

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
November 12, 2024**

Present: Chair Michele Hollist, Commissioner Laurel Bevans, Commissioner Steven Catmull, Commissioner Nathan Gedge, Commissioner Sam Bishop, Commissioner Ray Wimmer, City Planner Greg Schindler, Assistant City Attorney Greg Simonsen, City Recorder Anna Crookston, City Council Member Patrick Harris, City Council Member Jason McGuire, Deputy City Recorder Cindy Valdez, Deputy City Engineer Jeremy Nielson, Planner Miguel Aguilera, Planner Andrew McDonald, Planner Damir Drozdek, GIS Coordinator Matt Jarman, IT Director Matthew Davis, Senior System Administrator Phill Brown, Meeting Transcriptionist Diana Baun

Others: Barbara Palmer, Chase, Lysie's iPhone, Abby Krout, Jayme Richardson, iPhone Jaima A., Hollie's Phone, Katrin's iPhone, Spencer, Shanon Philips, iPhone, Tanner, Doug Hales, Stephanie Lou Haymond, Clint Ostler, Bennion Gardner, Patrick, Guest, Chris Archibald, Marlin, Jenni's iPhone, Marlene, Barbara, Ben P., Kev, Patrick's iPad (2), KUTV, Katrina Lecheminant, iPhone (8012099516), Jim M., Shari Shari, Stephanie Hurst, Kathy Thompson, Bill Theel, Glen Robertson, Linda Robertson, Tim Hansen, Clayton Austin, June Hansen, Chase Passey, Lily Perkins, Kacie Seamens, Linnie Spor, Michael Spor, Ron Madsen, Jeffrey Walton, Leonard Browning, Vivian Wilson, Sheri Mattle Chris Barron, Bryce Cameron, Krisel Travis, Tom Curtis, Vickie Roberts, Peggy Peterson, Shoa Bess, Jonathan Johnson, Joyce Fenton, Jake Seiler, Gordon Slade, Linda Price, Sharon Price, Perry Nelson, Josh Olofsobi, Marc Halliday, Nathan Miller, Tami Carlson, Michelle Foster, Emily Kartchner, Les Kartchner, Tim Miller, Hollie Poore, Michelle Langford, Jefferson Langford, Tanner Langford, Winslow Krout, Chandler Swenson, Ryan McCoviak, Brent Carlson, Soren Simonsen, Melanie Beaucharid, Monice Halliday

Absent:

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

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

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

B. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to approve tonight's agenda, removing Item J.1., discussion of Planning Commission Bylaws, due to the number of items on the agenda. Chair Hollist seconded the motion; vote was 6-0, unanimous in favor.

C. APPROVAL OF THE MINUTES

C.1. October 22, 2024 - Planning Commission Meeting Minutes

Commissioner Gedge motioned to approve the October 22, 2024 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion; vote was 6-0, unanimous in favor.

D. STAFF BUSINESS

City Planner Greg Schindler reminded Commissioner Wimmer of an Architectural Review Committee meeting tomorrow morning.

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Commissioner Gedge motioned to limit the public comment section for each item on the agenda to 30 minutes due to the large volume of public comment received prior to tonight's meeting. Chair Hollist seconded the motion; vote was 6-0, unanimous in favor.

Commissioner Laurel Bevans thanked first responders and city staff for their amazing work helping after the tragedy in her neighborhood this past week. She specifically thanked Communication Manager Rachael Van Cleave for the hours spent on site ensuring the correct information was being disseminated, along with our Public Works Department for working throughout the night to stabilize the site and surrounding areas after the explosion. She is so grateful to live in such an amazing city with such amazing staff.

F. SUMMARY ACTION – *None*

G. ACTION - *None*

H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. DAYBREAK SOUTH STATION MULTI FAMILY #7 PRELIMINARY SUBDIVISION

Address: West side of Lake Run Road between Center Field Dr. and Split Rock Dr.

File No.: PLPP202400107

Applicant: LHM Real Estate

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

Commissioner Nathan Gedge asked about the potential parking of construction equipment in the areas intended for ballpark even parking.

Planner Schindler responded he expects most parking to be done on their construction sites since there will be open space while each section is built. In the future, there will also be temporary parking lots built.

Commissioner Gedge asked the applicant to do their best to ensure temporary parking lots are reserved for guests attending events at the baseball field and not their equipment or other storage.

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

Commissioner Gedge motioned to approve File No. PLPP202400107, Preliminary Subdivision, subject to the following: all South Jordan City requirements are met prior to recording the plat. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Catmull

Yes – Commissioner Wimmer

Yes – Commissioner Bevans

Motion passes 6-0, unanimous in favor.

**H.2. ACCESSORY BUILDING: CONDITIONAL USE PERMIT FOR THE
ARCHITECTURAL STANDARDS OF ACCESSORY BUILDINGS IN R-
1.8 ZONE**

Address: 9557 S. 3770 W.

File No.: PLCUP202400128

Applicant: Leon Bryant Widdison

Planner Andrew McDonald reviewed background information from the Staff Report.

Commissioners discussed comparable detached units in the area and their sizes in relation to the main homes.

Chair Michele Hollist noted concerns expressed through public comment regarding potential for use as a rental unit and subdivision. As mentioned during the staff report, this lot does not have an option to subdivide as it is currently zoned, so that concern has been addressed. She then asked about potential for being an ADU in the future as a whole building, or part of the building.

Planner McDonald responded that as a guesthouse it is still subject to the 35% restriction, which is about 620 square feet living space allowed for an ADU.

Commissioner Laurel Bevans asked about additional legal requirements on the building to become an ADU.

Planner McDonald responded the plans would have to show the elements of the ADU, and confirmation that the applicant is isolating the ADU structures and that the living space meets the size restrictions with additional affidavits for parking and other items. Staff would also look into the compatibility of the outside materials if an ADU was applied for.

Commissioner Nathan Gedge asked Legal about the types of evidence required for public testimony tonight, referring to “actual evidence” versus hearsay or other types of information.

Assistant City Attorney Greg Simonsen noted the commission has to go through the analysis required, including having detrimental effects to the community clearly identified by the evidence presented. They cannot speculate regarding the opportunity for detrimental effects in the future.

Commissioner Gedge agreed that speculation around a potential future use that hasn't been applied for yet would make it hard to establish a detrimental effect only being suggested by members of the community. If someone hypothetically ended up living in the detached building being addressed tonight, they would be violating another section of the code, not necessarily the conditional use being considered tonight.

Commissioner Bevans added that in a previous city council meeting it was discussed that the city council has purview to restrict ADUs on properties, so long as it stays within the bounds of an established percentage in certain areas. With that, she asked if this commission has the same purview to restrict an ADU on a specific property under a conditional use permit.

Attorney Simonsen responded the planning commission has the right to place conditions to address detrimental effects, which can be done even if there is already a statute protecting from that. In this case, his understanding is the testimony given so far is that an ADU cannot be built and are restricted from that absent further applications and approvals, and he does believe that could still be labeled as a condition of the conditional use permit.

Commissioner Ray Wimmer asked if staff knew how many of the other large outbuildings in the area are also ADUs currently.

Planner McDonald responded they did not have that information, they only know they are personal garages according to their looks. They would need to do an ADU search to see if anyone on that street has applied for ADU options either internally or on a separate structure on the property.

Commissioner Bevans asked for an estimated size difference from this smaller home's footprint to other larger homes in the area.

Planner McDonald responded there are other homes with almost 1000 square feet more in their footprint than this home. This applicant just happens to have the smallest footprint home in the neighborhood based on building practices during construction.

Commissioner Steven Catmull noted this is a unique shaped property, with the front being a curved area along the street, which includes the privately owned street. The curvature of the road also makes this lot unique and he asked staff to specifically describe the location of the front yard, because he would also like to see if the landscape requirements are met for the property but needs to know where that is located exactly before doing that.

Planner McDonald agreed it is a unique shape for this application. For setback purposes, those lines have to be created rather than assumed, and in this case the applicant and engineer are establishing a front line of the existing home. On a regular shaped lot, home placement would usually define those divisions for setbacks. He brought up the images from the Staff Report to show where those areas would be, noting that on a more typical shaped lot this garage would most likely be in the side yard, relative to the home behind the front plane, given they are establishing the front plane relative to the front property line where the setback is based off of. This front line does have a curve, and the sidelines become different for construction of this structure with the rear yard line being triangular. This gets difficult to explain here because it does get circumstantial as to what the property looks like, which makes it tricky to understand and apply across the board.

Commissioner Catmull noted that the established front plane for this property, which he agreed was understandable, goes all the way from the top to the bottom of the image and to the center point in the road. He assumes the road would then include the front yard and landscaping, but because it is a side yard he is not as worried since it might be a legal nonconforming use situation due to the changes in code. He then asked staff to clarify that the side yard then includes everything from the side of the house and behind the front plane, and along the side part of the house.

Planner McDonald responded that generally, Commissioner Catmull's assumptions would be correct. If the applicant wishes to change his landscaping, he noted it would be better to discuss that now with staff, so they can work through that and the commission wouldn't need to include additional questioning.

Commissioner Wimmer asked Legal about a possible detriment being identified in the future, and if that happened, would that detriment be brought back to the planning commission to attempt to work through. Once a building is built, how do they "unbuild" the building should a detriment be found later.

Attorney Simonsen responded that if there is a violation of established conditions in the future, like an obvious business being added or construction for an additional residence in the building,

and someone is unwilling to abide by the laws, the commission can revoke that conditional use permit and the building would have to come down.

Commissioner Bevans noted this lot is being given a second curb cut, and asked if the road was developed in the future would they require the property to keep that second curb cut/entrance to the property.

Deputy City Engineer Jeremy Nielson responded that was correct.

Chair Hollist asked if the applicant was present this evening, there was no response from the chambers in person or online. In the applicant's absence, she indicated that unfortunately the hearing would have to proceed without their input. She shared the names of those from whom public comment had already been received prior to tonight's meeting (Attachments A, B, C, D, E, F, G, H) and noted that the commission has attempted to address the shared concerns from those comments in the discussions prior to this point in the meeting. She then opened the Public Hearing for comments, noting each commenter will be limited to three minutes and the total public comment time for this item will be limited to 30 minutes, as stated earlier in the meeting. She requested those speaking limit their comments to new evidence not already discussed this evening.

Emily Kartchner (Resident) – (Attachment D) As all of our neighbors can attest, from the moment Mr. Bryant moved in four years ago he has talked to every neighbor, every conversation has been about his plan to build another living unit on this property. When we see this application that says there isn't an intent to have people living there, it feels disingenuous, it feels like even just a few days ago conversation about how he is going to build this and live in it feels not transparent. We know that there is rules about the ADUs and the size of the ADUs, and I am actually a big proponent of ADUs themselves as a way to provide affordable living space, but I think it needs to be done appropriately and with all the right approvals. It also needs to be done in a way that meets the city bylaws and the way already outlined that says the size in relation to homes. There are other homes similarly sized, even though his is the smallest, and the outbuildings that were mentioned I can attest none of them have anyone living in them, they are all used for storage. Essentially I would like to ask that we have more time to review and see if there really is an intent to live there, because that is what he has told all of us for four years, and if there isn't an intent I would request there be some sort of moratorium saying he has to give us 15 years before turning it into an ADU or some line that says at that point you can. Given that it is a private road and the owners of that road pay for all the maintenance of that road, which is not cheap, and adding another essentially full size dwelling to go from 12 homes to 13 homes would increase the use of the road significantly to all of us, which is a detriment, and I would like to say I'm putting my trust in the planning commission to actually follow through with how the building will be used long term.

Linnie Spor (Resident) – (Attachment A) We live to the north side of this property and we have been there for over 30 years. We oppose this building for a variety of reasons. Our road is real narrow, it has no curb, gutter or sidewalk, and we do have issues when it rains and things. If a home is put closer to the edge of this private road, there is no curb and gutter to help with the

water runoff; it will definitely cause a problem. I know that in his plans he has talked a little bit about having some sort of a drainage pond himself, this would definitely be a detriment in our area; we don't want to have that. There are no metal buildings as is stated in his proposal on our street. Our street is unique within the whole area because we are a private road, we have no curb and gutter, and it is narrow. I know that even the sewage and water piping is different, smaller, and so the city can take care of other areas with these other buildings in case there is flooding and different things like that. We won't have that, we will have to pay for that ourselves if there is damage or things like that and there has been damage on our street and we have had to pay for that ourselves. His home is not the smallest home, our home is actually smaller than his, his is just taller so the footprint is smaller in the respect that the size of his home is a triple decker home and ours is a rambler and takes up more of the footprint. His is actually taller and is larger. The stuff that he is replying to when he says stuff doesn't fit in his garage is things that I have shown in pictures like eight cars, three motorhomes that don't work, and they are just for part and things; it is quite messy with the stuff he is thinking will go in there. I know that South Jordan has a ruling that only two vehicles that cannot run, if that is correct, can be in a position or outside and he has many.

Mike Spor (Resident) – (Attachment A) I just live to the north of this too. The question I've got that we are not getting any real information on while everybody is talking, is that to me it looks like he is going to try and do a second dwelling house. What is not noted is whether his water is going to be connected separate in this garage than the house, which brings up that he is going to try and do two houses. If it is connected with the house and sewer than he is paying one bill and as a homeowner his house is up for rent right now. He is going to rent that house and then build this garage and I don't understand what's going on. We want more answers to what is going on with this. If he is going to rent this house and then have this garage, why doesn't he go out to Tooele and buy five acres and have everything. If you're not going to live in the house, something is going on with this garage. That is the answer I'd like, you can't have two dwelling houses so how is this water and sewer being picked up, is it separate or not.

Jeff Walton (Resident) – (Attachment B) I have lived on 3770 W since 1977. I came to South Jordan originally, my first home was in South Jordan, I moved to this home in South Jordan. South Jordan was a community of single family homes where a typical home is a family where people that own the home live in the home, where there is good community support around that. I feel like this property has kind of detracted from the norm of the neighborhood. Right now, I was questioning why, certainly it is nice to have a big garage, I want one on my property as well and I will hopefully do that. One thing I am concerned about is that if we are already in noncompliance with South Jordan guidelines, now we are going and putting quite a large investment into the property to probably look nice, but at the same time if we aren't maintaining and upkeeping the property as it is as what is required in South Jordan, now we are going and building something bigger. Where are the priorities. The other point is when this property was recently purchased by Bryant, the intent has always been as an income property and that's not what I signed up for. That's not what I signed up for. When I buy a house in South Jordan I want family members, neighbors that have families. This seems to be different. Here I buy into South Jordan as a nice family oriented community, and now I've got neighbors who I don't know who they are. They could be a group of people moving in to this rental unit and who's to say what's going on. There doesn't seem to be a lot of enforcement that we as neighbors can do at that

point, and we don't want that to happen. We want to maintain the family nature of our street, have buildings that comply to keep up the nice curb appeal and look of the neighborhood. We put a lot of work into maintaining our homes and having a nice place to live that is family friendly, and we want to make sure this property is also that way and has people that are what we want to be neighbors with. It's not to discourage, but we just don't have any control over this rental. This big garage that could turn into another rental property scares me.

Chair Hollist closed the public hearing.

Commissioner Bevans asked staff if there is any communication from the applicant as to why he is not in attendance tonight.

Planner McDonald responded no, he was informed and gave the hint he would be here, but there is no explanation as to what may have happened.

Commissioner Gedge noted that the commission has some questions for the applicant. He would be in favor of tabling this until a time when the applicant can be present, as there are a few variables that could lend themselves to adding a condition like it possibly being a current rental.

Chair Hollist would be amenable to that motion, but asked to spend a few minutes for a few more questions based on the public comment. She asked staff to respond to the questions regarding sewer and utility connections for this building as a garage and an ADU.

Planner McDonald responded that the connections do have to be shown in the plans for an ADU, as the building department treats it like construction of a new building and has to decide what, if any, upgrades or other changes might need to be made. Those services for a new building do have to tie into the property's existing connections, and if they have to have to upgraded to meet the needs of the new connection that is the responsibility of the applicant. ADUs are not permitted separate meters, addresses, mailboxes, etc., as those are all violations of what the city considers a single family aesthetic.

Chair Hollist asked staff what connections are shown on the plans for this building.

Planner McDonald responded there were some connections on the site plan in regards to this application, but that gets more detailed with the building permit in the next step if this is approved. On the property's site plan it's hard to tell, but between the existing home and proposed garage you can see some of those new connection lines being proposed.

