CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
November 8, 2022

Present: Commissioner Michele Hollist, Commissioner Nathan Gedge, Commissioner Trevor Darby, Commissioner Laurel Bevans, Commissioner Aaron Starks, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, Deputy City Engineer Jeremy Nielson, Planner Ian Harris, Planner Damir Drozdek, GIS Coordinator Matt Jarman, Senior IS Tech Phill Brown

Others: Gabe & Raylene Payne, Kent England, Scott & Janalyn Sainsbury, Kacee Baucom, Chase Andrizzi, Bryan Flamm, Karen Christenson, Lucynthia Rockwood, Calmoore Robbins, Dean & Maria Ruffner, Lynn Brown, Katie Jensen

Absent: Commissioner Steven Catmull

6:34 P.M.
REGULAR MEETING

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

Commissioner Michele Hollist welcomed everyone to the Electronic Planning Commission Meeting. She excused Commissioner Steven Catmull, who was absent from the meeting.

B. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to approve tonight's agenda, with an amendment to move Item I.2. Rise Land Use Amendment and Rezone to be the first item under Legislative Public Hearings, and Item I.1. Ordinance 2022-16 as the second item under the same section. Commissioner Hollist seconded the motion; vote was unanimous in favor. Commissioner Catmull was absent from the vote.

C. APPROVAL OF THE MINUTES

C.1. October 25, 2022 Planning Commission Meeting Minutes

Commissioner Gedge motioned to approve the October 25, 2022 Planning Commission Meeting Minutes as published. Commissioner Darby seconded the motion; vote was unanimous in favor. Commissioner Catmull was absent from the vote.

D. STAFF BUSINESS

City Planner Greg Schindler said that Planner Damir Drozdek will be the presenter for the Rise Land Use Amendment and Rezone, and Deputy Director of Engineering Jeremy Nielson will be the presenter on Ordinance 2022-16.

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Chair Hollist thanked Commissioner Gedge for conducting the last Planning Commission Meeting in her absence. She saw the note on the Housing Seminar this week and believes that Commissioners Laurel Bevans, Nathan Gedge and Steve Catmull are signed up for that. She mentioned that a recap report of the meeting would be greatly appreciated at the next Planning Commission Meeting.

E. **COMMENTS FROM PLANNING COMMISSION MEMBERS**

F. **SUMMARY ACTION**

G. **ACTION**

H. **ADMINISTRATIVE PUBLIC HEARINGS**

I. **LEGISLATIVE PUBLIC HEARINGS**

I.2. **RISE LAND USE AMENDMENT AND REZONE**
Address: 10657 S. 1055 W.
File No: PLZBA202200147
Applicant: Bryan Flamm, DAI Inc.

Planner Damir Drozdek reviewed background information from the Staff Report.

Chair Michele Hollist said the staff packet indicated there was one single family home, but she was not seeing it on the plan.

Planner Drozdek said it was on the concept plan, noting the townhomes will be along the north boundary and at the west end was the single family home.

Commissioner Nathan Gedge asked if that was an existing home.

Planner Drozdek responded that no, it is not an existing home.

Chair Hollist asked to confirm whether there is a structure on the plan.

Planner Drozdek said there is not structure on the plan, and because they have not submitted any architecture, it is not in the agreement. Due to this, the home will need to be built according to the city standard at the time of submission.

Chair Hollist talked about the fencing and mixed use area. She knows this mixed use is sometimes a little different, but this is bordered on both sides with the A-5 zoning which she assumes has animal rights. She asked if the fencing meets the requirements for the two zones to co-exist.

Planner Drozdek said this proposal is a little more relaxed than what the city code would require with a masonry wall, because of the conflict. In this case, the reasoning was that these properties are going to be developed sometime in the future, so physically and financially it doesn’t make sense to put in a masonry wall now between those two properties.

Chair Hollist asked if it had been verified with the property owners that they are okay with the lower standard for division.

Planner Drozdek said that the applicant has spoken with the property owners to the south, and he will let the applicant speak more to that. His understanding is that there will be some existing chain link fencing, with a vinyl fence on the other side of that fence; he also believes they are okay with that proposal. He was not sure about the people to the north and their plans.

Chair Hollist said it sounds like there will be two access points, and with the way this has been proposed there is potential for three or four access points total in the future. She asked for more information on the parking available around the pickleball courts, and what will be considered public parking.

Planner Drozdek said they would utilize existing parking at City Park.

Chair Hollist asked how many spots there are.

Planner Drozdek did not have that exact number, but as far as he knows the parking lot has never been filled to its capacity; the parking does not seem to be an issue.

Commissioner Nathan Gedge said that 1055 West was once considered a historic road, and he assumes that with this new traffic coming in and only having the two access points until there are more connections made, the road will be able to handle the increased traffic load. If not, he asked for the plans to improve 1055 W.

Deputy Engineering Director Jeremy Nielson said that fortunately they will be tying into where the road is still fairly wide, so they don’t see any issues with the road being able to support the additional traffic. In the city in general, they have found that the city traffic wants to move north and east, so they are anticipating most of that traffic will be utilizing the River Front Parkway access on the east side with some using the 1055 W access.

Commissioner Gedge mentioned the Memorial Day activities that happen at the cemetery, directly across the street, and asked if there were any concerns with traffic flow or emergency vehicle access during busy events at the cemetery.

Deputy Director Nielson responded that even with this development, the volume would still be fairly low. That road, by the city's level of service standards, would still be considered a quiet street at Level of Service B.

Commissioner Gedge referenced an email received previously from the ditch master of this area (Attachment B), and asked where that current ditch would flow through this property.

Deputy Director Nielson said he has not seen site plans on this rezone, so he is unable to point out that location.

Chair Hollist asked if they will see this again if it passes.

Planner Drozdek said that yes, this is a rezone, and if it passes the next step would be for the applicant to file a subdivision application. The reason they are looking at fencing and other items now is because it is in the agreement, and the agreement goes along with the rezone in this case.

Chair Hollist asked if there is a reason the agreement doesn't include ensuring proper care of the water across the property.

Deputy City Engineer Nielson said it is private, and they have a legal responsibility to ensure the water goes where it has historically gone.

Commissioner Laurel Bevans asked if the single family home was going to be for lease as well, or if someone will permanently live there.

Planner Drozdek was unsure, possibly the applicant could answer that. The twin homes and townhomes will be for lease, and there will be a subdivision plat so those units will be individually owned by the same company with the possibility of being sold in the future for ownership.

Commissioner Bevans asked how close this development is to public transit.

Staff was unsure of the closest bus stop.

Commissioner Bevans asked if this would then be considered not walkable, and asked if there is any transit that goes down 1055 W.

Staff responded that there was not any transit on 1055 W.

Commissioner Bevans asked to confirm there are transit options at River Front Parkway.

Planner Schindler said that River Front Parkway would be more likely to have transit.

Deputy Director Nielson said there is a bus stop on the corner of 1055 W and South Jordan Parkway.

Commissioner Bevans asked if that bus stop was within walking distance of this property.

Commissioner Gedge said he lives close by and can say that is a walkable distance, about a quarter mile.

Chair Hollist asked if the applicant was present, and invited him up to speak.

Chase Andrizzi (Applicant) is here on behalf of the applicant, DAI. He shared some slides to supplement what staff has already presented (Attachment D) and thanked staff for their hard work on this project. Attachment D shows where the site is located in relation to the office park, the access points, and where they expect the majority of traffic to flow. It also shows the site plan with the unit mix layout, which is mostly townhomes with some duplexes mixed in on the north side to buffer some of the adjacent agricultural use. He anticipates future discussions with the planning commission in regards to details, but he shared the anticipated amenities that have been discussed with staff. The main amenity will be in the center of the project to include a playground, some fire pits and corn hole. They are leaving a lot of open area there, they don't anticipate it all being grass and are planning on it being some type of programmable area for the residents. The second area would be the dog park with more details on that in the future. The additional amenity being provided as part of the development will be offsite, pickleball courts in the city's park. He continued reviewing Attachment D, showing a closer view of the main amenity where there will be a clubhouse as well as the playground, corn hole and fire pits for residents' use. There were some renderings, including the playground they are planning on using. He shared more renderings from Attachment D to include the dog park, and repeated that there will be little grass used; they are anticipating using artificial turf along with some other materials to minimize the use of water in the area. There will also be some pavilion seating and some general dog park use for the residents of the community. He shared pictures of where the pickleball courts will be located, and that the location was chosen after discussion with staff. He continued reviewing Attachment D where it highlighted the pedestrian connectivity within the project, including a connection to the existing trail on the east side of the project. Regarding parking, he shared a slide depicting what parking will look like and explained that their plan is to have at least four stalls per unit available. They anticipate selling the single family lot on the west side, adjacent to 1055 W. It will be platted as its own lot, and the owner can work with the city to design that. There had also been a discussion on parking for the pickleball courts, and he introduced Kent England, a partner in this project who also represents the River Park Office Center.

Kent England (Applicant) said they were part of the process when River Park was designed 20 years ago. The park area and trails that connect all around it have not yet had issues with parking, but they have never had pickleball courts. They allow parking on the east end of their parking lot to access the trails, and that has been utilized without any problems; he doesn't anticipate any parking problems at all. He also remarked on the bus stop concerns, saying that the bus stop is just to the south of the roundabout in the center, headed southbound, and there is one on the other side. He said they worked with UTA to get a connection that goes up to the Frontrunner Station and further to TRAX; he thinks they have tied River Park in well, and that this is close enough to the office park that it will work nicely. From an office point of view they really need this residential, as there are a lot of employees that need some reasonably costing housing. The access to River Park and offices is also going to be greatly appreciated by their current tenants. Regarding the vinyl fence option, he noted that currently there is wire fencing that is not chain link but more like a cattle fence, that will stay in place until the south side is developed; there will be two fences.

Commissioner Bevans asked about the north side.

Mr. England noted there is fencing there as well. They worked with the owners to the south to talk about that fence in particular, but they have not really talked with the people to the north as he believes that fence is in slightly better condition.

Chair Hollist noted that it was mentioned they need reasonably priced housing there, and asked if the plan was for these to be for-rent units.

Mr. England said they are platted with the idea that they can be sold or rented. They try and do prudent things as developers, and he helped develop River Park. They always plan and think ahead on these projects, but with the housing they can be sold or rented so that option is still open. He thinks the original plan is to rent them, but they can be sold because they will be individually platted.

Chair Hollist asked about the anticipated price points for rent/sale.

Mr. England said he doesn’t know. They need to meet the market situation, so they can’t overcharge because they won’t be rented or sold, and if they undercharge then they can’t make enough money to keep the next project going. They will hit the market where it’s reasonable, but he doesn’t know what that exact dollar amount will end up being since costs of construction are crazy.

Commissioner Aaron Starks asked the applicants to discuss the water issue mentioned earlier.

Mr. England pointed out where the water flows in Attachment D. He noted that with the current ditch, part of it is piped and the last south leg is open. Usually it all ends up getting piped, but it depends on the contours. He noted that it is a requirement that they maintain water flow, and they can’t ever cut that off.

Commissioner Bevans noted that one of the elevations shown on Attachment D showed some units with only space for a one car garage. She asked the applicants to verify that all units will have two car garages.

Mr. Andrizzi confirmed that all the units will have two car garages.

Commissioner Bevans noted that the single family unit is being sold off and asked if that home will have access to the amenities, or if they will be completely separate from the development once sold.

Mr. Andrizzi responded that they don’t anticipate that lot being a part of the HOA, but they probably won’t kick them out if they come and used the dog park.

Chair Hollist noted that her addition shows a total of 155 units, including the single family home. However, there were only enough parking spots for 152 units, according to the parking map.

Mr. Andrizzi responded that yes, there will be 155 units with the single family lot, and that they do need to rework the parking to add additional spaces. They were not counting the single family home in the parking calculations, so the parking is based off 154 units. All of the units will have a two car garage, and they will ensure that when they come back those numbers all add up.

Chair Hollist wanted to make sure everyone was clear on what was being approved this evening. They have a land use agreement that they will make a recommendation on and send to City Council, who will have the final vote on whether or not this moves forward. She asked staff to explain what specifically is being agreed to this evening, what could and could not potentially change. For instance, Attachment D shows they are planning on 155 units, and she asked if that could change after approval tonight.

Planner Drozdek said that if the number of units is in the draft agreement, they would have to go back to amend the agreement to change that number. He believes there is a provision in the agreement that says minor changes can be approved by the city manager, but density would not be a minor change.

Chair Hollist referred back to the north boundary and asked why the fencing requirement isn’t the same between this potentially new residential use and the A-5 to the north.

Planner Drozdek said those properties are not going to be used for livestock or farming for a long time. The property to the south does have animals that he has seen, but he hasn’t seen farm animals to the north. This is only a proposal, so if the planning commission is not comfortable with the vinyl fence they can make a recommendation to change that.

Chair Hollist asked for more history on this land use agreement, and where City Council has been involved. She assumes that since this is 18 acres with 155 units, which works out to be 8.6 units per acre and is higher than what the city council usually favors, the inclusion of the park upgrade land in the overall density has brought the total to 8 units per acre; is that something City Council was involved in.

Planner Drozdek said that even before this was brought here tonight, the applicants had a public meeting with City Council during a study session where they provided some of the same details being seen here tonight. Based off the feedback from the city council, they incorporated new things into their project and took things forward. The council has seen it and has given them a positive recommendation to continue on.

Chair Hollist opened the hearing for public comments.

Raylene Payne (Resident) directly across from the cemetery. There is a couple of things, not only is that a historical road, I argue the fact that it is sustainable for 300 new cars coming out on to 1055 W. That is the only gas station that is on the corner, they will all be going that way to get their gas, they are not going to be going off the river bottom. Two, who is going to pay for our road when you guys decide to go and widen it and put curbing and sidewalks in. It is a historical road. We handle the cemetery Memorial Weekend as it is barely, you see people bumper to bumper, people can’t drive by, people are about backing into people, running people over. Until you guys go on Memorial Day and see it for yourselves, you are not going to understand that they are saying it’s not a problem; it is a huge problem. As a property owner, where do I put in my suggestions on this, why do I get hurt and where do I get my answers from. I want my proposal to be heard and that masonry fence to go in because you are not guaranteed that either of those property owners are going to sell or give up their agricultural rights. As a developer, they have the money, they are making the money that they can afford to put that proper wall in and then later modify it should that be needed. I propose that they don’t come off 1055 W. We were told a year ago that there was only going to be three homes in there, and that there was no way traffic was going to come off 1055 W. Now we have been blindsided, pretty much hit upside the head and “BSd.” As property owners you don’t think that’s going to be upsetting to each and every one of us? Because someone sold out and a developer is going to come in and change our whole world. Who is going to pay for that sidewalk and widening the road. Is it going to be the developer, or is it going to be the city’s taxpayer dollars, and what are we going to be paid for our lost acreage that you take when you do that. These are the questions that I want answered as a property owner. I understand the city needs to develop and provide housing for people, that’s feasible. What’s the purpose of leasing, do you know what that does to our property value when we get a bunch of renters down there and they’re putting fire pits and corn hole in; do you know what kind of environment that brings? Not a lot of people play corn hole, I know the kind of people that have played corn hole and it’s not that they’re bad people, but I am concerned about the type of environment we are going to have coming up on my road to go to the gas station out of 300 cars. There is going to be at least two cars to every one of those rentals, and you know that. That means 300 cars, that is going to put weight on the lower road and our road, so I hope the county suggests revisiting that this would be too many homes in that small of area. I had another question too, I would like to know how they can take a historical road and change that. We have always been told that is never going to change, and being an American I am getting a little tired of our democracy being taken away.

Karen Christenson (Resident) I don’t reside next door, but that’s my family home; my mother resides right next to this development on her 3 acres. I have been told that the historic road has to stay that way, and that there will be an exit out for a home or two homes, but now I see that it’s a third of an acre, encroaches terribly on my mother’s 3 acres and her property. I know across the street they have to have a half acre, so I propose that it has to be more than a third of an acre to not encroach on what my mother has had her whole life. I also will state that the traffic will totally not be able to be controlled there, that is too much traffic. There needs to be maybe an exit from the property, maybe they can just do an acre and divide it in two homes there and give my mom a little more of a buffer, those people who have owned that land forever and ever, and have an exit out the other way. I know that’s going to need to go out that way because we only have one exit available to us when we develop, and it will totally impact that street. When you are down on that river bottom when work gets out, it is busy. They will not go that way, they will come this way and I can guarantee that. I propose that we have more area that is single family homes against that street, rather than seeing that encroaching of townhomes right there, right in the middle of my mom's home.

Gabe Payne (Resident) I live across the street from the cemetery. I am worried about the business traffic coming through that neighborhood instead of waiting at the light. I drive by there at closing time and they are way backed up, so I can see them cutting through that neighborhood to use 10550 which is already inadequate. Where they have the road coming in to 10550, that is right on the end of the cemetery and it is not a wide spot, that is where the road narrows. I am also wondering about police presence. In the 16 years I have lived there, I have owned the home for over 20 years, I have seen five police officers on that street total. They just don't get patrolled at all. The bike trail, where they are planning to go into it, is not finished and you can't even use that part of the bike trail so I don't know who is going to finish that bike trail down there. The north side does have farm animals, they are just back behind the houses; just take that into consideration.

Assistant City Attorney Greg Simonsen noted that he wanted to clarify something for the record, and asked Mr. Payne if when he was referring to 10550, did he mean to reference 1055 West.

Mr. Payne responded that he was actually referring to 1055 W every time he mentioned 10550.

Scott Sainsbury (Resident) the little narrow, extreme west side exit, when those cars come out of there they will be shining their headlights directly into my front window. I have lived there for 32 years, I am good friend of Kay Edmunds who was the mayor of South Jordan many years ago, and because of the historical significance of the original Pony Express Lane that is 1055 West he said that road would never become a through road. I have been coming to these meetings for 32 years, this is how long I have lived at this exact spot, and yes I am guilty of demolishing a historic home but I did salvage the brick and put it on my new home. I have seen all the faces come and go on this council and every year that I have attended, whenever there has been a discussion about 1055 West, every one of the council members on this council has always said 1055 West will never become a through road. I also find it's interesting, and in defense of our developers here, they advocated not exiting on to 1055 West; it seems that this group here is actually the culprits wanting to exit on to 1055 W. I think that the single family unit should obviously exit to the west, but to allow a third exit for this entire community puts all of the residents of their development at risk. Has anybody on this council been employed and worked in the river bottom in any of those buildings? I have, and I can tell you that at 5:00 p.m. that gets crazy and it's not going to take long before everybody figures out that there is a third exit strategy. A lot of those I am guessing will probably be rentals especially with the price of housing and interest rates, and the majority of those renters will have small children. We also have a lot of small children on our street. The street 1055 W is not just a street, it is used by the greater community in that area for walking, running and bicycling. To busy the traffic on that road is not going to be the right thing to do, I can promise you that. I think I read somewhere where you were all estimating approximately 5% of the river bottom traffic would exit; I have an one-hundred dollar bill that says it is going to be 15%-20%. That will put the children in both neighborhoods in harm's way. I grew up in Washington, nobody wants Seattle traffic. I have lived in L.A., Phoenix, and there is a reason I chose South Jordan and there is a reason I chose this particular place in South Jordan as my residence for 32 years. In creating that third exit, there are no stop lights and we all know people are running late to work and always in a hurry to get away from work. I just think the risk to the children in both communities is not going to justify having that third exit. We just need that one single swelling home to be able to exit on to 1055 W.

Chair Hollist told Mr. Sainsbury that his time was up.

Mr. Sainsbury said thank you, we have only got 24 lots for cemetery parking, it is already not enough; that is already an issue that needs to be addressed separate from this issue.

Kacee Baucom (Resident) my husband and I just purchased the house and moved in about a month ago, so as a new homeowner with three small children I am really worried about the traffic to the street. My kids are constantly biking, walking down this road, and as they were saying, the road narrows right there and we already don’t have a sidewalk so I am on the side with my kids walking down this street. Not only that, that is the road that my daughter walks to get to school and there is not a bus stop for South Jordan Elementary on this street. The children who are walking to school from our neighborhood are walking down that street in the morning during the time when people are going to work and again, there is no sidewalk and it is just not a safe place to be where there is cars coming in and out. We purchased our house in the high market value, we paid top dollar, and immediately this devalues our home. We bought this house because of the agriculture feel, because of the country feel out here, and as someone who loves agriculture and animals and might possibly in the future want to invest in property for animals in our neighborhood, obviously it’s not in my best interest for all of these homes to be coming. My main point of interest is the exit to 1055 West, and not wanting traffic coming through there.

Lucynthia Rockwood (Provo Resident) I own the property that is exactly south of this development, so we have seen it on the picture up here. We are kind of sandwiched between this development and the River Park development that already exists. Down the road we plan on developing our land as well and hope to have a similar thing, so have that in mind as you are approving this. We are totally in favor of this zoning change, we just wanted to make you aware that is something we have planned to do as well. The comment was made that we are just on the heels of doing this, and we don’t really know how soon that will happen. Whatever decisions are made around the fencing should be taken into account for our land as well, because we do have cattle on the property at this point, and will indefinitely. Maybe it will be a year, maybe it will be five years, maybe it will be 10, but just keep that in mind as you make those decisions.

Calmoore Robbins (Millcreek Resident) I happen to know something about the piece of property to the south of this development, I have irrigated it for the last 50+ years. I have personally been irrigating that piece of property. We realize because the piece of ground to the south of me on 1055 W has been sold and is being developed, this is now being developed, I hate to say it, but that area is not going to be agricultural for a lot longer. You do have to realize it is in a changing format that is taking place. We are in favor of what the developer is basically doing. There is a very valid issue that I think has been raised about traffic, that I do wonder how that is to be addressed; it is a valid thing and I realize that the road that comes up from the office park will end up ultimately hooking on to South Jordan Parkway. There will be a flow that will really end up flowing out that way, but in the interim it does create a problem for the residents there. I realize that this is going to happen, I am a realist, and so I am in favor of it but I just think that we really need to weigh how to handle it in the shorter term until all this is developed, because we really are kind of the last piece that has not been developed.

Dean Ruffner (Resident) I am the property line north of this development, and I don't know if anyone has walked this property line but I do appreciate him saying my fence is in very good condition. I do maintain it, I do try to take care of it. If you are going to exit all this traffic literally 15 feet out my front door, my front door faces the south and faces my fence, and I don't know if you know this but there is an entire row of fully mature trees that are along my property line. I got the feeling that all these trees are going to have to come out to develop this road. One, those trees, even though they are not on my property, I do appreciate the shade and what they do for the neighborhood, I like how they represent the agricultural environment of this area. I don't know how you guys would like a road 15 feet out your front door, that's something to look at; I don't like it. Second, I do have children in my house, an 8 year old and a 12 year old, and we have a basketball hoop in front of our house. If you are going to exit a huge amount of people coming out, after work, into our neighborhood, I don't see that as a good idea. My kids are trying to play basketball, my daughter loves to ride her bike, we love to use that cemetery. I don't think exiting any of that traffic into our neighborhood will be beneficial at all. Definitely, I do agree with making them two residential homes, sectioning off that section and making this road dead end, ending the road and keeping it more agricultural.

Maria Ruffner (Resident) like my husband said, I have lived there for 20 years and I moved there because of the agriculture feeling, and it a nature preserve, that's how it was sold to me. Taking that away is kind of sad. I know that we need growth. My daughter, an 8 year old, put a poster on the mailbox of the empty lot and said "you are killing our deer, you are killing our raccoons, you are taking nature away from me." She wrote it with tears in her eyes, and I am going to miss that. I know people need homes, and we have a shortage, but we are missing out on what that road is; a historic nature preserve. I am happy that we have all these developers with money to have housing for people that need it, but I have been there for 20 years and I see the beauty of that area which is going to be lost. I am thinking of that road coming right in front of my house, the noise, the safety factors. Is somebody going to build a wall so I can have some silence from the road noise that is going to happen? Is it going to turn out like 1300 West, is it going to be that loud in front of my house where my kids are playing?

Lynn Brown (Resident) I live right where they are going to put that division in, and the question I have is where is all the traffic going to go. To me, it is like running water; if you are going to have a road straight through there you are going to have so much traffic there. What about the cemetery? You have the cemetery there where there are funerals all the time, and if you are going to have very much traffic come out of that road onto 1055 W, it is going to be a nightmare there. Of course, now we are talking fencing, what kind of fence are they going to put down between me and Carmen and them right there. I live right in back of Carmen, down further; are they planning on putting a six foot fence, an eight foot fence, what are they planning there. What kind of housing are you putting in there? Are you putting in just some family developments there, and then you are going to split it up and go down to the east; are you going to put in some businesses there? How are they going to get in and out of there, it looks like that is going to be the problem; the traffic is going to be the big problem in that area. That is my main concern, the traffic, the cemetery and how that will work. That is a Pony Express road, that is kind of a thing where I think it has been saved for that reason.

Mr. Baucom (Resident) My wife already addressed you, but to re-emphasize everything she said, we just barely purchased this place in a horrible market. It was sold to us as this historic road that is going to be preserved and maintain that integrity. From everything that I've heard, and you can tell from everyone that is currently living there, they all feel that this is going to be violated; that historic nature of the area, and to go back on that feels horrible honestly. It will stay like this forever, until someone doesn't want it to. To all the landowners here, this means something really important and that's why we are here in this area. I think everyone can relate to the fact that this kind of development, this many houses this close together as townhomes, is not going to preserve this area the way that we all want it preserved.

Chair Hollist asked to confirm that the email from the ditch master will be a part of the public record, and staff confirmed that it will; it is included as Attachment B.

Katie Jensen (Resident) this is an area that I have been looking at purchasing some land in, and the land is being sold around those lots as agricultural and for animal rights. There were some comments that it won't be used for animal rights, and I don't know if that is necessarily going to happen with the land that is being sold, so I don't think that assumption can be made. Also, there will be people that will go down that road, and as you continue down that road there is no place to really turn around. I do worry about a lot of traffic on that road, it is a historical road, it has been agricultural, and I do worry about the density amount. I agree with the homeowners who have made comments that everyone will not exit out to the river front and out through the office buildings; people will definitely go the cemetery way, and that's a lot of homes to be exiting on that road. I am all for adding great housing, so I am definitely not anti-development; I am dealing with several development projects now, so I understand that process. I do worry about the density of this area and what that area has been. I also agree with the fencing comments that have been made, that it should probably stay with the current requirements of South Jordan, I don't really see a need to alter that on an assumption of what could go in. The parking with the pickleball courts, they are very, very popular and if you've seen other ones around, the parking is an issue at some of them. As far as selling this as creating housing that is affordable, I think it would be good for the developers to give a range of what they are anticipating selling these properties for. With them being sold as rentals, I think that should be clarified before the city whether they are rentals or being sold; it would be good for the city to understand that fully and have the developer make a commitment to which one they are doing.

Chair Hollist closed the public hearing. She began discussion by noting that one of the biggest concerns seems to be the status of this road as a historical road, and asked staff if that designation has been removed.

City Planner Greg Schindler responded that it has not been removed, City Council hasn't had a meeting to do that yet, but it is staff's understanding that the city council is going to take away the historic designation. At this point, they do not believe that it ever had any history to it other than being the first road; the stories about being a former Pony Express trail have been unable to be verified. It is his understanding that staff has been instructed to create a resolution to eliminate the historic designation of that road.

Deputy Director Nielson confirmed that there has not been a meeting yet to remove that historical designation, but there are plans to do that in the near future.

Chair Hollist asked staff what our land use says regarding protections for historic designations. She noted that even the historic land they looked at a few years ago didn't feel like it carried anything beyond the recommendation to try and honor the feel of the area.

Assistant Attorney Simonsen said that he wished he could have anticipated this question and done some research beforehand. Usually, if there is a historic neighborhood, in some cities there would be some restrictions on remodeling historic homes. He is not aware of anything like that in South Jordan, but again, he hasn't had the chance to research that.

Planner Schindler said the original ordinance/resolution that made this historic in the first place declared that nothing could change with that road. Improvements like widening could not be done, it could not be improved beyond what it already is. The areas with pavement could have the pavement patched, but they couldn't widen them; no sidewalks allowed, no curbs or gutters. The places that were dirt would stay dirt, they could not be paved.

Chair Hollist asked when that designation occurred.

Planner Drozdek said it was around 2006.

Planner Schindler said that was brought to the city council back then by the historic committee at that time, and it was approved. It is unusual that none of the buildings or homes along that road were declared historic, so it's not a historic neighborhood. We already heard from one resident who tore down his historic home at some point, but saved the brick. The only historic thing we know of regarding this road for sure is that it was the first road in South Jordan. Other than that, there has been nothing else discovered or proven. Staff hasn't really looked into it, it was the historic committee that did that and since then others have informed staff that the Pony Express never did use that as their pathway to anywhere.

Assistant Attorney Simonsen asked if any of that had made it into the city code.

Planner Schindler said no, it was only a resolution that was passed.

Assistant Attorney Simonsen asked what the force of law would then be for the designation.

Planner Schindler said he has never seen anything in our code, or an ordinance passed to add anything into the municipal code. It has just been passed down by word of mouth to employees in Engineering and Planning when hired.

Assistant Attorney Simonsen said it's up to the commission, but this might be something they want to get to the bottom of.

Chair Hollist was going to say the same thing, however since all these people came out she wants to get through all the issues that were brought up during public comment. She thought this designator had been lifted, but if is has not and it truly indicates that, she doesn't know that it's appropriate to approve this.

Planner Schindler said that it wouldn't be before the commission tonight if the council wasn't going to take away the historic designation. Otherwise, they would not have approved this to be built down a 25 foot wide road. Other staff may have more information about who would be doing the improvements on the road, but he assumes the developer would be required to do that as it doesn't make sense for the city to improve a road to help the developer.

Planner Drozdek said that his understanding is that the city engineer brought this issue up before the city council in a work session to remove the designation because of the development happening in the area and how these roads might or might not tie into 1055 W. The direction staff received was to move forward with removing that designation.

Deputy Director Nielson confirmed that staff is working on a resolution to do just that, and that was discussed in a previous public work session.

Assistant Attorney Simonsen said he suspects that those here tonight on this issue may appreciate an actual hearing and vote before this commission actually makes an assumption. This commission could do anything, as you know this is a legislative matter and the commission has wide discretion on what they recommend. He is not telling anyone what to do, he is just saying that, based on what he's hearing from everyone tonight, 1055 W is a historical road, whatever that means. As it sits right now, it is, and he's not sure that it's the function of anyone here to speculate what the legislature is going to do in January, or even what the legislature is going to do next week here in South Jordan City.

Commissioner Gedge said that if it was just a designation through a proclamation on the historical road, and it is not in the city code, he wonders if there is an actual city ordinance that would require the commission to enforce things in this type of situation.

Assistant Attorney Simonsen said that at some point in time, maybe a resolution was passed, but we don't have it front of us. Someone might chastise him later for not having the resolution in front of him now, but he doesn't, and he doesn't think anyone else in the room has it. It may prove to be totally meaningless, and that it could be entirely ignored, but he doesn't know.

Chair Hollist is inclined to continue to address the concerns since the public is here this evening and there will not be another public hearing on this item; she asked if the commission was okay with that approach. The commission agreed that she should continue. She then continued by stating that they typically require developers to improve roads, and asked if that is a part of this development. Will they need to improve the portion of 1055 W that they abut.

Deputy Director Nielson said they do not have site plans in front of them, this is only a rezone they are looking at. Right now, with the historical nature of the road that is up in the air. If it is historic, then no, they wouldn't do sidewalk, curb & gutter like a typical residential street. If the historic nature of the road is removed, then it would be improved like a residential street. The frontage of the development would be done by the developer to his understanding. However, it would only be the frontage of their property, and that's what is typically done with a developer.

Chair Hollist asked if the property to the south develops in a similar matter in the future, would they be required to front the cost for the improvements of their portion.

Deputy Director Nielson said yes, they would.

Chair Hollist asked about someone further down the road that makes no changes to their property, would that stay as is.

Deputy Director Nielson said yes. Possibly, if in the future there was a safety concern or large need to do a sidewalk project there, the city does get periodic grants to do those kinds of things. If the city were to put in a sidewalk on its own dime, they would purchase the property, it would not just be taken from property owners; however, that is not on the table tonight and there is no plans for that at this point in time.

Chair Hollist said there were several comments on the types of fencing, which was one of her first concerns. The city typically requires a certain kind of fence between different land uses like this, but she noted that this was not being required as the land use agreement is written at this time.

Planner Drozdek agreed that yes, that is not being required. They sent the notices out as part of this hearing and he hasn't heard any complaints in regards to the proposed fencing. He does know that the applicant has spoken to the property owners to the south in regards to the fencing.

Chair Hollist said that Ms. Rockwood spoke and indicated she didn't know when that development would occur, and that there were cattle there at this time.

Planner Drozdek said that the applicant told him they had a meeting with Cal Robbins (who is related to Ms. Rockwood) and his family, and this was the fencing arrangement that they came up with.

A member of the audience spoke up and noted that they had heard nothing from the applicant, and they live adjacent to this property.

Assistant Attorney Simonsen said that Deputy Director Nielson's point that was made earlier was spot on. This is a rezone, so the fencing isn't really before the commission tonight. He knows they want to answer all the questions that they can, but that issue is not part of the rezone.

Chair Hollist asked if it was included in the land use agreement.

Planner Schindler said that it is part of the development agreement, so the commission can make their recommendation on that in regards to the proposed development agreement. However, the development agreement is solely an agreement between the city council and the developer.

Chair Hollist asked to confirm that if they felt uncomfortable with it, they could make a motion to amend what has been presented and sent to City Council.

Planner Schindler responded that yes, that is correct.

Assistant Attorney Simonsen said that he would point out that the staff report on this is really good, and on page 4, the paragraph near the top, it says "the planning commission may suggest the city council include additional provisions in the development agreement."

Chair Hollist moved on to the issue of traffic and asked staff to address that.

Deputy Director Nielson said that first off, where the road ties in, it is just at the south end of the cemetery where the road is wide to the north and very narrow to the south. The thought is that the majority of traffic that does make their way to the west will turn north, because there would be likely very little reason to turn south. That is why, from an engineering perspective, they felt the road has adequate width to accept a little bit more traffic. Regarding traffic volume, this development as a whole is estimated to have about 1000 trips a day. The traffic engineer that gathered this report estimated that about 35% of that traffic would go to the west, and the remaining 65% of the traffic would be going to the east, using that more major entrance off River Front Parkway; that works out to about 350 cars a day. That sounds like a big number, but if you break it down and look at just the afternoon peak, that is usually about 10% of the total volume, which works out to about 35 cars spread out over an hour during the P.M. peak or about one car every two minutes. These numbers came from the transportation engineer, they were reviewed by staff and make sense. They also studied the intersections, and if you are going to have severe congestion on a road, it always delays at the nodes where the intersections are. They studied those intersections, and the intersections themselves from a delay perspective stay at a Level of Service A; they expect very little change in intersection performance with this development.

Commissioner Gedge added that the nearest traffic signal is 1055 W and South Jordan Parkway, at the gas station, and asked who would be responsible for the timing on that light.

Deputy Director Nielson said the responsibility is with UDOT, however many times the city raises the issue to them if they are aware of it.

Chair Hollist noted the concern brought up regarding the third acre single family lot not having enough easement for the road and noted that she didn't fully understand the concern.

Planner Drozdek said he didn't either, and he isn't sure.

Chair Hollist understood Mr. Sainsbury's concern about light shining in his window. She asked if there was a reason why consideration wasn't given for lighting that road up between the two homes. She agrees in looking at the map that it does look like all those lights will be shining directly into one house.

Planner Drozdek said he is seeing two houses, across the street, and he noted that even if they moved the driveways just a little bit it appears this would still happen to one of the homes either way.

Planner Schindler said the road was probably placed here because these will be townhomes, and the road cannot go in the middle; it makes sense for it to be on the side. He said it would just be two small lots, and it's only one-third of an acre now. With the road running to it, it's not even half an acre, so you'd still end up with two lots that would be about one-sixth of an acre each.

Chair Hollist brought up the concern of business traffic running through here. She assumes that since these are public roads, there would not be any ability on the city's part to discourage that. Sometimes there are signs regarding local parking only, and she asked staff about that.

Deputy Director Nielson said they wouldn't really be able to enforce that, they would just try to keep the signals functioning efficiently to try and minimize the motivation for a driver to want to try and shortcut like that. However, when you look at the site plan there are several bends in the road, so it's not a great cut through.

Chair Hollist asked about the bike trail not being finished.

Deputy Director Nielson said that Beckstead Trail disappears to the north, and goes to the south quite a ways, but it is not complete.

Chair Hollist asked staff to explain why communities of this size are encouraged by the city to have more than one entrance and exit.

Deputy Director Nielson said that it's prudent land planning practice for more connectivity to spread traffic because when traffic is concentrated you end up with more congestions and having to widen roads. More importantly however, it also allows for better emergency access.

Chair Hollist repeated a question from the public, who required the access from 1055 W.

Deputy Engineer Nielson didn't know who did that, but the developer might have more information.

Chair Hollist noted that a resident asked if anyone on the commission was employed in the river bottoms, and turned to the commission to see if anyone worked in that area.

Commissioner Gedge said he isn't employed there, but lives within walking distance.

Chair Hollist mentioned comments regarding this development's potential impacts on the cemetery, and asked the staff to address that.

Planner Schindler believes he has heard the city engineer speak about the angled parking there, and that that parking may be altered in the future due to the additional traffic. He noted that Memorial Day would be probably the busiest day of the year, but it's only the one day. There are probably other days when they are busy, but generally there is very little traffic at the location.

Chair Hollist noted that Mr. Robbins and Ms. Rockwood are in favor of the zoning, and as landowners in the area they anticipate additional change in this area. There was a question about the trees adjacent to Mr. Ruffner's land and she asked staff if those trees would be impacted.

Planner Drozdek wasn’t sure, but said that it did seem like those trees would be taken out if that access road is constructed.

Commissioner Laurel Bevans asked if when trees are removed from a property, does the city have a policy requiring them to replace those removed trees, and how does that work if they are clearing land for a development.

Planner Drozdek said the city code has no such requirement.

Chair Hollist asked at what point road noise would involve city intervention for mitigation.

Deputy Director Nielson responded that there is no threshold for noise intervention on any of the roads. The only roads with sound dampening that he is aware of are I-15 and Bangerter Highway.

Chair Hollist asked for the offset requirement from a home to the road, both from the front and side in this area, since a resident had commented that this would make the road only 15 feet from their home.

Planner Drozdek said he believes it’s 30 feet, but that would be an existing condition.

Chair Hollist asked if that offset would be required, or if it would need to be written into the land use.

Planner Schindler noted that the resident said his home faces south, which means it doesn’t face a street at this time. He’s not sure if the resident’s front door is on the south side of his home, or where his front door is situated; he would assume that his front yard is along 1055 W.

A resident from the audience spoke up and said that his side yard is only 10 feet.

Planner Schindler said if he’s on a corner lot, with this new road, the distance would probably be 20 feet to the proposed road. The city has never had this issue before, where they are putting in a new road in an area where a house is that close to it. It may be something for staff to look into, to decide whether or not that road needs to possibly shift further away from his property. The city would not have allowed that house to be built there if the road had been there first, but the house was there first, so it’s a possibility that the road may not be able to run there for the same reason they wouldn’t allow a house.

Chair Hollist said the rest of the comments from the public were mostly repeating what has already been covered, with the exception of the concerns regarding the kind of housing. The housing information was included in the staff report, but she asked staff to go over that again.

Planner Drozdek responded that just from memory it’s 134 townhome units, 20 twin home units, and one single family home.

Commissioner Gedge said his biggest issue is that a lot of the concerns raised aren’t going to be part of the rezone, they will be part of a site plan. He would like to proceed by focusing the discussion on the actual motion before the commission tonight. Previously this year, they approved a similar type of infill development two lots to the north and it looks like there will be some interest in developing the surrounding properties in the future as well potentially. There is also a need for housing in this area. They need to get the question answered about the historic road designation and what that actually includes in terms of legality. However, for the actual rezone on this parcel, to allow them to continue he feels like the concept plan is a good start as a draft. His feeling is to provide City Council with a positive recommendation on this, possibly amending the development agreement to actually stick with what has been done in other developments to include enforcing appropriate fencing as a divider between uses, especially since the north and south properties have current livestock use. This is before us this evening because City Council has already met with the developer and staff, and if they are comfortable with what was discussed this will go forward regardless of the commission's recommendation. He would recommend making some amendments and continuing to improve the process. Once they get the site plan, that's where they can do some real work to help the neighborhood.

Commissioner Starks echoed Commissioner Gedge's comments, and at this point is positive towards the staff's recommendation as outlined in their report with the exception of the gentleman mentioning the road being closer to his home. He would recommend moving forward with what they have in the report, and make the strong recommendation that they take a look at that situation very closely to make sure that his property rights are taken into consideration, that he is provided a comfortable home with the road correctly developed; he assumes the developer would agree with that as well.

Commissioner Darby is in agreement with what has been said. He would highlight not only the road, but as Commissioner Gedge said he would also highlight the fact that the fence needs to be addressed by the developer. Since this is a rezone, and that is what they are looking at tonight, he is in favor of it right now.

Commissioner Bevans didn't have much to add, everyone has already said exactly what she is thinking. She likes the idea of this project, that it's close to an office park where a lot of these people can get jobs. She really likes that it is close to public transit, and thinks this will be a good and valuable piece for the community in the long run. She does have concerns with the road going in front of the home, concerns with the road going in and directly shining into someone's home; she would like to see if they could come up with something to mitigate that. She also thinks they need to address the fencing and find out the answer to the historical questions. That being said, she favors recommending a positive recommendation to City Council.

Chair Hollist asked for assistance on how the commission could suggest provisions to the development agreement, and if the are voting on the development agreement tonight.

Assistant Attorney Simonsen said they are not voting on the development agreement tonight, but the development agreement is discussed in some detail in the staff report. It does say that the planning commission may suggest to the city council to include additional provisions in the development agreement; however, the planning commission can always make suggestions to the city council, even regarding items in a development agreement. They've heard the evidence, and it's within the commission's power to make those recommendations.

Planner Schindler added that in the staff report it does say that the project will be built according to the concept plan and the elevations attached to the agreement. Neither the commission, nor the city council will able to make any changes to the concept plan once it is approved by the city council. In a regular rezone without a development agreement, there is always a concept plan submitted, but neither the developer nor the city is held to that concept plan. However, when it becomes part of a development agreement, then both parties are held to the agreement. If the commission has changes they'd like to see on the concept plan, they should also include those as suggestions to the city council.

Chair Hollist asked if this rezone only applies hand in hand with this development agreement.

Planner Schindler said that is correct.

Chair Hollist then asked if this falls through, would that mean the rezone wouldn't stand for someone else to come in.

Planner Schindler said yes, it would not be passed on to anybody else.

Chair Hollist said that, based on that, they would need to address the road being widened at the point it connects tonight, because that needs to be included in the development agreement.

Planner Schindler said that if the commission wants any of the concept plan to change, they would need to make that suggestion now. The city council won't necessarily agree to make those changes, but they will at least see those recommendations from the commission before making their decision. At this point, it seems like the only concern the commission has with the concept plan is where that road comes out on to 1055 W, and where its location is.

Chair Hollist added that there are concerns about fencing as well, and she hasn't had her chance to share her final thoughts yet as the other commissioner have. She was at the Architectural Review Committee meeting when these plans came forward and they did receive a positive recommendation. The style is a little different on some of the coloring and materials, and they were told that was the style with more darker colors than light. The only concern she has that hasn't been addressed yet is the density. In the land use plan, and often with developments that have enough space, we tend to do a gradual move from higher density near things like businesses to more single family homes adjacent to where single family homes exist. It sounds like the entire area might be changing, but she would be more comfortable with that kind of approach. There has been some creative accounting done with upgrading the park to meet that desired 8 units per acre in the overall plan, but she still has concerns with how this development agreement is being formed. However, as Commissioner Gedge said, they usually don't see these until they've gone through several iterations between City Council and the applicant. Her guess is that the city council favors what they've seen here, but she wanted to comment that this is different from what they've seen in these kinds of applications.

Planner Drozdek said to keep in mind that many of these farm properties used for farming or livestock typically never stay agricultural. They have seen so many properties over the years develop, and for the city to save open space they would have to purchase the property or buy some kind of conservation easement over the property; at this time that's not the direction the city is going. Once the parents or grandparents pass, most of the time the kids don't want to do the farm work and they just want to sell the property and make money; unfortunately, that seems to be the pattern.

Planner Schindler added that in regards to the density, Chair Hollist is probably correct in that the city council has probably already come to the conclusion that the density being proposed is okay with them. He encouraged the commission to include their suggestions based on resident concerns in their recommendation, as the city council may have been more focused on the density issue when this was being presented.

Chair Hollist wanted to remind everyone in attendance that they are not an elected body, and as such they do not have the final say on a rezone and the applications here tonight. They will make a recommendation and forward it to City Council, who will then hear the issue within their body as an elected council and they will again have a public hearing. That will be an opportunity for anybody that has concerns with what is recommend tonight to come forward and be heard by their elected representatives.

Commissioner Gedge asked when this will be heard by City Council.

Planner Drozdek said he believes it will be December 6th.

Commissioner Gedge suggested that anyone with concerns reach out to their elected officials between now and December 6th to share their thoughts.

Commissioner Darby added that at some point the historic or non-historic designation of that road needs to be addressed, along with the quality of the road on 1055 W. He doesn't believe that's tied to this rezone, so it probably doesn't need to be discussed right now, but it is an issue that should be discussed sooner rather than later.

Chair Hollist is concerned that they will not have the ability to make changes in the future, since the rezone and agreement go hand in hand, and that would impact her vote significantly to know that the road can or cannot be changed in the future.

Commissioner Darby said that he read the notes from the August City Council Meeting with the gentlemen from RISE, and it seemed like the city council was mentioning that they are in favor of changing that designation. There was quite a robust discussion about how and why it got that designation, what it means, and they discussed potentially changing that.

Chair Hollist said they can certainly make a reference to that particular item being tidied up prior to this being finalized.

Commissioner Gedge moved, based on the discussion and Staff Report this evening, that the Planning Commission recommend to the City Council that they approve Resolution R2022-40, approving the land use amendment, and Ordinance 2022-07-Z, approving the zone change with the following suggestions:

- The City Council address the access point at 1055 West on the concept plan, including the designation of the historic road 1055 West for any improvements or widening of such road that many need to be made.

- Address the type of fencing between the north and south properties that are listed in the development agreement to protect the current agricultural use.

- With the concept plan, address the road accessing 1055 West to protect existing homeowner uses for their property access and proper setbacks, so the current property owners are not negatively impacted.

Commissioner Bevans suggested, regarding the fencing, to add that they would like to see it be the standard masonry type fence instead of the vinyl.

Commissioner Gedge amended his motion to say that they would specifically like to see a masonry type of fence in the area referenced in his motion, rather than a typical vinyl fence.

Chair Hollist noted they have a motion with an amendment regarding the specific type of fencing they would like to see.

Commissioner Starks seconded the motion. Roll Call vote was 4-1, with Chair Hollist voting no. Commissioner Catmull was absent from the vote.

Chair Hollist explained that she voted against this because she is still concerned about the transition between zones. She feels like it would be a better project if there were more transition from the dense townhomes to possibly single family homes adjacent to these residential communities that have existed for as long as they have.

Commissioner Gedge motioned to have staff relay the commission and public's concern over parking and attendance at the Memorial Day Celebration at the South Jordan Cemetery, and to look for alternatives or enhancements to improve traffic circulation and ease congestion.

Commissioner Gedge asked staff whether or not this was an appropriate motion and request.

Assistant Attorney Simonsen responded yes.

Commissioner Bevans asked if there was additional parking added to the cemetery with the recent additions.

Planner Schindler said he doesn't believe there are any actual parking spaces, but it did add additional road surfaces.

Commissioner Darby seconded the motion; vote was unanimous in favor. Commissioner Catmull was absent from the vote.

Chair Hollist addressed those in attendance, saying that the first motion concerning the resolution and ordinance will go forward to City Council with a positive 4-1 vote in favor of that, with the suggestions of changes to the concept plan. She reminded everyone that they are not the final decision, and encouraged those who still have concerns they feel were not addressed in the recommended modifications to either reach out to their city council members before December 6th or attend the public hearing that evening to express their concerns.

I.1. **<u>Ordinance 2022-16</u> –** Amending various sections within Title 10, 16, and 17 of the South Jordan Municipal Code pertaining to Streets, Gated Developments, Fencing, Retaining Walls, Truck Parking and Clear Vision, City Engineer Initiated.

Deputy Director of Engineering Jeremy Nielson reviewed background information from the Staff Report.

Staff and the commission had a brief discussion about what part of City Code Daybreak is required to follow, and it was confirmed that all public lanes in Daybreak are required to follow City Code, specifically when it comes to speed limits.

Deputy Director Nielson continued reviewing background information from the Staff Report.

Commissioner Laurel Bevans asked if there is a cap anywhere in the city code regarding retaining wall height, or is it completely up to the discretion of the City Engineer after 9 feet.

Deputy Director Nielson said no, with the new language being proposed there is not a maximum height beyond the 9 feet; it would be up to the site constraints and City Engineer's discretion.

Chair Hollist noted that she didn't see the definition of a truck in the city code.

Deputy Director Nielson said there is a definition of a truck at the beginning of Title 10, which defines it as any vehicle over 18,000 pounds, longer than 24 feet, along with additional details available in the definition.

Chair Hollist shared a question submitted by Commissioner Catmull, who had concerns regarding the possibility of an unlimited height allowed on the retaining walls the way it has been written.

Deputy Director Nielson said it would be up to the City Engineer's discretion, and said to keep in mind that those walls are extremely expensive and get more complicated the higher you go up; there is not a lot of motivation to go high.

Chair Hollist asked for the height of the retaining wall on the apartment complex near Mulligan's and the Frontrunner station. Her understanding was that it was supposed to be landscaped, but it is a very large and stark concrete wall.

Deputy Director Nielson said he was not sure.

Commissioner Bevans asked about the proposed speed limit of 15 mph on all public lanes, if that only applies when there is not another speed limit posted; she assumes that if there was already a 5 mph speed limit posted, that would take precedence.

Deputy Director Nielson confirmed that yes, that is correct.

Chair Hollist didn't see anything that raised any alarms for her, and opened the public hearing for comments. There were no comments and the public hearing was closed.

Commissioner Bevans moved to recommend approval of Ordinance 2022-16, amending various sections of the City Code as listed above. The planning commission does not consider or make recommendations to changes to Title 10, which is outside the development code. Chair Hollist seconded the motion; Roll Call vote was 5-0, unanimous in favor. Commissioner Catmull was absent from the vote.

J. OTHER BUSINESS

City Planner Greg Schindler said the next meeting is December 13th, and that will be the last one of the year. There may be a Daybreak item if the necessary corrections are made in time.

Chair Michele Hollist asked if any of the city council members were up for re-election this year.

Planner Schindler responded that the local elections are during the odd years, and next year he believes Council Member Brad Marlor, Council Member Patrick Harris and Council Member Tamara Zander will be up for re-election.

ADJOURNMENT

Chair Hollist motioned to adjourn the November 8, 2022 Planning Commission Meeting. Commissioner Gedge seconded the motion; vote was unanimous in favor. Commissioner Catmull was absent from the vote.

The November 8, 2022 Planning Commission Meeting adjourned at 8:47 p.m.

This is a true and correct copy of the November 8, 2022 Planning Commission minutes, which were approved on December 13, 2022.

From:	Damir Drozdek
To:	PLANNING COMMISSION
Subject:	FW: Rezoning on 1055 W
Date:	Monday, November 7, 2022 8:20:28 AM

See below.
Thanks,

Damir Drozdek, AICP | Planner III | City of South Jordan
1600 W. Towne Center Drive | South Jordan, UT 84095
O: 801.253.5203 Ext. 1290 |C: 801.946.4377

From: Damir Drozdek
Sent: Thursday, November 3, 2022 9:17 AM
To: 'cecil burk' <cecburk@yahoo.com>
Subject: RE: Rezoning on 1055 W

Hello,
In response to your questions below, see here:

- The proposed project will have access off River Front Parkway as well as a connection to 1055 West (to spread traffic as well as for safety reasons to provide two access points for emergency vehicles)
- The project will consist of townhomes and twin homes
- The housing will be 'for-lease' with possibility of being sold for ownership in the future
- The change in zoning will allow the project to move forward as proposed.

Hopefully this answers the questions you had. If not, please let me know.
Thanks,

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From: cecil burk <cecburk@yahoo.com>
Sent: Tuesday, November 01, 2022 11:22 AM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Subject: Rezoning on 1055 W

Nov. 1, 2022

Dear Damir Drozdek

Concerning the application to amend the future land use and change the zoning on the property located at 10657 S. 1055 W.

We are concerned for an increase of traffic on 1055 West, If there is a zoning change to allow the development.

Will the entrance be from River Front Parkway via 10840 South and will it go through to 1055 West. If so we have a major concern for a increase in the traffic

Our concern is if a road into the development is connected to 1055 West we would have a huge increase in traffic for the construction and later with residence.

We are not against the development of the land for single family residential use. We prefer not to allow apartment buildings.

What would a zoning of MU (mixed use) taking off the A-5 (agricultural, min.5 acre lot) allow them to do?

Cecil and Kathy Burk

10605 S. 1055 W.

From:	Damir Drozdek
To:	PLANNING COMMISSION
Subject:	FW: FW: irrigation ditch
Date:	Monday, November 7, 2022 1:12:33 PM

Cal Robins is the property owner immediately to the south of this property.
Thanks,

Damir Drozdek, AICP | Planner III | City of South Jordan
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From: Bryan Flamm <bryan@daiutah.com>
Sent: Monday, November 7, 2022 1:05 PM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Cc: Chase Andrizzi (chase@daiutah.com) <chase@daiutah.com>; Andy Welch <andy@daiutah.com>; Jared Francis <JFrancis@sjc.utah.gov>
Subject: Re: FW: irrigation ditch

We've already discussed this with Cal Robbins, and obviously will need to make sure they are flowable going forward.
Bryan

BRYAN FLAMM
Partner

Direct **801.508.5515** | Office **801.495.3414** | Cell **801.971.1800**
Exchange Place | Building B
14034 South 145 East, Suite 204 | Draper, Utah 84020
Bryan@DAlutah.com | **DAlutah.com**

On Mon, Nov 7, 2022 at 12:56 PM Damir Drozdek <DDrozdek@sjc.utah.gov> wrote:

> FYI.
> Thanks,
>
> **Damir Drozdek, AICP | Planner III | City of South Jordan**
> 1600 W. Towne Center Drive | South Jordan, UT 84095
> O: 801.253.5203 Ext. 1290 |C: 801.946.4377

From: cecil burk <cecburk@yahoo.com>
Sent: Monday, November 7, 2022 12:49 PM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Subject: irrigation ditch

I currently am the ditch master in my neighborhood. I am concerned for the ditches which pass along and through the property at 10657 S. 1055 W. . If the ditches are to be piped and covered that the pipes be ADS 18 inch ID corrugated culvert pipe to allow proper flow of the water. I respectfully request the City help by requiring this of the developer.

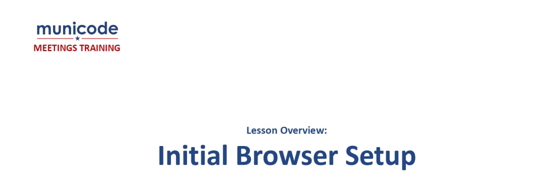
Thank you Your help
Cecil Burk
10605 S. 1055 W.
South Jordan

4 videos

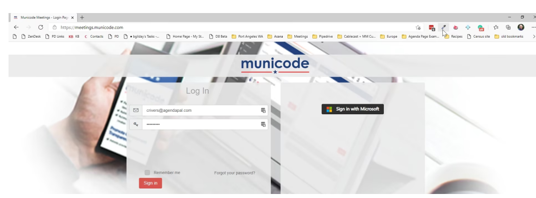
Municode Meetings - Initial Browser Setup

Optimize your browser for Municode Meetings

Start watching

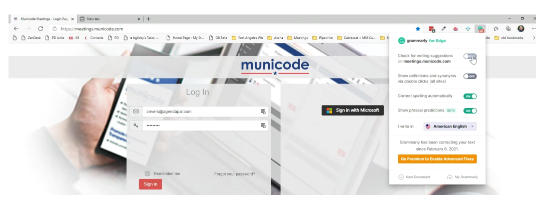


Browser Setup Overview 00:32



Bookmark the Login Screen 01:26

Allow Browser Popups 02:26



Disable Grammarly 01:07

RISE

TOWNHOMES

DAI

UTAH'S FOREMOST LAND DEVELOPER

RISE

TOWNHOMES

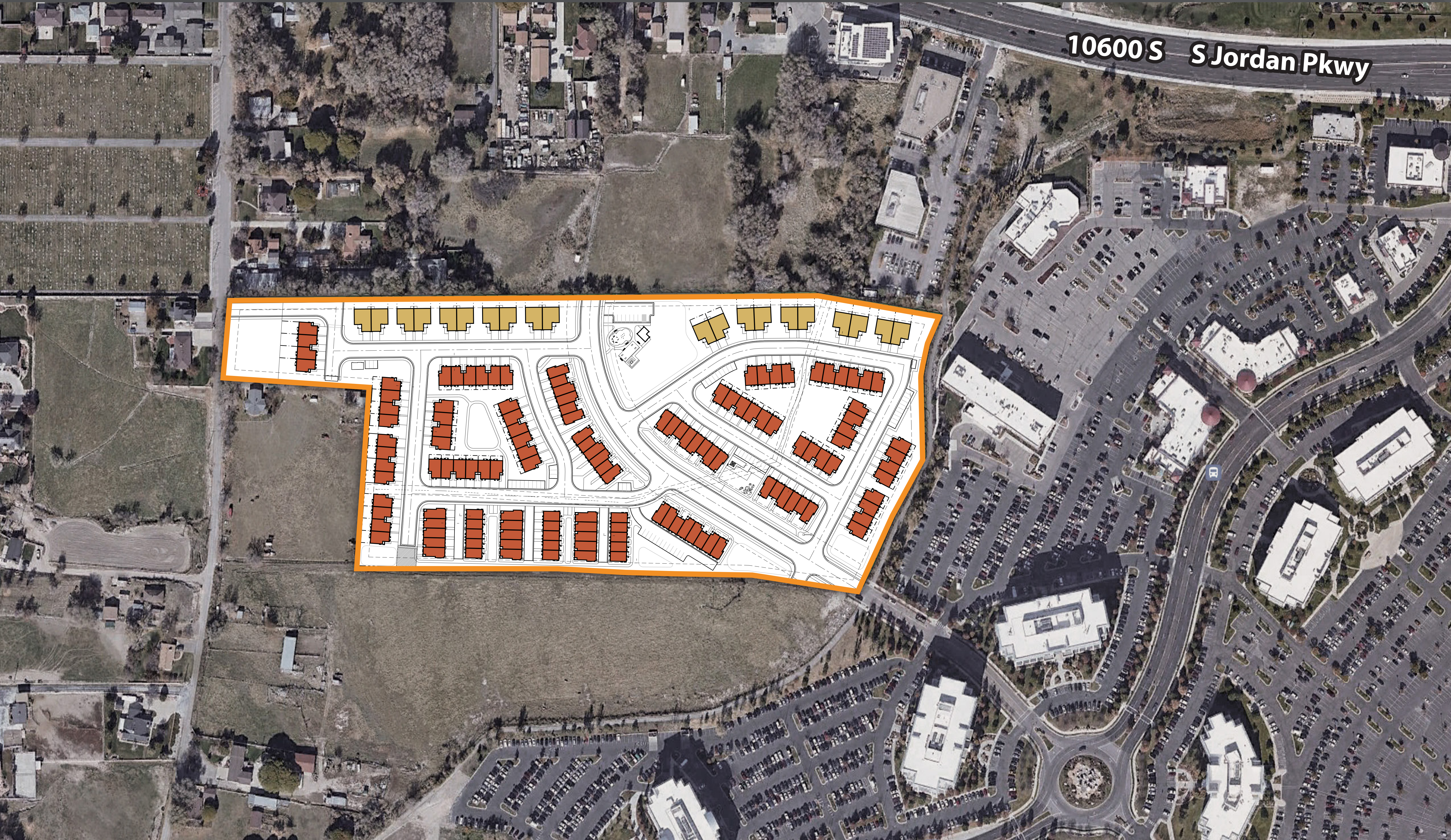
Rise is a walkable townhome community perched on a hillside overlooking the Wasatch Mountains and Jordan River.

Located in South Jordan

RISE TOWNHOMES

Site Plan

RISE TOWNHOMES

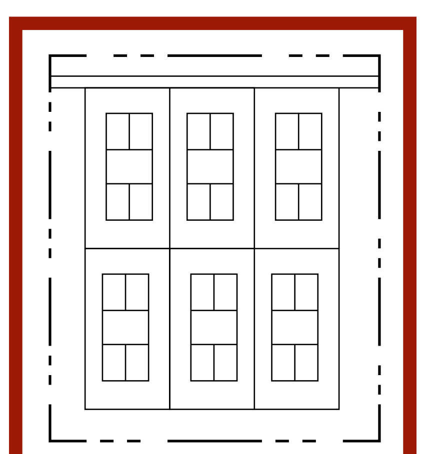


Unit Mix

RISE TOWNHOMES

Unit Type Key	
Twin Homes	20
Townhomes	122
Total Units	142
Property Acreage	17.813
Density/Acre	7.971

Additional Townhomes	12
City Park Improvement Acreage	1.4
Total Units with Additional Townhomes	154
Combined Site & Park Improvement Acreage	19.213
Density/Acre	8

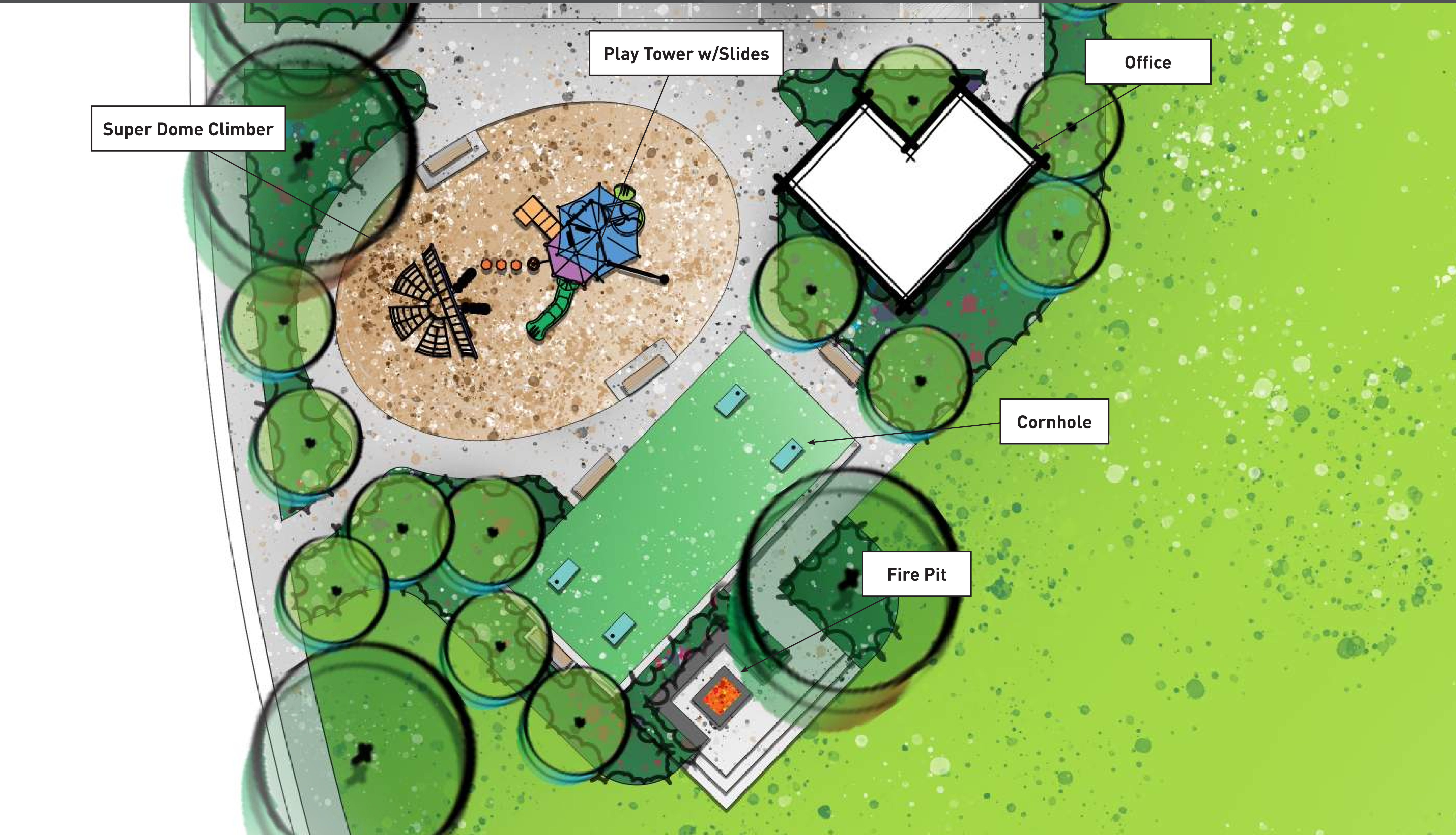


AMENITY DETAILS

RISE
TOWNHOMES

Amenity Plan

Main Amenity Area *Concceptual Rendering*



Sun-Themed Playground *Rendering of Proposed Amenities*

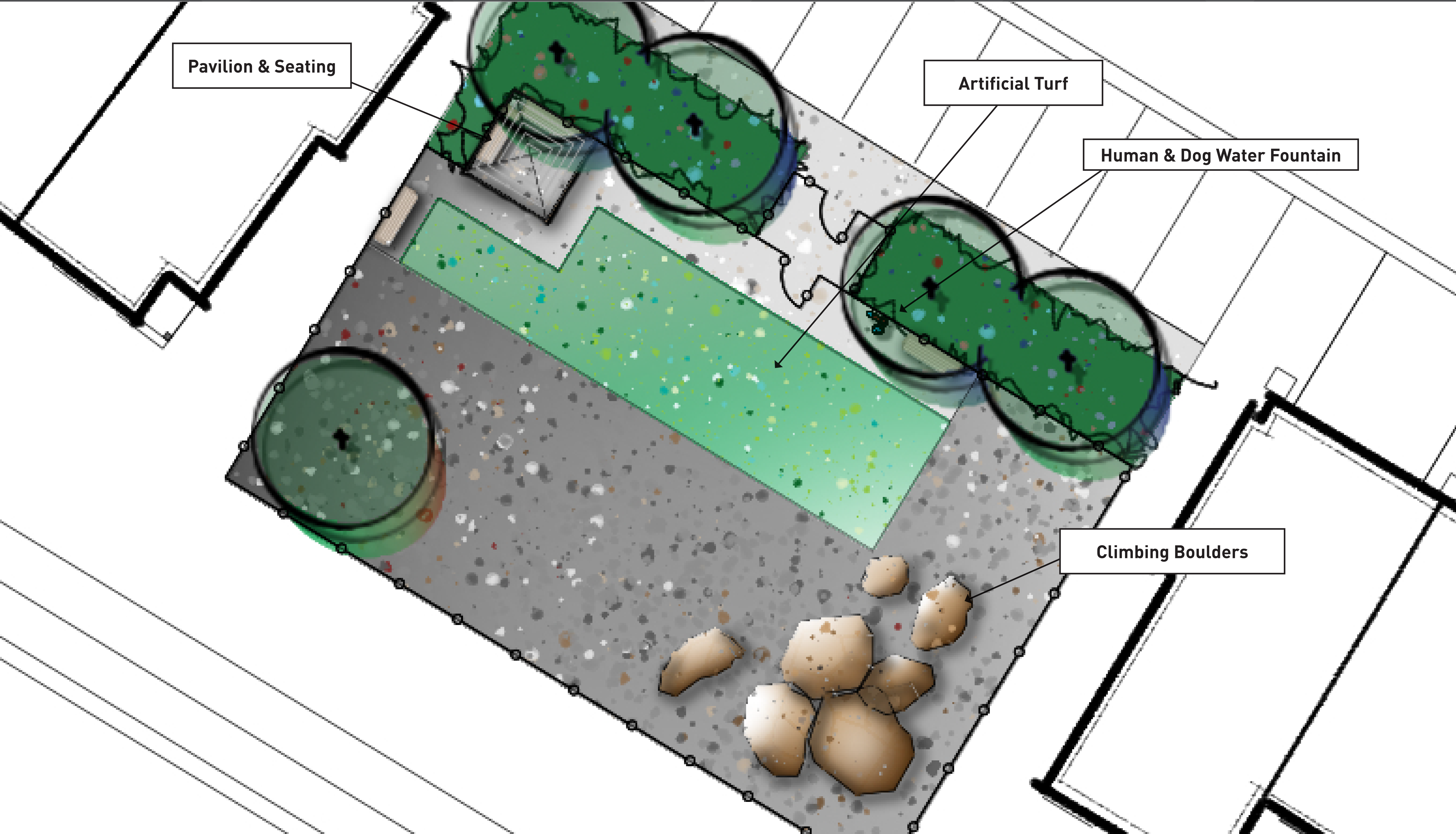
RISE TOWNHOMES

Dog Park, Cornhole & Fire Pit

RISE
TOWNHOMES

Dog Park *Concceptual Rendering*

RISE TOWNHOMES



3

Additional Off-site Location for 6 Pickleball Courts

RISE TOWNHOMES

Community Pedestrian Paths

RISE TOWNHOMES

Parking Spaces

RISE TOWNHOMES

Total Parking Spaces		
	Surface Spaces	67
	Driveway Spaces	240
	Garage Spaces	304
	Total Spaces	611
	Parking / Unit	3.97