

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
March 8, 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, Deputy City Recorder Cindy Valdez, Supervising Senior Engineer Shane Greenwood, Planner Damir Drozdek, IT Director Jon Day, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun

Others: eugenia, Shanel Mclenon, Rob, Dave Kirkham, Dan Mecham, Dan & Penni Smith, Michelle Flowerke, Ryan's iPhone, 8015183591, Sandy Greenwood, Candace's iPhone, Andrea Sorenson, Tim Anderson, Larry Short, Becky Dennison, Dave Kirkham, Kristy Collins, Dan Smith, Bruce Drexel, Tina Franco, Lisa Krump, Thayne Aubrey,

6:31 P.M.
REGULAR MEETING

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

Commissioner Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting.

II. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to approve the March 8, 2022 Planning Commission Agenda as published and noticed. Commissioner Hollist seconded the motion; vote was unanimous in favor.

III. APPROVAL OF THE MINUTES

Commissioner Bevans motioned to approve the February 8, 2022 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion; vote was unanimous in favor.

IV. STAFF BUSINESS - *None*

V. COMMENTS FROM PLANNING COMMISSION MEMBERS - *None*

VI. SUMMARY ACTION – *None*

VII. ACTION – *None*

VIII. ADMINISTRATIVE PUBLIC HEARINGS –

- H.1. DAYBREAK VILLAGE 9 PLAT 3 PRELIMINARY SUBDIVISION**
Location: Generally 11300 South 6880 West and 11320 South 6625 West
File No: PLPP202100214
Applicant: LHM Real Estate

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

Chair Hollist asked if there was a representative from Larry H. Miller present; there was no representative present, either in person online. She then opened the hearing to public comment; there were no comments and the hearing was closed.

Commissioner Darby motioned to approve File No. PLPP202100214, Preliminary Subdivision, subject to all South Jordan City requirements being met prior to recording the plat. Commissioner Hollist seconded the motion. Roll Call vote was 5-0, unanimous in favor.

- H.2. EQUESTRIAN PARK SUBDIVISION PRELIMINARY SUBDIVISION PLAT**
Location: 2200 W. 11400 S.
File No: PLPP202200025
Applicant: Andrea Sorensen, Salt Lake County Parks & Rec

Planner Damir Drozdek reviewed background information from the Staff Report.

Chair Michele Hollist asked what Utah State University (USU) has planned for this piece of property.

Planner Drozdek said he believes it will be some type of educational facility, and that the racetrack is being removed; as far as he knows, they are keeping the stables.

Chair Hollist asked whether or not our zoning rules would apply the same with Utah State owning the property, as sometimes when the state owns property our zoning rules don't apply the same way.

City Planner Greg Schindler said the state has given cities power to regulate zoning, but not over state owned property; the state has more authority than the cities and counties do. He doesn't think they will be doing anything on the property that would not meet zoning requirements, as he believes they will be rezoning the property as well to match the intended uses. If it was going to be left as a park, then it should be zoned as Open Space Park, not Agricultural.

Planner Drozdek said they will be back with a zoning change application for the city park property, and lot 2 for a Gene Fullmer boxing facility. Regarding the USU property, he doesn't know if zoning will change. The 2.7 acre lot (lot 2) will stay owned by the county, the rest of it will be owned by Utah State.

Commissioner Steve Catmull asked about the powers when the county owns the property, do they have the same powers as the state.

Planner Schindler said no, the state gives the power to the cities and counties. The county doesn't have any more authority over our zoning than we do anywhere else in the county.

Commissioner Catmull asked if there is a special process when the state purchases property, outside of taking property via eminent domain.

Commissioner Schindler they probably have their own process, however they can buy any property or land just like anyone else; the city cannot prevent the county or state from purchasing property.

Assistant City Attorney Simonsen said that the specific wording of the law is "we hereby delegate to the municipalities these powers to regulate land and structures;" we are all here because of that delegation of power. It then goes on to say "nothing herein shall be interpreted to mean that this power extends to any properties owned by the state or the federal government." We do not have power to regulate those properties. His experiences with the state are that they are interested in being a good neighbor, and having a great project; they will be interested in looking at our code and being responsible.

