

**CITY OF SOUTH JORDAN  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS  
October 14, 2025**

Present: Chair Nathan Gedge, Commissioner Lori Harding, Commissioner Steven Catmull, Commissioner Bryan Farnsworth, Commissioner Sam Bishop, Assistant City Attorney Greg Simonson, City Planner Greg Schindler, Planner Miguel Aguilera, Planner Damir Drozdek, Planner Joe Moss, Assistant City Engineer Jeremy Nielson, Director Brian Preece, Deputy Recorder Cindy Valdez, IT Director Matt Davis, GIS Coordinator Matt Jarman.

Absent: Commissioner Michell Hollist

Others: Ryan Mackowiak, Amber Mackowiak, Seluam Rajavelu, Sheri Mattle, Ashley Sudbury, Miguel Monreal

**6:30 P.M.  
REGULAR MEETING**

**A. WELCOME AND ROLL CALL** –*Chair Nathan Gedge*

Chair Gedge welcomed everyone to the Planning Commission Meeting and noted that (5) of the Planning Commissioner's are present. Commissioner Hollist is excused from tonight's meeting.

**MOTION TO APPROVE AGENDA**

B.1. Approval of the October 14, 2025

**Commissioner Harding motioned to approve the October 14, 2025 Planning Commission Agenda. Chair Gedge seconded the motion. Vote was 5-0 unanimous in favor; Commissioner Hollist was absesnt from the Vote.**

**B. APPROVAL OF THE MINUTES**

C.1. Approval of the September 9, 2025 - Planning Commission Meeting Minutes.

**Commissioner Harding motioned to approve the September 9, 2025 Planning Minutes. Commissioner Gedge seconded the motion. Vote was 5-0 unanimous in favor; Commissioner Hollist was absent from the vote.**

**C. STAFF BUSINESS**

**D. COMMENTS FROM PLANNING COMMISSION MEMBERS**

Chair Gedge said this is our first meeting in October, and we have three more scheduled meetings for the remainder of 2025, and I believe we have one or two hours of training remaining. I'm not sure of the exact amount required for the state required training for our four hour annual compliance. So, Mr. Catmull kindly put together a potential item to talk about, such as: public clammer, detrimental effects, and things like that on judicial administrative items. I'm not sure if staff had any other ideas, or just to make sure we can be compliant with that requirement.

Commissioner Catmull said I would say that this is a continuation of what we have left for our four meetings until the end of the year. We may want to cover that as a separate item, unless we have a listed item here on training, but we probably should plan when we're going to get those training hours.

Chair Gedge said so definitely that is on the docket, or if you guys have any other ideas for training, you can email us ahead of time and we can send them to staff this week. We have the last meeting in October, one in November, and one in December, so we are shortly running out of meetings for the year, and we just want to make sure we're not getting anybody in trouble by being below four hours.

#### **E. SUMMARY ACTION**

#### **F. ACTION**

#### **G. ADMINISTRATIVE PUBLIC HEARINGS**

##### **H.1. DAYBREAK SOUTH STATION PLAT6**

Address: Generally located along the north side of Lake Avenue between Grandville Avenue and Freestone Road.

File No: PLPP202500131

Applicant: Vagner Soares (LHM Real Estate)

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

Commissioner Bishop said do you know if this is going to be strictly commercial or commercial and residential?

Planner Schindler said it is strictly commercial. We don't have an exact site plan for it, but I understand it was for commercial uses only.

Commissioner Farnsworth said this has to do with the tracks crossing. Is there and pedestrian access? Is there a mid block tracks crossing right there? Because I was just noticing that the proposed Aloha Road, and then I think it's a New Day Drive.

Planner Schindler said it's on Granville Avenue. There's one right up by the stadium that's kind of mid block between Lake Avenue and it comes out at Ring Lily Drive up there.

Chair Gedge said our display to draw on is not operable tonight, so if you're drawing a point to the map, don't speak, because it won't be picked up by our audio recording for public record. But hopefully the audience could see where he was pointing towards the northwest on Granville and that little road, right in front of the Megaplex.

