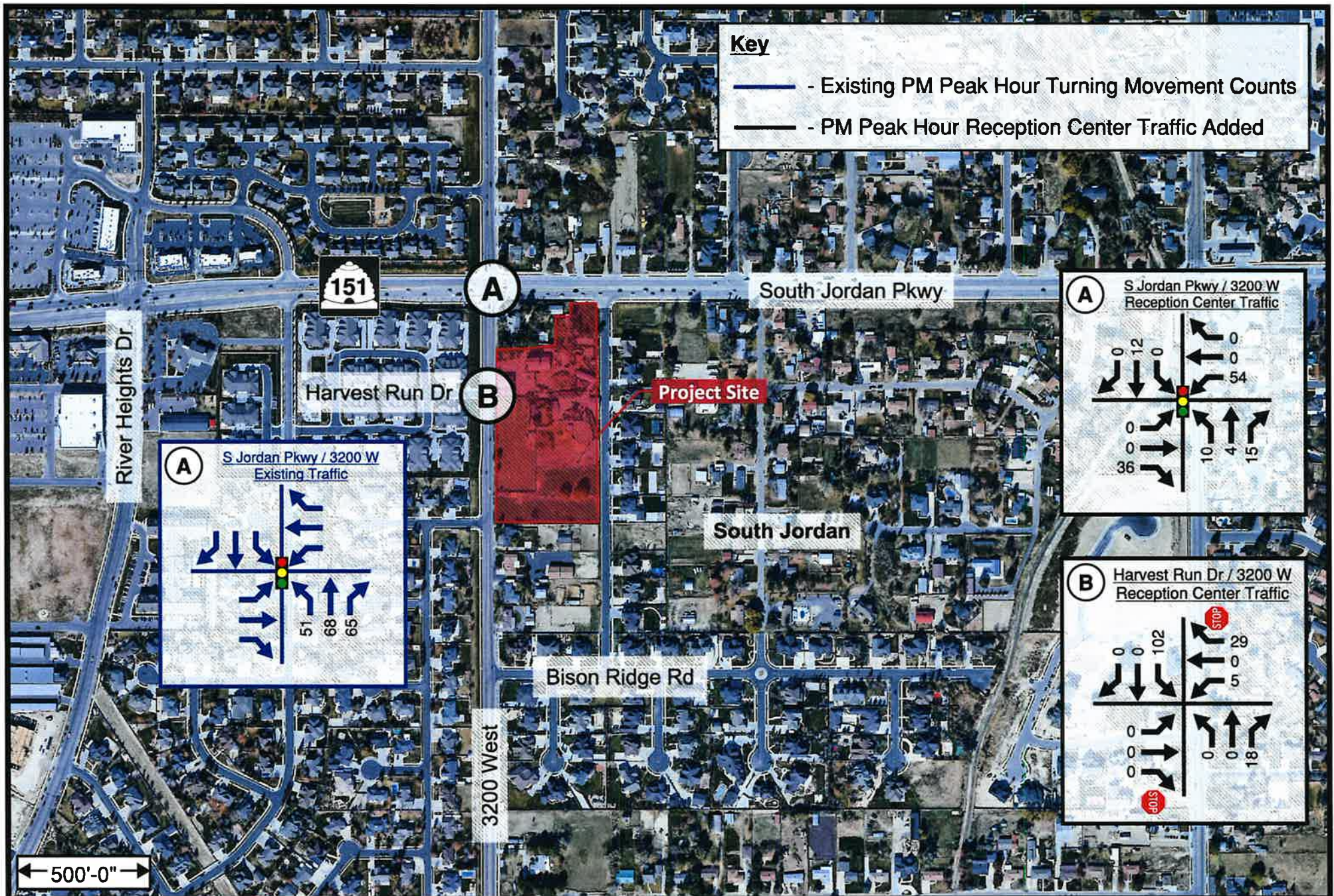
### **EXISTING TRAFFIC VOLUMES**

According to the UDOT database, the 2019 Annual Average Daily Traffic (AADT) on South Jordan Parkway (SR-151) is approximately 22,000 vehicles per day. A five-lane road like South Jordan Parkway should be able to accommodate 30,000+ vehicles per day. Therefore, there is sufficient excess capacity to easily accommodate the proposed project and associated traffic volumes.

South Jordan City recently collected traffic counts on 3200 West, including the northbound turning movements at the 3200 West / South Jordan Parkway intersection. These northbound turning movements are also included in **Figure 1**, in the blue box, to provide some comparison for the projected Reception Center Traffic.

The counts collected by South Jordan City also provide data on the total number of vehicles on 3200 West during a typical day. The 24-hour volume on 3200 West was 3,945 vehicles. The maximum desired daily traffic volume on a minor collector such as 3200 West is 10,625 vehicles per day. Therefore, 3200 West has sufficient excess capacity to easily accommodate the proposed project and associated traffic volumes.







## **FINDINGS & RECOMMENDATIONS**

WCG makes the following findings and recommendations:

- The proposed Reception Center project consists of an 7,000 - 8,000 square feet barn, an orchard garden, a pavilion, and 117 parking lots plus a catering parking lot.
- The proposed project will generate approximately 300 daily trips, primarily PM peak hour trips.
  - During the PM peak hour, approximately 154 trips are expected to be generated by the proposed reception center.
  - This is considered to be a conservatively high estimate due to the average attendance at wedding receptions.
- The proposed access would allow movements in all directions and is located directly across from Harvest Run Drive.
- According to UDOT, the 2019 AADT on 400 South is approximately 22,000 vehicles per day. Five-lane roads like South Jordan Parkway should be able to accommodate 30,000+ vehicles per day. Therefore, there is sufficient excess capacity to easily accommodate the proposed project and associated traffic volumes on South Jordan Parkway
- According to data recently collected by South Jordan City, the daily traffic volumes on 3200 West are approximately 3,945 vehicles. The maximum desired daily traffic volume on a minor collector such as 3200 West is 10,625 vehicles per day. Therefore, 3200 West has sufficient excess capacity to easily accommodate the proposed project and associated traffic volumes.
  - WCG does not anticipate significant traffic impacts based on the trip generation characteristics and planned access of the Reception Center project.



## **APPENDIX: Site Plan**

**CITY OF SOUTH JORDAN  
ELECTRONIC  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
March 22, 2022**

**Present:** Chair Michele Hollist, Commissioner Nathan Gedge, Commissioner Trevor Darby, Commissioner Steven Catmull, Commissioner Laurel Bevans, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, City Recorder Anna Crookston, Deputy City Engineer Jeremy Nielson, Planner Damir Drozdek, IT Director Jon Day, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun

**Others:** Myrna Weller, Connie, S Bolduc, User 0023416, Joe DuQuette, LeAnn, Ponch Thompson, Lara's iPhone, Terri Holt, Amber Holt, Tristi Lassig, Lindsey Black, JoAnn's iPhone, iPad (108), Krista Jenson, Patty Keller, Wendy Horton, Zoom User Fuller, RStannard, Amy's iPad, Becky Belisle, Emily's iPhone, iPhone, Beckham Visser, Tram, Lisa Stanley, Keith Garner, Todd Sirrine, Katie Shoemaker, Ron Rayburn, Paul Jacobsen, Bill Porter, Jared Bolduc, Ryan Benson, Lorie Benson, Ronnie Cooper, Kelly Cooper, Adam Stanley, Bela Eliason, Lyndsay Christensen, Ron & Katrina Dahle, Ben Eliason, Kristen Maylett, Craig Bonham, Stephanie Lloyd, Scott Lloyd, Christie Clayburn, Damian Clayburn, Doraleen Rich, Bob Baker, Joyce Caldwell, Marba Jacobson, Doris Kilgrow, Terri Chivers, Harold Stewart, Koreen Stewart, Kurt & Kara Jenkins, Mike & Glenda Johnston, McKenzie Maylett, Dalton Miller, Martin & Cheri Gonzalez, Chad & Tristi Lassig, Stacey & Mike Spainhower, Candy & Vicky Hoover, Dayle & Jay Sant, K. Clark Bleazard, Antoinette Steohense, Min Fang Zhang, Cameron & Lam Mecham, Tim & Kaitlin Jones, Jay & Emily Mortenson, Alice Black, Travis Sokol, Brandon Bliss, Derek Bunkall, Arlene Gregerson, Luann Jensen, Landon Anderson, Chad Pearson, Dave Freiss, Paul Johnson, Joann Spencer, Caryn Hardy, Julie Hardy, Kris Bevans, Dianne Kelsey, Jim Kelsey, Gina Jensen, Arla Roloff, John Adams, Matt Visser, Dave Rukerd, Brad Knowles, Trish Gustin, Jason, Kris Druce, Kim Bass

**6:40 P.M.  
REGULAR MEETING**

**I. WELCOME AND ROLL CALL – *Commissioner Michele Hollist***

Commissioner Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting and discussed the procedures for public comment.

**II. MOTION TO APPROVE AGENDA**

**construction commencing. Chair Hollist seconded the motion; Roll Call Vote was 5-0, unanimous in favor.**

## **IX. LEGISLATIVE PUBLIC HEARINGS**

### **I.1. SAGEWOOD RANCH BARN LAND USE AMENDMENT AND REZONE**

Location: Approximately 10431 S. 3200 W.

File No: PLZBA202100266

Applicant: Megan Visser

Chair Michele Hollist noted that for this particular issue, the planning commission is forwarding a recommendation to City Council; sometimes they side with the commission and sometimes they do not. She wanted the public to know that this issue will be heard again by the city council, who will have the final authority to decide.

Planner Damir Drozdek reviewed background information from the Staff Report.

Chair Hollist asked for Planner Drozdek to explain what a development agreement is, and how that differs from other types of agreements usually seen by the planning commission.

Planner Drozdek said the development agreement essentially details how the property will be developed. A zoning ordinance is more broad as far as allowed uses, layout, etc.; however, when there is a development agreement in place, it is an agreement the applicant adheres to while developing the property. A development agreement could include specific directions for traffic, noise, density, layout, etc.; it is a document that is recorded in addition to the underlying zone.

Commissioner Nathan Gedge asked if the development agreement transfers to subsequent owners.

Planner Drozdek said yes, it does transfer.

Chair Hollist asked to clarify that for the new owner, all of the same modifications, restrictions and mitigations would apply.

Planner Drozdek said yes.

Commissioner Steve Catmull asked what would be required to change that development agreement once it has been approved.

Planner Drozdek said it would require a new hearing and development agreement with the city council.

Commissioner Gedge noted that this is not titled a reception center, it is titled an event center; he assumes the development agreement states what uses are allowed, but he asked if there are any permitted differences between an event and reception center with the city coding and zone being

proposed.

Planner Drozdek said no, it's just a name and neither has more privileges. The applicant had concerns that if it was called a reception center, someone could make a complaint that it's only supposed to be used for weddings; they didn't want to be limited to just weddings.

Commissioner Gedge asked what the rating is for 3200 West and the load capacity for daily trips, also if the amount of parking proposed would set that over the limit.

Deputy City Engineer Jeremy Nielson said it is a minor collector street, and right now it is considered a Level Service B with plenty of capacity. If there were any issues, they would be at the traffic signal, which would be a timing issue that could be adjusted.

Chair Hollist asked if they will be putting in an island to force one way in and one way out.

Engineer Nielson said currently there is no plan for an island on 3200 W, it would be full access and align with the access to the west. We consider it a good intersection, but if there were safety issues down the road an island could be added later.

Chair Hollist said they generally like two access points. She asked if part of the development agreement was to concede and only have one access point to avoid using more residential streets.

Planner Drozdek said yes.

Commissioner Laurel Bevans knows there is no dedicated right turn lane from 3200 W on to 10400 South. She asked if there were any plans to change that prior to the residential property being vacated.

Engineer Nielson said his understanding is that if this project were to proceed, that would be part of the plan. Outside of this project, at this point in time there is no separate plan for the city to add that right turn pocket on its own.

Chair Hollist asked if the corner property was associated with this proposed event center.

Planner Drozdek said yes, they are the same owners however that home is proposed to remain for now; that portion of the property is not going to be developed at this time.

Commissioner Trevor Darby asked to clarify that there will be no parking along Alexander Lane, with no parking signs.

Planner Drozdek said yes, that is correct and it is in the agreement.

**Megan Visser (Applicant)** thanked everyone for this opportunity. They are excited to share some of the things they have come up with that they feel have appeased some concerns that they've heard, and they've also been in communication with a lot of the neighbors to come up

with these things they are adding to the development agreement. She thanked staff for helping them with this project, as well as those here in support and with concerns; they appreciate everyone being here, it means a lot to their family. She brought up a prepared presentation (Attachment Z).

**Commissioner Gedge motioned for a short recess. Chair Hollist seconded the motion, vote was unanimous in favor.**

**Chair Hollist motioned to restart the meeting. Commissioner Gedge seconded the motion, vote was unanimous in favor.**

Ms. Visser discussed the barn and its history from Attachment Z. Her parents have lived here for over 50 years. Most are probably familiar with the property, it has housed a number of different kinds of animals; mostly the buffalo and the elk recently, and it has been a popular spot for the city, as well as a landmark. She shared aerial photographs from a number of years ago (Attachment Z) which demonstrate the vast amount of change they have lived through and the incredible amount of development that has happened around them and encroached on the property over the years. When 10400 S was widened, it took out a large part of her parents' property, including landscaping, mature trees, 32 of their neighbors' homes and their grandpa's home next door. Across the street where the buffalo were in the picture is where the Harvest Villa Development now sits. They showed another view of the property where you could see that 10400 S didn't even go through; that road now continues up to Bangerter Highway. Their neighbors across the street also had their home torn down. They pointed on the picture to where Alexander Lane sits, behind the property, and in the top part of the picture is Bison Ridge; those homes exist where the bison once were. She is not here to say that change is a horrible thing, they have wonderful neighbors that came in as a result, good things have happened from this. It has also been extremely difficult and hard for her family, and so many more in South Jordan, who have watched this open space go. We all know how developed South Jordan is getting, and how many homes are going up. They feel that a big purpose of their project is to preserve a piece of that open space and legacy of South Jordan. Currently her parents are getting older, they are in their 80s now, and obviously when that happens families have to make some changes and some planning to move forward. They chose to sell off their animals and sell off their property in phases to accommodate for this change. They have sold phase 1 of that property, which is where the elk and buffalo were; that was sold to a developer. In their overall plan with that, call it naivety or inexperience, they planned to do this in phases and so here they are two years later rethinking how they want to preserve some of that. A lot of that comes from outreach from the community as people were really upset about seeing it go. If the barn project doesn't go through for some reason, they still don't know when phase 2 will happen, and she doesn't know if there are some misconceptions with neighbors or surrounding neighborhoods that it was being sold now. It is not being sold now, and that was not their intention as their parents still live there and will continue to live there until something changes with them. The issues they see with the current plan are that the property on 10400 S is commercial. If you look west on 10400 S it is commercial on both sides of the street really, but specifically on this side of the street. On the east side, you have all those homes that were torn down, which is now UDOT owned land. It is not going to be sold for homes again, those homes were torn down for a reason. UDOT sits on that land, and how she sees it, that's prime commercial for UDOT at some point; that is not ideal

for housing. Something to consider is that once this turns residential, it stays residential; that open space is gone and it is really needing to be preserved in South Jordan. Their goals with this project are to preserve their heritage; her parents have been a big part of this community and supported South Jordan for many, many years. Their goal is to have open space preserved, which they know is a goal of the city's. Something that the mayor pointed out during their study session is that often times people approach the city to pay for open space, and they are not asking the city to pay for any of it; she is asking to preserve it on their dime, and they think it is a community need. There is not anything like this in our area. In order to do this, they have to have a business opportunity to support the open space, they can't just sit on land and leave it, that doesn't make financial sense for their family. She wanted to touch on a few things Planner Drozdek brought up, things they have heard from neighbors during open communication as they have been happy and thrilled to have everyone's input because they want this to be a wonderful place for the community. Traffic was a concern that was pointed out, the flow with the parking. Noise is a concern, lighting and security was a concern with neighbors worried about devaluation of their property, and the rezone of the phase 1. Another concern was that if this becomes commercial, does that open the door down the road for a Maverick's to be put in. Their updated version of the plan and development agreement was done with the community's input and includes purchasing two retail lots back into this for more parking as there will be no overflow parking, they have gone above and beyond on the requirement for parking. Parking is determined off the square footage of the building, so they are way above the requirement for that and they have space to have more if they needed it down the road. The reason they purchased those two back was because they heard complaints about parking and noise along Alexander, so they pulled that away from Alexander to put it on 3200 W; the only access will be off of 3200 W as Planner Drozdek mentioned. They have worked with a sound engineer and will continue to do so, along with being required to use special insulation. They have exceeded landscape requirements, adding water features to help absorb sound. They are putting up an eight foot fence, which is not required but they felt would benefit everyone. They have controlled amplified live music, it is only allowed indoors and during certain hours. Security cameras will be added, they have a photometric plan and lighting will be shielded from neighbors and surrounding neighborhoods. They have spoken with and met with the fire chief, also the city engineer, to go over the fire truck requirements because of the concern of neighbors not wanting access onto Alexander; they felt the plan was sufficient with the provided turnaround and no crash gate, there are no concerns from the fire chief or engineers. The residential lots on the plan in Attachment Z will remain the same size, there was a misconception going around that those were being changed and that is not the case. Those lots are sold, there are house plans done, that is not changing. The reason it has to change with the rezone is because of a technicality, when it was rezoned initially it was taking into account the whole property; when the property size changed, the density changed and now requires a new zone. This does not change the layout or lot sizes. To address concerns about devaluing property, they have spoken with and done some research with several different real estate companies and you can ask her parents, it's pretty miserable to live on that corner now. It's not like it was when they moved here 55 years ago. The bigger concern with the devaluing of homes is the types of homes that are put in around you; do we think a \$2 million home is going to be built on 10400 S, absolutely not. They feel the quality of homes won't be up to the standard of the neighborhood and it will devalue their property. Property values of homes near reception centers in residential areas have actually increased their property value, so with a property like this with well maintained grounds, limited hours as it is not a retail business with traffic coming

and going; it is a quiet neighbor for the most part that is well preserved and open space. If there were ever a use change to the facility, it would require going through this process again. There has been some misconceptions that “once commercial, always commercial,” and that’s not how the process works. They wanted to show some comparables to other reception centers in the area, they are not the exception as this is exactly what is done; reception and event centers are put in residential areas because they are a need for residential areas. She showed pictures from Attachment Z of different event/reception centers in the area including Wadley Farms, Knot and Pine, Walker Farms and Magnolia Grove which happens to sit on the same street of this proposed event center; all of these shown are in residential areas. They have done their significant research with a lot of venues, the way they control things is with their contractual agreements and that controls the noise levels and all of that. That being said, she wanted to end by saying there is an overwhelming majority in this community that have significant ties to this property in some way. There was a gentleman that came to her parents afterwards to pay them for feed because he said the animals had been therapy for him over the years, and that goes on and on; there are similar stories shared all the time and they feel it is a need that can continue to benefit the community. She shared a statement from her parents:

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

Commissioner Bevans noted that in the presentation, Ms. Visser indicated they were purchasing back two lots; she asked if they had already made that purchase from the developer.

Ms. Visser said that purchase is contingent on this passing.

Commissioner Bevans asked about controlled amplified music only being allowed indoors, she asked if that means there will be speakers for other kinds of music outdoors.