Commissioner Catmull asked if this would trigger anything on the city's side like updating the General Plan, Future Land Use Maps, etc. This is around 100 acres, that's a pretty big piece of land and he wonders if we need to update things on our end.

Planner Schindler said this will probably be left as is until Utah State decides what they actually want to do with it; whatever they are planning may not be outside of the range of what the General Plan calls for now.

Andrea Sorenson (Applicant) said that on county website, for the equestrian park, there is some information on what Utah State is starting to plan. They have a big emphasis on environmental education; she has seen many ideas and she thinks the city is going to enjoy having that amenity in their city.

Commissioner Nathan Gedge noted that this is the current location for the annual Salt Lake County Fair and asked what the plans are for the future.

Ms. Sorenson said there have been discussions about holding the fair at the state fairgrounds, but she is unsure.

Commissioner Gedge pointed out that not having the Salt Lake County fair in our jurisdiction leads him to assume there will be a loss of sales tax revenue for our city with this change of ownership.

Chair Michele Hollist opened the hearing to public comment.

Tim Anderson (Resident) thinks this should be denied, this has come in under the carpet; the county and the school did not notify anyone. He thanked the city for sending out a letter about this meeting, the other stuff has come in under the carpet. It has been in the dark and he is sure it's a done deal, but his theory is that it needs to be denied; let's keep it a historic place.

Larry Short (Resident) said he knows this was the crown jewel of the county. South Jordan tried to get that made into soccer fields and he was on the city council when this was being tried. He is really surprised they are doing this, the fact that this park is going to be downsized seems like the county runs roughshod over what they want to do in the city; we lost our center, plus the property there. We have football games and soccer games to the north of that, and there is no parking for that anymore. He was on the board to try and find out what we can do to gain more parking there, and it was requested that they maybe park around that area because there is not enough parking. Now, to put up something we don't really know what they're going to make, and then a subdivision in the middle; this property could be well used as open space. If you don't know what's going there now, and you can't tell what's going there, what's going to happen? We will just see it go, and go, and go, and soon our park will be gone. Our park in the center of town is now going to be gone, half of it will be unusable. The county fair has been going down hill for quite a while, but it is used jointly with the city and that has been nice. There are other things that can happen, and do happen, in that equestrian center that people will attend. To not really know what's going on, and knowing the city tried to get a hold of it at one time, how do they pick and choose what's going to go on there. We need to leave our park space alone, let it continue to grow; the horses are part of that. The track doesn't make money, but it can be reused in conjunction with everything else.

Becky Dennison (Resident) said her concern is that right now we are saying this is a subdivision plot, and once we say that's okay, the commission has said that the state and county can do whatever they want. Once this is approved as a subdivision plot, even if we don't think they're going to use it, how do we know they aren't going to use it. We need to put more into this and know what our services are; once it starts growing, we don't have the services for the city we have now. We have overgrown the water, sewer, police and people that work for the city; we can't even find employees for the businesses here. Also, we have so many empty buildings here, we are inviting squatters. We need to start thinking of this before putting a subdivision in. We don't know enough to be okaying this tonight, we don't know enough to be protecting the South Jordan citizens that we have now. She lives right across the street, and she knows South Jordan encourages growth, but she grew up here and she thinks there needs to be a little nostalgia here as well; we need to not push the older people out. If we don't have the manpower for emergency

services, how do we encourage growth, and that's exactly what we're doing here, encouraging growth when we can't handle what we have here as it is.

Dave Kirkham (Resident) echoed what has been said, that we don't know enough. We are supposed to be okay with the proposed plan, but we don't have enough details on that plan. Like Mr. Short was saying, this is our park, and if the racetrack isn't working and isn't making money, it's still public land that the public can enjoy; now we are just giving that up, and that's hard for him. He feels like we need to know more of what's going on, and he hates to get rid of that land to begin with as it needs to be enjoyed. We commercialize everything, or put houses on everything, and there's just nothing left for the public to enjoy.

Dan Smith (Resident) lives directly west of what is now the polo field part of this property. He echoed all of the concerns shared tonight, and wanted to add questions regarding parking planned for this establishment that USU wants to put in. Even when we have events currently in this space, there is a complete lack of parking; the traffic, getting in and out of his driveway for example, can be very challenging whenever there is an event in the area. The planning that he saw, be it preliminary or not, indicated there was going to be livestock placed in the polo field directly across from his house. While he doesn't mind the sight, he does worry about the smell. Among other things, he thinks the complete lack of a solidified plan from USU as to what they are going to do with this land should make us all stop and take pause before approving anything.