Commissioner Catmull asked if there have been any citizen complaints for this property in the last one to two years.

Planner McDonald responded that there is a code enforcement history, but he confirmed with them earlier today that there hasn't been anything new. In the past there have been some complaints received regarding the conditions of the property and they were handled accordingly and brought into compliance to close the cases. There were cases brought with concerns

regarding the motorhome and cars being nonoperable, Code Enforcement was able to deem everything there operable based on the required criteria. He did note that things like a missing bumper or lack of current registration do not deem a vehicle nonoperable, and therefore would not be reasons for continuing a violation case.

Commissioner Catmull asked staff about the city's authority to validate a building's function as a residential dwelling unit, specifically based on a compliance sweep or citizen complaint.

Attorney Simonsen responded that in the code for ADUs, as he remembers, compliance has right once a permit is issued to enter the unit once a year to check for compliance. It can be difficult to do that based on staffing, but if there is no ADU permit and there are suspected ADU activities happening with people living there, the code enforcement team would respond to that kind of situation quickly.

Commissioner Catmull asked how they would verify that, whether by checking online listing or entering the property.

Attorney Simonsen was unsure of how that exactly happens, but he knows the code enforcement team has a process that works well.

Chair Hollist stated she believes a few detrimental effects have been identified, and it would certainly be helpful if the applicant was present to discuss those with him. One of those detriments being multiple verbal and emailed testimonies of his saying what this is going to be. She always worries about businesses in something of this size and always prefers to hear it from the applicant what the intent is for the building. Additionally, when asked to use discretion in regards to exceeding current ordinances, the guidelines have a purpose in trying to mitigate detrimental effects and when an exception is made in terms of footprint or height there should be a specific reason for a percentage; two times the size is hard for her to handle at this time.

Commissioner Bevans believes the applicant was aware of this meeting happening after conversations with Planner McDonald, and has not given a reason for being absent. For those reasons she strongly opposes tabling this and suggests finishing it tonight since the applicant chose not to attend and answer any questions they might have.

Commissioner Wimmer agreed with Commissioner Bevans' comments about the applicant's absence.

Commissioner Catmull agrees with tabling this issue tonight, and noted he has a different issue he would like to investigate with the applicant in terms of mitigation around the architecture and proximity to how it looks in the neighborhood.

Commissioner Gedge doesn't believe they have enough evidence to just deny this tonight.

Commissioner Bevans asked, if the item is tabled, for the same neighbors to be noticed when this issue comes back to the commission so they can see the process and hear what is discussed at that time.

Commissioner Gedge motioned to table File No. PLCUP202400128, Conditional Use Permit, to the December 2024 meeting. In addition, he requested that all those noticed for this application tonight be noticed again for that future meeting. Chair Hollist seconded the motion.

Commissioner Sam Bishop noted that the main question for him seems to be the main use of this proposed building, and the applicant has already been asked that in the paperwork for this application. He would like the applicant here to ask them those questions, but he isn't sure if that requirement can be imposed to have the applicant at the meeting in person.

Chair Hollist responded they will extend the courtesy one time and request he attend the next meeting. If he does not attend, the commission's intention will be to vote with the information presented.

Commissioner Bishop noted that his concern with that, based on what the commission has been instructed in the past, is they can't speculate the applicant might go against what has already been submitted in his application.

Commissioner Wimmer noted that they are basing their judgment off evidence presented by the public tonight, which indicated the applicant has expressed an intent to rent this building out.

Motion passes with 4-2 vote; Commissioners Wimmer and Bevans voted "no" for tabling the item.

H.3. SOUTH JORDAN CITY AQUATIC RECREATION CENTER SITE PLAN AMENDMENT – COMPETITIVE LAP POOL ADDITION

Address: 10866 S. Redwood Rd.

File No.: PLSPR202400152

Applicant: Rachel Sittler (ArchNexus)

Planner Andrew McDonald reviewed background information from the Staff Report.

Commissioner Laurel Bevans asked if this new area will affect the current outside patio area or the skate park adjacent to the building.

Planner McDonald replied that it will take the place of the current outdoor space, but will not affect the skate park in its current location.

Commissioner Gedge asked if the construction will affect the use of the current pool in the building.

Planner McDonald responded that would be a question for the applicant.

Commissioner Steven Catmull asked if ticketed events would be allowed at this facility per city code.

Planner McDonald responded that it could be considered an accessory use to the primary use of the facility, ticketing for competitive events that could happen but that would have to be worked out with Salt Lake County. From staff's understanding the lanes will be considered multi-use, so when not being used by competitive teams it will be open to the public through the regular use process.

Chair Hollist invited the applicant forward to speak.

Andrea Sorenson (Applicant) – Aquatics at any county facility are not ticketed separately since it's usually parents coming to watch their kids swim. There is a renovation project coming up for the current indoor pool, which will close it for a little while, but once finished that pool will be up and operational through the year construction window for this additional project. She also confirmed the lanes will be open to general public use when not reserved for high school practices.

Chair Hollist opened the Public Hearing for comments.

Tim Hansen (Resident) – If I'm understanding this correctly, based on what I read tonight, the existing aquatic center we have now is a wonderful place and I have thoroughly enjoyed going there when I can. When I say when I can, I have been there several times only to find out we don't have enough lifeguards to cover the existing lap lanes we currently have. When you don't have a lifeguard to watch that side of the pool they shut it down. I am not interested in the other parts of the pool, I would like to swim laps. If we could build this new addition to the existing lap lanes, I think it would be an excellent idea as long as we have the people to man it so it's not closed for those people who are retired that like to go in there maybe in the off hours, early in the morning, and if we could do that I think it would be a great idea but only if we know that it's open for that.

Linda Price (Resident) – I just want to echo his comments. I knew this was in the planning but not how recent it was. I am a lap swimmer prescribed by my doctors, and I actually was at the South Jordan pool today but normally I have to swim at Draper because there are two very narrow lap lanes and when I got there they were all full and I was walking countercurrent, but I would love to have lap lanes here in South Jordan so I don't drive to Draper and I have to get an All County Pass because again, the same thing, I go to the different facilities. They had a swim meet today at Draper which is the reason I was at South Jordan, but I think it would be fabulous for the residents to have a lap pool, as well as the high school kids. They have to commute to other cities to swim, so I think it's a wonderful idea. I don't know the details of the plan and change, but I definitely think it would be wonderful for South Jordan to have a lap pool like some of the surrounding cities do.

Chair Hollist closed the Public Hearing and agreed this would be a fantastic addition for many residents in the area. She has also observed what Mr. Hansen brought up, when part of the pool are closed due to staffing and that is a concern. She asked Ms. Sorenson if she had anything to add and she did not.

Commissioner Nathan Gedge brought up the potential parking issues, especially when there are Junior Jazz games going at the same time. He knows there are not any parking stalls being taken away with this expansion, but he wants to make sure events at the facility are staggered to ensure the parking doesn't become a problem.

Planner McDonald reiterated that the current parking will still meet the code requirements for the proposed upgrade.

Commissioner Bevens motioned to approve File No. PLSR202400152, based on tonight's discussion, Staff Report presented and public comments received. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Bevens

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Gedge

Yes – Commissioner Catmull

Yes – Commissioner Wimmer

Motion passes 6-0, unanimous in favor.

**H.4. INTERMOUNTAIN OFFICES & WAREHOUSE SUBDIVISION 1ST
AMENDMENT**

Address: 11520 S. Redwood Rd.

File No.: PLPLA202400131

Applicant: Jonathan Johnson (CoreArch)

Planner Andrew McDonald reviewed background information from the Staff Report.

Chair Michele Hollist invited the applicant forward to speak, the applicant indicated they had nothing to add to the presentation from staff. She then opened the Public Hearing for comments; there were no comments and the hearing was closed.

Commissioner Gedge motioned to approve File No. PLPLA202400131, Subdivision 1st Amendment, based on the findings in the Staff Report. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Catmull

Yes – Commissioner Wimmer

Yes – Commissioner Bevans

Motion passes 6-0, unanimous in favor

H.5. IHC HOMECARE OXYGEN “WAREHOUSE BUILDING B” SITE PLAN

Address: 11520 S. Redwood Rd.

File No.: PLSPR202400130

Applicant: Jonathan Johnson (CoreArch)

Planner Andrew McDonald reviewed background information from the Staff Report. He also discussed the proposed lighting plan, sound mitigation and the proposed specific location of the oxygen tanks, all of which met current city codes for the zone.

Commissioner Laurel Bevans noted a discrepancy in noticing in the Staff Report and asked for clarification.

Planner McDonald responded that each application was noticed differently based on its specific type, but for the site plan application a 300 foot noticing area would usually be required. However, due to additional requirements based on other parts of the application and impact control measures that noticing area was increased to 600 feet within the City of South Jordan limits. There was no requirement to post a sign on the property line for this application, but it was posted in all the other required locations online and at City Hall.

Chair Hollist invited the applicant forward to speak.

Jonathan Johnson (Applicant) – the purpose of this project is IHC’s effort to take an existing function within the existing building and expanding/relocating those functions to another facility on the site dedicated to that purpose. The primary purpose for this detached building is an increase in safety and to contain the oxygen storage provided. These tanks are used for home care providers and serve a crucial role in the community. Regarding lighting, they are required by code to provide photo metrics with full cutoffs on the site and that has been addressed. There are planned motion sensors. The existing facility has lights in very similar locations so it’s not a different condition, and the new motion sensors will only be activated from IHC’s side of the fence. In regards to the tank position, it will be on the other side of the building which is an improvement in both visual and sound screening. The current tank’s filling has some noise associated with it, and as he understands it the new tank being installed will address some of those noise concerns.

Chair Hollist asked why the docks are opposite the tank position.

Mr. Johnson responded they wanted them on the west side for the best flow, the rest of the building is dedicated more to storage of the tanks being filled.

Chair Hollist asked if the noise is related to the compression being used.

Jake Seiler (IHC Project Manager) – responded the noise is related to the pressure within the tank itself, taking from a liquid and making it into a gas at this point and that includes bleed off from the pressure. There are mufflers installed to decrease the amount of noise produced and only happens during operating hours when being filled.

Chair Hollist asked if individual users will come to this site for the tanks, or if this is more of a distribution point.

Mr. Seiler responded the traffic will be the same as what is currently experienced at the location since the operations will not change.

Chair Hollist asked for the source of the oxygen.

Mr. Seiler responded that is the purpose of the large tank, which receives things as a liquid from a large truck provided by a third party vendor and funnels that into the building where it is turned into the gas to fill the individual oxygen tanks.

Chair Hollist asked about the fence height around the tank.

Mr. Johnson responded the chain link fence surrounding the new tank will be six feet high, which is standard and what is currently in place.

Commissioner Laurel Bevans asked if larger trucks like tractor trailers will ever be necessary on the property.

Mr. Seiler responded that the current facility does have tractor trailers on site, and the new facility will have the same traffic but he noted those types of trucks will mainly be going to the existing facility, rather than the new one. There are docks large enough to accommodate those trucks during their rare visits.

Chair Hollist asked about safety procedures in place to avoid valves being frozen open.

Mr. Seiler responded the liquid side will not be owned by IHC, it is provided by the owner of the bulk oxygen tank. They will be the ones to maintain that tank.

Commissioner Bevans asked if the city was to receive complaints from the residents regarding sound, could the city require IHC to complete the sound study that was declined with their application.

City Planner Greg Schindler responded that yes, that could be required when it becomes a code issue with noise complaints.

Chair Hollist opened the Public Hearing for comments, noting that comments were received and reviewed prior to tonight's meeting (Attachment I); there were no comments and the hearing was closed.

Commissioner Catmull motioned to approve File No. PLSPR202400130, Site Plan Application, with the requirement that the final plat for the location above officially records in the Office of the Salt Lake County Recorder. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Catmull

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Gedge

Yes – Commissioner Wimmer

Yes – Commissioner Bevans

Motion passes 6-0, unanimous in favor.

H.6. SOJO STORAGE SITE PLAN AND CONDITIONAL USE PERMIT

Address: 10907 S. Jordan Gateway

File No.: PLSPR202400183

Applicant: Jeffrey Bernson

Planner Damir Drozdek reviewed background information from the Staff Report.

Commissioner Laurel Bevans asked about separate fencing between the two areas of the storage site.

Planner Drozdek responded the areas will be separately fenced with a gate inbetween.

Chair Michele Hollist invited the applicant forward to speak.

Commissioner Bevans asked for confirmation that the facility will have coded access, as well as whether there will be separate access for the RV facility. She also asked about security plans for the RV area.

Jeffrey Bernson (Applicant) – responded that the only access at the main gate will require a code for entrance, and that is the entrance that will be used as well for access to the RV area. The public access will only be open until 10:00 pm, and businesses that are 24/7 are given access outside of regular hours. For the outside RV storage they will be doing the parking and retrieving the vehicles, so the general public will not have access to that area. The RV area will have new cameras installed that allow voice interaction, which will be monitored 24/7. He believes there

are around 35-40 cameras through the facility in general, so they know when someone enters the gate.

Commissioner Bevans asked about the distance from the closest emergency response personnel.

Mr. Bernson responded they will all have access to get into the facility at any time, and with the one incident they've had requiring police response there was someone there within 9-10 minutes. There will not be anyone living onsite, but there will be employees there until 6:00 pm.

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

Commissioner Bevans motioned to approve File No. PLSPR202400183, Site Plan and Conditional Use Permit. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Bevans

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Gedge

Yes – Commissioner Catmull

Yes – Commissioner Wimmer

Motion passes 6-0, unanimous in favor.

Commissioner Catmull motioned to take a short break, Commissioner Gedge seconded the motion; vote was 6-0, unanimous in favor.

I. LEGISLATIVE PUBLIC HEARINGS

I.1. BESS DENTAL OFFICE LAND USE AMENDMENT AND REZONE

Address: 9828 S. Temple Drive and 9816 S. Temple Drive

File No.: PLZBA202400175

Applicant: Shea Bess & Ben Purdue

Planner Miguel Aguilera reviewed background information from the Staff Report. He discussed the parking and setback requirements with commissioners as well, confirming everything meets or exceeds the current code requirements.

Chair Michele Hollist asked about the potential plans for two or more dental/medical practices at this location.

Planner Aguilera felt the applicant should speak to those plans, but the overall use presented by the applicant was dental services.

Chair Hollist asked to confirm there will only be one access point off Shields Lane, and that it will not line up with the circle across the way, resulting in two staggered access points on a curve; does staff have any concerns with that.

Deputy City Engineer Jeremy Nielson responded this is only a concept and not to scale, the intention is for the two accesses to line up.

Commissioner Sam Bishop asked staff to address what makes this land unsuitable for being a park.

Planner Aguilera responded that the land is currently not owned by the city, so a park is not an option at this time. When the city did own the land, the size, shape and location all made the land unusable as a park. In addition, residents had presented concerns regarding traffic next to this kind of street where it could expand for other projects and cause safety issues for children crossing the street. He also referenced the city's Master Parks Plan, noting that this area is not marked as an option for a park and can no longer even be considered as the city does not own the property.

City Planner Greg Schindler added that, regardless of who owns the property, it had already been planned for removal from the Master Parks Plan due to the reasons mentioned previously.

Commissioner Nathan Gedge asked to confirm that regardless of who owns this land at time of development, with the potential to be two to three offices or two to three homes in the proposed zoning change, the traffic on Shields Lane would not be seriously impeded.

Engineer Nielson responded that based on square footage being discussed, the standard estimate for the peak hour would be about 20 trips, or about one car every three minutes. Engineering had no concerns with this plan, especially with its proximity to a collector street, noting that the nice thing about a dental facility like the one proposed is there is no strong peak time with a surge of traffic like a dance facility with a strong pick-up/drop-off pattern.

Chair Hollist asked about the service rating for Shields Lane in this area.

Engineer Nielson responded it is a Level of Service C, and they don't predict any change in that level with this additional facility.

Commissioner Laurel Bevans asked about possible intentions to make either of the accesses here for the office or the circle right in/out only. Do we intend to maintain left turn access at the time of development.

Engineer Nielson responded that is the current intention, to maintain full access, but that can always change with updated safety data in the future.

Commissioner Bevans noted that at one point the commission was presented a site plan for one of the utilities located here, and there was an emergency access on the west side; is that access being maintained with this current proposal.

Planner Aguilera believes she is talking about the Questar Gas property, and this application is currently not affecting that property at all.

Commissioner Steven Catmull asked how the city and developer decided what services would be allowed in terms of the Professional Office (PO) Zone uses. Specifically asking about tattoo places, payday loan services and a dental lab.

Planner Aguilera responded that he was not a part of those specific conversations between the planning director and applicant, but they were limited to 10 uses and the residents' comments regarding commercial or commercial sounding uses were taken into consideration. They also took into consideration the amount of traffic created by each use in the area when coming up with the list. He talked about the potential uses allowed in the Personal Use Zone, and noted that the planning commission can exclude specific uses from that list if they see fit.

Planner Schindler added that since the parking requirements for the proposed zone haven't been updated in a long time, dental offices or services are not listed specifically. Medical clinic/general office uses as listed require one space for every 200 square feet, standard professional office uses require one space for every 300 square feet. The only person allowed to interpret the code in terms of deciding where a service falls is Planning Director Steven Schaefermeyer, and he felt this proposed use fell under the medical clinics category in terms of parking.

Commissioner Bevans asked if this site could accommodate another building, or will this be the only one allowed on the site.

Planner Aguilera responded that currently the concept is only showing one building. The development agreement requires any buildings constructed to be located in the southwest corner, so it's limited to what they can fit in that area. To add a building somewhere else on the property the development agreement would have to be amended in the future.

Commissioner Bishop asked about lighting in the parking lot, would they disturb neighbors.

Planner Aguilera responded that lighting is not reviewed at this stage, it would be reviewed in a site plan application with parking.

Assistant City Attorney Greg Simonsen noted that this property would be subject to two things. First of all, the PO Zone, which has a long list of uses and restrictions; some permitted uses, some conditional uses. In addition, lighting is addressed in that zone along with many other things. Second, it will be subject to the development agreement which is more restrictive in the uses than is the zone itself. On pages 2 and 3 of the development agreement, you can see the use is allowed there. He also believes it is relevant to look at the code and the purpose of the PO

Zone. In Title 17, Chapter 62.10 it states that “smaller office developments should be harmoniously integrated with surrounding residential areas and serve as residentially compatible buffers to heavier uses such as commercial and industrial businesses and major roadways.” It is up to the commission to decide whether or not that is occurring here, but he wanted to make the purpose of the PO Zone clear.

Commissioner Catmull asked to confirm that the planning commission has 30 days to report on a land use change to the city council, noting there are 28 days until the next meeting. Chapter 8 of the General Plan discusses the importance of monitoring the quality of the existing stable neighborhoods, and preserve them where possible. He asked if any staff was aware of what is currently being done to monitor the quality of existing stable neighborhoods.

Planner Aguilera noted that when it comes to rezones, the city really does try to take into consideration the residents’ feelings about the proposal since the rezone will affect them most directly. He was unaware of what specifically the city does in terms of monitoring, but staff does try to ensure the areas are maintained as residential in large part. Regarding the 30 day notice to the city council, this item is currently on the December 2024 Council Meeting Agenda.

Commissioner Catmull asked to clarify whether or not their presentation of the commission’s decision can only be done formally in one of their meetings, or can that be done in the other forum. He is only bringing this up because the next two items are land use amendments, which are not seen very often, and he wanted to make sure he understood the code correctly.

Planner Schindler commented that the commission could table this for their December meeting, and the decision made there would still be within the 30 day limit, but the official presentation to the City Council would then be moved to the City Council’s January agenda.

Chair Hollist invited the applicant forward to speak.

Dr. Shea Bess (Applicant) – thanked city staff for their professionalism and attitude of customer service towards residents of the city. He has been working on this with various members of staff since April, and every encounter with city employees has been impressive, courteous and professional. He also thanked community members for their willingness to come tonight. He is a long time resident of South Jordan himself, moving here when he was 12 years old. He has raised his family here, practicing dentistry his entire 22 year career on 9800 South, his office is currently located on 9800 S and Bangerter. In his opinion, the ground being discussed tonight no longer lends itself to residential use. The gas company changed the possibilities with this ground when they purchased the 60 foot side piece against the fence of King Benjamin Court and added a large gas line. In a conversation with Brian McLeary, the controller of the water district, he was made aware some time ago a residential developer contacted the water district about purchasing their ground and moving the well that is on their property to another location. Brian said the developer was informed that would cost approximately \$2 million to move the well, and upon that finding the developer went away. I understand that some members of the community have enjoyed having some undeveloped ground in the area, however he now owns the ground being discussed and for obvious reasons it will be developed and provide a return on the capital

invested. The only question remaining is what kind of use will be allowed. It is his intention to build an attractive, professional building, to make the landscaping very nice, to continue providing a service to the community in oral health, not to oversell the property and create a parking issue. It is his intention to sign a land use agreement to limit the height, number of floors and types of businesses allowed. He hopes this will ease the minds of many members of the community. It is his intention to be a good neighbor. Regarding other uses of the building, when he originally approached the city to purchase the ground his intention was to build a building just big enough for him and his business partner, who have practiced together for over 20 years. With such an odd and awkward shape, trying to create something that would fit for both practices and parking, he approached the water district about buying a small piece of their ground. They informed him they would be up for discussion, but any ground he purchased would have to include all the unwanted ground. They then came back and said he would have to purchase much more ground than he had intended, which brings up the question as to what other offices might be there. His goal is to find something else dental related, reaching out to others in the industry to see about partnerships. He also spoke with someone about potentially a mental health business. He is not looking to add a dental laboratory.

Chair Hollist asked to confirm that the maps shown tonight are the actual land Mr. Bess owns, and should he get an approval tonight he plans to purchase additional land to make things fit better.

Mr. Bess responded yes, he cannot put the building in the place proposed on just his current land. He is very close to being under contract with the water district, and he is looking to buy an L-shaped piece of land from the water district which would allow the building and plenty of parking. They are looking at building something with a total of 3200 square feet for he and his partner, with the total square footage being around 7000 feet to fill in with another business. His intent is only to build one singular building on the property.

Commissioner Wimmer asked why the applicant chose to buy a residentially zoned parcel when he would have to attempt a rezone to use it.

Mr. Bess said he has spent a year looking for a piece of ground that would work, and to try and get all the piece together is challenging. He thinks he treats his patients well and that they will follow him, but if he goes too far outside of a small area he will lose patients; he doesn't want to do that. His current lease is expiring and he would like to own, rather than lease now. They also currently practice in about 2200 square feet and it's not enough space.

Commissioner Catmull noted that one of the purposes of the zone is to harmoniously integrate with the surrounding residential areas. In the packet, the office drawn had lots of glass and square shapes and he asked how tight the applicant is to that concept versus something to make it look more residential.

Mr. Bess is very open to other options, he is not set in stone. When staff requested a photo of what his building might look like he chose a photo of a building he liked in Heber, but it's not

something he's set on. He is happy to work with staff and just wants it to look nice and represent his practice well.

Chair Hollist feels the development agreement should reflect issues like this so they are covered at the beginning. She asked if the applicant would be open to a single story structure, or limit it to the same height restrictions as a residential area.

Mr. Bess would prefer not to, because everything is still up in the air and he doesn't know exactly what is going to happen in terms of parking spaces needed. The last thing he wants to do is create a parking problem, which is what is happening at his current location. He chose the 40 foot height randomly, but he feels confident saying it wouldn't be more than two floors and there are many homes in the area that are two story and just as big as the building he is proposing.

Chair Hollist noted that at the last meeting, the commission heard comments from Ms. Hurst, Ms. Mattle and Ms. Wilson. In addition, prior to this meeting the commission has heard from multiple residents in writing and those comments are attached to these meeting minutes (Attachments J through PP). She then opened the Public Hearing for comments.

Glenn Robertson (Resident) – I am not questioning the integrity of anyone in South Jordan, but I find it suspicious that South Jordan would own this property and sell this to somebody knowing they want it for commercial use when it is developed right now for residential use. Is the idea that if it doesn't get approved they just take the risk and have to eat the cost of owning that property. I just think the cost of a piece of property that's residential is probably less than a property that is commercial and I would hope that is a fair process. I question the 30 minute limit. If you look at a lot of the other items that were on the agenda where no one came up and talked, we have a lot of people that waited 2.5 hours to speak and for you to limit it to 30 minutes seems a bit questionable in my mind.

Linda Robertson (Resident) – We moved here based on South Jordan City Master Plan. Why, we are literally the burned poster child of this type of decision and need a safe place to heal. I have several points I want to make, some of those I will skip because you've already addressed them. We previously lived in Bluffdale at 1741 W 14000 S when we too received the required legal notice that impacted those here. I had given 4.5 years of service to Bluffdale's Emergency Program Manager, I also initiated the referendum against the change in form of government via state statute, and spoke to the state committee at the Capitol; all volunteer. Why, point one, because I, like you are doing here, wanted to be the solution in the community that I lived in with residents having their voices be heard. We were putting down roots and how has that been repaid, Maverick quietly bought the residential house directly across the street from us then applied for a commercial zoning permit. The zoning and planning commission agreed with us residents that the application went against the city's own master plan. However, now for the burn and betrayal, the city council overruled that decision and approved it. You already mentioned street infrastructure so I'm skipping that. Unlike most developers we followed the current zoning rules and were up front with South Jordan City by our intention prior to purchasing our home. We found out the requirements allowing for creation of an ADU in order for us to even afford to remain in this county. Why are you allowing a developer to come in and apply for a rezoning

change after selling the property to them. Next point, where is the integrity of keeping true to the master plans designated zoning. It begs the question, what parties are benefitting from this development. Next point, this application approval would establish precedent for other developers in the area, specifically the field east of Palmer Park Lane to apply for economic or multipurpose rezoning which really is technical BS for commercial, allowing for those future developers to secure similar rezoning. Next point, which I am skipping because you addressed traffic. Next point, if you do approve it, seriously provide a just compensation fund.

Chandler Swenson (Resident) – (Attachments M, NN) After the development agreement was posted online, before I treat it like a foregone conclusion that this is going to get passed and address the development agreement, I would like to address a couple of the comments made in the room tonight. Staff's report mentions that this is compatible with the lot size and that there is no lot size requirement for this zoning. That is true, but there is a one acre requirement for a project size in this zone, and it doesn't meet that, it is 40,000 square feet not 43,000, it about 8% short of what is required, even if they get the land from the water department. I will also mention on the comment that there are multiple parks serving this area, in fact on the parks master plan there is only one established park that serves the majority of this stable neighborhood, and that is the regional park at the parkway, and it does not include playground equipment. On the comment of Bess Dental now owns this, there is nothing that can be done, I believe Utah State Statute does allow anyone to file suit to avoid any sale between a municipality and a private individual. I don't know if we are outside of that 60 days but I wanted to enter that into the record as well. My last one on my objections to it are environmental concerns. The EPA has strict guidelines for dental offices. Dental offices are allowed to store up to 2200 pounds of biohazardous waste onsite according to the EPA and dentistry is the number one contributor of mercury and heavy metals into public water supplies; this is right next to a water well. Those are my objections, now on the development agreement, I believe 40 feet is too tall, I believe a requirement on lighting that exceeds what is in the current zoning should be implemented, dark sky lighting is the trade term which is to not just shine light on adjacent properties, but to minimize the light that appears on the ground. I appreciate the mentioning of the parks master plan being updated, but nowhere have I heard a mention that the Shields Lane Corridor Master Plan or transit corridor is in process. A development agreement where the city is assisting an applicant is a perfect opportunity to implement some of the things that the Shields Lane Project will talk about, which is dedicated green space, shaded areas for those needing to take a break from the cycling corridor. On the right in and right out question, I think that's a great idea being a resident that will share this driveway, I would recommend that is implemented for both drives. It is a hazard and it will result in accidents. There are only two houses on the cul-de-sac that are owned, and that will be five.

Stephanie Hurst (Resident) – (Attachment GG) I wanted to give new information on the petition that was signed. We submitted the information gathered both manually on a paper printed copy and a web version as well. I Friday when we submitted there were 137 signatures in both formats, today before coming to the meeting we had 277 signatures, so this is a significant number. We did keep it to South Jordan, and especially in the area. That petition down urge you commissioners to vote against the rezone.

Sherri Mattle (Resident) – (Attachment BB) My concerns, many have been addressed, but I did go online and I was the one that listed on page 12 of the parks plan there is a Shields Entry park and I just don't know how citizens get noticed when things are changed. Do we have to attend parks commission meetings, do we have to keep up on that, how are we notified of things that have been changed in that. Both of those streets are bike corridors with the fancy green paint and recognized as that, and I have to say as a bike owner and rider I am more and concerned every time I try to ride. Granted we have been a construction zone in our area for it feels like two years now, and so that it is always frightening to ride a bike in that. It feels like those streets aren't very safe anyways, and I was hoping when the construction was finished I was pleased with them being bike corridors. I realize they said a park couldn't be put there, but it could be green space. There is some green space on 9800 S and Redwood Road that the city always puts signs in, I think something like that would be appropriate for the neighborhood. The building, as addressed, can be 40 feet high. I know there are two story homes in the area, but I don't think any of them are 40 feet high. I agree with the aesthetic that was in the materials, that does not match our established neighborhood. My biggest concern is there is a lot of agricultural land along 1300 West, there is ones near the temple, the ones mentioned by another couple that is north of us, and all of those, if this zoning is granted, what is stopping somebody else from saying you granted that one, I want it too, that would not be fair if I'm unable to do that. We are an established neighborhood, we are one of the oldest. I live in Lantern Road and we are one of the oldest subdivision type places in the whole city. I don't know if they have it planned for how deep they are going, but there is also a lot of water lines and things like that going throughout that property to include pressurized irrigation near it.

Ryan McCoviak (Resident) – My home actually shows up in most of these exhibits. I am a licensed architect who lives and works here in South Jordan. I have represented applicants trying to come and do a rezone, it is not an easy spot to be in. The first unwritten rule of rezone requests is be sensitive to the neighborhood, because otherwise you run into people like me and people like my friends here. If the applicant thinks he is being sensitive I appreciate that opinion, I disagree with it. If an applicant is not sensitive to the neighborhood, that's when we rely on our planning department to be sensitive to the neighborhood. I was rather surprised actually to see that staff recommended approval, and I appreciated the inclusion of the purpose of a PO Zone is to be a buffer, because this is not a buffer to any commercial zone whatsoever, this is creating an island. When planning staff then is not sensitive to the surroundings, then we certainly look to our planning commission to do the same thing. I certainly hope that you are sensitive to what you are hearing, what you are reading, and the passion you are seeing here. I think the nomenclature we are hearing when changing from a stable neighborhood, we are stripping this piece of dirt from stable neighborhood to something else is rather appropriate because this is a stable neighborhood and I think you had a good question about how you maintain or monitor that. You monitor that by holding planning commission meetings and hearing from your constituencies, and the people around the property. I think you are going to hear and probably have heard that this is not a great solution to this property. I don't doubt for a minute this will be developed, it's just the way it works especially with land as it is being hard to come by, but I don't believe this is a professional office location, it does not serve the purpose of a professional office zone, so I hope you very carefully consider this because this is not a great solution for this piece of land.

supposed to rely on staff for protection and sensitivity when landowners are not. This is not a buffer, surprised that it was recommended for approval, now looking for PC to be sensitive and to passion. Nomenclature being heard changing from stable neighborhood to something else, this is a stable neighborhood and that's monitored by planning commission meetings with public input. Don't doubt this will be developed, but not a professional office location or serve that purpose. This is not a great solution for this piece of land.

Joshua Olofson (Resident) – A lot of what I was going to say has already been said, and will second it. However, this meeting does feel a little disingenuous that the city already sold him the property knowing his intention. That doesn't feel right in any way, shape or form. I did want to bring up the traffic issue. I know you talked about the number of cars it would bring, or that his clients are already using 9800 S. I don't know that it's the number of cars that's the issue, in my opinion it is the cars coming in and out of that property on that busy street. If you've never driven down Shields Lane, everyone thinks it's some secret passageway they've found to get in and out of South Jordan. It is no longer a secret passageway. It is stacked. My wife works over at the Aetna building by Southtowne Mall and we live in King Benjamin's Court. It takes her 25 minutes to drive home, it is not a slow street, especially if it's not going to control a left handed turn out of there, there is going to be car accidents and issues. Also, they are putting the entrance in on a curve, and it's almost a blind curve because it goes straight and then curves like an S, that is not an easy line of sight for people to see as they are coming in and out of the building. I would echo again, those of us who purchased this property did look at the master plan of the city, you are messing with people's property values and that's something to consider. When I'm looking at a home I look into all the factors that go into purchasing a home and in my opinion this will negatively affect my property value, something that I took into consideration when I purchased this property in South Jordan.

Leonard Browning (Resident) – I live right across the street from Benjamin Child who just built their building, and in this meeting I feel like I am college educated when I am actually an uneducated, disable Marine who has put a building up and been denied the use of my building for any kind of a use, with all kinds of restrictions from the city; they told me no on everything. Benjamin Childs put his building up, they put all kinds of restrictions on him, you cannot have a building or commercial or any kind of business, but you are going to turn around and let some guy come in behind us and put a building up and say yes to him. If you guys do that it would be a major biased decision on your part. A one sided decision to tell us no and tell him yes, and with due respect to him he is moving a business that he is saying only has so many chairs, and he is coming here into this neighborhood and putting more chairs in and he's saying the traffic won't get increased. If he puts more chairs in it's going to be more traffic, and increase the flow of the problem we have already at this intersection where I live and watch the cars speed by at unbelievable speeds with uncontrolled traffic by the City of South Jordan that's not under control. I have called many times and said these speeders are busting through here like it's the Indianapolis 500 and then you're going to allow more into it when it's not already under control. I think the building is not going to look aesthetic no matter what he does. I do not want it in our neighborhood. There is also an existing 24 inch gas line, like this lady mentioned there is a house that just blew up, a child was killed. If he puts that in there and we have a gas leak, who is going to get his patients out of that building, evacuate and then bring all the attention to that. That gas line is right in front of my house and Vivian Wilson's, we are not happy. If that thing blows, we

go. There is a gentleman in my ward behind me who works for a construction company who just had a gas explosion on one of their sites, it killed a bulldozer operator, it killed an excavator and a water truck a half mile away. If that gas line blows up it is going to take his office out, our neighborhood out, and we are all going to pay the price so we are not happy about the gas line so take that into consideration by adding more emergency stuff that would have to be addressed if that gas line were to blow or go. They have only got a block wall on it, Benjamin Childs' house would just be eliminated, and then for that to go in and us not hear about it and really get to voice our opinion, that's in a residential neighborhood where he wants to build in a residential neighborhood. We have been denied our building permission and to do that for him would be completely biased on the City of South Jordan. I hope you hear our concerns, and not lend a deaf ear to the veterans who would like to have a business as well in my building.

Clayton Austin (Resident) – This same situation happened to me 25 years ago. I was living in Burbank and I went to a meeting because a property they bought for a park was all the sudden going to be something else. I thought well I'm going to go, won't make a damn bit of difference, and the whole damn town was there and the mayor and everyone had to run out. The next thing you know, two years later there was a park there. Will this council grow a pair and say this can't happen. They have to change their own zoning to finish pulling this crap. The fact is that the residents don't want it and it doesn't fit in the zone, I don't know why any of these other questions are being asked. I live there going nice, this is where I want to live and where I want to die. It's like, I lived in LA long enough to know the first sign of something going to hell is the commercial coming close to your neighborhood. I guarantee if you don't let that happen it will stay good. Everybody here, I hope they know to call their city council member, because they will pull this crap if you let them, they have done it before.

Hollie Poore (Resident) – I live in my dad's basement, my children have hardly any friends, we get like two trick or treaters each year. Which may not be a big deal to you, but to other families like mine who have been waiting 10 years to buy a home in this neighborhood that we can afford it is a big deal. I am trying to make staying next to my widowed dad a possibility, and I don't want to leave him but houses are ridiculously expensive. Use this property for young families to have an opportunity to afford a single family home in our neighborhood. Don't send them to Eagle Mountain. We need young people and this property is for residents, don't take it from us just because you can. I am sure there is some kind of a tax write off for this, and I'm not talking about apartments, give someone the American Dream, give them a home and a yard where their kids can play, make South Jordan young again. Another issue I have added tonight, I've needed \$20,000 of dental work done personally for years, so when I hear dentists talk about how they want to help the neighborhood, I don't believe you because you charge too much, and only a small percentage of people can afford that; certainly not young families trying to simultaneously feed five kids. You have spent a year looking for somewhere, I have been looking for a home for ten.

Linda Price (Resident) – I am within walking distance of the property and I also drive by it very often. You've hit on most of my things, but I do want to mention, don't underestimate the value of a neighborhood. I have not lived anywhere where anytime there is good weather you have kids out on bikes and scooters, you have got families riding bikes together, couples out walking, lots of dog walkers; everyone interacting. It's really a wonderful neighborhood in there. My

other big concern which you touched on is precedent, I do believe this will snowball. I agree with whoever said it's going to go down 1300 W, I think in both directions. The one point that hasn't been touched on is safety. We have got 9000 S over here, and 10600 S over here, and Redwood here, none of those are really movable on a bike. I hope nobody is going to get on 9000 S and Redwood, where they go is Shields and 1300 W. This property is crossing Shields and 1300 W, and as people have said, Shields curves right there. If you have got bicyclists commuting, a car every three minutes, that are not all looking for the bikes, especially with the traffic on Shields. Most of Shields is through traffic, this is going to add the ins and outs, and when you are saying a car every three minutes, I'm sitting there saying how in the world can a bicyclist get by. I think that not only do you have car issues, you have bike issue by taking out that thoroughfare, which is the only one left when you've got 10600 S, 9000 S, and Redwood surrounding it.

Winslow Krout (Resident) – I have been in the architecture field for around 10 years, as a draftsman and project manager of multiple big businesses, big buildings, and a lot of residential, so I have been in kind of both fields. I feel a lot for what the architect has said. One of the big things I wanted to bring to your attention and make you think about is the potential uses of this building. He says it will be a dentist's office and dentistry alike, at the end of the day, how is that ever going to be enforced; it could be anything, any small business that is in that code, there is ways around different things to get into a building like that. My house currently sits lower than Shields, so most of my house would be completely exposed by a 40 foot building; I don't agree with that at all. I feel for Dr. Bess and trying to find property to build a building, but currently there is a lot of available building he could buy and retrofit to make what he wants. I feel for him in that he bought a piece of land thinking he could get it rezoned, I don't think he should, I think it should stay residential and we should find a good use for this piece of land.

Chair Hollist stated the next commenter would be the last one and would be given a full three minutes.

Vivian Wilson (Resident) – I just want you to know that I love all my neighbors, this has given you an idea of the type of people that these are. This neighborhood is zoned residential, it is not in the master plan to put it in as office. It doesn't meet the zoning or the master plan, but these guys in my neighborhood are very tight. You think it's just a piece of land, we close all over, I love all my neighbors and I know everybody where I am at plus farther over. This will impact us, I am right across and this is going to ruin my view. I want you to please consider this, reject this, and let it be denied because it going to affect our whole neighborhood again. You wouldn't like this in front of your house either really.

Chair Hollist closed the Public Hearing and noted concerns heard about a master plan and buying a home based on that, concerns associated with rezoning that and the impact to the residential fill and stable as defined by the master plan. She asked staff what noticing is required when city property sells.

Attorney Simonsen responded the city has requirements that it be approved by the city council, along with the ordinary notices that go out on a council item.

Planner Aguilera noted that this property was not specifically noticed because it is under the one acre minimum requirement for noticing.

Commissioner Bevans noted city council usually goes into a closed discussion to discuss sale of real property, and it's not discussed in an open meeting, so it wouldn't necessarily have been posted on the agenda with an address. After discussion about whether or not it would be discussed, she noted that as of tonight that isn't being discussed as the property has been sold and is no longer under the city's management.

Commissioner Gedge noted that, as was mentioned by a resident, there may be some state legislation or rules regarding a protest within 60 days. However, we do not have the transaction date of the sale, and if it has been more than that 60 days that no longer applies. He also believes that the sale was not contingent upon an action of a rezone, so the new owner took that risk upon himself of it not being rezoned. Just like a private property transaction, you wouldn't have to notice your neighbors of the sale, and this falls under the same thing since the sale did not include the right to rezone. Additionally, this zone in the master plan has changed in the past, as this area including the west side of 1300 W and Temple Drive was agricultural for at least seven decades that his family owned it. His family owned the majority of this property on the west side, so if you live on certain streets there it was agricultural and has been rezoned for the homes currently there; it has not always been residential, and that's why this process exists for property owners to come before the city to apply for a rezone and land use change.

Chair Hollist noted there was a concern brought up regarding the land around the well.

Planner Aguilera explained he believes the concern was regarding the one acre requirement for the project, this application includes three properties combined which do equal one acre.

Chair Hollist asked about noticing required for changes to the parks plan.

Planner Schindler responded that there are no noticing requirements in the zoning code, and noted the parks master plan is updated as an addendum to the General Plan. It is therefore published as a general notice on the Utah Public Notice site and the city's website.

Chair Hollist acknowledged the comments on lighting, and asked staff about this project's effect on the bikeability of the corridor.

Engineer Nielson responded that they are trying to stay within the footprint of Shield's Lane, having no impact on the adjacent properties. In that respect, he doesn't see any impacts. It's always ideal to have no access, but there are property owners all along the corridor that need access, and that's the balance they are trying to strike, making that as safe as possible.

Chair Hollist acknowledged concerns about precedent, this project being a buffer, and the fact that change happens. She discussed the idea of the access being full versus partial access and that staff acknowledged they are looking at the sight distance in the area, but it's too early to really

make a decision on that. She brought up the discussions about the gas line and safety, noting that everything is always marked out before construction. She discussed the concerns about affordable housing in the area, safety with additional traffic.****

Commissioner Catmull noted comments about a local regional park without playground equipment and asked staff about other parks in the area.

Planner Aguilera responded that he believes there is a park within a half mile of this location with a playground.

Chair Hollist invited the applicant forward to answer questions, she began asking about their handling of hazardous waste.

Mr. Bess responded they occasionally extract teeth and they are thrown in the trash, not saved or stored. All teeth with fillings are also thrown in the trash, as that is standard practice.

Commissioner Catmull asked if Mr. Bess would be willing to sell the property for the right price with all the concerns being raised about the land and its use.

Mr. Bess responded no, he wants to build his office here.

Commissioner Gedge asked about gases, injectables, needles, etc., whether they follow all requirements for disposal and storage.

Mr. Bess responded yes, they follow OSHA standards, all x-rays are digital as well.

Commissioner Wimmer noted this is a complicated issue with a few points for him. He is sympathetic to retaining clients when a business moves. He is also sympathetic to the idea of owning versus renting. As a financial planner he is sensitive to seeing a return on a major investment. However, all investing involves risk and some risks are entirely avoidable, including not buying land that is unsuitable for the use desired and hoping to change things to make it work. For this reason, he does not find it a good reason for this rezone request, and this doesn't really meet the standard for the buffer in the OP Zone in his mind. This sets a precedent encouraging other risky and speculative investing in the area, requiring other rezones to make their investments pay off, and that is not something he can support.

Commissioner Bishop noted that Commissioner Catmull raised the subject of the 10 appropriate uses for the proposed development agreement with some of those uses concerning him. If this accepted, he wonders if they should restrict those uses more.

Commissioner Gedge noted that when this was proposed on the last meeting's agenda he was very against this, as it is completely surrounded by residential. However, after visiting the location several times his one concern now is the Questar facility next door, the 60 foot property makes this a little more unique than just solely residential. He doesn't like the idea of that being surrounded on all sides because right now it's zoned residential/agricultural, and as such,

something is going to go in there eventually, it will not be a park or a vacant lot forever. Ultimately the planning commission is just a recommending body to the elected officials and they will make the hard decision. The city has already made the decision to sell the property, by the elected body, to the current owner. He has some concerns with the 10 uses permitted as well, but he believes if they can work together they can come up with something that works. He is looking now at what will be the least impactful use for the residents, and a vacant lot is not an option. It will either be homes, and the question is how many, or a dental office or other offices. He grew up five doors to the north of this property when it was all land, the majority of the people living in the current neighborhood are there because his family sold their farm. Times change, this is the last 1.1 acres left in that section on that side of the street and something has to go in there. He believes a rezone is the best use to protect the residents before someone else comes back with something truly commercial that a future planning commission might adopt.

Commissioner Catmull discusses the main points of the general plan, with the two most applicable to this application being to preserve stable neighborhood and support infill. That is a delicate balance, especially with a tricky lot. He is empathetic to both. The developer has property and the right to develop it, and at the same time residents have the right to protection and feedback. At the surface this does not feel like a buffer to him, it feels like an incursion into a stable neighborhood. He was completely against the item that was going to come before them originally, but when the development agreement came he felt that was the best solution given the circumstances. Now the question is what they can include in that development agreement to bring the most value to everyone involved. Something he is interested in is putting in a restriction that requires the aesthetics to match the rest of the area. There is clearly a church nearby that is taller than 40 feet, but it's shaped reasonably like residential or a home, and seems to blend in well. If this goes forward, there is an opportunity to limit things and require it to blend in and be more harmoniously integrated with the surrounding area. Regarding services, they should be things generally desirable to those within a half mile radius because of the sensitivity of this. He doesn't find that some of the options given would be good fits for that.

Chair Hollist noted that infill is the biggest piece of the puzzle. This has some hard features in terms of the what's there, and she is open to the potential of a development agreement but not in its current form; she needs more specifics. She would like to see square footage, now exactly what's going in there with more information about operating hours, number of customers coming and going, etc. She thinks it should include a 35 foot height limit since that's the housing requirement. She also wants to see at least an understanding in place that the other piece of land has been acquired. If voting tonight based on the current information she would probably vote no. She lives along 9800 S, near places where gas stations and retirement communities have come in, and she thinks that's OK along the busier roads when shielded from residents by appropriate fencing and access.

Commissioner Bevans stated that coming into tonight she didn't have an opinion one way or another, but in general she doesn't like changing land use designation without good reason. She especially doesn't like changing stable neighborhood to commercial. There was a similar situation in her neighborhood a few years ago and she understands. She is also a strong believer in property rights, and the ability of someone developing their land. This property does pose unique challenges, which have already been brought up by the other commissioners. There are

some things that can be mitigated, but this is a bit premature knowing there is a chance of additional land purchase. She's not sure if she's swayed one way or the other, but she does want those listening to remember that they are just a recommending body, and encouraged everyone to speak with their council members. Additionally, she encouraged residents to have conversations with the property owner and the other way around, as communication leads to better outcomes.

Commissioner Catmull would be open to leveraging the 30 days to give them time to come back and discuss this more.

Commissioner Bevans is sensitive to the fact that residents have already shown up twice for this.

Commissioner Gedge asked about what things they would like to see staff discuss for the development agreement if this passes.

Attorney Simonsen noted that the commission has three items before them. One is the idea of whether they recommend the development agreement. If not, does that impact the second decision, which is whether they recommend the land use designation change. The third decision is whether they recommend the zoning. To him, the three are all intertwined, so if they are not going to recommend one, they may not recommend all three but can explain their reasoning. He believes the citizens and applicant would like to see this go forward to the council, so if they can make a recommendation on each item he would urge them to do that.

Commissioner Gedge stated that as presented, he would be against the development agreement due to the desire to recommend changes. He is partially in favor of the other two things, but he understands the idea that if you can't recommend one, you shouldn't recommend all three.

Commissioner Catmull suggested the commissioner discuss their thoughts with their specific council members, and that given the sensitivity of the subject it might be a good idea to see how much common ground the commission has.

Chair Hollist suggested recommending a maximum height requirements of 35 feet to the development agreement.

Commissioner Bevans suggested recommending removal of personal services as possible uses under the development agreement.

Commissioner Catmull suggested removal of other services, research and development, professional services, and vocational/professional services.

Commissioner Gedge suggested removal of financial services.

Attorney Simonsen asked to clarify if the commission is gathering stipulations that would ultimately not recommend the development agreement in its present form. The motion should be they are not going to recommend the development agreement in this form for the following reasons they are stating.

Commissioner Gedge suggested requiring architectural design consistent with the surrounding area and properties.

The commission discussed the combined recommendations, noting that the council should be reading these minutes to see their recommendations and reasons for them.

Commissioner Wimmer noted that City Council has the right to reject any or all of the commission's suggestions, and encouraged everyone to voice their concerns now so they can be noted, regardless of how they believe the council will vote or feel.

Commissioner Gedge motioned, based on the Staff Report, public testimony and discussion tonight, to recommend denial of the Bess Dental Development Agreement to the City Council as presented in Resolution R2024-45, citing the recommendations suggested by the commission for the development agreement concerning the following:

- **Architectural Design to more harmonious with the neighboring properties.**
- **Height**
- **Use in the professional office of this application**

Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Catmull

Yes – Commissioner Wimmer

Yes – Commissioner Bevans

Motion passes 6-0, unanimous in favor.

Commissioner Gedge motioned, based on the previous motion to recommend denial of the development agreement as presented and discussion tonight, to recommend denial both Resolution R2024-44, Land Use Designation Change, and Ordinance 2024-09-Z, Zone Change. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Catmull

Yes – Commissioner Wimmer

No – Commissioner Bevans

Motion passes 5-1, with Commissioner Bevans voicing the “no” vote.

I.2. ALTITUDE LAND USE AMENDMENT AND REZONE

Address: 515 W. Ultradent Dr.

File No.: PLZBA202400018

Applicant: Andy Welch, DAI Inc.

Planner Damir Drozdek reviewed background information from the Staff Report.

Commissioners and staff discussed easements in the area and concerns expressed regarding those easements. Planner Drozdek noted that is all contained in the development agreement, and if it can't be worked out then it can't move forward.

Chair Michele Hollist asked if any building is being allowed in the flood plains, either the 100 or 500 years sections.

Planner Drozdek responded yes, there is building being allowed in the 500 year plain, but not in the 100 year plain.

Deputy Engineer Jeremy Nielson added they will have to do a letter of map revision to be allowed building in that flood plain. They will have to raise the elevation to take it out of the flood plain.

Commissioner Laurel Bevans asked about prior funding already supplied for the bridge, and if so, whether that actually means there is a trade with the applicant.

Engineer Nielson responded there is some grant funding, but there is a match to that funding source and these additional funds would fulfill that match requirement.

Chair Hollist asked about the Level of Service for the street in the area.

Engineer Nielson responded it is a major arterial road and has not been on the city's radar for any concerns.

Planner Drozdek noted there was a traffic study done with this project, which did not result in any major recommendations in relation to the two accesses.

Chair Hollist asked about the setback from the river.

Planner Drozdek responded he believes it is about 200 feet from the nearest point from the buildings to the river. At some points it is over 400 feet.

Chair Hollist asked if that space was required to stay open in the development agreement.

Planner Drozdek responded that it's in the concept plans, and would require an amendment to change that.

Commissioner Bevans asked about stabilization requirements for the area being raised out of the flood plain.

Engineer Nielson responded part of the letter of map revision process is the verification process to validate the work was done correctly.

Commissioners and staff discussed the large number of units with only two accesses with Planner Drozdek noting there will be two stubs provided, which might end up providing additional access in the future. They also discussed the density and how that is calculated with the land proposed.

Chair Hollist invited the applicant forward to speak and add anything to the Staff Report.

Nate Shipp (Applicant) - gave an overview and explanation of the proposed plans.

Chair Hollist asked why they have chosen rentals over ownership.

Mr. Shipp explained that the original conversation was for all units to be rentals, during the council conversation they were asked to address the need for owner occupied units in the city. At that point all financials had been done with rentals in mind, and that left them stuck which led to a compromise of half the units being for sale and deed restricted.

Chair Hollist asked about the purchase and rental prices they are expecting.

Mr. Shipp responded the sale prices will begin in the low \$500,000s and rentals will be between \$2500 and \$4000 a month. This is not an inexpensive piece of property to develop, and consequently they will have to build a Class A product and believe it will be accepted in the market.

Commissioner Nathan Gedge asked about possible agreements with adjacent landowners to ensure access to the river and other areas.

Mr. Shipp responded they understand everything has to be in writing before they can begin and he is hopeful that will all happen.

Commissioner Steven Catmull asked if the garages are all standard size.

Mr. Shipp responded they will all accommodate two cars.

Commissioner Catmull asked how they intend to ensure access to parks and other areas for these future residents.

Mr. Shipp noted there will be private amenities for those onsite residents, in addition they will have the connection to the canal and adjacent amenities.

Commissioner Ray Wimmer asked if the bridge would actually encourage more foot traffic along those pristine woodlands being discussed.

Mr. Shipp responded that he hopes people will be respectful and stay on the established trails, but it will be privately owned and they could enact mitigating factors if that became an issue.

Commissioner Bevans asked about onsite management of the two sections of the development.

Mr. Shipp responded the entire property will be professionally managed, both sections will be managed by the same company. They intend to maintain control of the HOA once build out is complete.

Commissioner Bevans asked how they plan to manage the HOA with boardmembers from both sides. She also asked which units they plan to build first.

Mr. Shipp responded they will plan to have a board with both rentals and owner occupied tenants. Their intent is to being with the for sale product, moving into the for rent part later, but they will not be that far apart. Rentals and owner occupied will not be in the same buildings.

Commissioner Catmull asked if they think Class A residents are going to be inclined to use the public transport expected in this development.

Mr. Shipp responded those renting are doing it by choice, they are not there because they have to rent.

Chair Hollist noted that public comments were received before the meeting tonight (Attachments QQ – WW), and opened the Public Hearing for comments.

Brent Carlson (Resident) – I live on the west side of the river, directly across from where this is being built and I got to tell you, from what I've heard tonight from the applicant it confirms to me this is nothing more than a land and money grab based on what the situation is with this land right now. As you know, the Jordan River Corridor Conservation Master Plan, which you are probably all familiar with, designates that this is protected property against development. That is the one thing I want to make sure that we all understand, it is protected property, and they are coming in trying to change and amend the zoning so they can build 187 units, with two cars per unit is about 374 cars additional going across Jordan Gateway, out to I-15 to merge on the freeway, or down Shields Lane as we talked about last night already for the last 5 hours while we waited to talk to you guys. This will increase the congestion. Let's talk about the wildlife which was not mentioned by the applicant, there are so many different animals and birds that this will affect in the area, and if you've walked on the Jordan Parkway like my wife has hundreds of miles, like I have biked thousands of miles on the bike parkway, you see these animals and you see them in all aspects. Anything from a Blue Herron to a coyote to a deer to hawks to Sand Hill Cranes to eagles to pheasants to wild turkeys, foxes and even rattlesnakes are out there. My point is this, you have a responsibility to the residents of this area, especially the Riverwalk area, who

is right across the river, to protect this land as it is, leave it alone. Don't be fooled by the smoke and mirrors of the \$350,000 that they are going to give you in advance, and the big bridge they are going to build. It will increase congestion and the flood plain, yeah, they addressed that tonight, but it's going to happen, there are going to be issues down the line. Plus, you bring in more dirt to level above the elevation plain of the flood plain, you've all seen what's happened with developments where they bring in dirt and then build, there is erosion and the homes start sinking, and there will be issues with those homes after about five years if they do bring in dirt and try to build.

Marc Halliday (Resident) – This was originally my great grandfather's property, we have the original deed that goes back into the mid 1800s on that property and it has been sectioned off. We used to own over where the apartments are on the other side of Shields Lane. Back not too long ago this was MU-TOD property, and then through the master planning and public they decided to change it over to historical preservation R-1. The applicant had the time to take the property then because they happened to be the landowners, I don't think DEI owns it yet because we haven't been notified of that, it's still under my cousin's property, and they got that because their father passed away. He wanted it to be historical agricultural preservation. The son is a developer, he wants to see it mass developed; that is not the wishes of his father, nor is it the wishes of us. I would like to know why you are taking it back from MU-TOD when they had the chance to acquire that property and they didn't make that choice, now you want to let them go back to MU-TOD instead of the historical agricultural preservation. I am not against development, I don't want development to be this massive. I would like to see it be as single dwelling units with maybe equestrian. The equestrian trail starts right there and goes all the way down south, we don't have any equestrian homes anywhere around except where the equestrian park is, and from which it's hard for them to have horses. It should be larger sized lots, single dwelling homes. The governor and legislature, for which I am big part of, not only here but in Washington, DC, wants to see more single dwelling homes that people can afford and get in to. Not pigeon coops that are stacked up that bring no revenue, no tax basis to the communities. They want to see that and I would push that firmly with legislature and government. I will be speaking with them in Washington, DC, here shortly. I would like to take and see no less than the R-1 density where they are larger lots, but I am not sure what the sizes are, but at a minimum. There is secondary water there, the developer has taken and run some of this apartments that are there on the northeast side of this property over the ditch as shown, I don't know why he is looking at doing that. We have large animals there too, they need to be spoken for. Does DEI own the property?

Nathan Miller (Resident) – I've been waiting 5 hours to make this really quick, I've had someone covering my surgical call at the hospital for the last five hours. In summation, this property was established as protected green area in 2011 for a reason and a purpose. That reason and purpose has not changed since then, once that wildlife is gone, once it's killed off or driven away, once that nature is destroyed it's not ever coming back, ever. That's a done deal. My grandfather in Norway says that every man has a price, and basically what he is saying is that every man and woman has a point or price they are willing to bend or break their moral or ethical obligation; he always follows that up with he hopes he never finds what his price is. I sincerely hope tonight that our price for South Jordan is not a \$350,000 bridge. In my mind, it is absolutely ludicrous that we are considering taking back protected lands to stuff 10 pounds of people in a

five pound sack, absolutely ridiculous, and I hope you'll take this into consideration when you guys make your recommendation.

Bryce Cameron (Resident) – I live across the river. My point echoes some of the same, that this is also protected land. South Jordan is the steward of only four beautiful miles of the Jordan River, and to bastardize this land and shove a bunch of people in it seems very short sighted in our long term vision of this valley. This is a core artery of wildlife and enjoyment. When you plug it up with just more and more housing it causes so many problems, that's my biggest concern because I enjoy the trail with my children. I am one of the few people with children who live this close, also the prices are astronomical they are going to charge and won't allow for assistance to those who need affordable housing. Class A is not going to work out that way. I worry about the flood zone as well, I live on the side that is also close to a flood zone and with the weather heating up so quickly and the snow melt melting so quickly, there was a lot of concern the past two years of what is going to happen to Mulligans and us nearby, disrupting the land in the area will only make that a deeper concern. The parking isn't sufficient for them, people in these size homes don't park in their garages, what do they put in there, all their stuff. Their ratio of parking is insufficient and will be clogging the whole area. I care about the wildlife, I think most people here do; South Jordan only has a small bit of it, so let's be intentional and not follow the money.

Tim Hansen (Resident) – I am kind of new, just heard about this recently, this development that's going on. There are three things that come to my mind that I want you guys to consider when you take this on further down to people who might be able to make this happen. The first thing, somebody has to be a steward for those animals that are down there, and we've all talked about it, we've all seen it, there is a variety of things down there. Somebody has to speak up for those poor things, I don't want to be the person that says I was part of the initiative to starve those animals to death and push them out, and I don't think any of you do, nor do these people back here. That's one thing, the other thing that was talked about, this floodplain. When you think about that, they said they were going to build dirt up so it's above the floodplain. Okay, now on top of that we're going to build these apartments. We've all seen it, when we go down I-15 in the Draper area and you see those multi-floor units, do we like the way those look, does anybody like the way that looks. Most of the people who I associate with are saying that the Salt Lake Valley is so overloaded with those kinds of things that it takes away from our city, either Salt Lake, Murray, Riverton, Draper; I don't think we want to do that and that's kind of how this sounds is what they're going to do. The third point of it is, he mentioned there is going to be quite a few rental units and some individual homeowner units. Let me ask you, would you like to buy a home nestled amongst some apartments. Think about that, would any of you like to do that, not me, and I bet you none of these people would either, so I don't know what the developer is thinking, I just can't see how that would work very well. For the most part, people that rent aren't dedicated to the property nearly as much as the people that own the property. How that's going to look down the road I don't know, but those are the three things that popped into my mind, and pretty much anything that anyone else has said, there is no need to repeat it, there are a lot of us that feel the same way.

Soren Simonsen (Jordan River Conservancy) – As a former planning commissioner in another community, I applaud your efforts in sticking with this. I am the Executive Director of the Jordan

River Commission and I am here in my official capacity. I have not had an opportunity to meet with the developers, we often do try and meet with those developing around the Jordan River to offer recommendations and creative input on proposals and would love an opportunity to do that, either formally or informally following the meeting tonight; I just learned about this proposal about a week ago, so I haven't had a chance to prepare any written comments. I will summarize a few thoughts. We are working with all of the communities up and down the Jordan River to preserve this incredible gem, and it has suffered from a lot of not appropriate activity over the last probably 120-130 years or so. There has been great strides to try and reverse some of those trends. There are some specific recommendations I would make for your consideration tonight. First of all, hearing about the fill of the floodplain is one that we would strongly discourage. Although you can raise land to be above the floodplain, which protects the properties from damage and risk, it does create risk and up and down. The river needs space to do what rivers do, and that is to ebb and flow with seasons and cycles. Some of those cycles can be decades, although we are seeing a hastening because of climate change with those cycles creating more extreme water events, which we have seen over the last couple of years. There is also a great effort to get more water into the Jordan River so we can get it to the Great Salt Lake and that of course is resulting in very different kinds of dynamics. We are seeing properties in other communities that are outside of those floodplains that have in recent years been flooding because of the loss of floodplain which carries those floodwaters when they occur. That does present risks, not to this property, but to other properties up and down the river. We would love to minimize fill in this area, upland areas are a critical part of habitat. This property, as noted, happens to be nestled in-between two properties that have over 150, close to 200 acres of preserve, dedicated limited human interaction, in areas and this has the potential to fracture that significant wildlife habitat. If there are opportunities to cluster the development closer to the transit and minimize the impact on the bluff and down into the river bottom area we feel that would be a preferential way to develop, as many communities are doing around the Jordan River and other locations. We encourage you to maybe consider ways to address those river needs as you are thinking about other needs in your community like housing and development.

Melanie Beaucharid (Resident) – I live directly west of this proposed development. I just wanted to bring up a couple things noted in the Jordan River Open Corridor and Open Space and Habitat Conservation Master Plan that has been mentioned a couple of times, and just evidence of having that plan means that natural and open space is important to all residents of South Jordan. It says in here “the Jordan River Corridor Master Plan designates land use zoning and ordinances for the river corridor to ensure that open space will be preserved for its wildlife habitat and recreation values, with a consistent intent regardless of whether changes occur within South Jordan city’s managing and planning personnel.” It also says it was “developed according to the express needs of South Jordan City’s citizens for more natural area open space and the needs of wildlife species that depend upon the Jordan River and its associated habitat for their continued survival, protecting rivers, creeks, and canal corridors, ranked as the highest value for the city’s open space program and was rated as the most important natural space value.” This has already been studied, looked at, and it’s obviously really important to a lot of us and I think this area in specific is very unique because it’s right by the river, so I am not saying anything new that anyone else has not said already, but wanted to add my voice to theirs and let you know how I feel. Also, I am very concerned with the density proposed, just looking at the map compared to our neighborhood. Our neighborhood, I know it’s not the exact same size, but it seems kind of

comparable while being smaller. We have got 84 units compared to 187, and I just think the density is just huge and I just second other people's comments that it doesn't seem like a desirable community to purchase a place in if there is rentals and ones for purchase.

Monice Halliday (Resident) – I am one of the landowners directly north of this, and we are not going to develop in the future, we will be staying agricultural. It has been agricultural since the 1880s when we were in the homestead, and we will be keeping that the same.

Kathy Thompson (Resident) – I live down in the Riverwalk Estates. I would just ditto everything that has been said, but I also wanted my voice to be heard as taking very strong consideration and looking at that rezoning. A lot of things have been said about the Jordan River Corridor and open space, and I'm not sure is this taking some of that away, or it's 200 yard away, but you are going to mess up that whole ecological balance with all the water and animals and everything. So, even if you are 200 yards away it's still going to disrupt that whole balance and all the animals and water going on down in that area, I think that needs to be taken into strong consideration. Again, I just hope that you look at that. They know it's pristine land, they know, they talk about the disturbance and everything with the animals. They may have great intentions, but you are going to disturb that area and those animals aren't coming back and that's gonna take away that whole area.

Lily Perkins (Resident) – Everybody else talked about what is important, which is the open land. I think this is a huge mistake. This development where we live, It's a gated community and by making that bridge, it's just going to make our community vulnerable that are accessing over the side of the west. The city has made a great job every time I call you guys to prune the fire hazard tall grass that grows in there, and some teenagers and other people that are walking the trails are hiding behind those bushes and peeking in through my window. When I was talking about an American Dream, I used to design mountains in a little house, and the sun rising, and I have that view, I paid for that premium lot to have that view, and those three stories buildings will take away my little American Dream and make us vulnerable to people to walk in our development and check around. We know each other, we have a gated community, we want people that live there, we trust each other. I don't have blinds in my windows, I have a beautiful open window on my north side, and the whole east side, it's gorgeous, I paid for that premium lot. I don't want that to be taken away, it's not fair. I know change happens, but just changing and violating a contract just because of developer greediness is not okay. I have beautiful pictures of a bald eagle in that little area, please don't destroy it.

Michelle Foster (Resident) – I am in the Riverwalk Community also. The only comment I can come up with that nobody else has said is I am really curious about the water, I want drinking water in South Jordan and all over Salt Lake we keep getting higher and higher density. What about the water, is anybody thinking about that. That's a huge concern for me, don't we have to stop somewhere, we've been in a drought for how many years and I don't hear anybody talking about that and I'm very concerned about the water.

Chair Hollist closed the Public Hearing and turned to staff for responses to public concerns, including information about historical or preservation applications to this land.

Planner Drozdek was unsure of any historical preservation, the current land use he believes has it marked as agricultural preservation and maybe that's what is being referred to. To note as well, this property is zoned A-1, so the applicant, if they desired, could develop the property under the A-1 zoning requirements with no buffer, building right up the river if they wished.

Chair Hollist asked who the author was of the Jordan River Master Plan.

Planner Drozdek was unfamiliar with the document and had no answer.

Chair Hollist asked staff about congestion and service levels of roads.

Engineer Nielson responded the road is currently at Service Level B as a five lane collector road, and this would not change that.

Chair Hollist asked about requirements for environmental impact studies on this type of land.

Engineer Nielson responded that for the bridge over the river there will need to be an environmental study, but not for the development.

Chair Hollist noted that there were recommendations on density, but it has already been noted that as currently zoned, this could be developed as is with one acre lots.

Attorney Simonsen noted there are three decisions in front of the commission tonight, one of which is approving the land use amendment. In the staff report, one of the items is the land use boundary adjustment for the NA (Natural Area). If the natural area boundary isn't adjusted, then you can't rezone the area where that boundary is moving. Regarding the natural area preservation, when the public states this land is protected, he is not aware of a law guaranteeing that. He disclosed that he rides that trail often, so isn't coming down on either side of this discussion. He acknowledged it's probably listed in a plan somewhere, not wishing to dispute that claim from the public, but again stated he is not aware of any law protecting it other than the city's general plan with a natural area boundary. The commission is being asked tonight to adjust that natural area boundary and rezone it, along with deciding whether to recommend the development agreement. Those are all decisions that need to be made by the commission, and it's his job to ensure the commission is legally within their prerogative to do that one way or another; he confirmed that they are within that right based on the information presented tonight.

Chair Hollist motioned to take a quick break, seconded by Commissioner Bevens; vote was 6-0 unanimous in favor.

Chair Hollist acknowledged discussion of environmental impact, comments on the rental/owner mix and noted the commission will come back to that discussion, concerns about changing floodplain including the ebb and flow noting she has the same concerns, concerns over the natural area and preserving open space, protecting animals in the waterway, the north property owner indicating no plans to develop, concerns over the bridge making the neighborhood to the

west more accessible and potentially more vulnerable, and concerns about drinking water. She acknowledged the shared concerns over drinking water and asked staff to discuss that.

Engineer Nielson noted the city works closely with Jordan Valley Water Conservancy District and has a Water Master Plan to ensure adequate water for the city. As part of that, there are conservation measures, ordinances frequently passed in attempts to conserve water. In addition, the city is trying to lead the way in accessing new water, noting the current reuse pilot project at the water reclamation facility. In terms of providing water to this development, that is covered in the city's Water Master Plan when zoning and future uses are considered.

Chair Hollist asked Commissioner Bevans if she had any insight into some of the concerns shared regarding building in the floodplain.

Commissioner Bevans noted that she chooses not to build in floodplains for the reasons being discussed. She acknowledged land can be removed from a floodplain, and noted she is not an expert in that area, but working in development and having experience in the area she knows there are implications for sites like this, which is why she was inquiring about specific geotech info earlier; while land stabilization is possible, it is generally not preferable. She sees this is in a natural preservation area, and without the floodplain area coming into this development and trying to move it up it does seem a little more palatable knowing they would avoid those types of issues down the road.

Chair Hollist asked staff, if the commission decided not to amend the natural area land use, would that only eliminate building in the floodplain, or does the boundary fall outside of that.

Planner Drozdek responded that the boundary does closely match that area.

Commissioner Wimmer stated that they are called downstream effect for a reason, whatever is done on one area affects the next area in the line, and the next, etc. At some point, as was stated, water does what it is going to do. He doesn't have any particular concerns about this development, because those floodplain effects in this certain area can absolutely be mitigated with these buildings being perfectly safe, but after this where the water goes becomes a real concern when thinking about being good neighbors for adjacent communities and developments down the road.

Commissioner Catmull addressed staff, asking to confirm that when they address this as an RM-PD Zone, it is an RM Zone with the Planned Development overlay. He also asked for more information on the PD Floating Zone, Section C where it states "residential density shall not exceed eight units per acre on properties outside of the designated station area plan, where the City of South Jordan is not the applicant."

Planner Drozdek responded this is within the station area plans. The state requires cities to come up with station area plans around any rail stations, and this being within the half mile radius fits within that required area and allows for the higher density.

Commissioner Bevans noted for the public that the transit oriented area plan being referenced tonight is available on the city's website for them to review at any point.

Chair Hollist continued, noting that housing is needed here but this is very expensive housing. She wonders if it makes sense for deed restricted properties to be Class A, asking if that is the best use as these will not contribute to affordable housing, rather they will offer high end housing that will be more affordable than it could have been.

Commissioner Bevans asked for staff to explain the term "Class A" housing so it is used appropriately and understood, as well as what deed restricted means.

Chair Hollist shared, after a quick Google search, that it appears to refer to extremely desirable, high quality construction location properties. Essentially a higher end product in a desirable location. She then invited the applicant forward to explain what they are defining "deed restricted" as for this project.

Mr. Shipp responded that, in its simplest form, those who live in the units designated as owner-occupied will be the owners of those properties; they will be unable to rent those units while owning them.

Commissioner Bevans asked if they plan to include anything in the HOA covenants that an owner-occupied unit cannot rent out rooms specifically.

Mr. Shipp responded yes, the intent is that they are not rentals. Those who own the units live there, they do not rent any part of that unit to anybody else.

Commissioner Catmull asked if the applicant was okay with that being in the development agreement.

Mr. Shipp responded that is already in the proposed development agreement, and he is fine with modifying that to say a room/any part of the unit cannot be rented out.

Commissioner Bevans noted that she does not like the idea of adding that, but they can discuss her reasons for that later in the conversation.

Mr. Shipp noted they are trying abide within the spirit of their intention, create units that are sold and owned, with a myriad of reasons why that is really important including the concept that those who own their units live in the community differently than those who rent.

Commissioner Bevans noted they have discussed how owner occupied residences are general treated differently than rental units, and asked why they would want to mix those together in one housing project. The developer has acknowledged doing a split project like this before, but with the stated discrepancy, why the drive to mix owner-occupied and rental units.

Mr. Shipp responded that he agrees with the other side of the argument, he doesn't believe there is a difference. He lives in a community where he is in a single family home with about one-third of his neighbors actually rent their houses. He stated that unless you knew they were actually renters you would never know the difference, so his experience has shown him different results. In the conversations previously held with the city, there have been other with strong opinions on the other side of the argument, which is what he is trying to accommodate here.

Chair Hollist began her comments, noting this is an interesting project to bring housing. If high density is going to be done, this is the right area for it in terms of location and proximity to transit. She has concerns about the change in the natural area, and she would be inclined to vote against the change in the Natural Area Land Use designation. Based on the question she asked earlier, if she understands everything correctly, that change would effectively remove the ability to build in the floodplain and would make her more comfortable with this project. She did want it noted that she would not suggest still having 187 units in a smaller space, she would want to limit it to the 14 acres outside of that Natural Area designation as discussed earlier. She could potentially still support the zoning change in the area without the Natural Area Land Use, but again with the reduction of the number of units and having the trail from transit down to the river.

Commissioner Bevans asked if Chair Hollist would be okay with retaining the 10 units per acre, allowing approximately 140 units instead of 187.

Chair Hollist responded yes, as long as they are not built in the area currently designated as Natural Area for land use.

Commissioner Gedge thanked his neighbors for coming out, the applicant for attending, and staff for their work on this. He agreed with Chair Hollist, and struggles with the Natural Area Land Use designation and floodplain. He is also torn in terms of a landowner's property rights. This is not going to stay a vacant field, especially the 14 acres not in the floodplain; there needs to be a compromise. He is leaning towards a negative recommendation on the land use change, but would like to see if applicant would be open to working on the property and the 14 acres not in the floodplain. He also struggles with the need for a bridge over the Jordan River in this location as people can cross as Shields Lane at 10400 South or 11400 South where this is a pedestrian bridge; the need there really only serves those adjacent, and he struggles with interrupting the animal rights and natural habitat there as well. He is not sure that is the best location, noting that the only supporting idea is its alignment with the Frontrunner. As presented tonight, he would vote in the negative with the land use agreement, and he believes the other two motions would fall in line. Something will eventually go here, he is just not sure if the development being that close to the river is the best fit.

Commissioner Bevans reiterated that she is a firm believer in property rights, the rights of the owners to develop as they see fit. However, she is also a firm believer that they as a commission and council have an obligation to the community to do what's best for the entire community. While she agrees there is a definite need for more affordable housing, particularly in the transit zone areas, she doesn't see this as affordable housing for either ownership or rentals. She

believes this is the right area for higher density housing with the proximity to the transit hub, but knowing how development works, this project has too many unknowns, complications, and potential downsides; specifically for the natural preservation area and floodplain surrounding the Jordan River. There was some compelling evidence presented by the Director of the Jordan River Commission, and that holds extra weight for her in terms of expert advice on what this area should be. For those reasons she is a no on this item as presented tonight.

Commissioner Wimmer supports property rights as well, owners should be able to build whatever they like on their property. As presently allowed, the landowners here are welcome to build a single family home on each acre; he doesn't believe in changing zones for individual's profit at the expense of others, especially posterity or our natural friends. When that space is gone, it's gone, so why trade a last in our lifetime space for overpriced apartments and homes that many South Jordan residents couldn't afford anyways. If it comes down to the city's benefit being a \$350,000 donation for a bridge, he'd rather donate that money to the city to avoid wasting our disappearing natural beauty on townhomes. He is a no on all items.

Commissioner Bishop noted he lives in a neighborhood like this as an owner, and the prices are pretty typical. They looked at renting their home and the numbers provided earlier were what he would expect his home to rent for. He is in line with what was said earlier with regards to the natural area and flood zone, but he does think it makes sense to take advantage of this land near to the transit stop. He would be a conditional yes for the items presented tonight.

Commissioner Catmull came into tonight leaning more towards a yes on the proposed motion, but after listening to the testimony and discussions, he concurs with several other comments. Sometime timing and location can be difficult to align, and the timing here doesn't feel right. He appreciates the goals in the packet and how the developer tried to align with those, and that was great. However, he looks at some of the development coming up in the city on the west side in the near future to bring tons of housing units online at very affordable prices. He doesn't like the density on this project, noting that type of density is usually used to shield between commercial use and lower density projects. In this case it feels like it's a buffer between a lighter use, rather than a heavy use, and he is concerned about that. It is an interesting solution, but he is uncomfortable with the density and compatibility, favoring sustainable long-term solutions, and a someone who has used public transit for decades he is not convinced that many people there would use the available public transit. There are better places for the density, and he would be a definite no on the first two items, and probably on all three.

Commissioner Bevans added that she believes the project has potential, she likes the concept and the idea, but the execution of it is lacking for her.

Commissioner Catmull added this is also very isolated with the owners on the north stating no plans for development, and the land on the south believed to be government owned and very unlikely to be developed.

Commissioner Gedge motioned to recommend denial to the City Council of Resolution R2024-24, Approval of Land Use Amendment. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Catmull

Yes – Commissioner Wimmer

Yes – Commissioner Bevans

Motion passes 6-0, unanimous in favor of a negative recommendation regarding a change to the land use.

Commissioner Gedge motioned to recommend denial to City Council of Resolution R2024-21, Authorizing the Mayor to Sign a Development Agreement, and Ordinance 2024-05-Z, Zone Change, based on the previous recommendation for denial of the land use amendment to City Council. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Bishop

Yes – Commissioner Catmull

Yes – Commissioner Wimmer

Yes – Commissioner Bevans

Motion passes 6-0, unanimous in favor of a negative recommendation regarding signing a development agreement and proposed zone change as presented this evening, but noting there is potential with a different solution.

Commissioner Bishop noted that he voted yes, but without the land use amendment he would have most likely been in favor of the remainder of the items.

J. OTHER BUSINESS - *None*

ADJOURNMENT

Chair Hollist motioned to adjourn the November 12, 2024 Planning Commission Meeting. Commissioner Gedge seconded the motion; Vote was 6-0, unanimous in favor.

The November 12, 2024 Planning Commission Meeting adjourned at 12:35 a.m. on November 13, 2024.

This is a true and correct copy of the November 12, 2024 Planning Commission minutes, which were approved on December 10, 2024.

From: [Andrew McDonald](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Leon Bryant has filed an application (File #PLCUP202400128)
Date: Tuesday, November 12, 2024 2:10:01 PM

Please see the below comments regarding the CUP scheduled for tonight's meeting.

From: Linnie Spor <linnie.spor@gmail.com>
Sent: Tuesday, November 12, 2024 12:54 PM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: Leon Bryant has filed an application (File #PLCUP202400128)

Dear South Jordan planning committee;
I would like to apologize for the formatting of this request. I am using my phone and the formatting will most likely not format correctly.

We, Linnie and Mike Spor would like to oppose the construct of a 2,816 ft sq, (44'x64') detached garage building. We would like to oppose the request of the South Jordan commission to allow the following code provision: 1. The footprint of accessory buildings shall not exceed the footprint of the main building (City code 17.4 0.020 (I)(3b)). We oppose with no animosity or retaliation towards our neighbor, Leon Bryant Widdison (property owner). Our opposition is in regards to the findings of the said conclusion and recommendation of notice file number PLCUP202400128. Findings: access to building will use existing lot frontage along 3770 W., a private road. This road is narrow and has no sidewalk curb or gutter. The property owners on this private road own to the middle of 3770 W. Along their own property line. The right away to the proposed building was not part of the original street plan. The lot owners have paid to have the road repaved and the cracks have been sealed. There is concerns that there will be damage to the road and possible sewer, and electrical damage. 3770 W. was designed to one single dwelling home per lot. This would also include one single right away or main driveway to the singular home on the lot. Our concern is this building could eventually become a living space and therefore change the existing outline and outlet of the subdivision. It is the majority of the homeowners on the street to continue to have one home per lot as originally designed. Findings bullet .3: at this time there are multiple mailboxes that could be presumed as use for a business or multiple homes. Findings bullet .4&5: 3770 W. is the only private road in the neighborhood so this does not provide an adequate example of the surrounding neighborhood. Larger homes in the area have roads that are maintained by the city and they have curb and gutter. They also have adequate curb and gutter access for excess water from rain or other weather issues. Findings bullet .6. the proposed building exceeds the minimum setback requirements. This may or may not cause flooding issues. This would need to be clarified in another council meeting. Findings bullet .7. we need more documentation showing that other large buildings that exceed or are this size to show the need for a grade basement. The concern of the additional basement is this garage could easily become a living space, or an additional housing unit on the lot that is only allowed one housing unit. Findings: bullet .8. The street owners would like more time to assess the overall height of this proposed building. The street has been in South Jordan for over 35 years. There is a slight decline in the natural landscape to enjoy the view for miles around including the mountains. The height of this building has not been objectively considered at this time and we as neighbors on this street would like more time to assess the outcomes of this said building. Findings: Bullet .9. We would ask for more information and clarification regarding the proposed footprint of this building and ask details on Why this

structure requires conditional use permits. Findings: bullet .10. Because the Heights of the building and the unclarity of the setback requirements. The homeowners on 3770 W. would like additional time to see if there are determinable effects regarding the size and depth of this said building. Findings: bullet .11. The homeowners of Clover Hills subdivision understand the importance of having large over 1 acre lots. These single dwelling house lots adds diversity and beauty to the city of South Jordan. These lots, also bring the importance of space in an ever growing Utah city. Because of our large lots, that have city laws to over see we as longtime home owners, continue to live in these wonderful housing Spaces. These large over acre spaces have created a Haven for wildlife, including beautiful bird species that require large spaces of over an acre. Therefore, we do not want the city to give exception to the code provision regarding the footprint of accessory buildings on our street. This proposed building would affect the citizens on our street and we ask that this provision and application be denied. We feel that our street has reasonable conditions to deny this request and if needed, we can identify More substantial evidence to not approve this proposed building. Thank you for your time and the opportunity for the residence living on 3770 W. To review The application and the cause and effect that would happen if this code provision is allowed.

Sincerely, Lynn and Mike Spor

Cindy Valdez

From: Andrew McDonald
Sent: Thursday, November 7, 2024 12:01 PM
To: PLANNING COMMISSION
Subject: FW: information related to file PLCUP202400128

Please see the below public comment received for the Conditional Use Permit (PLCUP202400128) scheduled for November 12th.

From: Jeff Walton <jeffwalton1@msn.com>
Sent: Thursday, November 7, 2024 11:43 AM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: information related to file PLCUP202400128

Hello Andrew,

I received notice of a public hearing related to application PLCUP202400128 submitted by my neighbor. I am requesting more details about what is planned. I am hoping to attend the public hearing meeting in person and wanted to get more details ahead of time to better understand the nature of the request and plan. My main concern is making sure that any improvements contribute to improving the maintenance and curb appeal of the property so that it does not continue to detract from the other well-kept residences on our street. The houses on our street are intended as primary single-family residential homes and I would like to make sure that planned upgrades are consistent with maintaining that in accordance with South Jordan standards and HOA guidelines for our group of homes on 3770 W. Thank you for your assistance.

Sincerely,
Jeff Walton
9467 S 3770 W
jeffwalton1@msn.com
385-266-3841

Attachment C

From: [Andrew McDonald](#)
To: [PLANNING COMMISSION](#)
Subject: FW: public hearing Nov. 12, 2024 Leon Bryant
Date: Tuesday, November 12, 2024 11:26:33 AM

Please see the following comments/concerns received for tonight's CUP (PLCUP202100128).

From: Maureen Pruitt <cupcake3752@gmail.com>
Sent: Tuesday, November 12, 2024 11:09 AM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: public hearing Nov. 12, 2024 Leon Bryant

Richard and Maureen Pruitt would like to comment on the public hearing on November 12, 2024 related to Leon Bryant (File #PLCUP202400128)

1. We believe at this time this is his intent but not for the future. He told us a few months ago that he wanted to subdivide the property. After checking with the city he found out he needed the neighbors' approval first. He felt that would not happen. Now we know he has spoken with another neighbor about renting out the main house and possibly living in this new dwelling. This has only recently happened. In the FAQ submitted in the 29 page document he answered that he was not planning to live in this building. Once it is approved and built, what recourse is there to keep him from making that his residence? He could build an Accessory Dwelling Unit if his intent is to live there. This feels like a back door to utilize the size of this property for 2 large homes. The new structure is being made to look like a house with exterior walls made of stucco and it will be hooked up to all utilities. How hard would it be to finish the inside and make it into living quarters? It is a very expensive project for a vehicle storage unit and garage. If this building could be distinguished in a contract with the city that this is only a non-dwelling building, then we would consider it.

From: [Andrew McDonald](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Leon Bryant Property PLCUP202400128
Date: Tuesday, November 12, 2024 8:38:59 AM

Good Morning,

Please see the following comment below for the CUP (PLCUP2024001128) scheduled for tonight's agenda.

From: Emily Kartchner <hardyemily@hotmail.com>
Sent: Sunday, November 10, 2024 6:09 PM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: Leon Bryant Property PLCUP202400128

Is this intended to be a standard accessory building used for storage? Would this building include a dwelling? Is there an intent for this to be a rental unit?

I have no concerns in general about a storage building or even a "mother-in-law" apartment, but I would have concerns if this was intended as a precursor to subdividing the lot.

From: [Andrew McDonald](#)
To: [PLANNING COMMISSION](#)
Subject: FW: File#PLCUP202400128 for property at 9557 S 3770 W
Date: Tuesday, November 12, 2024 8:43:32 AM

Good Morning,

Please see the following concern a resident as expressed regarding subject property for tonight's scheduled CUP.

From: Stan Roberts <4robstan@gmail.com>
Sent: Monday, November 11, 2024 11:32 AM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: Re: File#PLCUP202400128 for property at 9557 S 3770 W

Andrew.

Thank you for replying so quickly, My only concerns with this is the, amount of Cars R.Vs and Trailers . That are stored on property now and in the future. Please consider this as your decision is made . Thank you Stan Roberts

On Tue, Nov 5, 2024 at 9:58 AM Andrew McDonald <AMcDonald@sjc.utah.gov> wrote:

Good Morning Stan,

The subject property is requesting to construct a garage for personal storage of his property. The agenda and supporting document packet will be made public by Noon this Friday November 8th. You will be able to view more information about the project in the Staff Report and Supporting Materials. These will post on the Planning Commission Webpage, which can be found here: <https://www.sjc.utah.gov/254/Planning-Commission>

From: Stan Roberts <4robstan@gmail.com>
Sent: Tuesday, November 5, 2024 9:51 AM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: File#PLCUP202400128 for property at 9557 S 3770 W

Andrew,

My name is Stan Roberts I own some property within 300 feet of the notice I was sent . I am just looking for more info on this property and the use of the building.

Stan Roberts

From: [Andrew McDonald](#)
To: [PLANNING COMMISSION](#)
Subject: FW: PLCUP202400128 - Bryant Widdison Conditional Use Permit Comments
Date: Tuesday, November 12, 2024 9:00:17 AM

Good Morning,

Please see the public comment regarding tonight's CUP (PLCUP202400128) on tonight's agenda.

From: Doug Hales <doug_hales@hotmail.com>
Sent: Monday, November 11, 2024 8:17 PM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: PLCUP202400128 - Bryant Widdison Conditional Use Permit Comments

Andrew,

Regarding the CUP for Bryant Widdison up for discussion 11/12/2024:

We respect the right of Mr. Widdison to build as he desires, provided that none of the following are violated: R1.8 zoning, HOA rules, sub-let and/or multi-family occupancy rules. We are concerned that this CUP may be a method of sidestepping sub-division of the property and may also be converted to living space for rental purposes; if this were the case, we would be strongly opposed.

Respectfully,

Doug and Rebecca Hales
9462 South 3770 West
South Jordan

Attachment G

From: [Andrew McDonald](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Notice of Public Hearing PLCUP202400128
Date: Tuesday, November 12, 2024 8:52:09 AM

Good Morning,

Please see the resident comment received below regarding the CUP (PLCUP202400218) scheduled for tonight's meeting.

From: Les Kartchner <leskartchner@gmail.com>
Sent: Monday, November 11, 2024 6:28 PM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: Notice of Public Hearing PLCUP202400128

I am writing regarding the requested conditional use permit for the property at 9557 S 3770 W.

The exception request states the structure will have no occupants but the plans seem designed for occupancy. What is the true intent of the applicant?

Does the applicant intend to use this structure as a rental unit?

Is the applicant establishing a structure with an intent to subdivide the lot in the future? Will this dwelling be assigned a new address? Is the intent for this structure or the home to become a permanent rental unit?

Thank you

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From: [Andrew McDonald](#)
To: [Steven Catmull](#)
Cc: [PLANNING COMMISSION](#)
Subject: RE: Planning Commission Nov. 12th - PLCUP202400128
Date: Tuesday, November 12, 2024 2:23:02 PM

Correct. The street (3770 West) is a private street and in this case, the center line of this street is the property line for this property. Setback requirements are from the foundations/side of the building/structure to the property lines. The lots in the Clover Hills Subdivision that have frontage on 3770 West, have portions of the road itself on each of the resident's properties. This is unique to this property compared to what the Commission has often seen the past with CUP applications for garages regarding setbacks and property lines. If this road was dedicated as Public Right-of-Way, the front property line would look more familiar as in these cases it is often the back of sidewalk (with some special cases). Staff is prepared to elaborate more in the presentation for this item.

From: Steven Catmull <SCatmull@sjc.utah.gov>
Sent: Tuesday, November 12, 2024 1:34 PM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: Re: Planning Commission Nov. 12th - PLCUP202400128

Did I understand correctly that the 30' setback goes from the center of the street. Is that because it is a private street? I thought setbacks went back from the property line.

From: Andrew McDonald
Sent: Tuesday, November 12, 2024 9:57:45 AM
To: Steven Catmull
Cc: PLANNING COMMISSION
Subject: RE: Planning Commission Nov. 12th - PLCUP202400128

Good Morning Commissioner,

Regrettably, Staff cannot produce a visual for yard areas, however, Staff can elaborate in the presentation. The proposed garage meets the minimum 30-feet front property line setback requirement for the R-1.8 Zone, and the minimum required setbacks to all other property lines. There are no foreseeable plans for the private street (3770 W.) to dedicate to the City, and have full Public Right-of-Way improvements (curb, gutter, sidewalk, park strips) installed. This may change in the future, but Staff is unable to discuss the impacts on the resident's properties until the City or the residents of 3770 West initiate the process and more information becomes available. The applicant has, however, provided their written understanding in the supporting materials of what it could potentially mean for the applicant and property if 3770 West was ever dedicated and fully improved.

From: Steven Catmull <SCatmull@sjc.utah.gov>
Sent: Monday, November 11, 2024 10:09 PM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: Widdison CUP #00128

Hi Andrew,

How do we define the front yard on a lot like this? It is a very interesting lot? I think that may be good to have a visual to show.

How close is the proposed building to the street right-of-way? Does that include the possibility that the street is widened to add curb and gutter in the future?

I'm sure I'll have other questions. These are the ones on the top of my mind that may not be easy to answer on-the-fly in our meeting.

Thanks,

Commissioner Catmull

Cindy Valdez

From: Andrew McDonald
Sent: Tuesday, November 5, 2024 4:00 PM
To: Andrew McDonald; Anna Crookston; Carlos Vargas; Cindy Valdez; Damir Drozdek; Diana Baun; Greg Schindler; Gregory Simonsen; Jeremy Nielson; Laurel Bevans; Michele Hollist; Miguel Aguilera; Nathan Gedge; Ray Wimmer; Sam Bishop; Steven Catmull; Steven Schaefermeyer
Subject: FW: PLSPR202400130

Please see the below comment received from a resident adjacent to the IHC Oxygen Warehouse B Site Plan item scheduled for November 12th.

From: Lane Myers <lane@lanemyers.com>
Sent: Saturday, November 2, 2024 4:09 PM
To: Andrew McDonald <AMcDonald@sjc.utah.gov>
Subject: PLSPR202400130

Andrew,

I just received notice of a applicant seeking approval for a warehouse. Directly behind my home. I realize development is inevitable. I would just ask consideration to require the building to be as far east as possible and as low as possible. We have lived here 25 years with a view of the mountains obviously having that blocked by a warehouse is not exciting. As it is the noise from IHC and them filling tanks and loading is a nuisance.

Best Regards,
Lane Mye



www.LaneMyers.com

Phone: 801-254-5522

Mobile: 801-573-2535

Attachment J

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Bess Dental proposal - 9800 S 1300 W
Date: Tuesday, November 12, 2024 9:49:09 AM

From: Scott Ballard <scottballard@live.com>
Sent: Monday, November 11, 2024 2:40 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Bess Dental proposal - 9800 S 1300 W

Miguel,

I live within 100 yards of the proposed commercial use re-zone near 9800 S 1300 W. This area is a residential area and a commercial development is inconsistent with the local area and with the previous and current zoned use for this property - a use that many current residents enjoy and relied upon in South Jordan's plans. In addition, traffic on Shields Lane has grown significantly (picture of a recent morning is attached) and adding one more access, especially on that curved portion of the road, appears to be an unwise venture.

I encourage South Jordan City to be consistent to the residents in the area and forgo a commercial re-zone of this property.

Thank you,
Scott Ballard

Attachment K

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Against Commercial Rezoning
Date: Tuesday, November 12, 2024 9:33:33 AM

Hello Commissioners,

I have received more comments on tonight's Bess Dental rezone.

Thank you,
Miguel

From: Allison Blood <allisonblood5@gmail.com>
Sent: Friday, November 8, 2024 9:08 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Against Commercial Rezoning

Hi Miguel,

I am writing to voice my opinion against the commercial rezoning related to Bass Dental at 9800 S and 1300 W.

My family does not want this space to be rezoned for commercial use. It will drastically change the visual esthetic of the neighborhood. It will increase traffic significantly in an area that already struggles with traffic flow. It would allow future lots in this residential neighborhood to be zoned for commercial purposes.

I am unable to attend the city planning commission this Tuesday but would like my voice heard that I am AGAINST this proposal. Thank you for your consideration.

Allison Blood

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Attachment L

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Commercial Rezoning
Date: Tuesday, November 12, 2024 9:50:39 AM

From: Debbie Carver <debadoo2@gmail.com>
Sent: Monday, November 11, 2024 9:27 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Commercial Rezoning

To Miguel:

We are against rezoning 9800 South and 1300 West because of these issues:

1. It will Increase traffic on an already busy intersection
2. We want to maintain the residential feel of this community
3. The likelihood that if one business is allowed, others will follow to the detriment of the neighborhood
4. We would prefer to see more green spaces created for families to play and recreate together
5. Our options for walking, running, cycling, etc are already limited in this area; we don't need to compromise it any more than it already is
6. A more viable business district is on Redwood Rd and 9800 So

Please reconsider the residents in this area who are speaking out and sharing our concerns.

Respectfully,
Debbie Carver

From: [Greg Schindler](#)
To: [Cindy Valdez](#); [Anna Crookston](#)
Subject: FW: Objection to Land Use Amendment and Rezoning Ordinance for Bess Dental
Date: Monday, October 21, 2024 3:45:30 PM
Attachments: [Swenson - Objection to Proposed Amendment and Rezoning.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Please make sure the attached letter is entered into the record.

Thanks,

Greg Schindler, AICP | City Planner | City of South Jordan

1600 W. Towne Center Drive | South Jordan, UT 84095

Office: 801.253.5203 ext 1291



From: Chandler Swenson <chandlerswenson@gmail.com>

Sent: Monday, October 21, 2024 11:11 AM

To: Greg Schindler <GSchindler@sjc.utah.gov>; Nathan Gedge <NGedge@sjc.utah.gov>; Michele Hollist <MHollist@sjc.utah.gov>; Ray Wimmer <RWimmer@sjc.utah.gov>; Steven Catmull <SCatmull@sjc.utah.gov>; Laurel Bevans <LBevans@sjc.utah.gov>; Sam Bishop <SBishop@sjc.utah.gov>

Subject: Objection to Land Use Amendment and Rezoning Ordinance for Bess Dental

Dear City Planner and Planning Commissioners,

I am writing to give my voice to the Land Use Amendment and Rezoning Case for Bess Dental which will be heard before the commission on 10/22/24. I am unfortunately away on business and will be unable to attend in person.

I have compiled my thoughts in the attached letter and I ask that you please consider the facts of my findings as you work to put forward a recommendation to the City Council.

I do apologize for the length of my letter and I hope that it finds you all well. If you have the time to acknowledge receipt of this communication or would like to further engage in discussion, I would welcome it.

Thankfully Yours,
Chandler Swenson
801-361-9136

Chandler Swenson
9832 S Castello Ct
South Jordan, UT 84095

Planning Commission

October 21st, 2024

Planner I

Director of Planning

South Jordan City

1600 W Town Center Dr

South Jordan, UT 84095

To Whom It May Concern,

As a resident of South Jordan and as an owner of property within 300' of the affected property in the BESS DENTAL OFFICE LAND USE AMENDMENT AND REZONE case, I firmly and wholly disagree with the staff recommendation that planning and zoning committee should put forward a motion to the city council to approve the resolution and ordinance.

I will numerate my objections below. I must first however comment that I find it concerning that the city would have disposed of the land considered as an “insignificant parcel” (not meeting the definition of the city code of a significant parcel, by being less than 1 acre in size, and therefore requiring no notice to the public or public hearing that the city intended to dispose of this land), and then immediately turn around and represent that the targeted project site meets the definition of an economic center by totaling 1 acre. The city manager should have provided at a minimum, a courtesy notice of the intended sale. This is a matter I intend to pursue separately with the city, as the South Jordan code is insufficient in providing protection of the public good, and that the city manager at their sole discretion can mete out disposition of public lands with virtually no transparency to the residents and taxpayers, as long as those parcels are not 1 acre in size, regardless of the parcels value or the impact of the sale on the community and the general plan. There is no formal process for nomination as a successor for surplus lands that are deemed insignificant within city code, and this opens the city up to legal challenges against the sale of surplus lands and jeopardizes the citizens of South Jordan who have a right to know to who and for what purposes public lands may be sold.