Ms. Visser said live music will only be indoors, and the way other venues do it is with a contractual agreement with the customer regarding not exceeding a specific volume level; she believes that is in the development agreement as well.

Commissioner Bevans asked about the staff report referring to animals on the property, and asked for more information.

Ms. Visser said they were thinking about three to four smaller animals, just as a reminder of where the property came from. They wanted it to be an option for possibly seasonal things, just to remember what her parents had there. In the development agreement there are only certain types of animals allowed, they couldn't have large animals.

Commissioner Bevans asked if the animals will be housed on the property, or brought in and out for events.

Ms. Visser said possibly both, they haven't really settled on that yet.

Commissioner Bevans asked staff, based on the site plan, how close entrance to this property is to the entrance of Harvest Villas.

Planner Drozdek said it's right across from the entrance.

Commissioner Bevans asked if anything had been done yet to mitigate any concerns for those residents getting in and out of their neighborhood when there is an event going on, we know 3200 W can get a little congested during peak hours.

Engineer Nielson said there is no mitigation. Possibly when an event releases there might be a delay, but there is an alternative access on River Heights Drive.

Ms. Visser commented that many times capacity changes from a flowing reception to a seated reception; they would limit the capacity of that so there wouldn't be all cars leaving at once. She also pointed out that the entrance was lined up this way even with the residential planning.

Commissioner Bevans asked if her goal is to have the flowing receptions only, or will they be doing both.

Ms. Visser said that if they do a seated event, it would be limited numbers.

Chair Hollist asked if the number of attendees for different kinds of events was in the development agreement.

Ms. Visser said she doesn't believe that was in there, but they could add it.

Chair Hollist asked what Ms. Visser proposed.

Ms. Visser said she believes it is based off the capacity for the building, set by the city; it would also be based on the fire code.

Chair Hollist asked about the claims in regards to property values increasing in Attachment Z, what sources do they have and where did that come from.



Ms. Visser said they have spoken with several different realty companies that have validated that. If the commission would like, they can submit some related information.

Commissioner Catmull mentioned the economic infill opportunity land use, he noted that it is supposed to “support and bolster existing uses.” He asked how this facility would support and bolster the existing uses in the general area.

Ms. Visser feels like it’s supporting the need for open space in the city, at least that’s their goal with this. They don’t want this torn down or a Maverick’s there more than anyone else. They are trying to preserve a piece of South Jordan history, and their family home and barn; giving good use to us and giving something back to the community. We don’t need more homes, we need open space.

Commissioner Catmull said normally the response to that centers around retail, and how it helps that locally because this is an economic infill opportunity. This will have an overlay with an agreement, but the overall land use being changed before that is an economic infill opportunity. He said there are no wrong answers and Ms. Visser noted she might not be understanding the question. Commissioner Catmull clarified by asking if there is synergy or reasons that having this here aids the other retail or commercial properties around it.

Ms. Visser noted that up the street is a wedding retail store, local floral shops, restaurants, all of which exists in close proximity just up the road.

Commissioner Bevans asked, since the existing home is not included in this, if staff have concerns about this island of one residential lot here and the future use.

Planner Drozdek said this is an existing use, there are no changes with the use and therefore no concerns with the home as is. As far as future, it will have to come before the planning commission and city council again to determine if it’s appropriate.

Ms. Visser responded that while they really don’t want the barn torn down, they even more don’t want the home torn down. The idea is to include it into the project, possibly as an overnight wedding party accommodation. Their goal is for the home to stay. It would be included with events, not rented out to random people.

Commissioner Bevans asked if there is any way this can be included in the development agreement, so this property doesn’t end up going to another commercial developer.

Commissioner Gedge questioned if this would even be an allowed use for this home and space.

Chair Hollist said not the way it is now, but if this zone change is made it opens it up to more.

Commissioner Bevans said that is her main concern with that piece of property, what that will turn into down the road.

Ms. Visser said they know this is a concern, and they intend to incorporate it into their plan. It doesn't benefit them as a venue to have a Maverick's there or something that will create more traffic or take away from what they're trying to preserve. Her parents live there now, so they don't currently have a time frame for when the home will be empty.

Commissioner Catmull asked for an estimate of the timeframe to execute the development agreement, if approved.

Planner Drozdek said it will have to be signed before the city council meeting, scheduled for April 19. If approved, it would just need to be signed and recorded.

Ms. Visser said it's a hard question to answer as they want to jump on this project, but she thinks maybe a year or two for the project. The barn has been a working barn, so they have their hands full; with their vision, they want to be careful and make sure they do things right.

Commissioner Catmull said he was asking because recently they had something come up that was almost 10 years old. They had to refresh the general plan, since that's the main way we communicate the intent of development in the city; he wanted to get a feel for the timeline on this project.

Ms. Visser said their intention is to start soon. They are purchasing this from their parents and they want to get started as soon as possible. She is not super familiar with how long the process is with the city.

Commissioner Catmull asked if they would be seeking any temporary liquor permits.

Ms. Visser said they will not hold those. Other venues hire out a bar service to handle things like that; they would not be distributing that themselves.

Commissioner Bevans asked if the venue is required to hold any type of liquor permit to have those companies come in and distribute onsite.

Commissioner Catmull believes it's a temporary permit.

Chair Hollist opened the hearing to public comment

**Adam Stanley (Resident)** indicated he was representing a group, and that Kurt Jenkins has ceded his additional time to him. He lives on the crossroad of Bison Ridge Road and Alexander Park Lane. He is from South Jordan, he and his wife grew up here and went to Bingham High School; their families have been in this area for 40+ years as well. They are well familiar with the area, it just happens that he is now a resident who is directly adjacent to this property. His mother has also moved into the Harvest Villas neighborhood and her home is directly across the street from this property, and she faces this property as well. He is here representing the large collection of neighbors in all of these neighborhoods that are opposing this proposition. He brought in a list of approximately 70 individuals and households that have given signatures,

showing their opposition to this proposal (Attachment AA). To be clear, they love and value the Jones family. They have loved living near their open lands and animals, and of course their barn. They were saddened a few years ago to learn that they had decided to sell their land. Neighbors were informed that the land was being rezoned to R-2.5, which he believes has been brought up this evening, allowing multiple residential lots to be developed. He submitted a few images before the meeting, one referencing the original development as proposed just a few years ago (Attachment D) and a few emails expressing his concerns (Attachments C and S). This was how they understood the plan was going to be, and they were not opposed to it; after all, if not horse property or farmland, it seems residential should exist within a residential area. Honestly, as neighbors and residents, they have felt blindsided by this proposition of a reception center and this proposed change to commercial property, essentially within their neighborhood. They feel there has been a misrepresentation that the neighbors want the barn torn down, this could not be further from the truth. What they are against is the land being rezoned to something of commercial, and the affects that will have on their quiet, low traffic neighborhoods. He also provided a list before the meeting of 35 other reception centers in Salt Lake County (Attachment BB). Of those 35, only one or two actually border any kind of residential property; Magnolia was shown with residential on the back side earlier in the meeting, there is one other with one border adjacent to a reception center in Salt Lake County, everything else is commercial surrounding it. This proposed reception center, as presented, borders all residential neighborhood and this is unprecedented for any property they have found within Salt Lake County; he doesn't know where the other properties are located that were shown tonight. Regardless of the owner's current plans for the property, and regardless of verbal guarantees, there are never guarantees in business endeavors. One of their major concerns is what will happen to this property in 5-10 years if the business does not do well. If it is already zoned commercial it can be easily sold to another commercial project, which has mildly been addressed; once the dominoes start to fall, the rest fall more easily. Additionally, the Jones' residence, as was shown on the north side, is to be kept residential in the current plan and they did have a question of what the plan for that was. Bottom line is keeping the land zoned for residential is the only plan that actually guarantees unwanted commercial real estate not ending up in their neighborhood in the future. To address the concerns regarding an actual reception center, he wanted to bring voice to them from his side. There is no mention in the initial plan submitted to the city regarding traffic and parking. They contacted many of the reception centers included in the list he submitted (Attachment BB), including Magnolia, Cottage Charm, Aspen Landing and Azalea; most of those have more than 100 parking stalls, and all are near other commercial property that lends their parking as overflow on those evening which is used on a frequent basis. Although we know 100 stalls technically exceeds city code, where will the extra cars go when overflow is needed; that will be 3200 W, Alexander Park Lane and Bison Ridge Road. This is a safety hazard and an issue. They know it has been suggested that "no parking" signs be installed. His son plays football at South Jordan City Park, and they know parking there is a constant issue; the neighborhoods across 2200 W have "no parking" signs and every single week there are cars parked in that neighborhood. He is sure the residents of that neighborhood can verify that, because he sees it every week. He also provided an image of some traffic data they pulled off of UDOT's website (Attachment BB), and you can see on there that on 3200 W between 10400 S and 11800 S there is a very low daily traffic flow when compared with surrounding streets. Other reception centers have a much higher traffic flow, suggesting commercial does bring in more traffic.

Assistant City Attorney Greg Simonsen interrupted and said it's very important to get Mr. Stanley's images up. He has referred to them several times, they are important to him, so he asked if there is any way we can get those up.

Commissioner Gedge noted that the images were sent to the commission, but they didn't appear to have been submitted for presentation.

Planner Drozdek said he had one file Mr. Stanley sent that couldn't be opened, and he responded to the email asking for him to send it in PDF format.

Mr. Stanley said it was sent back in an Excel file.

Commissioner Bevans confirmed it was sent back to her as an Excel file, but she was unable to access her email at this time.

**Commissioner Gedge motioned to allow a one-time exception to the time limit for this speaker until the issue is resolved. Chair Hollist seconded the motion, vote was unanimous in favor.**

Mr. Stanley said they are concerned about inviting more traffic into their neighborhoods. Currently, there was indicated only a singular access point for the reception center in the plans for the entrance and exit. As residents, they are kind of in a "what-if" planning stage for the future; if there does end up being an additional exit required, where will that end up being. There is no right turning lane on 10400 S from 3200 W, traffic will get backed up there very frequently and Bison Ridge Road and Alexander Park Lane are most likely to absorb that congested traffic. Currently, they see it on a daily basis, when that light gets backed up during peak hours of the day traffic will cut through their neighborhood; that will only increase with this change. One question, from his mother's standpoint in the Harvest Villas neighborhood, is whether they will have additional property removed from their side to make road improvements in the future to accommodate this, as that has already been done in the past. It just does not appear that due diligence has really been done regarding traffic and parking with this adjacent to a residential neighborhood. Lastly, obviously noise is a huge concern with them in proximity, coming from this area. There is an outdoor space, there is an outdoor venue that certainly is going to host music. He knows it has been said that amplified music will only occur in the barn, and certain changes will be made, but he just doesn't see how a barn can really contain a large amount of volume or music on a consistent basis that won't interrupt the surrounding property. They have seen on the proposal that the property will stay open until 11:00, and they are concerned, even if they say the music has to be turned off at 10:00 P.M., will it really be turned off at 10:00 P.M.; what other noise will occur with the crowds and the parties. It's very evident these are not just come and go wedding receptions for open houses, this is an event center and can host many, many other things. In conclusion, he hopes that if the members of the commission are going to consider the owners' feelings of sentiments regarding their property, please consider the feelings and concern as neighbors and the negative impact this commercial type of property can have on their neighborhood. For all these reasons, they as neighbors are requesting that the commission recommend against rezoning this land to commercial, and ask them to "please protect our residential neighborhood." He also noted that they weren't referring to Magnolia as a reception

center that bordered residential because it lies on 10400 S almost exclusively; if you want to lump that in there, it would be the second property. The only other one was Cactus and Tropics down in the Millcreek area. It does feel that in Salt Lake County, the proposition of this being in the middle of a residential area is really unprecedented for this county. He doesn't have any details on the other properties, if they are in Utah County or more rural areas. Regarding the UDOT info off the internet, that was as of October. This information in Attachment BB is showing the low flow of traffic on 3200 W which is directly west of this property, between Harvest Villas and Alexander Park Lane; it also discussed the significant amount of traffic that is associated with the other types of commercial areas.

Attorney Simonsen asked before we moved on if we had Mr. Stanley's documents for the record, he wanted to make sure they are saved.

Commissioner Bevans indicated she had them and would forward them on.

**Dave Freiss (Resident)** represents the development group that bought Jones' property to the south of the reception center. A few things he wanted to make clear as the developer were that the lot sizes, even though they are asking for the rezone to R-3 which is basically a quarter acre zone in South Jordan, are not changing in size; they will all remain one-third acre lots. The plat as everyone sees it, and as is constituted, should be recorded in the next two to three weeks; they will be building houses and doing development there on the south end of the property after that. As a developer, he thinks sometimes property values get misrepresented in these meetings; they are not going down, they are going up at an alarming rate and we all need to slow that down if anything. Regarding traffic, it's getting worse everywhere and this development will not be negatively impacted for traffic, and the kids are not going to die on the sidewalks. He thinks this is a really good solution, and the idea of rezoning this to a commercial zone and having something like a reception center that does preserve open space in South Jordan that is also a landmark icon is good as well. He has lived here his entire life, he lived in Glenmoor which was the west side of South Jordan with dirt roads all the way around; however, really the west side residents of "pure" South Jordan was the Jones'. We have seen the photos, it has been here for a long time and he thinks we would be better off to see it remain in some form and some tact, something to remind us of what it used to be. He thinks that is one thing we are going to see disappear more and more, and just because we zone it as a commercial building does not mean that it can't change; putting houses there wouldn't necessarily change that. We have developed properties where we've demolished five or six homes to put something different there. It's influx, it's change, and it will be that way forever; hopefully we can preserve something really cool in South Jordan.

Commissioner Gedge asked Mr. Freiss, as the developer, to confirm what the applicant stated, that they are in agreement to sell back the two lots that have been mentioned to increase the parking.

Mr. Freiss confirmed that yes, they are.

**Bela Eliason (Resident)** lives right across the street from the barn. Looking around the room, at the people raising their hands that they are in support of this, she doesn't see anyone she

recognizes as living around the barn. While she thinks that hearing different opinions is very important, in this case she thinks that those who should be heard are those who are directly impacted by this. Not only the directly affected properties in the neighborhood are opposed to the project, but the majority of the neighborhood disagrees with the proposed rezoning and plan. In order to better understand what is being proposed, she actually took the time and went through the general plan of South Jordan, reading the whole thing, and she wanted to share a few definitions that stood out to her. The first one is for the term “stable neighborhood,” which is the current zoning of the property. While talking to her neighbors, she realized that a few of them were told that if they didn’t agree with the event center they will probably end up with something much worse, like a gas station or a Walgreens. For that reason she thinks it is important for everyone to understand what the current zoning is, and what that means. She referred to previously submitted images for the definition of “stable neighborhood” (Attachment G). The reason they moved into an area zoned “stable neighborhood” was because they wanted just that, a quiet place where they could enjoy the benefits of knowing who is on their streets. The Jones’ farm is surrounded by residential land on all four sides and she had a map of that (Attachment J) with the black lines showing the Jones’ property, and the rest being residential on all four sides. In order to respect the general plan and maintain the same quality of life for the neighbors, it defies reasonable expectation that it would not stay residential. The proposed rezone is “economic infill opportunity” and it has been mentioned before that in the general plan it defines it as shown on her presented image (Attachment H). As she mentioned before, the Jones’ farm is surrounded by all residential area, with no economic centers nearby. If this rezoning goes through, they are not only worried about the impact the event center will have in their daily lives, but also possible future development. There are no guarantees that this business will be successful, or that the Jones family won’t change their mind again, and they believe such a rezoning would make them vulnerable to who-knows-what future developments. She understands this is an emotional issue and they respect the Jones family. They love to hear their stories, but they demand the same respect for their families and stories.

**Scott Lloyd (Resident)** wasn’t originally planning on speaking tonight, but he is here as a neighbor living just to the south on Bison Ranch. He has talked to some of his neighbors in his cul-de-sac and they are okay with him talking and representing a few of the neighbors, specifically the Dahles and the Christensens who raised their hands and agreed to cede their time to him. In talking about how they are setting this up, and talking about the land, when he moved out to South Jordan he had seen the bison and elk forever and really enjoyed that. If you talk to anyone through South Jordan, that is what it’s known for with the Jones family. As the family began to sell parts of their land off and zone it for residential, it was to be sold at that time as the area where he is living, to be developed in a residential area. With that residential increase, obviously financial gain was received at that time, not needing to sell but at that time choosing to. As the new development went through in Zone 1 or the development portion of Zone 1, into Zone 2, the idea was there would be residential areas when it was first classified, and it is right now shown as a residential area. This was also the selling point, and again, the area did not need to be sold, but it was sold for a financial gain. He understands that the family wants to go ahead and have the support of that property and have that property be remembered, possibly having an event center to be able to recognize the Jones family on that portion; that is understandable with how long it has been here and part of South Jordan. With that being said, having a small petting zoo, or an area specifically for the Jones’ like a small museum is one thing. However, to change

it to an event center that is not very specific in time or label as to what's going to go on there, means this is not for receptions, it is going to be an event center. In his experience of 32 years in law enforcement and working through many cities throughout the county and community here, once you classify it as an event center it can go into anything from a truck show to a food truck stand, a wedding reception, it could be a band group or a high school gathering, anything and everything. There aren't really any specifics, so it leaves it very, very vague as to what could be put in there and there is really no limits the city can put on that, other than saying they are going to put stipulations on you; that they want it closed down at 10 and if it's not closed down at 10 they are going to call the police. It will probably be 45 minutes before they are able to get there, then when the police get there they are going to tell the event organizer 'you can't do this' and they'll respond that they're the ones renting it and they don't have the responsibility. The police will talk to the owner and the owner will say 'next time, remember don't do that.' He's only telling everyone this because this is what happens to the event centers that he goes to, and he deals with, and he talks with them, and it's always fingers pointing different directions saying 'it's the owners,' who then point back to those renting the space as an event and this is what it is. It becomes very hard, the fact that you can't label or tie that down. Now, we get into the areas where we ask if there will be alcohol or liquor being given there, having a liquor license. He is not sure how South Jordan is set up, but a liquor license given to them specifically for the event center will be hard to get. However, like they said, if they have someone on the venue that's renting and they have someone with a license that can serve liquor under their own license, that means you can't eliminate them having alcohol there. Let's add the alcohol to that event center, going in there they now have a traffic issue, and he's sure they'll do designated drivers and Ubers as that would be a perfect world, but realistically that's not what he sees on his job. When Bangerter was closed down it was already a bottleneck, and trying to get the timing on those lights was hard. Those lights did get changed, he knows because he spoke with UDOT specifically about it and they changed that. That timing, now that it's open is better, but when you're in traffic flow during those peak hours it is going to increase; he's sure that these events that are going to be presented are going to be during some of those peak times with increased traffic flow. Add to that the one access into 3200 W, on a distance he's guessing about 150 – 200 feet, but it's also on the exit from the residential private HOA across the street to the west; now you have traffic flow that will require creating a second middle lane with most likely access into that coming mostly northbound and you're limited on your southbound. You are creating a traffic headache with again only one access to this, and even further, they go ahead and sell that right corner going north on 3200 W to go onto 10400 S to be a turning lane. That's great it becomes a turning lane, but it will cut into the home on the corner. In a perfect world, everyone pays attention in traffic, they let people turn into these areas and are really courteous when they pull back out on to 3200 W, but that's not realistic, it's a traffic flow increase. Now add an overflow with a big event, they tell their wedding guests that only 98 can come and the rest will have to look by Zoom or something. That won't happen, they will still come and park in the residential areas; they can't park on 3200 W so they will go to the south, into the neighborhoods where they can walk into that area and be part of that reception. This puts things in his neighborhood, and like the two prior speakers here, the residents here are the ones actually living here and impacted by it. He doesn't mean to discredit how the Jones' whole setup is going, it has been a great asset and it's been his whole life he remembers it, but they chose to go ahead and start selling it, they chose to get the financial gain from that; with that financial gain it was working out well. He doesn't know if the people buying the new properties were able to be told

that “by the way, you just bought yourself a great property, your house could be worth \$1 million, but we’re also going to go ahead and put an amphitheater or event center right next door that we can’t tell you what’s going to be there. It might be middle aged or high school concert bands, or a car show or a car club, we can’t tell you any of these things, but we promise you we will work really close with you and we won’t change the zoning when we do phase 2 and we won’t sell that off. Now we’re going to do phase 2 because we want to make this event center bigger and we are going to add that, make our parking lot bigger, and now we have a bigger spot in that same area.” As a city council and as a commission, dealing with the zoning side of it, once the foot is in the door they can go ahead and expand, do the things they want to do to build it and make it bigger and better at their benefit, their financial gain, and not what it is for the city of South Jordan and the residents south of there that are there for a quiet community. We have plenty of green space in a lot of different areas.