Kristy Collins (Resident) said they bought this property specifically because of the equestrian center. Save the Salt Lake Equestrian Center came out in droves when they tried to change it into soccer fields. If the horse community knew this was going on right now, they would be lining up about this. There are so many groups there that use that property, and we have lost almost all of the horse related property in this county that is useable as far as arenas and things like that; there are hardly any places for people to go now. When this was shut down, there was an arts bond passed to improve the property. They have replaced some stalls, talked about getting some other money to help improve it, but it was supposed to be towards improving it as an equestrian park; that money was supposed to be towards improving it as an equestrian park, it is not meant to be changed into something else and we don't even know what their plan is. She is totally against this.

Bruce Drexel (Resident) said when he first came out here there were 3400 people in South Jordan. He has watched it grow, and he has watched the apartments come in, and we don't have any open ground anymore as far as recreation for the kids to play on, soccer and football games, etc. He could maybe see the equestrian park going, but the park and horse stalls should stay, there is no reason for that to be gone.

Chair Hollist closed the hearing to public comment. She asked staff for clarification of what is meant by the term "subdivision plan."

Planner Drozdek said the application they are submitting is a preliminary subdivision plat, and that term can be misleading since most people assume that means a residential project. A better term for this application would probably be a consolidation plat, or something like that, but we

don't have an application like that; the only thing they can use for this application and plat is the subdivision plat application.

Planner Schindler added that this application is taking the 10-11 lots that the county owns and making them into two lots; this is not increasing the number of lots, it is actually decreasing that number. As a city, we don't know what Utah State has planned and he doesn't believe they've even purchased the land yet. There isn't a reason he could find for the city to oppose the subdivision, making two lots out of 11 original lots, and this meets all the state codes for consolidation of lots. Regarding the development of the property, that comes later. He doesn't know if Utah State will be required to go through the planning commission for a site plan review or not, that hasn't happened in the past for other things but it might. The residents should be able to get some type of notification, as they generally don't go around building things.

Chair Holist asked who owns this property, as it is not the city.

Planner Schindler said that is correct, the county owns the property currently. If the state is purchasing it, he does not know the details of how that will happen.

Chair Hollist reiterated that the city does not have the authority to interfere in the sale of the property.

Commissioner Gedge asked if a reason was found to not approve this subdivision, could the county still sell the parcels as 10-11 different transactions.

Planner Drozdek said yes, that's correct.

Commissioner Gedge wanted to make it clear to the public that even if we didn't approve this subdivision, the county can still sell the property to Utah State. He believes it is best for the concerned residents to reach out to their representatives on the Salt Lake County Council, as it looks like they are the authoritative body that would sign off on this sale. He doesn't know if that will do anything, but sadly we don't have any power to do anything. He grew up with this track, his family raced horses there and he used to run a rodeo for our neighboring city. It is also where they did a lot of their events. If he could find a way, he would find a way to deny this. He is also very disappointed in the county, basically wasting our time in the last year, coming back with our whole manure mitigation with the improvements they were going to make to the park. If they had this in the works in the last year, he is very disappointed in them for this behavior; there doesn't appear to be much cooperation between intergovernmental agencies. He is just very disappointed in the county and the lack of notice or communication with the residents regarding this. He was one of the people who grew up in this city since it was around 2400 people, this has been a jewel of the city.

Chair Hollist asked if they would have any justification for tabling this and asking for plans to be brought forward with more information, would that accomplish anything.

Attorney Simonsen said no. A key part of the staff report is under the conclusion, "the proposed preliminary subdivision plat will meet city code requirements." If it didn't meet city code requirements, then the commission would have grounds for denying this subdivision. Nothing

has been said about any requirement not being met. We have to treat the county in the same legal manner that we would treat any property owner coming to us; we have to ask if they meet the code, and we haven't heard anything presented tonight that shows the applicant doesn't meet the code.