Planner Farnsworth said I run along that road quite a bit, and so I know that they put up what looked like mid block in between the lights. And I just noticed that Aloha road and New Day Road don't align, so I was wondering if that was still going to be a mid block crossing there, or if the plans had changed.

Planner Schindler said I don't think so. You can check with the applicant, he is here tonight.

**Wagner Suarez, VP of land development for Larry H. Miller** said we discussed it with UTA, because we have to work with UTA on those crossings, and at this moment, they don't want us to add anything to their safety issues.

Commissioner Bishop said I live in this area, so if we could bring up the satellite view map, I just have a question about land very right adjacent to this. As an uninformed person, I might call that a linear park that runs on Lake Avenue, between the two lanes, and green space. And so, on the west side that continues past Granville Avenue, there's plenty of street furniture, lots of pathways, that kind of thing on the east side of Lake run is the same thing, but in between those it's bare, except for grass.

Mr. Suarez said we call that the rumble, and we actually develop in that section as well. We're just on that block there and it might, or might not affect the exits and the traffic. So we're trying to wait until we finally develop, but that area will be developed the same way you have seats and extra trees, the same way you see west of Grandville you will see on that portion as well. So we're kind of waiting to finalize. We have some different people we're working with on the commercial side there, just to see if it was going to affect anything in the traffic that way. So that's why we haven't touched, per se, that corner there.

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

Commissioner Catmull said looking at it, this seems pretty straightforward. It's an already existing lot that is legally conforming, that is being bisected, and so all the angles and orientation of the lot is compliant, and as far as I can tell, and with the grade and all that, I'm supportive of it.

**Commissioner Harding motioned to approve File No. PLPP202500131 Daybreak South Station Plat 6. Chair Gedge seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Hollist was absent from the vote.**

## **H.2. DAYBREAK VILLAGE 13 PLAT 2**

Address: West side of Bingham Rim Rd approximately between 11098 S and 11035 S.

File No: PLPP202500117

Applicant: Vagner Soares (LHM Real Estate)

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

Commissioner Harding said I have had a hard time figuring out where this one was. So you've got South Jordan Parkway, I don't see what the east, west and south is on it.

Planner Schindler said I gave you the South, but there's actually no road to it yet.

Commissioner Harding said can you explain the triangular piece of land?

Planner Schindler said it is just part of the Bingham Rim Road that runs that far. It splits in between the northbound traffic, and then the southbound traffic are in two different lanes. There is a green space in the middle, sort of like what we talked about for Lake Avenue and so forth, but that piece hasn't been created. It's just part of the larger scale lot that is being carved out of 200 or 300 acres out of that piece that needs to be put in. So that's why it just shows that there, the rest of it already has its own parcel number as you go further south.

Commissioner Catmull said so in that same area, the Bingham Rim Road splits, and as I look at the picture, and orienting myself, visualizing this the left segment or the west segment. Where does that side of the road go? Does it go like into this?

Planner Schindler said it curves on the west side there, it curves back into just being a two lanes, there's no more median after this.

Commissioner Catmull said I am just trying to make sure that the lots have to be oriented relative to the frontage, the right of way that they face. So, I'm trying to look at the Bingham Rim Road in this particular subdivision, it looks like it's going off of the right fork of the two way, or is that just going to be the only part of Bingham Rim Road?

Planner Schindler said well, Bingham Rim Road, like I said, it splits until it gets to this and then it comes back together.

Commissioner Catmull said the triangular piece is because it's going to merge back in, right?

Commissioner Harding said I think on this image, it's exaggerated a bit.

Chair Gedge said Mr. Suarez, we'd like to invite you to come up to add anything additional and see if any of the commission members have any questions for you. I know Mr. Schindler at one point, was for a swimming pool. Obviously, it doesn't look like a lot of homes out there, so that might not be in the immediate future.

Mr. Suarez said as long as no one puts it on their Facebook page tonight, that's what we're planning to put in is a community pool there to be delivered next year. So the reason that little yellow dot is there is due to the alignment of the road and it not being compatible to what it's the

standards for South Jordan. So we're going to come and demo that portion, cut it back in and align that road, so it makes a bit more sense. But yeah, we wanted to deliver it next year as an amenity to daybreak.

**Commissioner Harding motioned to approve File No. PLSPR202500070 Golden Plaza Site Plan. Chair Gedge seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Hollist was absent from the vote.**

**H.3. MACKOWIAK ADU CONDITIONAL USE PERMIT**

Address: 9802 S Evensen Circle

File No: PLCUP202500185

Applicant: Ryan Mackowiak

Planner Miguel Aguilera reviewed background information on this item from the staff report.

Chair Gedge said we did receive a letter by email from David and Laura Levitt, it has been reviewed and will be saved as an attachment to the minutes.

Commissioner Bishop said how much taller would this be than the main house?

Planner Aguilera said so perhaps the property owner could answer this, but it's unclear exactly how high the structure is. What we know is it is one story, and this building will be two, so it will exceed the height, I just don't know exactly how much.

**Ryan Mackowiak (Applicant)** said so our home is one of the shorter ones in the neighborhood. It is a single story home with a relatively low finished floor elevation, with a hip roof, and so the ridge of the roof is actually de emphasized, because that sort of the hip roof drops off. But to answer your questions, or whoever asked the question, we're about 30 inches taller than our existing ridge for our house. It is a two story but it's only technically a two story building. As you can see, the gable roof that we have, we actually have a sleeping loft and it has the ceiling that matches the ridge line or the the roof line, and then it sort of drops off in height. So from a code standpoint, it's two story but it's actually it's sort of like a kid's sleeping loft type of space we have. We're surrounded by two story homes to the west, and to the south, and to our neighbors to the north. They're technically one story home, but they're quite a bit more out of the ground than we are, so we're not out of scale with our neighbors by any means. The only thing I was going to maybe mention in the staff report, this is probably irrelevant, but I just want to make sure we're all on the same page, is the windows facing the east the front of the building looks o down into the living space, not a bedroom. In the staff report, I just mentioned there's a bedroom. I appreciate your consideration, and hopefully this goes well.

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

Chair Gedge said it seems pretty straightforward. I don't really think it's a fully functional second unit, the windows don't oversee neighboring properties. The one email we did receive was the

neighboring property owner who was in favor of us, not opposed, which is not really a detriment. As the applicants said, it's only 30 inches higher than the primary dwelling unit. I think maybe we reference that because sometimes we might set a precedent for other ADUs, but because it's such a small difference on that. And so, I think I'm in favor of moving forward, but like to see what the rest of the commission feel about it.

Commissioner Bishop said and the same with the 16 foot limit, it's just a bit above that, it's probably not enough for someone to even notice.

Commissioner Catmull said the only thing that didn't come up in the staff report and I apparently neglected to look at before the meeting. It is coming to my mind that because of the 16 foot requirement, and we're going higher than that, there's additional setback requirement, and I can't remember what the ratio is. but if its going to 19 feet, I just want to make sure that we have maybe a question for staff, where we've put that into our calculations and we hve enough distance between the property line to accommodate the greater than 16 foot height, right?

Planner Aguilera said the setback is 10 feet, slightly over 10 feet for the proposed building. So the normal accessory structure setbacks say that if a structure is 16 feet or less than the setback is three feet for every foot taller than 16 feet, you have to increase the setback by a foot. So this structure, I believe, is 19 feet, or just under 20, so it's still far enough away to meet that setback requirement.

**Chair Gedge motioned to approve File No. PLCUP202500185 located at 9802 S Evensen Circle. Commissioner Harding seconded the motion. Roll Call Vote was 5-0 unanimous in favor; Commissioner Hollist was absent from the vote.**

Commissioner Catmull said let's see the one thing that it says here in the motion is just as it allows it to be taller than the existing residence. Do we want to set that at the height that it is based on the app? Is that restricted to the application as is presented today? Can't become so a future 20 extension, 24 feet without coming through to another application?