**Arla Roloff (Resident)** has been a neighbor to the Jones’ for about 45 years and when they moved out there, there was no asphalt that went to their house, they just drove down a dirt road. Things have happened around here that maybe they didn’t like coming along either, but things change, times change, and she thinks it’s only fair that we allow the Jones family to make some changes to their property if they would like. They don’t want people parking on their streets, nobody does she doesn’t like things on her street sometimes either; it happens and she thinks we all just need to move along and realize that progress is there. It would be nice if we allowed the Jones family to maintain some of the things that brought us all, that we loved out here originally. Everybody used to love to look at the elk and the buffalo, no matter where they were from; everybody walked down to see them. She thinks that is something we all need to remember, that the Jones family did bring a lot to us here in the South Jordan area and we need to allow them to make some changes in their property if that’s what they would like to do.

**Ben Eliason (Resident)** lives directly across from the proposed property changing. As someone with a busy work schedule, who often ends up working late, he is fortunate to be able to attend. Many of their neighbors share their concerns, they wanted to be here but couldn’t. His property sits just east of the Jones’ farm, currently zoned as residential property. He and his wife, along with their two kids, moved to Alexander Park Lane in the summer of 2017. His two kids have learned to ride their bikes along this quiet road where there are houses on one side and buffalo on the other. Families, including his own, enjoy taking walks through their neighborhood, along its peaceful residential sidewalks. His kids have loved to see the pony and Amy Jones loved that people loved her miniature pony and expressed the need to keep it for that reason. In their four plus years, he never imagined the city might allow their neighbors to rezone this to commercial. What is more, the owners actually repeatedly reassured them that it would remain residential. The problems of a reception center venue, as you may well know, are various; creative wording that builds this proposal as green space or an important historic monument glosses over the fact that opening a commercial zone in their neighborhood will draw large crowds, just as other commercial and reception venues. Such businesses are common in South Jordan, they are businesses; he doesn’t believe the public will be able to enjoy these premises as they would a park without paying a fee. Some supporters of the new construction who look forward to driving by the beautiful green space are likely to be disappointed by an eight foot wall proposed, surrounding what are now being referred to as gardens. Larger reception venues are not an investment in improving the larger community, except for those with the means and motivation



to access them or profit off of them; this could include caterers and through tax revenues. He would expect the outdoor elements to the plans to have greater than usual impact on our neighborhoods in terms of noise. The first three rules of real estate are “location, location, location;” what makes a location attractive is often its distance from highly trafficked commercial centers. It is not the Jones’ or the Vissers’ job to protect his considerable investment of time, energy and money in his home, whose value and livability is so tightly linked to the feel and nature of the surrounding neighborhood. Zoning laws are intended to favor existing properties over new constructions, which may negatively impact adjacent homeowners. Please consider your duty to uphold the letter and the spirit of the laws of zoning in this matter, we implore you to protect our homes against opportunistic commercial encroachment.

**Doraleen Rich (Resident)** will be the recipient of the traffic jam because she lives right on the street that goes directly in to the reception center. First of all, she has a question that she would like the commission to clear up for her because she is very confused. She has lived in her home for five years, in the last three years she has received three different letters to rezone the Jones property. How many times can the commission have, and allow, rezoning of the same piece of property; she would like someone to answer that for her to clear her mind up.

Chair Hollist noted that will be answered after public comment.

Ms. Rich said another concern is, if the Jones wanted to have open spaces, why have they sold off all the properties and given her the opportunity she is very grateful for to live where she does, because they sold something off. If they want to preserve a barn, the most interesting thing she has ever seen is turning it into a residential home; don’t turn it into something commercial. She agrees with everything that has been said, and she has talked to a lot of people; once you open a door, the door is opened, and does the commission have the right to close it. She doesn’t believe the commission has that right, but she doesn’t know. She is kind of tired of her tax dollars going for all of the work that was done on the Jones property to widen 3200 W to the condition it is, and now they’re talking about doing some more; is that going to be her tax money, to widen that and the mess that it causes. She is concerned about the traffic for the people in those nine homes, she doesn’t see an entrance into those homes, where does that come from. Is the entrance for those residents into those other properties going to add more congestion, and will they be able to get their friends and neighbors into there. She thinks this is a desire to preserve something, but it’s very narrow minded because preserving a barn doesn’t count for all of the residential properties around their area.

**John Adams (Resident)** is very close to the east entrance of their property. He knows he has spoken to a lot of their neighbors, he wasn’t planning on standing up here this evening, but he wanted to reiterate their concerns about the traffic flow. He thinks the officer did an excellent job talking about the traffic flow along 3200 W and 10400 S. He knows during the daylight hours, yes, it is not very congested. However, in the mornings, from about 7:00 A.M. until about 9:30 A.M. trying to make an east, or right hand turn, is almost impossible because there is a bike line there and the lane that you’re in goes straight through or you have to turn right, and that’s where the bottleneck is; that is really a concern to them. It was mentioned earlier that yes, Harvest Villas has two entrances, but he wanted to comment to all of the commissioners that about a year ago, South Jordan put an island that goes west towards Costco, and Hidden Valley Drive goes

south. Prior to that island going in, any of the residents that lived in that community on that particular road could turn left; and then those of them wanting to enter the west side of their Harvest Villas property could no longer do that. If you want to go down that way, into their west gate coming eastbound, cars have to go down to the stoplight, go into Walmart, U-turn and come back, and then turn south; or they can go into Costco and do the same thing. Even though they have two entrances, it is very limited, especially in traffic conditions. His ask would be to not rezone, to keep it residential. Regarding putting in an eight foot barrier around the property, it makes him feel like they are not preserving open space, that they are basically putting up a compound because they are not going to be able to see any of that open space.

**Kristen Maylett (Resident)** lives south of the community and has lived in South Jordan for almost 20 years; that barn has become a landmark for them, for them to show their kids and take everyone by there for years as many have said. She has a daughter that is getting married, so they have been looking for venues; her fiancé is from South Jordan, so they would love to have a place here that they could have the reception and have a great venue. They looked and looked, and they couldn't find that here, there wasn't something that met what they wanted. They found something similar to what the Jones' are proposing in Utah County, they went that far for something; there is nothing like this in South Jordan, there is a need for it. There is a need for this kind of venue. She thinks the Jones' are so cautious and careful of preserving this barn. There have been some comments of what kinds of events they would hold there, they have been so cautious of preserving the area and honoring the community; they are doing whatever they can to make sure that the venue provides that service for the community. The venue that they found in Utah County, like she said, is similar to this, it's right in a community surrounded by homes. There is a requirement that they are out of there by 10:00 P.M. They have watched their parking, watched people come and go and they've seen all of that happen. The neighbors are fine and it has become a great source of bringing the community together by having that facility, Walker Farms in Utah County. Just watching that, and seeing what's going on here, she just thinks this is a positive, wonderful thing for our community if we look at it that way. The flow of traffic comes in and out, it doesn't go all at once; even if there is one event that they all leave at one time, people just don't leave all at the same time, they stagger out. Everyone talks, and that's just how it is. She feels like this is a great way to bring our community together. The wall is just a way to help with the sound, it isn't a barrier. The facility they found has the same thing, and it isn't a barrier; it is beautiful and wonderful. She thinks we should give the Jones' an opportunity to do this, after they have given so much to the community and when their interest is to make things better.

**Landon Anderson (Resident)** has been a resident of the great city of South Jordan since elementary school. One thing he wanted to say at the beginning, with regards to the traffic problem, he would be grateful for this project to move forward. What this project does is create that right hand turn lane, going from 3200 W onto 10400 S. Someone earlier talked about the congestion in the morning, he sees it all the time on his drive to work; that is part of this, to alleviate that traffic problem. Going back to his time growing up as a student at Jordan Ridge Elementary and South Jordan Middle School, some of his oldest memories are the field trips they would take, walking to the Jones Family Farm. Those trips always included a tour of the barn, which over the years has become one of the last remaining memories of his childhood. You can see the difference in South Jordan today versus 30 years ago, there is not a lot left that was

originating here. In fact, he would be interested with the South Jordan City Ordinance Chapter 17.124 of the historic site lists preserving buildings that are more than 50 years old; he could only hope to preserve this historic building as it is now. He thinks the plan the Jones family has brought forward is a great medium ground, and alleviates a lot of those traffic issues brought up as well.

**Jared Bolduc (Resident)** and his family are actually one of the lots that is still remaining to be built on this particular development. They put their original deposit down on this residential area, with the understanding that it was going to be developed into all residential houses; they would be moving into a neighborhood with the due diligence that he and his wife did, understanding the current traffic patterns and everything associated with that. One of his concerns, among many that have already been brought up, is the traffic. It is going to be nice to have a bunch of “no parking” signs down his street, which he is not really excited about, but it’s the traffic. It is the cars that are going to miss that entrance to turn into 3200 W, or who won’t be able to, and then have to re-loop around and go through his street on Alexander Park Lane. With this proposed change, to say that kids won’t be killed on the sidewalk is nice when it’s not your kids. It’s easy to say traffic won’t be a concern when it’s not your neighborhood, and it’s easy to say that this will really preserve a lot of open spaces when it’s not a park. One of the things for him, that he really lives by because he has been a bit tainted by this, was that there was a contract signed that they were all going to be houses in a residential neighborhood; that has been changed since he put his deposit down, and he is stuck there with his family. Any verbal guarantee that traffic won’t be an issue isn’t really sufficient. He is a real big believer in actions, and they speak louder than words. One of the things he would propose, as there is a precedent set around the neighborhoods there at that particular stoplight, is that they would potentially make Alexander Park Lane a private lane, along with the neighborhoods that are just west and northwest of that particular neighborhood. That would ensure the safety with traffic issues, along with the parking issues that would also come with this potential change. For him, one of his last questions is that they mentioned a lot of different reception centers in neighborhoods, but has anyone gone and asked the neighbors in those neighborhoods how they felt about the reception center.

**Lorie Benson (Resident)** is seven houses from 10400 S. She wasn’t planning on speaking, so she actually isn’t prepared, but something was brought up that really kind of made her heart start beating. She has actually spent the last few months trying to talk herself into being okay with this reception center. She has been listening to all the positives and saying it won’t be that bad. There are a lot of concerns with traffic, lights, sound, etc., but the minute alcohol was brought up her heart started beating. She spent almost four years as the executive assistant to the VP of Marketing at Associated Foods, and her main job was arranging their buying show and event planning. She planned about 10-12 events a year and worked with alcohol vendors at every single one of those events. The one thing they always mentioned to their alcohol vendors is to please keep tabs, try to limit the amount of alcohol, and not once did they do that. They would guarantee them they would do that, and not once did they actually do that. They had fender benders outside the Salt Palace, she can’t even tell us the amount of issues they had with people leaving the event completely intoxicated. That’s concerning to her because she lives right behind it. She has a 19 year old, a 17 year old and a soon to be 16 year old driver, as well as a 12 year old who will be driving soon as well. Knowing that they will be coming home between 10 and midnight on weekends, or even weekdays after musical rehearsal or ballet practice, and knowing

there will be intoxicated drivers leaving this event space is extremely concerning to her. She has really appreciated the Vissers, they have kept an open line of communication with them and that is something she would like addressed. She wants it on public record that is a huge concern to her, and she's guessing several in Bison Ridge and on Alexander Park Lane.

**Paul Jacobsen (Resident)** There have been a lot of reverences to an old barn; it is an old, very dry barn. They want this to become a public building. He built a public building and was required to build it to a completely different standard than a residence or a barn; he would hope that South Jordan would commit themselves to make it up to the quality of a public building that wouldn't burn down and kill everybody. This would include electricity in conduit, better materials that are fireproof, fire breaks in appropriate places so it can't spread; that barn could go up in 10 minutes and nobody could get out. He is concerned about that, and there is not one person that addressed that, but they've addressed an old, dry barn and he thinks that overrides their nostalgia.

**Kelly Cooper (Resident)** wasn't planning to speak tonight either, so isn't super prepared, but she is in agreement with what her neighborhood spokespeople have said in speaking out against this project. She thinks a point she'd like to highlight is that some of them have felt misled and things have been misrepresented; obviously things have changed many times, that's a little difficult for people who are not really kept in the loop. She wanted to touch on the misrepresentation thing, and she has heard people bring it up to an extent, but she wanted to pose it more in terms of a question. She has heard both Ms. Visser and the developer building the homes speaking about preserving open space. She did a quick little search, and the definition of open space is "a piece of land that is undeveloped and is accessible to the public. It can include green space such as parks, community gardens, cemeteries; it can be school yards, playgrounds, public seating areas, public plazas, vacant lots, etc." The implication of the term open space implies that it is open to the public, somewhat free of charge with maybe a minimal fee. To her, a reception center is not preserving open space; it is clearly a business opportunity, it is to make money. Her question to everyone is, open space like parks, trails, etc., are those zones considered commercial, are they zoned commercially or is that a separate zoning for green space/open space; how does a reception center, as a business proposal, fit into preserving open space.

**Chad Pearson (Resident)** and his wife built their home in the Bison Ridge subdivision. They loved it because of the larger lots, and it's just a beautiful location; they have always appreciated the bison, elk, etc. His profession is as a Certified Residential Real Estate Appraiser, he has been doing that for two months shy of 28 years. In 28 years, he can without hesitation tell us that this will negatively impact the homes directly by this property. The light, the activity, the music, the alcohol, the traffic will get backed up during those events and those vehicles will access Alexander Park and Bison Ridge Road; there is no way around that, this will negatively impact the value. He feels that the city has a duty to respect the large investment of all of the people who have already purchased property there, and to protect that investment for them. You would expect this type of rezoning to occur only in areas that have already experienced decline, we are not in decline, Bison Ridge and this area is not in decline; it does not need revitalization. While he is very fond of the barn, the animals and the open space, this type of venue needs to be somewhere else. Unfortunately, he is sorry but "location, location, location;" you cannot move location, that is permanent.

**Luanne Jensen (Resident)** has resided in South Jordan for just under 49 years and if you want to talk about change, let's talk about change; it all hasn't been for the good. The farmers out here, other than one, were all World War II Veterans; they sent their money home and their dads bought property, they then came here and developed it. They farmed it for a lot of years, and then the city got a little bigger, and bigger. Then we decided we needed to widen roads; people on 10400 S, the 32 homes that Megan mentioned, were taken out. Did they have a choice? No, they did not; UDOT came in and said this is what they were going to do, like it or lump it. They didn't like it, and they lumped it. Of the 32 homes, only two families were able to stay in South Jordan, the others had to leave. UDOT gave them fair money, she was involved in some of it; UDOT was very nice to them, but that was not the issue. The widow that lived at Alexander Place, Gene Bateman, was forced out of her home by UDOT; she had lived in that home for 53 years. She moved on 2700 W, just by Monte Vista elementary, and went from 7 acres to 1/3 acre; it about killed her because she loved it, she built that home and was the first one on a dirt road that went clear down to Redwood Road. The kids walked down there and went to school. She had to leave, and seven years later she died of pancreatic cancer. She would have loved to have been in that home until her death, but it didn't happen that way. So yeah, she ended up selling her ground, she didn't really have any choice; she sold two acres to UDOT, got a 10 year old home on 1/3 acre, and had to pay money to do that. She has seen so much commercial, her first real battle was the Maverick's on 2700 W and 10400 S. Her time to speak was running out, so Clark gave her his time and she continued. She didn't like a lot of the commercial coming in, and when the farmers started selling their ground, she told one of them that she moved out here to have the utopia they already had and asked what they were doing. They responded that they are retiring and they need the money, and she appreciated that. She is very happy that the Jones' want to preserve what she knew and what her kids knew. She is computer illiterate, but she went around and got 29 signatures of people on the north side of 10400 S and 3200 W (Attachment CC), asking what they thought about this. They have all lived here at least 45-50 years, they said this was where their kids grew up, they love the Jones' and they loved them back. She would take her scouts there, Otto would put them in the stagecoach and rock them, they thought it was great. They talked about the ostrich, the fallow deer, buffalo, all of them. People started moving out here, they shot an elk, they shot Shepps the Buffalo; did anyone care, no. They didn't care because we had to build, that's what is important out here. She just thinks that we ought to think about people who have lived here for a while, and the Jones' have; they have given a lot to this community. These third acre subdivisions were because of Otto Jones, and some of them that fought the city council that wanted to build twin homes and zero lot lines; that was back in the early 80s, and that's why most of our subdivisions are third acres because they fought for that. It is a prime corner, and if it doesn't go for something like this she guarantees us that in a few years it will be commercial there; it will be a service station or something, because that's the way all of it goes. She hopes we consider preserving the history of South Jordan, that community is a big part of it, and all of them have loved it for years and appreciate the Jones' for their hospitality they have given everyone over the years. She has decided one thing, and it might not be very nice, but the people that live here the longest get crapped on the most, and she is a firm believer in that.

**Matt Visser (Resident)** is originally from Montana and his wife is Megan Visser. He has really come to love South Jordan, and he really appreciates the neighbors that have come to voice concern to this project, and also those that have come to support it; it is really an outstanding

community and he wanted to express his love and appreciation for them. They can disagree, and that's okay, they have really tried to communicate and he sure loves them. They are willing to do a lot of things, and he kind of feels like they are damned if they do and damned if they don't. They are willing to define what an event it, as he and Planner Drozdek have talked about. Let's talk about that, put it in the development agreement, and hopefully there is no monster truck rally over there. They are happy to not do a wall; that was a suggestion of the neighbors to help with the sound. The wall is expensive, let's not do the dang wall then if that is in the best interest of those concerned. They are happy to have no "no parking" signs, the "no parking" signs were suggested by neighbors that they were willing to put up and willing to accommodate that however they would like. They are open to a discussion about no alcohol on the premises, similar to Walker Farms, if that's something they can entertain in the agreement, then let's do it. The land was agriculture for a number of years. A lot of the neighbors, almost all of them, have moved into that area with that being the status quo; at no point did any one of them reach out to the Jones family and wonder what's going to happen with that property. No one offered for first right of refusal on the property, and no one offered to acquire the property. Where they live, they have a neighbor that is kitty-corner to them who built his home looking east; he was concerned about their development going in and ruining his view. He came to the planning commission with those concerns, and the suggestion to him was he could buy land to preserve his view, and that's what he did. It is noteworthy that the Jones family still owns this property. There was a comment earlier that maybe the Phase 2 was sold, that is not true. He wishes they could preserve it without it costing anything, unfortunately this stuff is expensive. If they could just keep things as they were and have the animals there, it would be a great thing; but for them to make this viable it does have to be a business, and they are trying to make a really happy medium with that being a business that can support it, but also something that enhances the neighborhood. Regarding "location, location, location," let's not forget this is on the corner of 3200 W and 10400 S.

**Derek Bunkall (Resident)** feels he is pretty close to the property being discussed, and he is also here representing both the Bunkall and Fullmer families; he is the Executive Vice Chair of the Fullmer Legacy Foundation. They have a project currently in South Jordan Park and are trying to preserve the legacy of the Fullmers; this is what the Jones family is trying to do as well. He thinks this is what is missing in South Jordan, the history, the legacy. It was mentioned before that we do have to drive out to the Alpines of Utah to have the event centers that they provide, and the venues that they offer. He believes South Jordan is one of those top tier places in the community where people can come to and experience some of these things. His brother was just married two weeks ago, and they were limited on what they could do; it would have been amazing to have a venue like this with a history attached to it as well. He has been a resident of South Jordan for almost his whole life, about 35 years, so he has seen the change here. He attended Bingham High School and loves the history we have here. He believes the Jones family, the Fullmer family, and others like them want to continue that. He hopes that we continue forward with what they are proposing and we preserve the things they have and this precious piece of land.

**Dave Rukerd (Resident)** was one of the victims of 11400 South being widened; it is perfectly fine, they knew when they moved there that things would change, that's the way society is. He just wanted to take a quick moment to say he understands the concerns of everybody around, but

he wanted to speak on behalf of the Jones family and those associated with the Jones family, of the integrity of who they are. He has known them for a number of years now, and they are not going to shaft anyone or try and make it terrible; they are willing to compromise, to do things to make it better for the neighborhood. This is not all about money for the Jones family, they are perfectly fine; they truly want to hold on to what they have, keep a part of South Jordan alive. All of South Jordan is pretty much gone the way it used to be, they are keeping it alive, but it's reasonable as well to have something to help keep that alive; they can't just do that out of their own pocket. They are doing this for the purpose of truly and emotionally making it a nice place, and not doing anything bad for the neighborhood around them. They are willing to work with them, and as was just said a little but ago, they have gone to and talked with the neighbors; they have tried to accommodate any way they can, and they will continue to do that. He just wanted to speak on the character of those who are working with this project, that they are doing it for the right reasons and they will try to do their best to accommodate those around them.

**Brad Knowles (Resident)** doesn't want to spend too long discussing the nostalgic value of the barn to him, but it is there for him and the alternative to the barn seems potentially to be additional high end homes in the area. To him, that goes in a different direction versus preserving the legacy and nostalgia of the barn, and what it means to the community. He also wanted to speak to the integrity of the applicant personally, and just stated that with a development agreement in place he is confident that the applicant's willingness and ability to amend that as necessary, and provide an opportunity for others to review any details that may need to be modified to mitigate the concerns, is a viable avenue. Often times, in this type of a setting, the sensationalism of negative commercial impacts can come out, and to him, this venue doesn't seem too far different than many of the venues we have in our community that we call church houses. If the use here deviates substantially, or has the potential to deviate substantially from the type of traffic impacts and uses that we see with those types of venues, then again perhaps that can be whittled down and addressed through the development agreement. He is in favor of the project.

**Trish Gustin (Resident)** was a Jones originally, she is here representing the Jones family. They have gathered over 500 local supporters' signatures (Attachments DD and EE); they tried to collect these in a way that didn't create peer pressure or compulsion for support. The majority of the people they didn't know personally, but they are South Jordan residents and it is evidence on how important this is to the community as a whole. She read a few of the comments from Attachment DD out loud.

**Jason (Resident)** thinks that in this country, a man ought to be able to with his property what he wants to; it's his property.

**Diane Kelsey (Resident)** lives in the Harvest Villas. She thinks we've all enjoyed the property there, we have enjoyed the bison, the elk; she hates to see that traded for a parking lot full of cars, that doesn't honor the Jones' to have a parking lot there. It certainly won't be a thing that they will enjoy in their neighborhood. A park, yes, she thinks that would be a wonderful thing; green space that they could all enjoy. She doesn't see how this will be a park, it will just be a parking lot.

**Kris Druce (Resident)** she has lived just down the street from the barn for 25 years, close enough to bond with the elk early in the morning while they made their cow noises. One thing she thinks we need to take into consideration is what this means for the city. Everything we are talking about is what it means to the immediate, surrounding community; but this is an event venue that will be here available to all of the citizens of South Jordan, which will generate revenue for the city. She has someone who rents in the basement of her house, and they just went to his wedding at the Knot and Pine, in Lehi. It is a barn, they spent a lot of money, drove to Lehi, supported the local Lehi community because they had to get flowers and all those things from rentals to dresses to food; a lot of that came from the city of Lehi. This is a venue where we can keep our citizens here in the city, and we know there is a need for this type of event venue. She has another one scheduled in April, at the exact same place. We have all of these young people growing here, who want to get married and stay in South Jordan; let's give them a venue in which they can do that. In turn, we return revenue to the city of South Jordan and support the local businesses.

**Ronnie Cooper (Resident)** thinks people are being misunderstood. They are not trying to tear down a barn, everyone is acting like they are trying to tear down the barn. They can keep the barn up, there are no animals left and they don't have to spend anything to maintain the barn since there's nothing else there. If they want to keep the barn, and it's not about the money, then keep the barn; they don't have to sell it off as lots like they've done with all their other property.

**Kim Bass (Resident)** has been a resident of South Jordan for 40+ years, she is still a property owner here. Her home was on 10400 S and her childhood home where she grew up was torn down to widen the road to make room and allow for residents and this city to grow. She has lost her childhood home because of that. She is here to support the Jones' and their effort to preserve. She read a quote: "preservation is simply having the good sense to hold onto things that are well designed that link us in the past in a meaningful way, and that have plenty of good use left in them." She feels like this barn is that, and can be a great asset to the City of South Jordan.

**Craig Bonham (Resident)** is part of the development group with Bison Run, he owns High Country Homes and will be the one building the barn; he has also built about 20% of the homes over in Bison Ridge. He has a lot of really good friends that are here and watching tonight, and he truly loves and appreciates them and the homes that he has built for them. He has no intention of getting involved in this to ruin that home that he built for them. He knows he is standing here on the opposite side of the fence as some of these people, but the reason he does that is because he has seen a vision that has been created by Megan. A lot of times, when he goes to build a home for folks he can see the vision a lot quicker than they can, and he wishes and hopes that the folks here will come and ask questions and help them get the end put together. The eight foot fence that people laugh at around the open space is only being done for them, the people they've talked to. A lot of other silly things are also being put in for those complaining, they are willing to work with everybody and they want that to be known. Also, a lot of the homes that he has built in Bison Ridge were built on really cool lots, he had the pick of the lots in there and he picked really cool lots. In Phase 1 the lots are decent, they are back off 10400 S; there are some that are a little more challenging to build on 3200 W. There is no way in hell he's building a house on 10400 S and 3200 W. He wants everyone in here to go sit on that corner and then see if they demand building a house on that corner, because that's not fair. Megan has an awesome



vision, and he stands behind her on what they are going to do there. She is not doing this for the money. There are people saying they don't have to tear down the barn, but the barn is expensive just to sit there; if you own property, you know it's expensive. It's either residential or the alternative of making this open space. They are fine if people want to put rod iron fences up, if they want to come in and visit it, they have talked about this and she wants it to be a benefit to the community; she doesn't want it to be a hindrance or bad traffic. He thinks the unknown about traffic going down for miles is a scare tactic, as it's not fair and he thinks it will be a lot quieter and more peaceful than the first idea in everyone's heads. He invited people to reach out to them, they are willing to work with people.

**Ryan Benson (Resident)** lives on the adjacent street. He would rather have houses to be honest, but he has spent a lot of time with Matt and Megan talking about this, to understand their vision and what it is they want; it would be wildly successful if done, they are amazing people. He cares deeply about them and about their family. He grew up by Wheeler Farm, which is a historic building, and it got its historic status and will be there forever with that. The barn was unable to get the historical status for whatever reason, so it could change and that's a concern of his. He has talked a lot with them, back and forth in emails and face to face, and he understands their vision and they understand everyone's concerns. They brought a lot of those concerns to city staff, including his concerns, which is why there was a lot to do. His question is, on Alexander Park Lane, if he sees this wildly successful thing go in, how can he be wildly successful too. He was part of the change with Justin, the brother, that did it to R-2.5, and he listened and accepted it and went with that too. He sees the city changing things, he wants his half acre on Alexander to eventually be allowed commercial use as well; he wants to make it into a B&B, the Benson Manner; to be able to have cars pull in the back and make money off of their venture if it becomes wildly successful. If you are allowing them that option, do we need to allow him that option as well, or is that discriminatory in any way; it needs to be fair to everybody. If people were flying into events and they could stay that close, that would be awesome.

Commissioner Gedge asked if legally the Zoom format has to be honored, or if it is technically a courtesy.

Attorney Simonsen said the Zoom format is more or less a courtesy, the person wishing to take advantage of the Zoom option needs to have the technology available in order to make it happen.

**Commissioner Gedge motioned to close public comment and proceed to commission discussion of the item. Chair Hollist seconded the motion, vote was unanimous.**

Chair Hollist said one of the reasons they are just a recommending body for this particular situation is because it is a rezone, a rezone requires the city council to be involved. As a result, the commission is not the final body for that decision. She asked staff to discuss the parking requirement and how many are required for a space this size for this use.

Planner Drozdek said the city parking requirement is one parking stall for every 100 square feet of space; he believes this venue is around 7000-8000 square feet, which comes out to 70-80 required parking stalls. They have well over 100 parking stalls.

Chair Hollist brought up the lot sizes that are existing and remaining, mentioned that they are not changing and asked staff to confirm that.

Planner Drozdek said yes, they are not changing any lots.

Chair Hollist said there were several references to the general plan, and this being a stable neighborhood zone; understanding that residents who have been here a long time have seen change, so this can be change to others. She asked what the designation for this area in our general plan.

Planner Drozdek said it is labeled as stable neighborhood.

Chair Hollist asked to confirm that the plan in place, that was heard in 2018, was that this will become residential properties. All that is changing now is that some of those will now go towards what we're seeing tonight and get a rezone; a specific kind of rezone where the plan is specifically being approved by the city council with a development plan.

Planner Drozdek confirmed her information is correct.

Chair Hollist asked how a development plan differs from a general rezoning like professional office or commercial, and how does it restrict the property in the future.

Planner Drozdek said it's more detailed and specific. This was touched on earlier in the meeting, so any concerns that may arise can attempt to be mitigated, and all of those things can be put in the agreement which then governs development of this property.

Chair Hollist asked to confirm that the development agreement at this time refers to events generally, but does not outline specifically what an event would be.

Planner Drozdek said yes.

Chair Hollist said she presumes that the eight foot wall was a concession that the applicant made at the request of staff.

Planner Drozdek said that did not come from staff. It was mentioned a few times in talking with the neighbors, and he believes it was offered as a mitigating factor for noise.

Chair Hollist asked to confirm that the wall will make it so there is no pedestrian access from the east of the property.

Planner Drozdek said that is correct.

Chair Hollist noted that a citizen asked how many times something can be rezoned. She understands what is being said because they have seen this several times and gone through iterations. How many times can it be rezoned, and how is that paid for.

One can apply for the rezone as many times as they'd like and want to pay for it; the applicant pays the rezone fee.

Attorney Simonsen said there is an exception to that; if you ask for a rezone and you're denied, your specific proposal cannot be brought back for one year.

Chair Hollist said several references were made to a right hand turn lane onto 10400 S, she asked if that was paired with this development agreement.

Planner Drozdek said it's part of the old agreement. That right hand turn was supposed to be implemented with Phase 2, so we would implement that with this project as well.

Chair Hollist noted there were questions about the accesses to those homes to the south of this development, how will they be accessed.

Planner Drozdek said the homes will be accessed from driveways off 3200 W.

Engineer Nielson said for the remaining four lots there will be an alley to access them.

Chair Hollist noted that the barn being a historical designator was brought up a few times, she asked if anyone knows what is required to be considered a historic building.

Engineer Nielson said it used to be that for that designation, one of the qualifiers was being 50 years old. In some other cases, if there is local significance or it is proposed as a memorial, that might shorten the time period but he doesn't know for sure. Those historic designations are granted by other bodies, not the city

Chair Hollist said that Commissioner Catmull was able to officially find that one of the qualifying factors is that the building has to be at least 50 years old. She is not sure if staff knows the answers, but she asked about alcohol and anything they might be able to add.

Planner Schindler said that the rules are the same as everywhere else in the state in regards to alcohol and how close it can be to schools, or residential neighborhoods, etc.; those are not city codes, that is handled by the state.

Chair Hollist noted for clarification that the applicant seemed to indicate willingness to include not serving alcohol at events in their development agreement, and asked staff if that is something reasonable to include.

Attorney Simonsen said we have a freedom to contract in this country, and people can put just about anything that's not illegal in their contract; that is something that the city and the applicant could hopefully reach some kind of agreement about.

Chair Hollist asked staff about standards for public buildings, does the city at some point review that this building meets all the standards required for operating as a public building, AKA an event venue.

Engineer Nielson said that yes, they would have to get a building permit for the modifications they are doing.

Chair Hollist asked if our city's engineering staff would review those, including the fire marshal, etc.

Engineer Nielson said yes, it would go through the building permit review process.

Chair Hollist asked for comments on public space from the commission; what constitutes open space, does this meet that, and how does it play into our land use plan. She reminded the public to turn in signatures to City Recorder Anna Crookston tonight for our records. She brought up the question about if they rezone here, can other exceptions be made too. She mentioned that anyone should be able to apply for a rezone of their property, apply for conditional use permits, etc.; they would need to meet with staff, put together the plan and pay the appropriate fees.

Planner Schindler said they can apply, but that doesn't mean they are guaranteed to be approved. If this application is approved, that doesn't mean that the gentleman who mentioned a B&B would get his application approved in the future. There is nothing in our code that says everyone gets approved, there are differences.

Commissioner Gedge asked if they can require the owner to contract with public safety and pay the appropriate fees when certain types of events are planned. Other events in other cities have police and traffic control to make sure traffic is not impeded, and he was wondering if that could be included in this development agreement.

Engineer Nielson said something could be put in the development agreement, based on what Attorney Simonsen said; however, from an engineering perspective this was looked at and it is similar to a school or church that is all over our community. Depending on the event, the surge may be worse than other times. There are 113 parking stalls, and 3200 W right now flows about 4000 vehicles per day with the capacity of flow for about 12,000 vehicles per day; that is about what 9800 South currently flows. Engineering viewed this as a commercial use, but it is directly adjacent to a minor collector street and within 350 feet of a major arterial street, so the traffic quickly becomes a drop in the bucket.

Commissioner Bevans asked if, because of the differing zones, there is a fencing requirement that would be put in place here since it's a commercial zone hitting a residential zone.

Planner Drozdek said that it would be required between the properties to the south of this project, but not along Alexander or 3200 W.

Commissioner Catmull asked about the process to amend this agreement in the future.

Planner Schindler said that an amendment to a development agreement would go to the body that approves it in the first place, which is the city council. It would not come back to the planning commission as the items on the agenda tonight are for the land use amendment and the rezone, they don't have input into the development agreement; that is between the city council and the applicant.

Commissioner Catmull asked if the city could also initiate an amendment, not just the applicant.

Planner Schindler said that is correct, this is an agreement between two parties; either party can initiate the amendment, but it does have to be agreed upon by all parties. If the city council wanted to amend it, they couldn't do that unless the applicant was willing to amend it the same way. The same things hold true for getting it approved, the commission is welcome to give recommendations for the agreement, but if the applicant doesn't agree with them they might not get their project; however, it is the city council that has to agree with whatever staff or the commission comes up with, along with the applicant.

Commissioner Gedge noted that if they move forward with a recommendation for the city council, he doesn't see a reference in the items being addressed tonight to the development agreement; he asked if they would be out of order to include in their recommendation to the council whether or not they would recommend approving the development agreement.

Attorney Simonsen said no, they would not be out of order.

Commissioner Gedge said that, as a lifelong resident whose family's barn was taken down 10 years ago for development, and then hearing about the end of the racetrack at the last meeting, he would like to preserve some history in this great city of ours. He has personal memories of visiting this location over the years, and he is in favor of property owner's rights as well. It looks like this is a nice mix to keep some residential, but also have a buffer; he also trusts the applicant at their word, and with the development agreement it will protect for some of the potential uses that could be asked for with the rezone. He likes the idea of keeping some of our history, but if anyone else wants to come up and pay the asking price for the land and develop it as they wish they would have done it by now; the applicant deserves the opportunity to keep their family home, develop the barn, but also pay for it. He is in favor of forwarding a positive recommendation to the city council, with the added note that this would be based upon the city council approving the master development agreement for the property; he wants to make sure it's in our motion to them to protect what the applicant has said.

Commissioner Bevans spoke with Council Member McGuire today, he mentioned that he asked Ms. Visser to hold meetings with surrounding neighbors to address the questions and concerns; she asked Ms. Visser if she ever held those meetings.

Ms. Visser said she contacted all the people that received public notices individually. They felt, after speaking with some of them, that some of them didn't feel comfortable going against neighbors and they didn't want to put them in an awkward position as a whole to make one or the other feel obligated.

Commissioner Catmull asked about the fence, was the eight foot piece only along Alexander.

Ms. Visser said the reason they did that was they were trying to prevent anyone wanting to park there as the wall would force them to walk a long distance around it, depending on where they were. They also did that for the noise, along with preventing parking on that road; unless someone wants to jump over an eight foot wall, that was the reason for eight feet versus six feet. It is not just on Alexander, it goes around the entire property; they are totally open to changes as going from a six foot to an eight foot wall is a significant cost increase on their part. If the

Harvest Villa people would like more of a view of the gardens, then they can do a different fence along 3200 W. She has mentioned this to everyone, that if their gates are open they want people to come in and enjoy the gardens and property; that is what it is meant for, that is what her parents have done. All the time growing up they would look out and see people walking around their front yard looking at animals, and that is the intention of this.

Commissioner Catmull asked if this was done, would it need a public easement to formalize the open access to the general public.

Ms. Visser said she doesn't know the answer to that question, but they would be willing to work on options to make it feel like more of an open space that could be utilized by the community.

Commissioner Bevans asked staff to pull up the aerial map of the property from the staff report. At the corner of Alexander and 10400 S, that small piece of property wasn't included in the last part and she asked where that piece of land was coming from.

Ms. Visser said that is currently owned by their previous neighbors, the Bass', whose home was torn down. They received an owner's affidavit signature from them that, contingent upon this passing, they would be purchasing it from them. Their purpose in doing that is so they have more space to expand for more parking on the grounds, to have more overflow parking if that's a concern in the future.

Commissioner Bevans said that based on the comments, and everything they've heard tonight, it sounds like there is not a single person in this room who wants to see the barn go. She thinks most people in this room would love to see the property remain open and beautiful, and are not asking for the property to be torn down. She appreciates the Vissers for coming and presenting their plan, she thinks it is a beautiful plan, that they have wonderful ideas. She does however have some concerns that the neighbors have raised such as traffic, property values, alcohol in and out of the area, etc. It is a lovely plan, she is just not sure yet and she thinks they need to have a little more discussion.