Commissioner Laurel Bevans said there are a few events linked to this property, including Summerfest this past year, and she asked if we had plans to move that. Also, will the drive through light show remain in the city, or are we losing that with this purchase.

Planner Schindler said he doesn't know, and he doesn't think anyone here knows. Someone mentioned they may be looking for another location for Summerfest and things like that, but again, this isn't the city's property.

Commissioner Gedge asked about the rating for 2200 West, what type of daily carload can be accommodated off of 2200 W directly, as that is a city street.

Supervising Senior Engineer Shane Greenwood said he believes 200 W is a minor collector road, however he is unsure of the number of vehicles handle. It can handle a fair amount of traffic, and if this isn't going to be proposed residential units he doesn't see a big increase in vehicles using the road.

Chair Hollist added that we have seen that when the state owns property, they don't have to follow our zoning; we have had the state own property in our city and develop it before. Commissioner Trevor Darby showed her what has been typed up on the Utah State Website, and what is currently proposed looks wonderful; she hopes that is the intent, and will be for a long time because she shares all the same concerns that were expressed tonight about if the intent were to change. This isn't our property, and our legal counsel always gives us sound advice regarding where our authority does and does not lie.

Commissioner Catmull motioned to approve File No. PLPP202200025, Preliminary Subdivision Plat. Chair Hollist seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

**H.3. AUBREY COVE SUBDIVISION PRELIMINARY SUBDIVISION
PLAT**

Location: 9820 S. 2700 W.

File No: PLPP202100149

Applicant: Tina Franco, Howland Partners Inc.

Planner Damir Drozdek reviewed background information from the Staff Report.

Chair Michele Hollist asked if home that exists on lot 2 meets the offset requirements from the road.

Planner Drozdek said it's a private lane.

Commissioner Nathan Gedge added that because this is a private lane, there will be no city services other than emergency access if needed.

Planner Drozdek said the turnaround has been approved by the fire department.

Tina Franco (Applicant) is with Howland Partners. She is helping the Aubreys and the Petersons get this subdivision completed so they can start building houses on it in the back; they have been working on this for quite a while.

Chair Hollist opened the hearing to public comment.

Lisa Krump (Resident) lives right behind the property and doesn't understand the sizing. She asked for an explanation regarding the sizing of the lots, as they seem pretty small, especially with no fencing. Her fence is the fence that's there currently, and it seems tight. She also wonders which direction the home would be approved to face because the side yard or backyard will be touching her backyard.

Chair Hollist closed the hearing to public comment. She asked staff to address the minimum lot sizes and other measurements for this zone.

Planner Drozdek said the zoning on the property is R-2.5, the same zoning as the surrounding properties. The minimum lot size in this zone is 12,000 square feet, so they are meeting the density and minimal lot size requirements. Regarding fencing, it is not required because these are alike uses; if there was commercial, office, or even townhomes behind them then fencing would be required. We do not know which way the house will be facing at this point. The offsets for these properties would be 25 feet in the front, 10 feet on the sides, and 25 feet in the rear.

Thayne Aubrey (Applicant) said they are not for sure, but the home will probably face east with the backyards adjoining; however, they do not have a definite plan for that yet. He is pretty sure it will be backyard, rather than side yard, because they wouldn't face south or west.

Chair Hollist asked if any current fencing will remain on the property.

Mr. Aubrey said all the current fencing is chain link, which will stay, and there are trees surrounding to the south and west. If neighbors are concerned, they are more than happy to talk about that and a possible need to upgrade to a more private fence type. Currently, they intend to leave all existing fencing where it is.

Commissioner Laurel Bevans asked if they have any intent to remove any of the trees that are currently on the property.

Mr. Aubrey said no, if anything, they would like to add more trees and add more inviting landscaping to make the property more aesthetically pleasing. None of that will interfere with construction.

Commissioner Gedge motioned to approve File No. PLPP202100149, Preliminary Subdivision plat. Chair Hollist seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

IX. LEGISLATIVE PUBLIC HEARINGS – *None*

X. OTHER BUSINESS - *None*

ADJOURNMENT

Chair Hollist motioned to adjourn the March 8, 2022 Planning Commission meeting. Commissioner Darby seconded the motion; vote was unanimous in favor.

The March 8, 2022 Planning Commission Meeting adjourned at 7:19 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez