

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
October 22, 2024**

Present: Chair Michele Hollist, Commissioner Laurel Bevans, Commissioner Steven Catmull, Commissioner Nathan Gedge, Commissioner Sam Bishop, Planning Director Steven Schaefermeyer, Assistant City Attorney Greg Simonsen, City Recorder Anna Crookston, Deputy City Recorder Cindy Valdez, Deputy City Engineer Jeremy Nielson, GIS Coordinator Matt Jarman, IT Director Matthew Davis, Senior System Administrator Phill Brown, Meeting Transcriptionist Diana Baun

Others: Stephanie Hurst, Randy Smith, Sheri Mattle, Vivian Wilson, Cameron Smith, Chris Rains

Absent: Commissioner Ray Wimmer

**6:32 P.M.
REGULAR MEETING**

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

Chair Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting. She excused Commissioner Wimmer who was absent tonight.

B. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to approve tonight's **AMENDED** agenda, removing Item I.1., and adding a public comment section related to the removed item. Commissioner Catmull seconded the motion. Vote was 4-1 with Commissioner Bevans voting "no," noting that the removed item will be noticed, and the public will be allowed to speak when it is brought to the commission, avoiding the necessity of members of the public speaking twice on the same item. Commissioner Wimmer was absent from the vote.

C. APPROVAL OF THE MINUTES

C.1. October 8, 2024 - Planning Commission Meeting Minutes

Commissioner Nathan Gedge asked for a reference to the Art Committee during the commission responsibility discussion to be replaced with the ARC (Architectural Review Committee).

Commissioner Steven Catmull asked for a revision to Item C, striking the statement "both Commissioner Catmull and Ryan Loose agreed that enforcing intent language is challenging."

He had sent that in an email prior to the meeting but purposefully omitted it from his comments during the meeting as he felt his voice wasn't coming through on that comment.

Commissioner Gedge motioned to approve the October 8, 2024 Planning Commission Meeting Minutes with the revisions above. Chair Hollist seconded the motion; vote was 4-0, unanimous in favor. Commissioner Bevans abstained from the vote, and Commissioner Wimmer was absent from the vote.

D. STAFF BUSINESS

Director Steven Schaefermeyer noted that the purpose of pulling the item from the agenda was to get more information from the applicant. They appreciated all the comments from the public and they apologized for any confusion caused by pulling it from the agenda. When it is re-noticed, all the same people will be noticed.

E. COMMENTS FROM PLANNING COMMISSION MEMBERS - None

F. PUBLIC COMMENT

Chair Michele Hollist opened the public comment section regarding the removed item, the Bess Dental Office Land Use Amendment and Rezone.

Assistant City Attorney Greg Simonsen shared with the commission that they have the right to open this for general comment on any item, but in terms of having the public comment on an item that has been removed from the agenda, it is the same thing as having a hearing on the item. Since the item is no longer on the agenda, and since people relying on the amended agenda were told this matter would not be coming forth, including the applicant, he questions the propriety of going forth with a hearing on this matter in their absence.

Chair Hollist and Commissioner Laurel Bevans both asked about changing it to general public comment, rather than inviting comments for the specific removed item.

Attorney Simonsen responded he couldn't specifically say they can't, but where this has been announced as comments on an item removed from the agenda, he believes that is opening it up for a hearing on the removed item and the amended notice that the commission was not going to be holding that hearing.

Chair Hollist motioned to re-open the public comment section of the meeting for general comments addressed to the commission. Commissioner Gedge seconded the motion; vote was 5-0, unanimous in favor.

There were no comments and Chair Hollist closed the public comment section. After this announcement, members of the audience stood up and indicated they wished to speak.

Commissioner Gedge moved to re-open the public comment. Commissioner Bishop seconded the motion; vote was 5-0, unanimous in favor.

Chair Hollist re-opened the public comments.

Stephanie Hurst (Resident) – I am a pretty new member of the neighborhood and I just wanted to point out that as we were looking at houses we saw across the street that this plot was listed on a plan for green space in the city. Of course, we know nothing is set in stone, but that was something that we considered and is part of the general South Jordan city goals. I am against putting in the dentist office there. I think it also goes against the Shield's Lane Corridor project that I also attended another meeting about, what should we do with the Shield's Lane corridor, and putting in commercial space goes against the design, it will inhibit what they can do with that plan and it sets up a poor precedent for both 9800 S and 1300 W to include commercial space. I will plan to come back the next time we can speak about this, but I appreciate the chance since I did make it out here tonight.

Sherry Mattle (Resident) – I came also to speak against this. Several years ago on this same plat of land, there was someone wanting to put a dance studio on it and I know the neighborhood activated. I was not really part of that but I know that it took place because my next door neighbor was highly involved in it. Basically, what happened as a result of that was the city bought the land and I was under the impression that we were promised a park that never showed up, but we have been patient. We tried to find out things yesterday, I came to City Hall yesterday and talked to Planning and Zoning, and they said we had to go talk to the Recorder, and none of the people we were supposed to be able to talk to were available. I found that very disappointing because I was feeling like there was a timeline because you are hearing it today and I didn't get mailed it which I think I might be within the 300 feet, or maybe just barely outside of it, I didn't get noticed about it and only knew when the sign went up that there was something going in there. I was under the impression that was going to be a park sometime and I think with the Shields Lane Corridor stuff it would come to pass then. I was surprised, but we were surprised that the city sold this property without us being given notice when it was our understanding that it was supposed to be a park. My other question is, if this gets rezoned office and it's agriculture, what will happen with all the other properties along 1300 W that are agricultural and residents are aging, I'm sure some of them have passed away, my concern is those might get rezoned to not be residential too and I think it will ruin it.

Vivan Wilson (Resident) – I sent a letter in (Attachment A) and wanted to make sure you knew some of the history that went on with this because I was part of it when it happened a number of years ago. The property was up for sale 10+ years ago, originally there were three lots on the property being considered. If I remember correctly the water company owned one lot, Fred Lampropoulos from Merit Medical owned one lot, both were contacted by the owner of the third lot who I don't remember to combine the three lots for sale. According to what we had heard, the prospective buyer of all three lots was the dance studio that Sherry mentioned. The zoning would need to be changed from residential to commercial to accommodate the building of a commercial business on those lots. If that was sold and purchased it would impact not only Shields Lane, but also Temple Drive. My home is right on Temple Drive, directly across from the proposed building site, which I do oppose also. Temple Drive is zoned residential, we were opposed to the

zoning change from residential to commercial, not only because it would impact our neighborhood, but it would open the door eventually to commercial building down the road on Temple Drive. Because of the overwhelming support of our neighborhood community, Leona Winger at the time in the city council and Fred Lampropoulos, the night of the city council meeting was standing room only. The mayor also said the proposal would not be heard and it was just shut down. We worked with Leona Winger of the city council and Fred Lampropoulos of Merit Medical to have the city purchase the property. We understood the city purchased the lots, which would turn into a city park. Commercial sites were not to be an option. We just wanted to be able to keep South Jordan beautiful and would have liked the park built, now somebody I talked to said we wouldn't be able to do that because somebody else purchased it. We would like to build a park, we need more open space, and we just really didn't want to have to bring it up again because we've already dealt with this once years ago and we thought eventually it would be turned into a park. We wanted to be able to share that with you and let you know that it's not just something we're coming up with, we have dealt with this and we had the whole community fill up the city council room which some people are aware of and some people are not. I just wanted to share that with you and hope you consider that coming up.

G. SUMMARY ACTION – *None*

H. ACTION - *None*

I. ADMINISTRATIVE PUBLIC HEARINGS

**I.1. DAYBREAK VILLAGE 11A PLAT 8 AMENDED SUBDIVISION
AMENDMENT**

Address: Lots 671 through 675

File No.: PLPLA202400177

Applicant: Perigee Consulting

Planner Miguel Aguilera reviewed background information from the Staff Report.

Chair Michele Hollist asked if the applicant or representative was present and wanted to add anything to the Staff Report. The applicant's representative from Fieldstone had nothing to add. Chair Hollist opened the Public Hearing for comments; there were no comments and the hearing was closed.

Commissioner Nathan Gedge asked staff how this issue came about, being built outside of the lot lines.

Planning Director Steven Schaefermeyer directed questions to the applicant.

Randy Smith (Fieldstone Homes) – responded the construction tolerances were just not tight enough and they missed it by about 10 inches, which then caused everything to be slightly off. They now have to adjust those lot lines to put the homes in the middle before they can add the

side yards and finish things up. Unfortunately, the Daybreak homes have extremely tight spaces and those small areas can be challenging sometimes.

Chair Hollist asked if these homes are still owned by the developer, builder, have they been sold, etc.

Mr. Smith believes two of the homes have been sold, this amendment is to adjust five different lots. He believes the homes have been built on all five lots, with the remaining three still owned by Fieldstone. The two new homeowners are aware of the issue and are signers on the amended plats.

Director Schaefermeyer noted that the county requires the plat to be signed by the owners on file.

Commissioner Laurel Bevans asked if this was caught during construction, inspections, etc.

Mr. Smith responded it was caught later during construction, when they went to start side yard fences.

Commissioner Bevans asked if the mistake was from the engineer putting in the stakes, or how this got marked incorrectly before building.

Mr. Smith responded the foundations were set off at the beginning causing all this, and Daybreak is very tight together. They have had a lot of questions as well, trying to figure out where the mistake was made, Since the stakes are gone at this point in construction it has been hard to pinpoint where specifically the mistake was made.

Commissioner Bevans asked if they have a process in place to ensure this doesn't happen again.

Mr. Smith responded that yes, this was very frustrating for them and they now have a process to ensure this never happens again.

Chair Hollist asked Assistant City Attorney Greg Simonsen if there is anything legally that needs to be concerned before approving this amendment.

Assistant City Attorney Greg Simonsen noted that he was more concerned that the staff report only indicates 2 homes had been built, but now they find out there were possibly five homes completed.

Commissioner Bevans asked why they don't have the official copy of the amended plat with signatures.

Director Schaefermeyer was unsure why that wasn't included, many times those contain multiple pages so on Daybreak plats they sometimes have the signature on the front pages only.

Attorney Simonsen noted that aside from the mayor's signature, the last person to review the plat in great detail is himself; whether it's an original or amended plat. He will make sure they are all signed off correctly.

Commissioner Gedge motioned to approve File No. PLPLA202400177, Amended Subdivision Amendment, based on the Staff Report and testimony provided this evening. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Absent – Commissioner Wimmer

Motion passes 5-0, unanimous in favor. Commissioner Wimmer was absent from the vote.

I.2. DAYBREAK SOUTH STATION PLAT 4 PRELIMINARY SUBDIVISION

Address: Generally east of the future Salt Lake Bees Stadium

File No.: PLPP202400141

Applicant: Perigee Consulting on behalf of Miller Family Real Estate

Planner Miguel Aguilera reviewed background information from the Staff Report.

Chair Michele Hollist asked if something like this includes bonding to build the road when the time comes.

Deputy City Engineer Jeremy Nielson responded yes, with those improvements the city will be collecting a bond to ensure it is built to city standards.

Commissioner Sam Bishop noted that he was under the impression they were building this road right now, asking if they are just laying pipe currently.

Director Schaefermeyer was unsure, and there is no representative from Daybreak in attendance tonight.

Engineer Nielson added that they will be accessing a temporary parking lot from this road so it should be built soon if not already in process.

Commissioner Nathan Gedge asked what type of street parking will be allowed on this street considering the surrounding area and future events.

Engineer Nielson responded on street parking is allowed, so long as it isn't creating a safety hazard. If it gets out of hand and obstructs access for emergency response, the city will impose restrictions to ensure public safety.

Commissioner Gedge discussed Home Plate Drive and asked if that will end at home plate essentially without extending east like the street being reviewed this evening, or will there be a third road as an extension of Home Plate Drive on the other side of the stadium.

Engineer Nielson responded no, Split Rock Drive flows into Home Plate Drive.

Commissioner Gedge asked if there will be traffic signals or options to cross at the Trax Station and Grandville, or will it be right in and out only at those locations.

Engineer Nielson responded they will be full access intersections.

Commissioner Bishop asked why Split Rock doesn't extend all the way to Lake Run.

Engineer Nielson responded that it will eventually, just not in this phase.

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

Commissioner Bevans motioned the Planning Commission approve File No. PLPP202400141, based on discussion tonight and Staff Report, subject to the following: all South Jordan City requirements are met prior to recording the plat. Chair Hollist seconded the motion.

Roll Call Vote

Yes - Commissioner Bevans

Yes - Chair Hollist

Yes - Commissioner Bishop

Yes - Commission Gedge

Yes - Commissioner Catmull

Motion Passes 5-0, unanimous in favor. Commissioner Wimmer was absent from the vote.

J. LEGISLATIVE PUBLIC HEARINGS

J.1. TEXT AMENDMENT – AMENDING SECTION 16.30.040

Address: Ordinance No.: 2024-24

Applicant: City of South Jordan

Planning Director Steven Schaefermeyer reviewed background information from the Staff Report.

Chair Michele Hollist opened the Public Hearing for comments; there were no comments and the hearing was closed. She then asked if land was not required to carry water rights with it when annexed, and if not, why no impact fee to help with those costs.

Director Schaefermeyer noted Kennecott is coming with some water rights, but they have not reached that stage in the development agreement regarding those specific details. Jordan Valley sells water in certain areas where there aren't water rights, so that is also an option.

Deputy City Engineer Jeremy Nielson added that the recently annexed Kennecott Land is not currently in the Jordan Valley service area, which means this change will help make that happen to allow their inclusion in the future.

Director Schaefermeyer noted the intent is not to jeopardize the water already being received from Jordan Valley. South Jordan is one of the few cities in the area that doesn't have its own water sources due to Kennecott contamination in the past.

Commissioner Steven Catmull asked what defines an "active area."

Director Schaefermeyer responded it is defined directly in the code.

Commissioner Nathan Gedge asked about whether pet relief areas in multi-family housing would fall under this "active area" restriction in the future.

Director Schaefermeyer noted that could be recommended as part of the amendment. He referenced the section Landscape Requirements, Section B, subsection 6 states "lawns shall not be installed in park strips past, or on slopes greater than 25%, or 4.1 grade." It also states "lawn areas shall be less than 8 feet wide at its narrowest point. To the extent reasonably practical, lawns shall be free from obstructions." Staff would look at the site plan for a grass area free of obstruction designated for something like pet relief and consider whether or not that should be allowed, per the code.

Commissioner Steven Catmull asked if this does anything for artificial or turf lawns.

Director Schaefermeyer responded no, it does not.

Chair Hollist asked if the planning commission is required to comply, as was previously done when rates were tied to the approval.

Director Schaefermeyer responded no, this applies to when there is a change in the property. The reality is that the outside areas would not be allowed to annex into the service areas if those rules aren't followed.

Commissioner Catmull asked staff if there were any concerns regarding "urban heat" with all these requirements in the future, and is that something that needs to be monitored to avoid unintended side effects.

Director Schaefermeyer responded that this change does not prohibit live plant material. Grass is just inefficient in terms of watering, as was proven with park strip watering in the past. If the lawn is replaced with plant material that eventually grows and covers the ground, the drip system required would be different from a regular sprinkler system and therefore allowed.

Commissioner Catmull discovered an environmental impact program provided by Google, that can be opted in to, which uses satellite and other sources to monitor emissions and deal with other climate issues. He noted that might be an interesting way to observe the city through development and going forward.

Director Schaefermeyer noted next year staff will be bringing an amendment to the city's General Plan. A requirement was made by the legislature in the recent past, requiring cities to have a more "robust" water conservation section of the general plan. Staff will review that next year and work on those potential changes.

Chair Hollist stated this change is meant to help develop effective well balanced and consistently applied ordinances and policies. However, when residents are willing to remove their grass they usually go to all rock, which many times is provided by the city for free but has no follow-up from the city to ensure they are planting the required additional live landscape items.

Director Schaefermeyer responded the public works department, to his understanding, is working with those residents to look at the specific plants being planted, follow-up and inspect after change. There are code cases being worked through right now for these issues, and there are a variety of responses from residents to this being pointed out.

Chair Hollist noted that there are city-owned park strips that are not following this code.

Director Schaefermeyer responded that there is a park-strip master plan that allows for a continual change of park strips over time with funding, but the maintenance of those park strips also becomes an issue.

Commissioner Gedge recommended approval to the City Council of Ordinance 2024-24, Amending a section of the South Jordan Municipal Code as directed above. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Motion passes 5-0, unanimous in favor. Commissioner Wimmer was absent from the vote.

K. OTHER BUSINESS

Chair Michele Hollist noted that a discussion on future commission bylaws was omitted from tonight's agenda, and has asked to move it to the commission's next meeting under "Other Business". She asked to specifically discuss the first section, chair and co-chair appointments and responsibilities, as well as additional assignments that might be needed.

Commissioner Sam Bishop reminded all commissioners to use their city emails, rather than personal emails, for sharing these types of related information.

There was a general discussion about discussing items of interest to the public, they need to be added to the agenda. In terms of commission rules that does need to be on the agenda, but there appears to be a disconnect. It was mentioned during the last meeting, but was not added to tonight's agenda.

Commissioner Gedge motioned to direct staff to add a discussion of the creation and adoption of Planning Commission Rules and Procedures to the November 10, 2024 and future 2024 meetings, as an agenda item.

Chair Hollist asked if the short term rental discussion will come before the planning commission again for review.

Commissioner Catmull added that to his knowledge, Title 16 and 17 issues have previously come before the commission for feedback, and ultimately recommendation. Since there will have to be changes, will that text amendment be brought before the commission.

Director Schaefermeyer responded that if there is a change in either title, it will come before the planning commission.

ADJOURNMENT

Chair Hollist motioned to adjourn the October 22, 2024 Planning Commission Meeting. Commissioner Gedge seconded the motion. Vote was 5-0, unanimous in favor; Commissioner Wimmer was absent from the vote.

The October 22, 2024 Planning Commission Meeting adjourned at 7:38 p.m.