Chair Hollist said they could discuss ways to mitigate some of those concerns, some have been addressed with fencing, sound and light.

Commissioner Darby said it sounds to him like there are four main problems. First, the city has in place that this is a stable neighborhood, and based on the description of that this does seem like a significant change, that concerns him. Second, based on previous training, if evidence is presented that is reasonable and of a professional nature it has value. So, listening to Mr. Pearson who has 27 years as a property appraiser attest that the values would go down concerns him. Along those same lines, listening to the officer, Mr. Lloyd, talking about the real traffic issues specific to alcohol, we know that all roads are somewhat congested from time to time but the alcohol traffic issue seems like something that could be mitigated. Next, a gentleman spoke that he is under contract building one of these homes that isn't finished yet and it seems like there is potential contractual damages there if what was represented to him changed; he is not a real estate expert, but that does concern him. Based on those concerns he is leaning towards not forwarding a recommendation.

Commissioner Catmull said it's appropriate that there was a fairly even proportion of for and against in the audience today. He has thought back and forth quite a few times tonight, based on excellent commentary, great research and thoughtful comments. As Commissioner Morrissey talked about, he put a lot of weight on the stable neighborhood designation; it is not an assurance, but it is a strong signal that we give to people who are making changes to where they live and what they can expect for the next 10 years on a general plan. As it stands with an eight foot wall around it, that really lessens the value to the public in his opinion of this space. He thinks the general vision is great, but with the wall around it, it feels less historic and less of value, so he doesn't know if there is a way to mitigate that and come back in the future to formulate a plan and have further discussions. As that is described in the planning now, that is the teetering point that lends him towards a negative recommendation.

Chair Hollist worries that on the fencing issue, it is something the immediate neighbors rightfully say would mitigate the impact to them directly.

Commissioner Catmull said that's why he hopes that bringing this up will inspire more creativity to address concerns there; he doesn't know what that looks like, but an eight foot barrier all the way around just lessens the value to him when he looks at it as a historic object to be seen. He might walk past a driveway where cars are coming and going, but he can't sit there and look at it. He wants to be sensitive to everyone on Alexander, and he thinks there is a lot of latitude there. As a commission, they just went through hearing about a lot of fears with a recent application and what might happen; thanks to good city staff, they were able to share what had happened in a similar circumstance and how it cleaned up the problem right away. Many times, he thinks we overestimate our fears and underestimate the ability to mitigate the situational things that pop up. He loves the vision, he thinks it makes a lot of sense, but he wants to see it when he drives by and have those memories.

Chair Hollist is also split, due to a lot of good information being presented this evening by a lot of different viewpoints. She wishes the property were right on the corner, and that there were a buffer between that and the residential; this was discussed in the land use plan, how you can put buffers in to mitigate the impact that commercial can have on residential or different land uses. She asked the commission if there are specific issues they've heard tonight that they want to try and mitigate in their recommendation to City Council that would make it so they could forward a positive recommendation or mitigate some of the concerns seen tonight.

Commissioner Gedge suggested fencing, traffic and alcoholic beverage status. Do they do a solid masonry fence, or a rod iron fence that's see through which makes it more open; a discussion about the types of fencing as it's required on the south boundary, but not necessarily on Alexander Park or 10400 S.

Commissioner Bevans said those are difficult to mitigate. If they take the fence out, then there would be people parking on Alexander and walking across; if they leave the fence in, it makes it difficult to enjoy the property and consider it open space. She doesn't see how they can mitigate traffic. She knows we have some of the best creative minds in our city, and she would love to see that kind of a mitigation. She also has concerns about the future use of the property and the future use of the neighboring property; she doesn't know that those are easily mitigated.

Chair Hollist suggested potentially sending a recommendation to City Council, giving them the motion and asking them to consider how to mitigate these issues; leave it in their court and allow staff to try and work with the applicant prior to that.

Commissioner Gedge asked if he were to make a positive recommendation motion, and it failed, would they need to then do a second motion of a negative recommendation because the first motion failed; or does that failure infer that it's a negative because they denied the positive recommendation. Is it better to propose a positive recommendation with these items, or to just propose a negative recommendation with these as the reasons why. He wants to make sure they give the council clear direction for their process.

Attorney Simonsen said if they don't get three votes it fails, but he thinks it would be best if it failed to turn around and then make a negative motion and see if that one succeeds so they send forth a vote. He told them to remember this needs to be done twice, for the general plan amendment and the zoning.

**Commissioner Gedge motioned to forward a positive recommendation to the city council to approve Resolution R2022-15, approving the land use amendment with the condition that a master development agreement be entered into between the city and the applicant directing staff to continue working with the applicant prior to the city council meeting. In such agreement they should address fencing height, location and type, traffic mitigation, and the availability of alcoholic beverages on their location.**

Attorney Simonsen asked regarding the condition that a development agreement be entered, are they saying that if there is not a development agreement it would be a negative recommendation.

Commissioner Gedge said yes, his recommendation would only be positive if there was a master development agreement in place.

Attorney Simonsen suggested that they word it as "based upon the testimony that has been received, based upon the staff report, and based upon the representation that is made in the staff report regarding the terms and conditions of a development agreement that we give this a positive recommendation."

**Commissioner Gedge amended his motion to say that based upon the testimony that has been received, based upon the staff report, and based upon the representation that is made in the staff report regarding the terms and conditions of a development agreement, he motioned to forward a positive recommendation.**

**Commissioner Gedge motioned that based on the staff report, the discussion this evening, and the representation made in the staff report regarding terms and conditions of a development agreement, they forward a positive recommendation to the city council to approve Ordinance No. 2022-02-Z, approving the zone change.**

Commissioner Catmull noted that in the motion, regarding the fence, it seems to be focusing on what's there now versus the problem that is trying to be mitigated. Rather than talk about the fence, he would rather talk about sufficient visibility and access to this historical marker and



what we're trying to protect and discuss, versus talking about the fence that's mitigating those things.

Commissioner Gedge said this is what he is trying to get to with the applicant's discussion with staff, that they will get to the end means described by Commissioner Catmull.

Commissioner Catmull said he thinks it will get there, it's just a little less direct because it's focusing on the mitigation control versus the problem.

Chair Hollist suggested instructing city staff that we are looking from both viewpoints with the fencing issue; both visibility to the community as a whole, as well as lack of access from Alexander Park impacting direct homes.

Commissioner Catmull suggested controls that will balance and open the space's feel and access with potential detrimental effects to neighboring properties.

Chair Hollist asked if Commissioner Catmull wanted to address city staff tonight and make sure they're understanding what was intended as sufficient, or would he like to amend the motion.

Commissioner Gedge asked who actually creates the development agreement.

Planner Schindler said they work with the applicant, and they understand what is being asked.

Commissioner Catmull said that hopefully the majority understands enough of what he was just talking about which is an open feel, the open access.

Commissioner Darby said he was fine with the motion, as stated for its intended purpose; that doesn't mean he agrees with it.

Commissioner Bevans indicated she was okay with the way the motion was presented.

Chair Hollist noted that they had a motion and an amended motion.

Commissioner Gedge noted that there has not been a second to any of his motions or amendments. He clarified that he has made a motion for both items for a positive recommendation to the city council; a yes vote would be to say positive, a no vote would indicate a negative.

Commissioner Catmull clarified that a positive vote would mean the council looks at the three items mentioned, and has a development agreement in place.

**Chair Hollist seconded the first motion for Resolution R2022-15, on the resolution and land use amendment. Roll Call Vote was 3-2, majority of negative votes .**

Commissioner Catmull asked if it was even possible for the second application to succeed without the land use designation.

Attorney Simonsen said they would have to have the land use amendment in order to do the

rezone. He was under the impression that they were casting their votes for the land use amendment. He believes that what is going to happen now is clear, but for the record it would be a good idea to also take a roll call vote on the rezone motion.

**Chair Hollist moved that the planning commission recommend the city council deny Resolution R2022-15, approving the land use amendment.**

Commissioner Gedge said he would prefer including the reasons for the denial, which includes noting that it was based on tonight's discussion.

Chair Hollist said her reasons for suggesting denial are the change it requires in the land use, from stable neighborhood, as well as having adjacent land uses that she doesn't feel are compatible.

Commissioner Darby noted that he agrees with Chair Hollist's two reasons for denial, but he also noted there was a second motion by Commissioner Gedge that they need to vote on as well.

**Chair Hollist withdrew her motion on Resolution R2022-15.**

Commissioner Catmull wanted to clarify that the first motion by Commissioner Gedge was for the land use (Resolution R2022-15), the second one was for the ordinance with the rezone.

Commissioner Darby said that the motion on the ordinance with the rezone was not seconded.

Planner Schindler said that if there was no second on Commissioner Gedge's second motion regarding the rezoning, then it failed due to lack of a second; they do not need to make a vote on that. Now, they will still need to do two more motions, both in the negative, and the first one would start with the land use.

**Chair Hollist motioned that the planning commission recommend the city council deny the following: Resolution R2022-15, approving the land use amendment, based on public comment, discussion with staff and commissioners this evening; specifically due to the change of stable neighborhood land use as designated by our most recent land use plan and the location of adjacent land uses that are not compatible. Commissioner Gedge seconded the motion for discussion and vote.**

Commissioner Catmull said he hesitates to include all that verbiage, as it makes it very specific and doesn't allow latitude for a commission member to disagree with the reasoning but also come to the same "yay or nay" vote.

Commissioner Gedge said that since this is a legislative item, it is up to their personal opinion; they do not have to specifically agree and can vote yes or no regardless.

Commissioner Catmull noted that everything that has been discussed will be included in the minutes, so anyone needing more information can review them individually.

Chair Hollist suggested each commissioner contact their City Council representative to discuss

this issue before it is presented at the April 19<sup>th</sup> meeting.

Commissioner Catmull said that might be the best option, rather than trying to make the motion too detailed.

Attorney Simonsen said it is his understanding that there is a motion on the table, that just needs to be voted on.

**Roll Call Vote for a recommendation of denial for Resolution 2022-15 was 3-2, majority of votes in favor of recommending denial.**

**Chair Hollist motioned to recommend the city council deny the following: Ordinance No., 2022-02-Z, approving the zone change. Commissioner Gedge seconded the motion. Roll Call Vote was 5-0, unanimous in favor of recommending denial.**

Commissioner Gedge wanted to clarify his reason for voting “yes” on the recommendation of a denial on the zone change. This was done because the majority vote for the land use change was forwarding a recommendation of denial, so he didn’t feel it was appropriate to vote against denying the zoning change for no reason.

Chair Hollist thanked everyone for their participation and coming out, she is sorry it was such a long process this evening and they appreciate the time that everyone took to be educated and provide comments.

## **X. OTHER BUSINESS**

Chair Michele Hollist asked what the agenda looks like for the next Planning Commission meeting.

City Planner Greg Schindler said it currently doesn’t look very crowded. There is a rezone, but no land use amendment; he is pretty sure that it is not a controversial item.

Planner Damir Drozdek said there might be another rezone and land use amendment.

## **ADJOURNMENT**

**Chair Hollist motioned to adjourn the March 22, 2022 Planning Commission meeting. Commissioner Bevens seconded the motion; vote was unanimous in favor.**

The March 22, 2022 Planning Commission Meeting adjourned at 11:00 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez

## RESOLUTION R2022-14

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE CITY AND THE DEVELOPER TO ENTER INTO A DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF THE PROPERTY GENERALLY LOCATED AT 10431 S. 3200 W.**

**WHEREAS**, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah (the “City”) and is authorized to enter into development agreements that it considers are necessary or appropriate for the use and development of land within the City pursuant to Utah Code § 10-9a-102, *et seq.*; and

**WHEREAS**, the City has entered into development agreements from time to time as the City has deemed necessary for the orderly development of the City; and

**WHEREAS**, the Developer now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property generally located at 10431 S. 3200 W.; and

**WHEREAS**, the City Council of the City of South Jordan (the “City Council”) has determined that it is in the best interest of the public health, safety, and welfare of City to enter into a development agreement for the orderly development of the Property.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:**

**SECTION 1. Authorization to Sign Development Agreement.** The City Council hereby authorizes the Mayor to sign the Development Agreement, attached hereto as **Exhibit 1**.

**SECTION 2. Severability.** If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

**SECTION 3. Effective Date.** This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
City Recorder

Approved as to form:



\_\_\_\_\_  
Office of the City Attorney

## **EXHIBIT 1**

(Development Agreement)

After recording, please send to:

City of South Jordan  
Attn: City Recorder  
1600 West Towne Center Drive  
South Jordan, Utah 84095

Affected Parcel No(s): 27161520030000, a portion of 27161520150000, 27161520210000, and 27161520220000.

## **DEVELOPMENT AGREEMENT**

This Development Agreement (this “Agreement”) is between the City of South Jordan, a Utah municipal corporation (“City”), and Bison Run, LLC (“Bison”) and Sagewood Barn, LLC (“Sagewood”) (collectively known as the “Developers”). City and Developers are jointly referred to as the “Parties” and each may be referred to individually as “Party.”

### **RECITALS**

**WHEREAS**, Bison owns certain real property identified as Salt Lake County Assessor Parcel Number(s): 27161520220000. ALJFL Trust owns certain real property identified as Salt Lake County Assessor Parcel Number(s): 27161520210000 and 27161520150000. SCBM Family Trust owns certain real property identified as Salt Lake County Assessor Parcel Number(s): 27161520030000. The aforementioned parcels are specifically described in attached **Exhibit A** (the “Property”); and

**WHEREAS**, Sagewood has obtained executed Owner Affidavits for those parcels owned by ALJFL Trust and SCBM Family Trust for the purpose of effecting the rezone contemplated herein; and

**WHEREAS**, the Property is subject to the Planning and Land Use Ordinance of South Jordan City and is located approximately at 10431 South and 3200 West; and

**WHEREAS**, the Property is currently zoned Residential, 2.5 lots or units per acre (R-2.5 Zone) and Residential, 1.8 lots or units per acre (R-1.8 Zone), with a future land-use designation of SN (Stable Neighborhood); and

**WHEREAS**, Developers desire to develop the Property as a nine-lot residential subdivision (the “Subdivision”) and a project to be known as Sagewood Ranch Barn (the “Project”) consistent with the concept plan attached as **Exhibit B** (the “Concept Plan”), and the concept elevations and floor plans attached as **Exhibit C** (the “Elevations and Floor Plans”); and

**WHEREAS**, in furtherance of Developers’ desire to develop the Project, Developers have requested that the Subdivision portion of the Property be rezoned with a base zoning of Residential, 3 lots or units per acre (R-3) (attached as **Exhibit D**), and the Project portion of the Property be rezoned with a base zoning of Professional - Office (the “P-O Zone”) and further and subsequently rezoned and made subject to a Planned Development Floating Zone (the “PD Zone”) to be known as the “P-O-PD Zone” (attached as **Exhibit E**); and

**WHEREAS**, the purpose of the PD Zone is “to allow for flexibility in the application of zoning regulations and development provisions of this title to advance a public interest through prescriptive requirements of a development plan and development agreement approved by the City Council;” and

**WHEREAS**, Developers and City acknowledge that development in the PD Zone requires a development agreement specific to each area zoned as a PD Zone; and

**WHEREAS**, the City Council of the City of South Jordan (the “City Council”), acting pursuant to its authority under Utah Code § 10-9a-102(2) *et seq.*, as amended, and the South Jordan City Municipal Code (the “City Code”), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, has elected to exercise its legislative discretion to enter into this Agreement for the purpose of rezoning the Subdivision portion of the Property as the R-3 Zone and establishing the P-O-PD Zone and regulating the Project pursuant to the P-O-PD Zone; and

**WHEREAS**, Developers and City acknowledge that the development and improvement of the Property pursuant to this Agreement comply with the requirements of the R-3 Zone and the PD Zone and provide certainty useful to the Developers and to City in ongoing and future dealings and relations among the Parties pertaining to the development of the Project; and

**WHEREAS**, this Agreement shall only be valid upon approval of such by the City Council and pursuant to Resolution R2022-14 a copy of which is attached as **Exhibit F**; and

**WHEREAS**, City and Developers acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developers relative to the Property shall vest only if the City Council, in its sole legislative discretion, approves the R-3 Zone for the Subdivision and both the P-O Zone as the base zone for the Project area and the P-O-PD Zone as the applicable PD Zone for the Project area. In the event the City Council does not do so within a reasonable time, but in no event, more than one year from the Effective Date, defined herein, this Agreement, and any of its effects, shall be null and void, and the parties’ rights and obligations shall continue as they were situated prior to the Effective Date, as though this Agreement was never contemplated or negotiated.

**NOW THEREFORE**, based on the foregoing recitals and in consideration of the mutual covenants and promises contained and set forth herein, the Parties agree as follows:

## **TERMS**

A. **Recitals; Definitions.** The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the City Code.

B. **Enforceability.** City and Developers acknowledge that the terms of this Agreement shall be enforceable, and the rights of Developers relative to the Property shall vest, only if: (i) the City Council in its sole legislative discretion rezones the Property from the R-2.5 and R-1.8 Zones to the R-3 Zone and the P-O Zone as the base zone and also rezones the Property with the P-O-PD Zone as the applicable PD Zone for the Property.

C. **Effective Date.** This Agreement is effective on the date the last party executes this Agreement as indicated by the date stated under that party’s signature line (the “Effective Date”).



D. **2020 Development Agreement.** This Agreement replaces in its entirety the development agreement dated September 4, 2020 and recorded on the Property with the Salt Lake County Recorder's Office as record number 13487745 (Book – 11075 Pg – 6984-7010A-D), except as it applies to the R-2.5 Zone applied to the portion of parcel number 2716152015000 that is not included in the Project description (**Exhibit A**), and is shown on the Concept Plan (**Exhibit B**) as an existing home and associated driveways and accessory buildings on the corner of 3200 West and South Jordan Parkway.

E. **Conflicting Terms.** The Property shall be developed in accordance with the requirements and benefits provided for in relation to the R-3 Zone, the P-O Zone and the PD Zone under the City Code as of the Effective Date. If there is a discrepancy between the requirements of the City Code, including the R-3 Zone, P-O Zone or the PD Zone, and this Agreement, this Agreement shall control.

F. **Developers' Obligations.**

1. The Subdivision – Bison's Obligation.

a. Concept Plan. Bison agrees to construct the Subdivision portion of the Property in accordance with the Concept Plan (**Exhibit B**) and the requirements set forth in this Agreement and the City Code.

b. Phasing Plan. Development shall take place in one phase. All utilities and utility stubs for all lots entering the Subdivision from 3200 West or Alexander Park Lane shall be brought in during phase one to prevent cutting into roads more than once.

c. Single Family Housing. The Subdivision shall consist of single family housing with an overall density not exceeding three (3) homes per acre.

d. Sidewalk.

1. Bison shall remove and replace sidewalk along 3200 West with a City Standard landscaped parkstrip and sidewalk.

2. Bison shall install the City Standard landscaped parkstrip and sidewalk along the Property's boundary on Alexander Park Lane.

e. Utility Cuts. Any utility cuts into 3200 West shall require a substantial mill, fabric and overlay across the entire width of 3200 West from curb to curb the width being reasonably determined by the City Engineer.

f. Alexander Park Lane. Bison shall mill, fabric and overlay the entire roadway of Alexander Park Lane from the southern edge of the Property (Concept Plan Lot 1) to South Jordan Parkway as approved by the City Engineer.

g. Fencing. Homes constructed on Concept Plan Lots 9 and 10 will face a forty (40) foot wide private access drive from 3200 West. Bison shall construct a decorative masonry fence along the Subdivision's 3200 West street

frontage as specified by City Code § 16.04.200.

2. The Project – Sagewood’s Obligations.

a. Concept Plan. Sagewood agrees to construct the Project portion of the Property in accordance with the Concept Plan (**Exhibit B**) and the Elevations and Floor Plans (**Exhibit C**) and the requirements set forth in this Agreement and the City Code.

b. Uses. The “convention/reception center” use as defined by City Code § 17.18.060, except excluding restaurants, shall be the only permitted use of the Project under this P-O-PD Zone. There shall be no other permitted or conditional uses allowed on the property, except for accessory uses to the “convention/reception center” use.

1. Because of the additional requirements this Agreement imposes on the initial establishment and continuing operation of the Project, Impact Control Measures (*see* City Code § 17.18.040) are not required as part of the City’s subdivision or site plan review of the Project.

c. Hours of Operation. The Project shall only operate and host events between the hours of 7:00 am and 11:00 pm.

d. Noise.

1. All amplified live music shall be performed within the indoor barn facility only.

2. All recorded music shall only be played using the Project’s sound system with controlled volume levels.

3. All music shall not be played after 10:00 p.m., except for music that is not measurably louder than seventy (70) decibals (ambient city noise) as measured from the exterior lot lines of the Project.

4. All noise generated by the Project and on the Property shall strictly comply with “Salt Lake County Health Department Health Regulation #21 – Community Noise Pollution Control.”

5. Sagewood shall work with a sound engineer to insulate the main building to reduce noise heard outside the building, and demonstrate in the building permit application that the planned construction provides a sound transmission class and impact insulation class rating of not less than sixty (60).

e. Lighting.

1. All lighting shall comply with City Code § 17.62.020.K.

2. All parking lot and wall light fixtures shall be “full cutoff” or

“fully shielded” to prevent glare onto the adjacent properties.

3. A photometric plan shall be submitted showing no light intrusion onto the adjacent properties.

4. Lighting used to highlight landscape features and walking paths shall be low to the ground accent lighting.

f. Traffic and Parking.

1. All traffic shall enter and exit the Project from 3200 West.

2. No street parking shall be allowed and the Project shall enforce all parking regulations during events.

3. The Project shall exceed the minimum City Code parking ratio for reception centers, and the capacity for seated events shall be limited based on the parking ratio for seated events required by City Code § 16.26.040.

4. Sagewood shall install “NO PARKING” signs adjacent to the Project along the west side of Alexander Park Lane and on 3200 West.

5. Sagewood shall construct a right turn pocket to City Standards on the east side of 3200 West at the intersection with South Jordan Parkway. The Developers shall dedicate to the City right-of-way as is reasonably needed to accommodate the right turn pocket.

g. Dumpster. Pickup shall be scheduled between 8:00 a.m. and 5:00 p.m.

h. Amenities. In addition to the amenities shown on the Concept Plan, including the water features and minimum two (2) inch caliper trees along the Project’s perimeter, the Sagewood shall install:

1. security cameras throughout the parking lot, property and building; and

2. an eight (8) foot tall decorative masonry wall around the entire perimeter of the Project, except along the Project’s frontage on 3200 West.

i. Animals. Animals may be kept on the Property according to City Code § 17.130.040.030 and the following restrictions:

1. animals on the Property shall not exceed more than ninety (90) points as calculated according to City Code § 17.130.040.030.A.2; and

2. no medium or large animals listed in City Code § 17.130.040.030.A.2 shall be kept on the Property.

G. **Minor Changes.** The Planning Department, after conferring with the City Manager,

may approve minor modifications to the Developer Obligations in Section E which are necessary or advantageous in facilitating more desirable function and aesthetics of the Project.

**H. City Obligations.**

1. Review of City. City shall review development applications with respect to the Property in a timely manner, consistent with City's routine development review practices and in accordance with all applicable laws and regulations.

**I. Vested Rights and Reserved Legislative Powers.**

1. Vested Rights. Consistent with the terms and conditions of this Agreement, City agrees Developers have the vested right to develop and construct the Project during the term of this Agreement in accordance with: (i) the P-O-PD Zone designation; (ii) the City Code in effect as of the Effective Date; and (iii) the terms of this Agreement.

2. Reserved Legislative Powers. Developers acknowledge that City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to City all of its police power that cannot be so limited. Notwithstanding the retained power of City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developers under this Agreement and with respect to use under the zoning designations as referenced in this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Property shall be of general application to all development activity in City and Salt Lake County; and, unless in good faith City declares an emergency, Developers shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine.

J. **Term.** This Agreement shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided.

**K. General Provisions.**

1. Notices. All Notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either Party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least ten days before the date on which the change is to become effective:

If to City:                      City of South Jordan  
   Attn: City Recorder  
   1600 West Towne Center Drive  
   South Jordan, Utah 84095

If to Bison Run, LLC:

Attn: David Freiss  
11584 South Loma Linda Lane  
South Jordan, Utah 84095

If to Sagewood Barns, LLC:

Clyde Snow Sessions  
Attn: Taymour B. Semnani  
201 South Main Street, Suite 2200  
Salt Lake City, Utah 84101  
tbs@clydesnow.com

2. Mailing Effective. Notices given by mail shall be deemed delivered seventy-two hours following deposit with the U.S. Postal Service in the manner set forth above.

3. No Waiver. Any Party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the Party intended to be benefited by the provisions, and a waiver by a Party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

4. Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any provision this Agreement.

5. Authority. The Parties to this Agreement represent that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developers represent and warrant it is fully formed and validly existing under the laws of the State of Utah, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Developers and City warrant to each other that the individuals executing this Agreement on behalf of their respective Party are authorized and empowered to bind the Party on whose behalf each individual is signing. Developers represent to City that by entering into this Agreement Developers have bound all persons and entities having a legal or equitable interest to the terms of this Agreement as of the Effective Date.

6. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by City for the Property contain the entire agreement of the Parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the Parties which are not contained in such agreements, regulatory approvals and related conditions.

7. Amendment. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the Parties or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be

recorded in the official records of the Salt Lake County Recorder's Office.

8. Severability. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developers' ability to complete the development of the Property as set forth in the Concept Plan is not defeated by such severance.

9. Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of this Agreement. The Parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The Parties hereby expressly waive any right to object to such choice of law or venue.

10. Remedies. If either Party breaches any provision of this Agreement, the non-defaulting Party shall be entitled to all remedies available both at law and in equity, provided that no party shall be entitled to more than one recovery. A citation or other ordinance violation mechanism issued by a law enforcement entity shall be deemed a single remedy.

11. Attorney's Fees and Costs. If either Party brings legal action either because of a breach of this Agreement or to enforce a provision of this Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and court costs.

12. Binding Effect. The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the Parties and their respective heirs, legal representatives, successors in interest and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property, except as limited by the Term of the Agreement.

13. No Third Party Rights. The obligations of Developers and City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise explicitly provided herein.

14. Assignment. Developers may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement and Developers shall be deemed released of its obligations in connection with this Agreement; provided, however, that Developers shall provide City with notice of the assignment of this Agreement within a reasonable time after the occurrence of such assignment.

15. No Agency Created. Nothing contained in this Agreement shall create any partnership, joint venture, or agency relationship between the Parties.

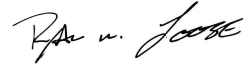
To evidence the Parties' agreement to this Agreement, each Party has executed it on the date stated under that Party's name, with this Agreement being effective on the date stated in Section C.

[SIGNATURE PAGE FOLLOWS]

**CITY OF SOUTH JORDAN**

Approved as to form:

Signature: \_\_\_\_\_



By: \_\_\_\_\_

Office of the City Attorney

Its: \_\_\_\_\_

Date: \_\_\_\_\_

State of Utah )

:ss

County of Salt Lake )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me \_\_\_\_\_ (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the Mayor of the City of South Jordan and that said document was signed by him/her in behalf of said Corporation by Authority of its Bylaws or by Resolution, and said \_\_\_\_\_ (name of document signer) acknowledged to me that said Corporation executed the same.

\_\_\_\_\_  
Notary Public

**DEVELOPERS**

BISON RUN, LLC,

Signature: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

State of \_\_\_\_\_)

County of \_\_\_\_\_):ss

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me  
\_\_\_\_\_ (name of document signer), whose identity is personally  
known to me (or proven on the basis of satisfactory evidence).

\_\_\_\_\_  
Notary Public



SAGEWOOD BARNS, LLC,

Signature: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

State of \_\_\_\_\_)

County of \_\_\_\_\_):ss

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me \_\_\_\_\_ (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is a Manager of \_\_\_\_\_, a Utah limited liability company, the Manager of \_\_\_\_\_, a Utah limited liability company, and that said document was signed by him/her in behalf of said limited liability company by authority of its Operating Agreement or by Resolution, and said \_\_\_\_\_ (name of document signer) acknowledged to me that said limited liability company executed the same.

\_\_\_\_\_  
Notary Public

## **EXHIBIT A**

### **Legal Description of the Property, including the Project and the Subdivision:**

Parcel 27161520030000: BEG N 0°01' E 1320 FT & 404 FT E & S 0°01' W 84.30 FT FR W 1/4 COR OF SEC 16, T3S, R1W, SLM; S 89°59'38" W 90 FT; S 0°01' W 150.69 FT; E 90 FT; N 0°01' E 150.70 FT TO BEG. 0.31 AC. 9163-7236

Parcel 27161520060000: BEG N 0°01' E 406.15 FT FR W 1/4 COR SEC 16, T3S, R1W, SLM; N 0°01' E 101.54 FT; E 404 FT; S 0°01' W 101.54 FT; W 404 FT TO BEG. LESS STREET. 0.88 AC. 4375-0353,0354

Parcel 27161520150000: BEG N 0°01' E 1320 FT & E 185 FT & S 0°01' W 85.79 FT FR W 1/4 COR SEC 16, T3S, R1W, SLM; S 89°58'57" W 122.37 FT; S 44°59'37" W 41.88 FT; S 0°00'19" W 120.06 FT; E 151.95 FT; N 0°01' E 149.21 FT TO BEG. ALSO BEG N 0°01' E 1076.59 FT & E 33.05 FT FR W 1/4 COR SEC SEC 16, T3S, R1W, SLM; N 0°01' E 7.91 FT; E 151.95 FT; N 0°01' E 219 FT; S 0°01' W 8.41 FT; W 370.95 FT TO BEG. ALSO BEG N 0°01' E 1084.5 FT & E 185 FT & N 0.5 FT FR W 1/4 COR SEC 16, T3S, R1W, SLM; N 149.21 FT; E 129 FT; S 149.21 FT; W 129 FT TO BEG. 1.05 AC M OR L. 9639-5681

Parcel 27161520200000: BEG N 0°01' E 507.69 FT & E 25 FT FR W 1/4 COR SEC 16, T3S, R1W, SLM; N 0°01' E 36.37 FT; S 89°59'05" E 7.006 FT; N 0°01'48" E 17.50 FT; N 89°59' W 7.009 FT; N 0°01'04" E 293.055 FT; S 89°59' E 12 FT; N 0°01' E 28 FT; N 89°59' W 11.40 FT; N 1°55'35" E 22.69 FT; S 89°59'59" E 6.50 FT; N 0°05'53" E 171.43 FT; N 89°59'57" E 370.48 FT; S 0°00'56" W 568.91 FT; S 89°59'57" W 378.33 FT TO BEG.

### **Legal Description for the Project only:**

A TRACT OF LAND BEING SITUATE IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID TRACT OF LAND HAVING A BASIS OF BEARINGS OF NORTH 00°01'00" EAST BETWEEN THE WEST QUARTER AND NORTHWEST CORNER OF SAID SECTION 16, SAID TRACT OF LAND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF 3200 WEST STREET, SAID POINT BEING, NORTH 00°01'00" EAST ALONG THE SECTION LINE A DISTANCE OF 725.49 FEET AND EAST 25.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 00°01'00" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 123.21 FEET; THENCE NORTH 01°55'35" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 4.63 FEET TO THE SOUTHWEST CORNER OF A PARCEL DESCRIBED BY THAT CERTAIN QUITCLAIM DEED ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER AS ENTRY 12882342, IN BOOK 10728, AT PAGE 7436;

THENCE, ALONG SAID PARCEL, THE FOLLOWING THREE (3) COURSES, 1) SOUTH 89°59'00" EAST 12.33 FEET, 2) NORTH 00°01'00" EAST 28.00 FEET, 3) NORTH 89°59'00" WEST 11.40 FEET TO THE EAST RIGHT-OF-WAY LINE OF 3200 WEST STREET;

THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:  
(1) NORTH 01°55'35" EAST 23.85 FEET; (2) EAST 6.21 FEET; (3) THENCE NORTH 00°00'19"  
EAST 164.46 FEET;  
THENCE SOUTH 89°59'47" EAST 83.48 FEET;  
THENCE NORTH 54°24'45" EAST 33.58 FEET;  
THENCE EAST 86.57 FEET;  
THENCE NORTH 80.81 FEET;  
THENCE EAST 49.76 FEET;  
THENCE NORTH 00°00'03" WEST 64.26 FEET TO THE SOUTH LINE OF THE SOUTH  
JORDAN PARKWAY RIGHT-OF-WAY;  
THENCE EAST, ALONG SAID RIGHT-OF-WAY, 123.87 FEET TO THE WEST LINE OF  
ALEXANDER PARK LANE RIGHT-OF-WAY;  
THENCE SOUTH 00°01'00" WEST, ALONG SAID RIGHT-OF-WAY, 377.75 FEET;  
THENCE WEST 173.85 FEET;  
THENCE SOUTH 130.97 FEET;  
THENCE WEST 205.17 FEET, TO THE EAST LINE OF 3200 WEST STREET AND THE  
POINT OF BEGINNING.

CONTAINS AND AREA OF 133,272 SQUARE FEET OR 3.06 ACRES, MORE OR LESS

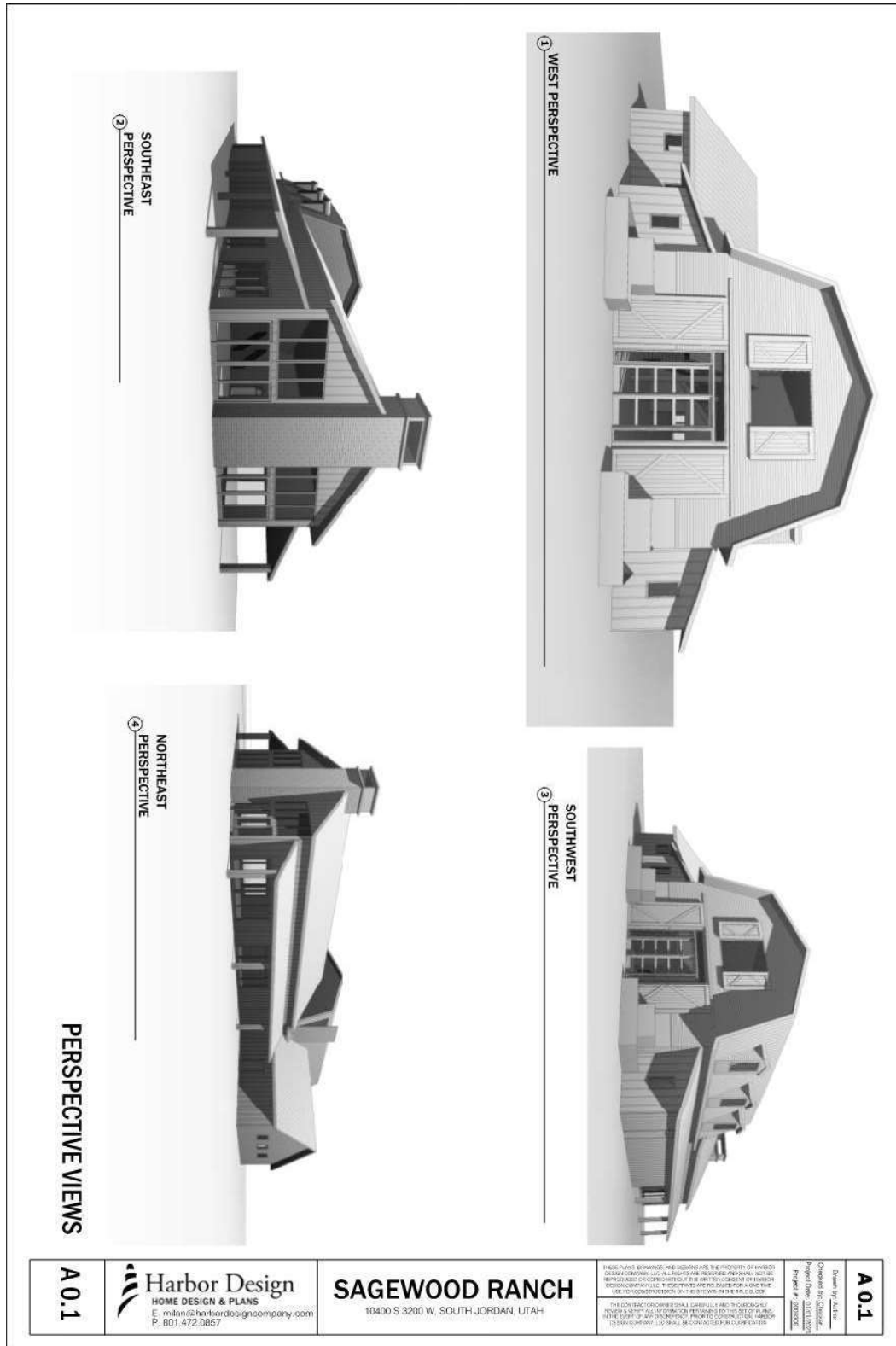
# EXHIBIT B

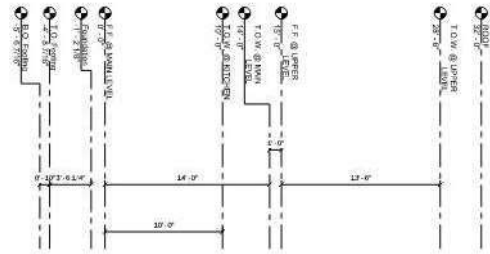
(Concept Plan)



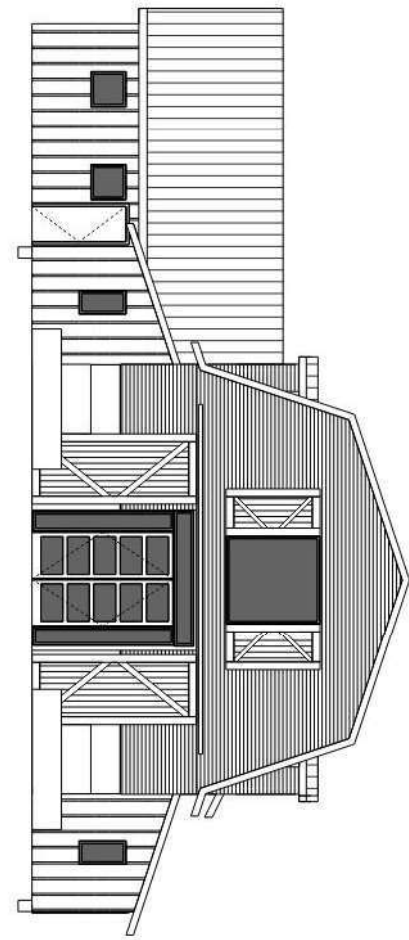
# EXHIBIT C

(Elevations and Floor Plans)



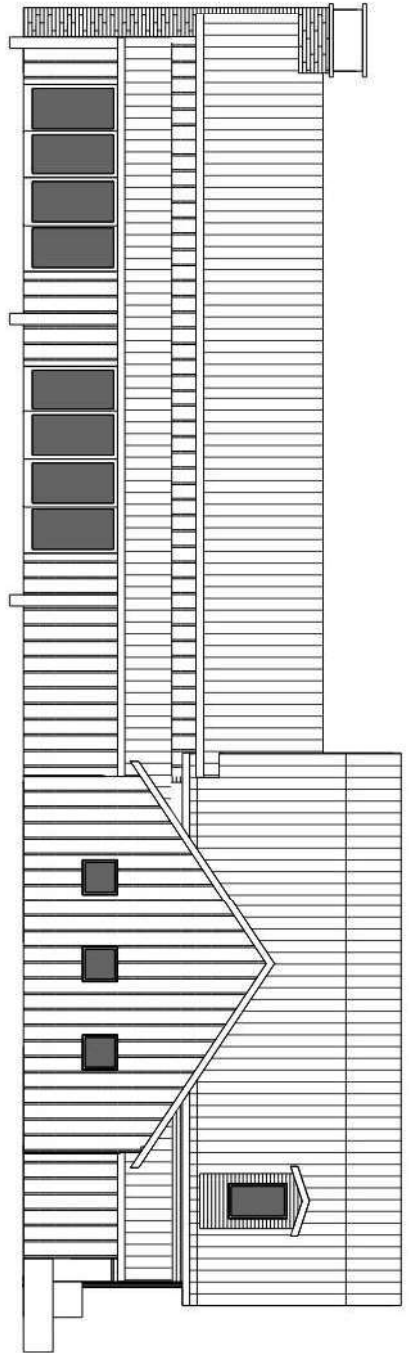


1 FRONT  
10' x 10'



TYPICAL HEADER HEIGHT (X.N.O.)  
8'-0" PLATE HEIGHT - 6'-8" HEADER HEIGHT  
9'-0" PLATE HEIGHT - 8'-0" HEADER HEIGHT  
10'-0" PLATE HEIGHT - 8'-0" HEADER HEIGHT

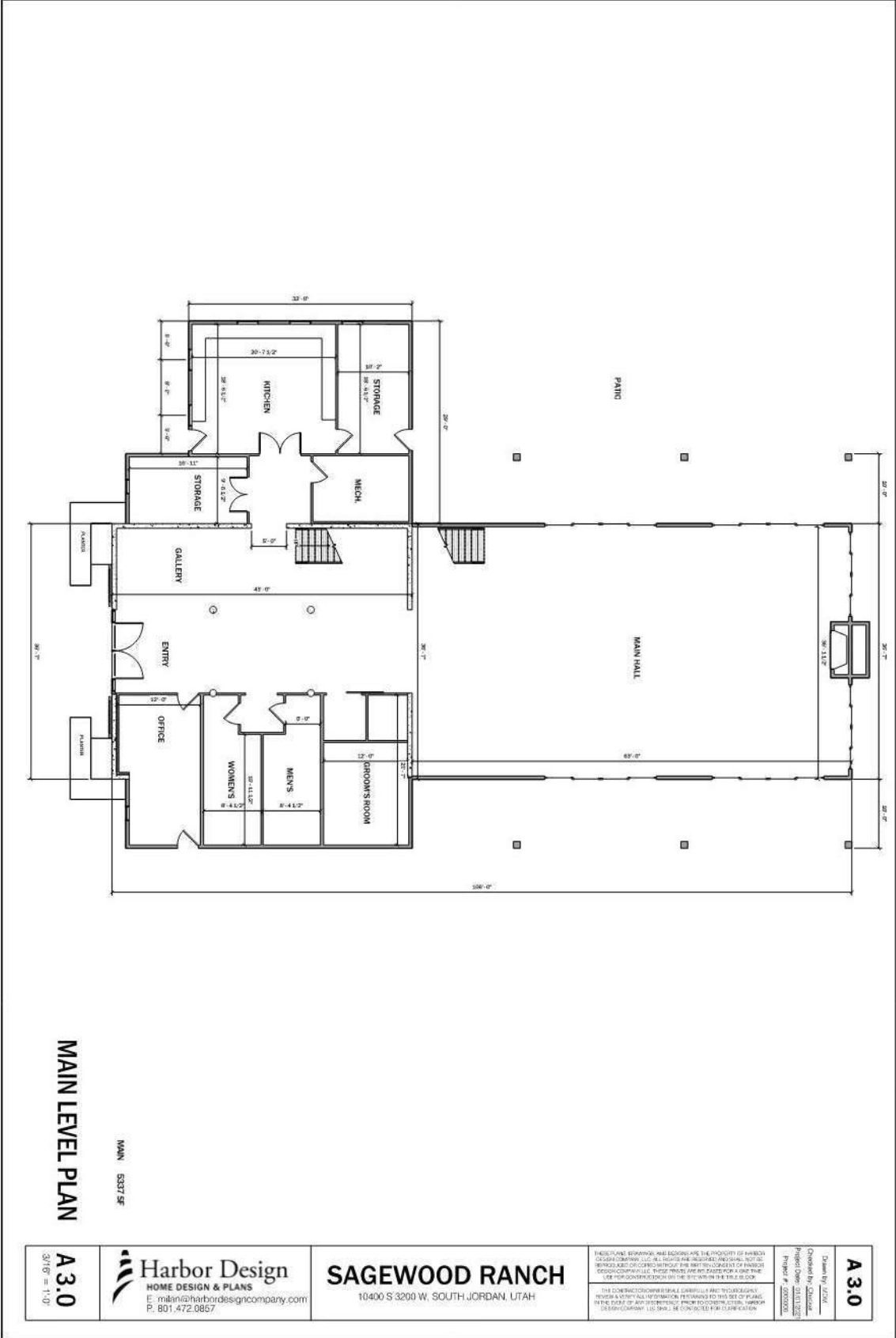
2 LEFT  
10' x 10'



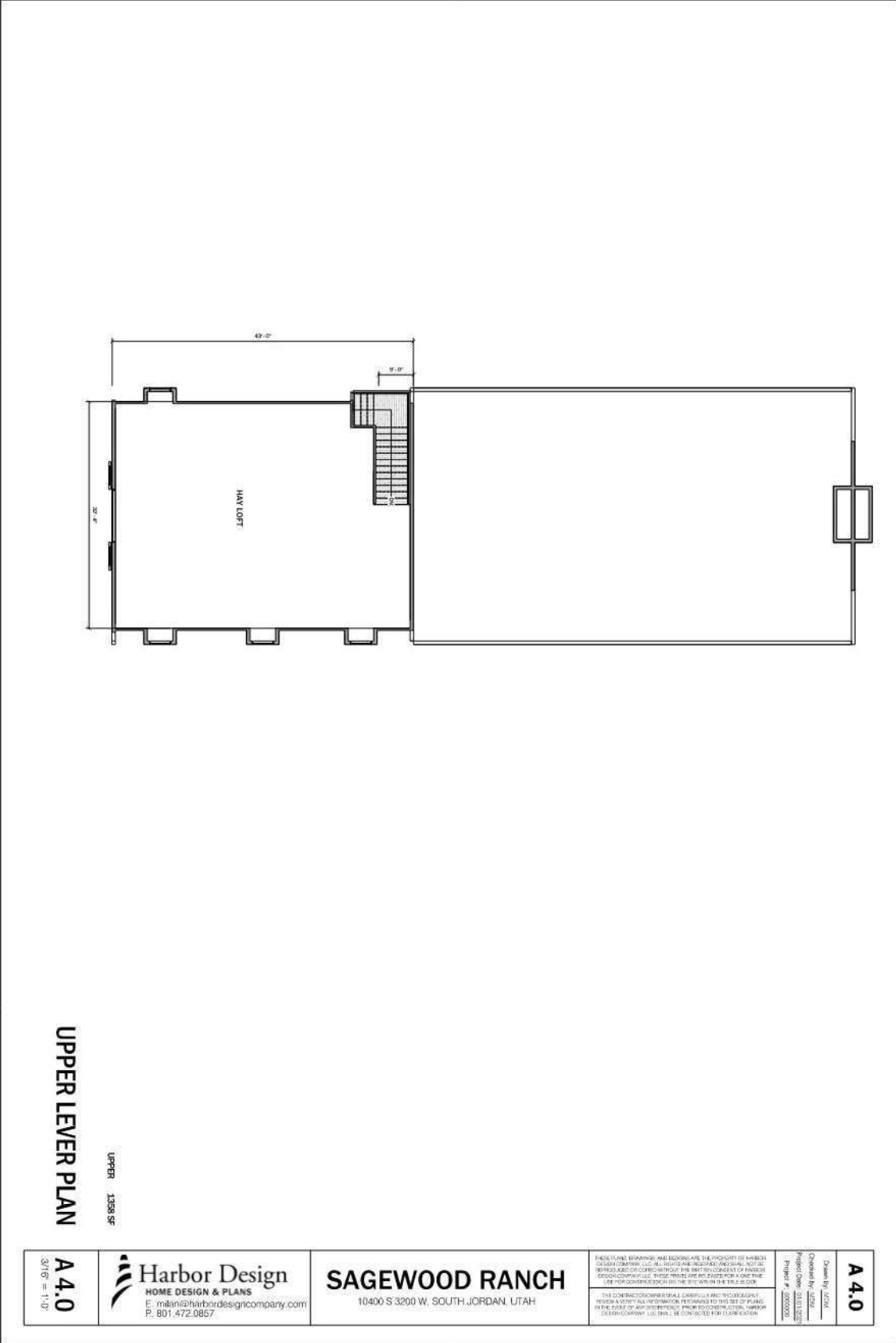
ELEVATIONS

<p><b>A 1.0</b> 1/4" = 1'-0"</p>	<p><b>Harbor Design</b> HOME DESIGN &amp; PLANS E. milan@harbordesigncompany.com P. 801.472.0857</p>	<p><b>SAGEWOOD RANCH</b> 10400 S 3200 W, SOUTH JORDAN, UTAH</p>	<p>THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF HARBOR DESIGN COMPANY AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HARBOR DESIGN COMPANY. ALL RIGHTS ARE RESERVED AND WILL REMAIN THE PROPERTY OF HARBOR DESIGN COMPANY. THESE PLANS ARE NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF HARBOR DESIGN COMPANY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING ALL INFORMATION PROVIDED FOR THIS SET OF PLANS. IN THE EVENT OF ANY DISCREPANCY BETWEEN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESOLVING THE DISCREPANCY.</p> <p>Drawn by: JDM Checked by: JDM Project Date: 11/17/2025 Project #: 20250001</p>	<p><b>A 1.0</b></p>
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## EXHIBIT D

### CITY CODE CHAPTER 17.40 RESIDENTIAL ZONES

#### 17.40.010: PURPOSE:

This chapter is established to provide standards and regulations, consistent with the city's general plan and the purposes and provisions of this title, for single-family residential areas in the city. This chapter shall apply to the following residential zones as established in chapter 17.20, "Zone Establishment", of this title: R-1.8, R-2.5, R-3, R-4, R-5, and R-M zones. Uses may only be conducted in residential zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and other associated use regulations may be found in chapter 17.18, "Uses", of this title. (Ord. 2016-05, 5-3-2016)

#### 17.40.020: DEVELOPMENT AND DESIGN STANDARDS:

A. Development Review: Uses proposed in residential zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in residential zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as otherwise allowed under state law.

B. Lot Area: The area of any lot in residential zones shall not be less than the minimum lot area requirement identified in the minimum lot area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

Zone	Minimum Lot Area (Square Feet)
R-1.8	14,520
R-2.5	12,000
R-3	10,000
R-4	8,000
R-5	6,000
R-M	5,000

C. Lot Density: The maximum gross density (number of lots or primary dwelling units per acre) in any residential development in a residential zone shall not exceed the density shown in the lot density table below. The primary dwelling density of each area zoned R-M shall be determined, according to the densities established in the lot density table, with approval of a rezoning application per chapter 17.22, "Zoning Amendments", of this title and indicated on the official zoning map with a numerical suffix matching the approved density.

Zone	Maximum Gross Density
R-1.8	1.8
R-2.5	2.5
R-3	3

R-4	4
R-5	5
R-M-5	5
R-M-6	6

D. Lot Width And Frontage: Each lot or parcel in a residential zone shall have a minimum lot width not less than the dimension in the minimum width column of the lot width and frontage table below. The minimum lot width shall be measured at the minimum front yard requirement (see subsection F of this section) that shall be determined from a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance not less than the dimension in the frontage (standard) column of the lot width and frontage table below, except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right-of-way or landscaped open space a minimum distance not less than the dimension in the frontage (diverged) column.

Zone	Minimum Width	Frontage (Standard)	Frontage (Diverged)
R-1.8	90'	90'	50'
R-2.5	90'	90'	50'
R-3	85'	85'	50'
R-4	80'	80'	50'
R-5	75'	75'	50'
R-M-5	65'	65'	40'
R-M-6	60'	60'	40'

E. Lot Coverage: The area of lot, parcel or private ownership area in a residential zone covered by buildings shall not exceed the percentage identified in the lot coverage table below of the total lot, parcel or private ownership area.

Zone	Maximum Building Coverage
R-1.8	40%
R-2.5	40%
R-3	40%
R-4	40%
R-5	50%
R-M	60%

F. Yard Area: The yard area (setback) requirements below shall apply in all residential zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application

form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review.

1. Main Buildings: Minimum yard area requirements for main buildings are as follows:

<i>Zone</i>	<i>Front Yard (Interior And Corner Lots)</i>	<i>Garage Opening <sup>1</sup> (Front Or Street Side)</i>	<i>Front Yard (Cul-De- Sac Lots)</i>	<i>Side Yard (Standard)</i>	<i>Side Yard (Corner Lot Street Side)</i>	<i>Rear Yard (Interior Lot)</i>	<i>Rear Yard (Corner Lot)</i>
R-1.8	30'	30'	25'	10'	30'	25'	10'
R-2.5	25'	30'	20'	10'	25'	25'	10'
R-3	25'	30'	20'	10'	25'	25'	10'
R-4	20'	25'	20'	8'	20'	20'	10'
R-5	20'	25'	20'	8'	20'	20'	10'
R-M- 5	20'	25'	20'	8'	10'	20'	10'
R-M- 6	20'	25'	20'	8'	10'	20'	10'

Note:

1. The garage opening minimum yard area requirement shall apply to garages when the garage opening faces the street, otherwise the front yard minimum yard area shall apply. The garage opening minimum yard requirement shall be 25 feet to any street-facing garage opening in a cul- de-sac.

2. Accessory Buildings: Minimum yard area requirements for accessory buildings are as follows:

a. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.

b. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings less than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line.

c. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

3. Buildings Used To Shelter Animals: Buildings used for the housing or shelter of animals shall be located a minimum distance of forty feet (40') from any existing dwelling or neighborhood street right-of-way or, if approved with a conditional use permit, a minimum of twenty feet (20') from any collector street right-of-way line.

4. Projections: The following may be erected on or projected into any required yard space in Residential Zones:

- Fences and walls in conformance with this Code.
- Agricultural crops and landscape elements, including trees, shrubs and other plants.
- Utility or irrigation equipment or facilities.
- Decks not more than two feet (2') high.

e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

f. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

G. Parking And Access: Parking areas and vehicle access in Residential Zones shall meet the requirements of title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title, and title 10 of this Code (Traffic Code). A driveway may only directly access a collector or arterial street with approval of the Utah Department of Transportation ("UDOT") for UDOT streets or with approval of the City Engineer for City streets.

H. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Residential Zones.

1. Utility Screening: In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.

2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.

3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.

4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.

5. Clear Vision: Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the City Engineer based on traffic speeds, flow, volumes and other traffic related variables.

6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right-of-way in a Residential Zone shall be constructed according to section 16.04.200 of this Code.

I. Architecture: The following exterior materials and architectural standards are required in Residential Zones:

1. General Architectural Standards:

a. All building materials shall be high quality, durable and low maintenance.

b. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.

c. Signs shall meet requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.

d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

a. Residential main buildings shall include a minimum two car garage (minimum twenty-two feet (22') by twenty-two feet (22'), or an approved equivalent area).

b. The minimum total floor area, finished and unfinished, of any residential main building shall be one thousand (1,000) square feet not including a garage.

c. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.

3. Architectural Standards For Accessory Buildings:

a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high.

b. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M Zones shall not exceed sixty percent (60%) of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty percent (60%) but in no case shall exceed the footprint of the main building. In the R-1.8 Zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.

c. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:

(1) Openings (e.g., windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.

(2) The average wall height shall not exceed sixteen feet (16') above grade.

d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch in the R-1.8 Zone, and a minimum three to twelve (3:12) roof pitch over a majority of the structure in all other Residential Zones.

e. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

J. Landscaping: The following landscaping requirements and standards shall apply in Residential Zones. Landscaping in Residential Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.

1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area covered in acceptable live plant material unless otherwise approved with a conditional use permit.

2. All collector street and other public and private park strips in Residential Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.



3. Where an adjacent park strip in a residential right-of-way is a minimum of five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.

4. In developments that have a principal use other than single- family, detached, the following landscaping requirements shall apply:

a. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

b. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sports or play areas, is required. At least thirty percent (30%) of all required trees shall be a minimum seven foot (7') evergreen. Deciduous trees shall be a minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.

c. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.

d. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.

e. All landscaped areas shall be curbed.

5. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any area so included and perpetually preserved as open space may be counted toward required open space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300, "Deferred Improvements", of this Code.

7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public rights-of- way that are not maintained by the City.

8. Required trees may not be topped and required landscape material may not be removed in Residential Zones without City approval.

9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

#### K. Lighting:

1. A lighting plan shall be submitted with all new nonresidential developments in Residential Zones.

2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

3. Lighting fixtures in all developments that have a principal use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be approved by the City Engineer.

L. Streets: Streets in Residential Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in

Residential Zones unless otherwise provided for in this chapter. (Ord. 2016-05, 5-3-2016; amd. Ord. 2017-22, 7-18-2017; Ord. 2019-01, 3-5-2019; Ord. 2019-06, 3-19-2019; Ord. 2021-06, 2-16-2021; Ord. 2021-09, 5-4-2021; Ord. 2021-20, 10-5-2021)

#### 17.40.030: OTHER REQUIREMENTS:

A. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

B. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.

C. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.

D. Common Areas: All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually owned and maintained by the property owners of the development or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City.

E. Prior Created Lots: Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a Residential Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.

F. Approval: Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this Code and the applicable plat recorded with the Salt Lake County Recorder's Office.

G. Open Space: Any open space provided within a subdivision to be jointly owned, maintained and preserved by a homeowners' association and/or special assessment area acceptable to the City shall be labeled and recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The City may determine the location of open space in a subdivision by considering topography, drainage or other land features. The City may require a cash bond or a letter of credit to guarantee installation of improvements.

H. Developer Requirements: Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants and restrictions ("CC&Rs") to the City for staff review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:

1. An opinion of legal counsel licensed to practice law in the State that the project meets requirements of State law.

2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to City conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by City staff and approved by the Planning Commission.

3. Language consistent with section 17.04.300 of this title. (Ord. 2016-05, 5-3-2016)

## EXHIBIT E

### CITY CODE CHAPTER 17.62 OFFICE ZONE

#### 17.62.010: PURPOSE:

This chapter is established to provide standards and regulations, consistent with the City's general plan and the purposes and provisions of this title, for office areas in the City. This chapter shall apply to the P-O Zone, established in chapter 17.20, "Zone Establishment", of this title. Uses may only be conducted in the P-O Zone in accordance with the regulations of this Code. Allowed use (permitted and conditional), accessory use, temporary use, and other associated use regulations are found in chapter 17.18, "Uses", of this title.

A. P-O Zone: The purpose of the P-O Zone is to provide areas where large and small scale offices and office parks can be located in the City. Smaller office developments should be harmoniously integrated with surrounding residential areas and serve as residentially compatible buffers to heavier uses such as commercial and industrial businesses and major roadways. Large office buildings should be well buffered from residential areas with landscaped open space. Buildings and signs should be coordinated with high quality materials and architecture. (Ord. 2016-02, 4-19-2016)

#### 17.62.020: DEVELOPMENT AND DESIGN STANDARDS:

A. Development Review: Uses proposed in the P-O Zone may only be established in conformance with the City's development review procedures of the City. Applicants shall follow the procedures and requirements of this Code regarding development review in the preparation and review of development proposals in the P-O Zone. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the City, except as allowed under State law. Office condominiums may be approved in accordance with State law and City ordinances.

B. Area Requirements: The following area requirements shall apply in the P-O Zone:

1. The minimum zone area shall be one acre.
2. The minimum project area in the P-O Zone shall be one acre. "Project" is defined as any development in the OS Zone for which an application has been submitted or approval has been granted for a preliminary plat or site plan.
3. There shall be no minimum lot area in the P-O Zone.

C. Density: There is no restriction on the number of lots or parcels or the number of buildings on a lot or parcel, except as may be limited by other standards, regulations, or requirements of this title, in the P-O Zone.

D. Lot Width And Frontage: No minimum lot width is required for lots in the P-O Zone. Lots not fronting on a street must be accessible to the public via a recorded easement or right-of-way.

E. Yard Area: The following yard area requirements shall apply to lots or parcels in the P-O Zone:

1. The following minimum yard area requirements apply to main and accessory buildings:
  - a. The required yard area for front, side, and rear yards shall extend a distance of twenty feet (20') away from and along a property line adjacent to the edge of a public right-of-way (back of sidewalk for a typical street cross section). An alternative edge line to be used for measuring the

minimum yard area may be established where an atypical street cross section exists and when recommended by the Planning Director and approved by the Planning Commission.

b. The required yard area for front, side, and rear yards shall extend a distance of thirty feet (30') away from and along a property line adjacent to a Residential or Agricultural Zone, except that the required yard area adjacent to residential or agricultural zones shall be twenty feet (20') per story for three-story or higher buildings.

2. The required yard area for a lot or parcel adjacent to a residential or agricultural zone, as required in subsection E1 of this section may be reduced if the adjacent residential or agricultural zoned property has a future land use designation that is not residential or agricultural and the reduction is approved by the Planning Commission with site plan review.

3. The following may be projected into any required yard area in the P-O Zone:

- a. Fences and walls in conformance to City codes and City ordinances.
- b. Landscape elements, including trees, shrubs and other plants.
- c. Minor utility or irrigation equipment or facilities.
- d. Decks not more than two feet (2') in height.
- e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to a building that does not extend more than two feet (2') into a side yard area or four feet (4') into a front or rear yard area.
- f. Chimneys, fireplace keys, box or bay windows, or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.

F. Parking And Access: Parking areas and access in the P-O Zone shall comply with title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title and title 10, "Vehicles And Traffic", of this Code.

G. Fencing, Screening, And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply to the P-O Zone:

1. All mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.

2. The boundary of an office zone which is not in or adjacent to a public right-of-way and which is adjacent to a residential or agricultural zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the office zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit may be required for fences and walls according to applicable building codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.

3. No wall, fence or screening material shall be erected between a street and a front or street side building line in the P-O Zone, except as required by subsection G1 of this section.

4. Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no higher than three feet (3') high within a ten foot (10') triangular area

formed by the edge of a driveway and a street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets.

H. Architecture: The following exterior materials and architectural standards are required in the P-O Zone:

1. Applicants for development approval shall submit for site plan review architectural drawings and elevations, exterior materials and colors of all proposed buildings. In projects containing multiple buildings, the applicant shall submit a design book that includes an architectural theme, features, exterior materials and colors governing the entire project shall be submitted.

2. All building materials shall be high quality, durable and low maintenance.

3. Exterior walls of buildings that are longer than sixty feet (60') in length shall have relief features at least four inches (4") deep at planned intervals.

4. All sides of buildings shall receive design consideration.

5. Signs shall meet requirements of title 16, chapter 16.36 of this Code and shall be constructed of materials which complement the buildings which they identify.

6. The maximum building height in the P-O Zone shall be six (6) stories or seventy feet (70'), whichever is less.

7. The exteriors of buildings in the P-O Zone shall be properly maintained by the owners.

I. Grading And Drainage: All developments shall be graded to comply with subsection 16.10.040E9 of this Code and as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel.

J. Landscaping: The following landscaping requirements and standards shall apply in the P-O Zone. Landscaping in the P-O Zone is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.

1. A minimum of fifteen percent (15%) landscaped open space, which may include required landscaped yard areas, shall be provided with each development in the P-O Zone. (Ord. 2017-22, 7-18-2017)

2. The area of front, side, and rear yards along an adjacent property line and extending away from the property line a distance prescribed in the requirements of this subsection shall be landscaped with grass, trees, and other live plant material.

- a. The required yard landscape area for a yard adjacent to a Residential or Agricultural Zone shall be not less than ten feet (10') for buildings not exceeding two (2) stories and shall not be less than twenty feet (20') for buildings with three (3) stories or more, except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.

- b. The required yard landscape area for a yard adjacent to a public right-of-way shall be twenty feet (20'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.

3. All areas of lots in the P-O Zone not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other live plant material in conjunction with a landscape plan for the development that has been designed and prepared by a landscape architect and approved by the Planning Commission.

4. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in the P-O Zone in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') tall

evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.

5. All collector streets and other public and private park strips in the P-O Zone shall be improved and maintained by the adjoining owners according to specifications adopted by the City unless otherwise allowed with development approval.

6. Trees shall not be topped and required landscape areas shall not be redesigned or removed in the P-O Zone without City approval. Property owners shall replace any dead plant material in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

7. The following landscaping requirements shall apply to parking areas:

a. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.

b. Shade trees shall be planted in double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum thirty foot (30') intervals and no farther than six feet (6') from the parking area.

c. Minimum five foot (5') landscaped planters shall be provided around building foundations except at building entrances, drive- up windows and loading and utility areas.

d. All landscaped areas adjacent to parking areas shall be curbed.

8. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required yard space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without written approval of any entity or agency having jurisdiction over said waterways.

9. All required landscaping shall be installed (or escrowed due to season) prior to occupancy.

10. All landscaped areas, including adjoining public right-of-way areas, shall be properly irrigated and maintained by the owners.

K. Lighting: The following lighting requirements shall apply in the P-O Zone:

1. Applicants for development approval shall submit a lighting plan, which shall include a photometric analysis.

2. Site lighting shall adequately light all parking areas, walkways, and common areas. Site lighting shall be designed and/or shielded to prevent glare on adjacent properties.

3. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be architectural grade and consistent with a streetlight design approved by the City Engineer. (Ord. 2016-02, 4-19-2016; amd. Ord. 2017-22, 7-18-2017; Ord. 2019-01, 3-5-2019; Ord. 2021-09, 5-4-2021)

#### 17.62.030: OTHER REQUIREMENTS:

A. Private Covenants: The developer of a condominium project in an office zone shall submit a proposed declaration of covenants to the City Attorney for review, including an opinion of legal counsel licensed to practice law in the State that the condominium meets requirements of State law, and record the covenants with the condominium plat for the project.

B. Maintenance: All private areas in developments shall be properly maintained by the property owners.

C. Easements: Buildings may not be located within a public easement.

D. Phasing Plan: Applicants seeking development approval of a phased project shall submit for review at the time of plat or site plan approval a project phasing plan. Development shall be in accordance with the project phasing plan unless the City approves a revised project phasing plan.

E. Nonconforming Lots Or Parcels: Nonconforming lots or parcels of land which legally existed or were created by a preliminary or final plat approval prior to the establishment of the P-O Zone shall be brought into conformance with the requirements of this chapter prior to development.  
(Ord. 2016-02, 4-19-2016)

## **EXHIBIT F**

(Resolution R2022-14 - To Be Inserted Once Executed)



## **RESOLUTION R2022 – 15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE FUTURE LAND USE PLAN MAP OF THE GENERAL PLAN OF THE CITY OF SOUTH JORDAN FROM STABLE NEIGHBORHOOD (SN) TO ECONOMIC INFILL OPPORTUNITY (EIO) ON PROPERTY GENERALLY LOCATED AT 10431 S. 3200 W.; MEGAN VISSER (APPLICANT).**

**WHEREAS**, the City Council of the City of South Jordan (“City Council”) has adopted the Future Land Use Plan Map of the General Plan of the City of South Jordan (“Land Use Map”); and

**WHEREAS**, the Applicant requested that the City Council amend the Land Use Map by changing the land use designation on property located generally at 10431 S. 3200 W. from Stable Neighborhood to Economic Infill Opportunity ; and

**WHEREAS**, the South Jordan Planning Commission reviewed Applicant’s proposed amendment and made a recommendation to the City Council; and

**WHEREAS**, the City Council held a public hearing concerning the proposed amendment; and

**WHEREAS**, the City Council finds that amending the Land Use Map as proposed by the Applicant will enhance the public health, safety and general welfare, and promote the goals of the General Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:**

**SECTION 1. Amendment.** The land use designation of the Land Use Map of a portion of property described in Application PLZBA202100266, filed by Megan Visser, which is located generally at 10431 S. 3200 W. in the City of South Jordan, Utah, is hereby changed from Stable Neighborhood to Economic Infill Opportunity as shown in **Exhibit A**.

**SECTION 2. Severability.** If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

**SECTION 3. Effective Date.** This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason T. McGuire	_____	_____	_____	_____

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
City Recorder

Approved as to form:

  
\_\_\_\_\_  
Office of the City Attorney

## **EXHIBIT A**

(Property Description)

### **BISON RUN RECEPTION CENTER PROPERTY DESCRIPTION**

3-3-22

A TRACT OF LAND BEING SITUATE IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID TRACT OF LAND HAVING A BASIS OF BEARINGS OF NORTH 00°01'00" EAST BETWEEN THE WEST QUARTER AND NORTHWEST CORNER OF SAID SECTION 16, SAID TRACT OF LAND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF 3200 WEST STREET, SAID POINT BEING, NORTH 00°01'00" EAST ALONG THE SECTION LINE A DISTANCE OF 725.49 FEET AND EAST 25.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,  
AND RUNNING

THENCE NORTH 00°01'00" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 123.21 FEET; THENCE NORTH 01°55'35" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 4.63 FEET TO THE SOUTHWEST CORNER OF A PARCEL DESCRIBED BY THAT CERTAIN QUITCLAIM DEED ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER AS ENTRY 12882342, IN BOOK 10728, AT PAGE 7436; THENCE, ALONG SAID PARCEL, THE FOLLOWING THREE (3) COURSES, 1) SOUTH 89°59'00" EAST 12.33 FEET, 2) NORTH 00°01'00" EAST 28.00 FEET, 3) NORTH 89°59'00" WEST 11.40 FEET TO THE EAST RIGHT-OF-WAY LINE OF 3200 WEST STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 01°55'35" EAST 23.85 FEET; (2) EAST 6.21 FEET; (3) THENCE NORTH 00°00'19" EAST 164.46 FEET; THENCE SOUTH 89°59'47" EAST 83.48 FEET; THENCE NORTH 54°24'45" EAST 33.58 FEET; THENCE EAST 86.57 FEET; THENCE NORTH 80.81 FEET; THENCE EAST 49.76 FEET; THENCE NORTH 00°00'03" WEST 64.26 FEET TO THE SOUTH LINE OF THE SOUTH JORDAN PARKWAY RIGHT-OF-WAY; THENCE EAST, ALONG SAID RIGHT-OF-WAY, 123.87 FEET TO THE WEST LINE OF ALEXANDER PARK LANE RIGHT-OF-WAY; THENCE SOUTH 00°01'00" WEST, ALONG SAID RIGHT-OF-WAY, 377.75 FEET; THENCE WEST 173.85 FEET; THENCE SOUTH 130.97 FEET; THENCE WEST 205.17 FEET, TO THE EAST LINE OF 3200 WEST STREET AND THE POINT OF BEGINNING.

CONTAINS AND AREA OF 133,272 SQUARE FEET OR 3.06 ACRES, MORE OR LESS

**ORDINANCE NO. 2022-02-Z**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY GENERALLY LOCATED AT 10431 S. 3200 W. FROM THE R-1.8 ZONE AND R-2.5 ZONE TO THE P-O-PD AND R-3 ZONE.**

**WHEREAS**, the City Council of the City of South Jordan (“City Council”) has adopted the Zoning Ordinance of the City of South Jordan (Title 17 of the City Code) with the accompanying Zoning Map; and

**WHEREAS**, the Applicant, Megan Visser, proposed that the City Council amend the Zoning Map by rezoning the property described in the attached Exhibit A; and

**WHEREAS**, the South Jordan Planning Commission reviewed the proposed rezoning and made a recommendation to the City Council; and

**WHEREAS**, the City Council held a public hearing concerning the proposed rezoning; and

**WHEREAS**, the City Council finds that the rezoning will enhance the public health, safety and welfare and promote the goals of the General Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:**

**SECTION 1. Rezone.** The property described in Application PLZBA202100266 located in the City of South Jordan, Utah is hereby reclassified from the R-1.8 Zone and R-2.5 Zone to P-O-PD and R-3 Zone on property described in the attached **Exhibit A**.

**SECTION 2. Filing of Zoning Map.** The Official Zoning Map showing such changes shall be filed with the South Jordan City Recorder.

**SECTION 3. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

**SECTION 4. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

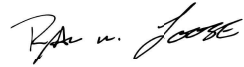
**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
City Recorder

Approved as to form:



\_\_\_\_\_  
Office of the City Attorney

## EXHIBIT A

(Property Description)

R-2.5 Zone to R-3 Zone

### BISON RUN LOTS 1-5 AND 7-10 BOUNDARY DESCRIPTION 3-3-22

A TRACT OF LAND BEING SITUATE IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID TRACT OF LAND HAVING A BASIS OF BEARINGS OF NORTH 00°01'00" EAST BETWEEN THE WEST QUARTER AND NORTHWEST CORNER OF SAID SECTION 16, SAID TRACT OF LAND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF 3200 WEST STREET, SAID POINT BEING, NORTH 00°01'00" EAST ALONG THE SECTION LINE A DISTANCE OF 406.15 FEET AND EAST 25.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,

AND RUNNING THENCE NORTH 00°01'00" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 136.62 FEET TO THE SOUTHWEST CORNER OF A PARCEL DESCRIBED BY THAT CERTAIN QUITCLAIM DEED ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER AS ENTRY 12882342, IN BOOK 10728, AT PAGE 7436;

THENCE, ALONG SAID PARCEL, THE FOLLOWING THREE (3) COURSES, SOUTH 89°59'00" EAST 7.50 FEET, 2) NORTH 00°01'48" EAST 17.50 FEET, 3) NORTH 89°59'00" WEST 7.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF 3200 WEST STREET; THENCE NORTH 00°01'00" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 165.22 FEET;

THENCE EAST 205.17 FEET;

THENCE NORTH 130.97 FEET;

THENCE EAST 173.85 FEET TO THE WEST RIGHT-OF-WAY LINE OF ALEXANDER PARK PLACE;

THENCE SOUTH 00°01'00" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 450.31 FEET;

THENCE WEST 378.98 FEET TO THE POINT OF BEGINNING.

CONTAINS AND AREA OF 143,660 SQUARE FEET OR 3.30 ACRES, MORE OR LESS

R-1.8 and R-2.5 Zone to P-O (PD) Zone

BISON RUN RECEPTION CENTER PROPERTY DESCRIPTION

3-3-22

A TRACT OF LAND BEING SITUATE IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID TRACT OF LAND HAVING A BASIS OF BEARINGS OF NORTH 00°01'00" EAST BETWEEN THE WEST QUARTER AND NORTHWEST CORNER OF SAID SECTION 16, SAID TRACT OF LAND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY LINE OF 3200 WEST STREET, SAID POINT BEING, NORTH 00°01'00" EAST ALONG THE SECTION LINE A DISTANCE OF 725.49 FEET AND EAST 25.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,

AND RUNNING

THENCE NORTH 00°01'00" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 123.21 FEET; THENCE NORTH 01°55'35" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 4.63 FEET TO THE SOUTHWEST CORNER OF A PARCEL DESCRIBED BY THAT CERTAIN QUITCLAIM DEED ON FILE WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER AS ENTRY 12882342, IN BOOK 10728, AT PAGE 7436; THENCE, ALONG SAID PARCEL, THE FOLLOWING THREE (3) COURSES, 1) SOUTH 89°59'00" EAST 12.33 FEET, 2) NORTH 00°01'00" EAST 28.00 FEET, 3) NORTH 89°59'00" WEST 11.40 FEET TO THE EAST RIGHT-OF-WAY LINE OF 3200 WEST STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 01°55'35" EAST 23.85 FEET; (2) EAST 6.21 FEET; (3) THENCE NORTH 00°00'19" EAST 164.46 FEET;

THENCE SOUTH 89°59'47" EAST 83.48 FEET;

THENCE NORTH 54°24'45" EAST 33.58 FEET;

THENCE EAST 86.57 FEET;

THENCE NORTH 80.81 FEET;

THENCE EAST 49.76 FEET;

THENCE NORTH 00°00'03" WEST 64.26 FEET TO THE SOUTH LINE OF THE SOUTH JORDAN PARKWAY RIGHT-OF-WAY;

THENCE EAST, ALONG SAID RIGHT-OF-WAY, 123.87 FEET TO THE WEST LINE OF ALEXANDER PARK LANE RIGHT-OF-WAY;

THENCE SOUTH 00°01'00" WEST, ALONG SAID RIGHT-OF-WAY, 377.75 FEET;

THENCE WEST 173.85 FEET;

THENCE SOUTH 130.97 FEET;

THENCE WEST 205.17 FEET, TO THE EAST LINE OF 3200 WEST STREET AND THE POINT OF BEGINNING.

CONTAINS AND AREA OF 133,272 SQUARE FEET OR 3.06 ACRES, MORE OR LESS





<p><b>Legend</b></p> <p>STREETS</p> <p>PARCELS</p>	<h2>Exhibit A Land Use Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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<p><b>Legend</b></p> <p>STREETS</p> <p>PARCELS</p>	<h2>Exhibit A Zoning Map</h2> <h3>City of South Jordan</h3>	<p>0 105 210 420 630 840 Feet</p> <p>Aerial Imagery 2021</p> 
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