Assistant City Attorney Simonson said what you're approving is according to what the plan is that he's submitted.

**H.4. GOLDEN PLAZA SITE PLAN**

Address 1613 W. 11400 S.

File No. PLSPR202500070

Applicant: Ashely Sudbury, NJRA Architects

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

**Ashley Sudbury, NJRA Architects (Applicant)** said like Damir said, it's going to be on 11400 S. and the building is at the front with the proper setbacks from 11400 with the parking behind.

Chair Gedge said obviously, the second story is going to be offices do we know what the intended use may be for this process? Because, I think there's the one entrance off of the road

here. Obviously we've had some issues with restaurants with track circulation plans super popular destination or business. So any ideas of what that might be?

Ms. Sudbury said yeah, so half of the building right now is being planned for as a restaurant, and then the other half can be any other commercial use within the MDA requirements.

Chair Gedge opened the Public Hearing to comments. There was none. She closed the Public Hearing.

Commissioner Harding said so normally, we ask the city if parking is sufficient. Is there any concerns with that and the different uses throughout the day?

Planner Drozdek said no, the parking seems to be sufficient.

Chair Gedge said I did bring up the transportation, so if there were issues with the one entrance, exit there, and obviously there's steps that the city can address or that they would maybe need to address or what will happen because this isn't a conditional use permit. So what is the process to help mitigate in the future? We hope it's super successful, just to make sure that the it doesn't bleed onto 11400 S. Redwood or the neighboring properties.

Assistant City Engineer Nielson said that's a valid question, and that's why we try to ensure that they meet the city's minimum requirements. You know, in our in our code, there is quite a distance, so there would need to be a lot of stacking to be able to reach 11400 South, and if they did reach 11400 South, then it could present a hazard, and so there would be police enforcement involved.

Chair Gedge said that was the answer we wanted to hear. We heard a similar item years ago, so thank you for that. That's on the record.

**Commissioner Harding motioned to approved File No.PLSPR202500070 Golden Plaza Site Plan. Chair Gedge seconded the motion. Roll Call Vote was 5 to 0 unanimous in favor; Commissioner Hollist was absent from the vote.**

#### **H.5. VISION DANCE STUDIO CONDITIONAL USE PERMIT (CUP)**

Address: 11509 S. District Main Dr.

File No: PLCUP202500192

Applicant: Lisa Bunker

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

Chair Gedge said that was my question, it was the two conditions, it's just it's not in the motion. So would we need to just specifically site those two conditions in any motion we would make?

Planner Drozdek said yes, I think so.

Commissioner Farnsworth said I just have a clarifying question. If you read the two conditions, one says: install sound dampening materials, and the other says, proceed without sound mitigation.

Planner Drozdek said there's a time limit. I can't remember what it says in the report. I think it's 30 days. They have 60 days to report any any nuisances to the city in terms of sound or vibrations or any kind of disruptions to the business. So unless those 60 days are over, then it's pretty much done.

Commissioner Farnsworth said I am just trying to clarify what the recommendation is. Is it to install sound dampening materials right away and then monitor for another 30 days and do they need additional mitigation if that's necessary,

Planner Drozdek said you can do either. Those are two options given in the report. The way that it's listed is like you put mitigation up front, or if you choose not to do mitigation up front, you have 60 days. The neighboring business has 60 days to come to the city and say, hey, they're disrupting our business.

Commissioner Farnsworth said okay, that clarifies. So it's not do both conditions necessarily, it's take in the information and then decide what's right.

Commissioner Catmull said I know there are standards for just noise transmission at property lines. I can remember us doing this outside of maybe like a animal care facility, like animal tending, where we've talked about noise in a multi tenant shopping type district, this is not like what we're talking about between these two tenants isn't a property line. What standard would we be enforcing within a property around noise transmission.

Planner Drozdek said we don't have a standard. That's the honest truth. There is no standard. But obviously, if you have a spa which is in a quiet environment, and then you have beating music from the side, I am sure it doesn't work.

Commissioner Catmull said trying to understand if this is the the property owners problem.

Planner Drozdek said it seems like it. I mean, you can see the detriment, potential detriment right to their business operations. So it was trying to put something in the report to protect the existing business from disruptions, and instead, that's the reason for the condition. But if, that's not something that the city or the planning commission deems important for us to enforce, then that's up to you.

Director Preece said might I add that it could say that that's something that the landlord may handle. We had the same situation over here when we had the Parks & Rec, HR, and we had the karate studio that went in, and it was crazy, but the landlord mitigated that. I think the city paid for part of it, so you could leave it up to the landlord as well to solve any issues.

**Randi Shaw (Business Partner)** said we have been in South Jordan, this is our 18th year as a business, and we started out in Riverton. We built right next door to paradigm High School about



over seven years ago so we, actually just bought our building. I am actually one of the very first residents of Daybreak. I saw the district being built, and would love to get in there and kind of refresh, get some new people in there. The couple of issues that you guys have already brought up were something that we thought about very first. What people see as issues, is always our pickup and drop off. Our clients typically don't come into the building. They like to drop their kids off and pick them up when they're done. So that was the very first thing we looked at is to accommodate our drop off pickup situation. I did speak with the landlord pretty extensively about that, we measured the space that we have now, and you know what, that actually gives us more space. The one nice thing with our clientele also is they kind of do what we ask them to do. So, we did have one night this year that we kind of ran into too many cars backing up, so we just asked people to stagger their pickup times a little bit. It's really easy for us to deal with that, so I don't see any issues with that going forward. But obviously, you have to look at that point, but the back of that building is pretty empty, and it's really easy as you come in off of 11400 S. There's a definite come in this way, come along the back of the building, drop your child off, and then there's an easy exit out the other way that shouldn't get in anybody's way as far as sound. Actually, when we were in Riverton, we were next door to a spa, of all places to move into next door to a dance studio. We did put in sound barriers in that one, and it worked really well, so we're willing to do that again. The first thing we looked at is, let's make sure there aren't any dance studios up against that wall. So we're putting in dressing rooms, those types of things, so they're not right up against that wall. Hopefully, that will help sound and you never really know till you get in. But we obviously don't want our neighbors to hate us, so we're pretty easy to work with. That way, whatever you ask, or whatever we feel like with the landlord would be best, we're willing to do whatever. We love the space that gives us a lot more space we've kind of outgrown where we are now.

Commissioner Harding said what are your hours of operation?

Ms. Shaw said on top of doing dance, we have a full educational preschool program during the day. So, we're open from 9am to 9pm typically Monday through Thursday and then on Fridays, we're usually done around noon. We are a competitive dance studio, so we'll do extra rehearsals on the weekends, but closed on Sundays.

Chair Gedge said any performances at the studio? Most studios rent other public facilities.

Ms. Shaw said yeah, we'll do some of our preschool, the tiny tots will have their parents to come in at Christmas time for Christmas shows. But it's just class by class, whatever will fit in one room, so nothing huge, no big events.

Commissioner Catmull said where you're at today, near paradigm high, if I am remembering correctly, that entrance is one where you have to come in backwards,

Ms. Shaw said it is a little funky. We didn't want the kids to have to cross the street in the dark. So we have you come in on the left side and circle around so that they're dropping kids up against the building. But this will be the reverse, it will be USA standard on the right.

Commissioner Catmull said this was a really odd circulation because of that situation.

Ms. Shaw said I know, and everybody doubted us, but we made it work.

Commissioner Gedge said so just going back, obviously you said the landlord would be your first preference to have them monitor, but you wouldn't be opposed if we put it in a 60 day mitigation. I think if we discuss that and then ultimately, if you had a bit of a sound wall, looks like you've done that as well.

Ms. Shaw said I will add that what seemed to be the biggest issue in our previous location, which is the vibration in the wall, because they had our sound system and mirrors were up against that wall. So that's why we decided not to use that end of the building for rooms. I will talk to the our contractor, I'd almost rather put the sound in up front than have to rip it up and do it later.

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

Chair Gedge said I'm fine not putting in a condition, and leave it to the landlord. Obviously, it's their building and he's going to have one upset tenant if things are loud. So that's where I'm leaning. But I'm open to staff's recommendation as well. Looks like the applicants either open to any of the three.

Commissioner Harding said I'm okay with leaving it up to the landlord.

Chair Gedge said if there is a complaint from maybe other business order or the landlord doesn't address their tenant, is there any other recourse that someone could do? Can they complain to the city because they're just a lessee of the unit for because of sound, or whatever that might be, or I know there's a condition you use permit, so eventually they could go through that mechanism. But if we were to not put in any conditions and just leave it to the landlord, are there any other like citizen paths in case there was an incident issue.

Planner Drozdek said you can always revisit the conditional use permit you're issuing tonight, and then if it cannot be mitigated, you can revoke it. But yeah, it can be brought back.

Commissioner Catmull said he applicant was talking about a secondary use for this that was not necessarily recreational, that was educational. Does that require conditional use permit? get connected here to see what the allowed uses are. But in the bangerter mixed use zone, we don't usually see very much in there. Does that educational preschool require conditional use permit?

Planner Drozdek said I was not aware of this. I thought it was just a dance studio. That's how it was presented to me. So if there's some kind of educational component, maybe we can check with the applicant and see which one is the primary use. So this could be a secondary use to the primary use, which is the dance studio.

Chair Gedge said I guess to follow up on that, if it is there is a secondary use. Does the conditional use only have to be applied for the primary use of the dance studio, or would they have to apply for a second conditional use permit for the educational daycare?

Planner Drozdek said I imagine if the dance studio is the primary use, that's the only thing that's needed.

Commissioner Catmull said they seem pretty compatible to me. I just want to make sure that as we look at the city code, that we're in the zones that are out there, that we're compliant.

Ms. Shaw said I apologize that the full name was not put on there. They are, I would say 80% of our clientele is dance, for sure, and the preschool kids do dance afterwards, so it's definitely a secondary, but helps pay the bills during the day.

Chair Gedge said Okay, so just for the record, you would say that the dance is your primary, and for education, daycare would be a secondary?

Ms. Shaw said yes.

Chair Gedge said I think this is a great fit in daybreak. Obviously, in the district there was a major announcement between JC Penney and the other homes. So, this is some nice improvements in the area. Obviously, Commissioner Catmull and I were on the commission six, seven years ago and saw the original in the current location with the site plan, I think it helps alleviate some of the concerns we had with that property as well.

Commissioner Harding said I am going to bring up parking and ask the city, how does that work in the district, and is there enough for this type of use?

Planner Drozdek said as the applicant was saying, they're not going to be staying there, so it's going to mostly be pick up and drop off. And number two is most of those parcels, or lots of the district, they're owned by the same property owner. So there's plenty of parking. It's not an issue.

Director Preece said there are cross parking easements that allows it, but most of it is owned and Target is owned separately. But even Harmons has a land lease, so most of the property is all owned by the District LLC.

**Commissioner Catmull motioned to approve File No. PLCUP202500192 Vision Dance Studio Conditional Use Permit. Chair Gedge seconded the motion Roll Call Vote was 5-0 unanimous in favor; Commissioner Hollist was absent from the vote.**

Chair Gedge said City Council Johnson was in attendance earlier, but has left. I wanted to state for the record that she was present at tonight's meeting.

## I. LEGISLATIVE PUBLIC HEARINGS

**I.1. LEGISLATIVE TEXT AMENDMENTS TO CITY CODE**

Address: 1600 W. Towne Center Drive, South Jordan, UT 84095

File No: PLZTA202500196 Ordinance 2025-17

Applicant: City of South Jordan

Planner Joe Moss reviewed background information on this item from the staff report.

Commissioner Harding said so do these changes help our city? It just seems like, with a dentist building, it seemed like people weren't notified, and there's a lot of contentions when people aren't notified. I'm just wondering, do these changes make it so minimal that they're not going to be notified?

Planner Moss said no, there's no reduction in our current noticing requirements. Really, this is just making sure that what we're saying matches with what state law says. Like I said, I think we're largely in compliance with these already. We're just making it more explicitly clear that we are in alignment with state code. And on some of these, we want to make sure that we're eliminating any sort of gray zone in between the language in our code versus the state code.

Commissioner Harding said but language and definition could be considered different, and so if the state code is here and that's our minimum, Are we airing in a way that more people are notified, or taking on their minimum and less people will be notified.

Planner Moss said So we we're not modifying our standard. We're keeping our existing which has always been higher. For instance, subdivision amendments, the state only requires that you notice any affected property owner on that, we have an additional requirement that we notice other other property owners within that subdivision. So that's not going away. That stays the same. The only thing that is new as far as noticing goes would be that new 10 day window on contesting at subdivision amendment. And again, that's a new code thing that has come from the state that we're just making sure that we're incorporating.

Chair Gedge said I just want to follow up on that 10 day not appeal, but protest period. What happens if a resident protests the hearing, the decision of that, does it have to be reheard, or who's the body? Just so I understand the process.

Planner Moss said for subdivision amendments, one of the other things that it does, is it clarifies that you, the planning commission, are the land use authority for subdivision amendments. You would obviously have the information so that content, you know that 10 day protest window closes 24 hours before, at minimum, 24 hours before the hearing. So you would always have all that information ahead of you. And as with any subdivision, you know, if the applicant's proposal is compliant with all state code with subdivisions, you would need to approve those if they meet all of our code and standards. So really, I guess the protests would have to point out that they're not being able to do that in some way.

Chair Gedge said we had our meeting, we made a decision, and they had a 10 day protest period following that, which I guess, technically nothing's really final till we approve the minutes following our meeting. Thank you for clarifying

Commissioner Catmull said what are some examples of verses? And I guess, from what I'm reading, quasi judicial, discretionary and ministerial. I'm trying to think of a land use amendment, or land use thing that would be ministerial.

Planner Moss said generally, most of our land use text amendments would be considered ministerial because you only have to meet one of the four different things that they lay out. One of those means, so, I'll just roll through the list of what they say ministerial means if the change is to bring the municipal land use ordinance into compliance with state or federal law. So if we're changing it for that reason, it's considered ministerial if we are adopting a land use policy that affects the entire zoning district or multiple zoning districts. So for instance, if we're changing the standard in the entirety of the agriculture district, for some reason, that's considered ministerial. If it's non substantive clerical, you know, maybe we found a typo or something where you know that as long as it's non substantive, doesn't matter, that can be considered ministerial. And then if it's recodifying existing land use ordinances or designating kind of an affected area for some annexation stuff. So really, most of our land use text amendments are going to fall under that city wide. Thing where it would be applicable is say you were changing your zoning ordinance to say something like the R-1.8 zoning, but only in this particular part of the city is going to be changed, and that'll be different, in which in that case then we would need to notify those property owners with a mailed notice.

Commissioner Catmull said these are just for text amendments, not general plan amendments. Those are the ones that really are what I'm thinking.

Planner Moss said it specifies and uses text amendments.

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

**Commissioner Harding motioned to send a positive recommendation to City Council to approve File No. PLZTA202500196 Ordinance No.2025-17 Legislative Text Amendment to City Code. Chair Gedge seconded the motion; Commissioner Hollist was absent from the vote.**

## **J. OTHER BUSINESS**

Director Preece said I want to make a clarification, because you might be asked these things, and I will let Mr. Simonson reel me in if I get too far from the agenda. But this is regarding the announcement you referred to of the senior housing project in the Deseret New and KSL reported that these units are for sale. They are not, and we have had numerous phone calls of people wanting to buy them. Mostly they've been investors that have wanted to buy them and then, knowing there would be restrictions but rent them out. This is not a condominium project.

The project consists of somewhere around 200 units, of which 75% will be reserved for either 80%, 70% or 60% of the area median income, and they will all be for lease units, and they will be for seniors. So just in case, you guys might get asked because of your position. In the future, you'll see a site plan, but for now I just want you to know that was inaccurate, and you may get questions because of your position on the Planning Commission.

Chair Gedge said I believe there was a going to be a senior like development on 1000 south and 4000 West. Does this take the place of that?

Director Preece said yes. This this is the same development that was proposed for, so it completely removes that entire development.

Commissioner Harding said as a point of information for the City, with that last horrible rain where that building was going to be built it was full of water, deep, deep water, almost to the point of needing to pump.

Director Preece said they are actually going to rebuild that detention pond. And they would have also, if this building had been built, they would have moved it on the other side of the canal, and mitigated that. They know it's a problem but, either way, it would have been put in a different place.

Assistant City Engineer Nielson said we have plans that we could do it, but I am not aware of any funding at this point to proceed with that project. It was more going to be done in anticipation.

Commissioner Bishop said I wanted to bring up a possible idea for a training or a discussion. It's like maybe more of a discussion topic. But Daybreak is going to be about what, like a quarter or maybe even a third of our city, right? And it's got a totally separate planning process. So where does that process and our process eventually meet? How long does it run in parallel? Do we ever plan on it?

Director Preece said their development agreement is 30 years. I can't remember, but it's some years in the future, but the zoning ordinance for the PC zone has a different development process.

Planner Schindler said that's correct. It was probably within 30 years they intended to be fully developed so there wouldn't be much coming to the planning commission or city council at that point. It is a different process, the process is for subdivisions, they still will come to you in Daybreak only because staff got approval to at least bring subdivisions forward. They didn't want the site plans, we asked about that, but it's in their development agreement that they don't want it to go to the PC zone. Neither one of them allow that, and they didn't want to bend on that one because they said they want to develop quickly and not have to go back to the planning commission or city council on stuff that's already been approved in that in the development agreement.

Chair Gedge said maybe we can have a discussion so everyone is aware of the development agreement. The process between city, our process as a commissioner city code, what we can do with Daybreak items.

**ADJOURNMENT**

**Chair Gedge motioned to adjourn.**

**The Planning Commission Meeting adjourned at 7:51p.m.**

**This is a true and correct copy of the October 14, 2025 Planning Commission minutes, which were approved on October 28, 2025.**

**From:** [Greg Schindler](#)  
**To:** [PLANNING COMMISSION](#)  
**Subject:** FW: Public Hearing 9802 S Evensen Cir  
**Date:** Monday, October 13, 2025 7:45:12 AM

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FYI

Greg Schindler, AICP | City Planner | City of South Jordan  
1600 W. Towne Center Drive | South Jordan, UT 84095  
Office: 801.253.5203 ext 1291

-----Original Message-----

From: David Leavitt <davidlleavitt@yahoo.com>  
Sent: Saturday, October 11, 2025 2:01 PM  
To: Greg Schindler <GSchindler@sjc.utah.gov>  
Cc: Laura Leavitt <lleavitt@apamail.org>  
Subject: Public Hearing 9802 S Evensen Cir

Dear GSchindler and City Council Planning-Commission

I am writing with regards to proposed action for:

MACKOWIAK ADU CONDITIONAL USE PERMIT  
Address: 9802 S Evensen Circle  
File No: PLCUP202500185  
Applicant: Ryan Mackowiak

My wife and I are the residents that live next door (9790 Evensen Cir.) to the proposed construction and conditional use permit.

Please know that we have no objections to the proposed construction and/or Conditional Use Permit.

Please register our support for the proposed action so that it is part of the record.

Kind regards,

David and Laura Leavitt  
9790 S. Evensen Circle  
South Jordan, UT 84095  
p. 801-688-6500  
e. DavidLLeavitt@yahoo.com