Numerated Objections:

Land Use Amendment – Resolution R2024-44

Objection One: South Jordan’s general plan identifies Economic Centers as “areas that are currently mostly built-out as commercial or office land uses and not likely to change or redevelop into a different land use. The target site for Bess Dental does not meet this definition, nor will it meet that definition if this amendment is passed and the project goes forward.

Objection Two: South Jordan’s Parks Master Plan identifies the Bess Dental target site as “Shields Entry Park”. Prior to considering a text amendment to change the land use for this site, South Jordan should consider the parks master plan and address the Play Desert that currently exists in this corridor. There are very few public amenities in the eastern part of Shield Lane Corridor, and the city should be working to address this.

Objection Three I: 17.12.040 of the South Jordan municipal code states that a land use amendment application shall include a Salt Lake County plat of the subject parcels, the acreage of the area amended and the parcels within 300’ feet of the subject area. In the Planning Commission Packet “10-22-2024 PC Packet FINAL” includes no such Plat.

Objection Three II: Because no such plat exists in the public record. It is impossible for the planning commission or the public at large to reasonably consider this proposed land use amendment. 17.04.190 “Preservation of Lot Space” states that “No space needed to meet requirements for lot width, yard or open space, lot area, building coverage, parking landscaping, public street frontage or other requirements of this title for a lot or building may be transferred, sold, bequeathed, or leased apart from such lot or building unless other space is provided which will achieve compliance. No land may be sold or transferred which will result in a lot that does not comply with the provisions of this title”. It is impossible to determine at this time if the proposed Economic Center complies with this provision, but I am extremely doubtful that it does after having conversations with the applicant and reviewing the documentation provided by the city.

Objection Three III: Because no such plat exists, it is impossible to determine if the proposed project is in compliance with 17.04.180 of the municipal code which states that No required yard or open space around a building or structure or on a lot or parcel shall be considered as required yard or open space for another building, structure, lot of parcel.

Objection Four: The South Jordan general plan recognizes a need to preserve open space. Shoehorning an EC use into a Stable Neighborhood to satisfy a single developer and development which either does not comply with the minimum standards of such a land

use designation, or barely complies by applying a very loose interpretation of the city code, is not in the spirit of the city's general plan.

Objection Five: The General Plan provides for flexibility in interpretation of the boundaries provided that the proposed change is consistent with the vision, goals, and strategies contained in the general plan. This proposed land use amendment does not meet that standard, and should not be approved by council or recommended for approval by the planning commission.

Zoning Change – Ordinance No. 2024-09-Z

Objection Six: Staff Findings- “There is no development agreement associated with this rezone.” It is highly unusual in my experience for a planning commission to move forward with a land use amendment and a rezoning without any development agreement, but particularly so in this case where the current city parks master plan has already identified the site as a public park. “Shields Entry Park”.

Staff Finding- “The properties zoned a-5 are considered nonconforming lots. With the new zone change, they will come into compliance as the P-) zone does not have a minimum lot size.” This is very liberal application of conformance. The lot size will be conforming, but the use (municipal water service) will not be a conforming use of professional office.

Staff Finding- “The application meets the rezone standards of approval of the City Code”. I wholly disagree with this finding. Even if the land use is amended to economic center, the rezoning of the a-5 parcels which are only intended to be rezoned to meet the minimum area required for the EC land use, and are not intended for development, will not meet the standard of conformance required per 17.12.020 “Parcels of land shall be rezoned in conformance with the land use designations for those parcels indicated in the future land use map of the land use element of the general plan.” If these A-5 parcels which are currently being used for public utility are rezoned to P-O, and are not intended for development, they will not be conforming with P-O, and will only be rezoned in function of circumventing the land use guidelines that economic centers be a minimum of 1 acre.

Objection Seven: Conclusion “Based on the findings, the Application, if approved, will be consistent with the goals and policies of the general plan and the city's strategic priorities, and as such, should be approved”. There are innumerable contradictions with

this conclusion within the general plan, but here I will provide the contradictions that exist on just a single page (Page VII) of the general plan.

- Preserve Stable Neighborhoods
- Enhance Public Spaces
- Promote Unstructured Recreation Opportunities
- Preserve open space and agricultural Heritage

Objection Eight: This application for rezoning appears incomplete. The public has not been provided a plat or elevations of a proposed development. Planning commission should not recommend approval on such a hasty underdeveloped plan. Municipal code 17.62.020 lays out specific site requirements. Many that are subject to the discretion of planning. We should not be putting forth re-zoning applications that create a scenario where a developer will be entitled to leeway for setbacks, screening, lighting requirements. This is a very difficult site to develop properly regarding the requirements of the zoning class and with the limited footprint for the development itself. Bess Dental has not shown itself to be a developer that is capable of meeting those requirements and would require significant discretion on the part of city staff and planning commission to get an approved specific site plan. All of which would come at the cost of those residents and developers in South Jordan that do their very best to uphold the standards set forth in the municipal code.

Objection Nine: P-O zoning allows for 7 story of 60' tall buildings. This is not compatible with the surrounding neighborhood and would significantly diminish the property values of the surrounding residences.

General Objections

In the above pages, I have laid out my objections based on reading of the city's general plan, municipal code, and related them to the specific amendment and ordinance proposed. Below I will lay out more general objections to the Bess Dental project.

Objection Ten: There are plenty of commercial lots available in the region that would not require any rezoning to build what Bess Dental wants. I have identified 24 such sites. The biggest difference between any of those sites and this one is that the fair market value of such a site is much greater than what Spectrum LLC paid South Jordan City for the sale of the .65 acres which are zoned for residential.

Objection Eleven: There are at least 46 available leases for medical offices in the region that would require no zoning, and no more loss of open space in the state for unnecessary development. These are a mix of suites and buildings. Some would require a fit out for dentistry, others would be available immediately.

Objection Twelve: South Jordan is currently pursuing a robust planning process for the entire Shields Lane corridor. This plan calls for open spaces. To grant a single developer such privilege to take away already limited open space would be a severe disservice to the goals of that project.

Objection Thirteen: Approval of this proposal, with such limited information to residents would set a very bad precedent for the city. The general plan does call for thoughtful infill on vacant spaces, but there is nowhere I can identify that a parcel of city owned land that was slated for a future park was disposed of as surplus to a developer, who then asked to change a stable neighborhood land use to an economic center.

In Conclusion, it is in the best interest of The City, its residents, and the general plan, for this commission to recommend a rejection of the proposed land use amendment and rezoning application. I believe I have presented this commission with an abundance of facts that contradict the recommendation to approve, and by city process, further study should be required.

Without a development agreement in place, the risk to the community and the general plan is unlimited. There is nothing in this process that would prevent a successor to the land from tearing down whatever Bess dental builds and putting in its place a 7 story medical office complex that would rival the size and stature of the South Jordan Temple. It is conceivable, that this approval would open the door to changes all over the town's Stable Neighborhoods and allow developers a foothold that would jeopardize everything that is great about the general plan. If the city does want to consider this development, time must be taken to encumber the site with a development agreement that will limit the bounds of the proposed zoning class to ensure that what is being heard today will be enforced now and ten years from now.

Sincerely,

Chandler Swenson

Attachment N

From: [Miguel Aguilera](#)
To: [Anna Crookston](#)
Cc: [Cindy Valdez](#)
Subject: FW: Public Hearing Bess Dental Office
Date: Tuesday, October 22, 2024 3:30:05 PM

From: Clinton Ostler <clinton.ostler@gmail.com>
Sent: Tuesday, October 22, 2024 3:27 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Public Hearing Bess Dental Office

Hi Miguel,

We are writing this email in opposition to the rezoning of the Property on approximately 1300 west and 9800 south. We have a young family we are raising in this area, we originally purchased our home knowing that piece of land was zoned residential. This was a decision I am sure many people looked at when purchasing their homes in the area.

We have many concerns with a rezone:

- Decrease in property value
- Additional traffic
- If rezoned, and the dental office chooses to move on, we are stuck with a potential business that is not family friendly
- If rezoned it opens other requests for rezoning in the area
- Homes in the area DO NOT want a business in their backyard

South Jordan appears to try to keep businesses out of neighborhoods, and this is one of the reasons many residents live here. Please listen to the people of South Jordan when making this decision.

Thanks,

Clint and Tiffany Ostler (Marwood Park Lane)

Attachment 0

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Save shields lane!
Date: Tuesday, November 12, 2024 9:50:23 AM

From: Amy Coleman <accoleman1@gmail.com>
Sent: Monday, November 11, 2024 6:35 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>; Brian Rasmussen <brianrasmussen@hotmail.com>
Subject: Save shields lane!

We cannot attend the planning commission meeting tomorrow night and we want to make sure our voices are heard.

We love our neighborhood and do not support the proposed commercial re-zoning at 1300 west and 9800 South. We have been suffering through YEARS of construction on 1300 west. Every day our daughter's elementary school bus gets her to school late because of that construction traffic. Opening our area to commercial traffic would likely make the late school bus situation a permanent feature of our children's lives, shorting them of many cumulative hours of education each year!

We are striving to give our kids the best lives possible and part of that consists of the intimate community we have developed in ours and in surrounding neighborhoods. Please do not undermine our efforts by allowing commerce and commercial traffic to put down roots here.

Sincerely,

Amy Coleman and Brian Rasmussen
1222 Lampton Road

From: [Miguel Aguilera](#)
To: [Michele Hollist](#); [PLANNING COMMISSION](#)
Subject: RE: Bess dental office concept plan
Date: Tuesday, November 12, 2024 1:30:59 PM

Hello Commissioner Holist,

The parking requirement of the proposed concept was not part of the review process for this application. Parking is reviewed during Site Plan application and there we calculate it based on the standards in city code Chapter 16.26. I hope that clarifies your question, but please let me know if you have any further questions.

Thank you,
Miguel

From: Michele Hollist <MHollist@sjc.utah.gov>
Sent: Tuesday, November 12, 2024 12:53 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>; [PLANNING COMMISSION](#) <PlanningCommission@sjc.utah.gov>
Subject: Re: Bess dental office concept plan

May I piggy-back on Commissioner Bishop's question to ask a clarifying question? Is the parking requirement what it is because the building will be large enough for two dental practice in addition to a yet-to-be-determined business?

Thanks,
Michele

From: Miguel Aguilera
Sent: Tuesday, November 12, 2024 9:47:36 AM
To: [PLANNING COMMISSION](#)
Subject: FW: Bess dental office concept plan

From: Sam Bishop <[SBishop@sjc.utah.gov](#)>
Sent: Sunday, November 10, 2024 10:03 PM
To: Miguel Aguilera <[MAguilera@sjc.utah.gov](#)>
Subject: Bess dental office concept plan

Hi Miguel,

I've been reviewing our packet for Tuesday and I have some thoughts regarding the concept plan of the Bess dental-office item.

This is just a hunch, but it seems to me that the plan has many more parking spaces than

necessary. Is that true? I know that some people consider extra parking spaces a good thing, but I don't, generally. My preference would be to leave the west end of the lot as open space (perhaps as a detention basin) while also preserving it for possible, eventual development.

If the site were ever developed further, then it seems like the entrance, as proposed, would need to be moved east. I don't see any reason not to do that now. (I know that we don't want it too close to Temple Drive, but it looks it could be closer than it is.)

We can talk about this at our meeting on Tuesday, if you'd like. But also feel free to tell me now if I'm not making sense. I'm still new at this and could easily be missing something.

Thanks,
Sam

Attachment Q

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Shields Lane Rezoning
Date: Tuesday, November 12, 2024 9:39:14 AM

From: DUFF GREENWELL <duffgreenwell@msn.com>
Sent: Saturday, November 9, 2024 3:24 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Shields Lane Rezoning

Dear Mr. Aguilera,

My name is Duff Greenwell. I live at 1216 W. Samuel Holt Dr. in the residential neighborhood South, and East of the intersection in question; 1300 West and Shields Lane. We travel through this area (intersection) usually a few times every day.

I STRONGLY oppose the proposal to re-zone this intersection to any "Commercial" designation. This is a relatively quiet, residential area/neighborhood. These two streets , and ESPECIALLY SHIELDS LANE is a "bottleneck", and especially difficult. It has been this way as long as I have lived here, and I can NOT foresee any way for it to be made better. Any Commercial business, no matter how small, will only add additional congestion. And this "re-zoning" will undoubtedly lead to more, and more "commercial" enterprises.

PLEASE, DO NOT accept this proposal.

Regards,
Duff A. Greenwell
1216 West Samuel Holt Dr.
South Jordan, UT 84095
Phone: 801-910-1876

From: Duff Greenwell

Attachment R

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: DONT REZONE!!
Date: Monday, October 21, 2024 9:50:53 AM

Hello Commissioners,

I have received three public comments on the rezone scheduled for tomorrow's hearing.

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

From: Hollie Poore <holliepoore88@gmail.com>
Sent: Sunday, October 20, 2024 2:13 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: DONT REZONE!!

We are currently living near the intersection of Temple Drive (1300 W.) and Shields Ln. (9800 So.). We are also attempting to live in a house down the street which we will be walking to and from my dad's house directly on this location. WE STRONGLY OPPOSE THIS REZONE! Give this land to families who are trying desperately to get into homes! It needs to stay as single family homes!! Don't commercialize our neighborhood!!! PLEASE!! Actually listen to us!!

Sincerely,
Hollie Poore (801) 870-7801

From: [Miguel Aguilera](#)
To: [Anna Crookston](#)
Cc: [Cindy Valdez](#)
Subject: FW: Rezoning Issue
Date: Tuesday, October 22, 2024 3:25:27 PM

Hi Anna,

I am still receiving public comment on this item. I will respond to them and let them know it was removed from tonight's agenda.

From: jaima archibald <jaimaf@hotmail.com>
Sent: Tuesday, October 22, 2024 3:04 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Rezoning Issue

Hello,

My name is Jaima Archibald and I live at 1362 W. Marwood Park Lane, South Jordan. I wanted to voice my concerns against the re-zoning of the land on 9828 S Temple Drive. I believe the rezoning to professional office will create more traffic, light pollution, a potential large sign in the air, as well as the potential of an unwanted business in the future entering our neighborhood. I am strongly against this rezoning.

Thank you,
Jaima Archibald

Attachment T

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Rezoning 9828 S Temple Drive
Date: Monday, October 21, 2024 9:51:27 AM

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

From: Jefferson Langford <jeffersoneye@gmail.com>
Sent: Sunday, October 20, 2024 6:41 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Rezoning 9828 S Temple Drive

Dear Miguel Aguilera,

I'm writing to voice my opposition to the proposed rezoning of properties near 9828 S Temple Dr from single-family residential to professional office use. As a resident and homeowner living within 200 feet of the proposed site, I have serious concerns about the impact this change would have on our neighborhood.

This area is a well-established residential community, and the introduction of businesses or professional offices would significantly disrupt the character we've built over the years. We need more homes here, not offices. This community thrives because it's family-oriented, and encouraging more housing would contribute to its ongoing growth and stability. Adding businesses would inevitably lead to more traffic, and our streets simply aren't built to handle that kind of increase safely.

There are also plenty of other locations, within just a mile or two, that are already zoned for commercial use. Many of those areas are underutilized and would make much more sense for development. Shifting business activity to those places would allow the city to grow its business community without taking away from established residential areas like ours.

I also want to point out that the city is currently working to promote pedestrian and bicycle traffic while reducing vehicle congestion in this part of town. Allowing office space here would directly contradict those efforts, leading to more cars and more congestion. The city's vision of a walkable, bike-friendly community would be better served by adding more homes instead.

Lastly, I'm concerned about how this rezoning will affect the quality of life for my family and my neighbors. This is a quiet, residential neighborhood, and the last thing we need is more commercial activity disrupting that. There are better places in the city for professional offices that won't interfere with the homes and families that make this area special.

I hope you and the City Council will carefully consider the concerns of those of us who live here and reject this rezoning application. Please keep me informed of any updates or opportunities for community input.

Thank you for your time and attention.

Sincerely,
Jefferson Langford, OD

801-889-8703
1266 W Shields Lane
South Jordan, UT 84095

Attachment U

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Commercial property at 9800 S. 1300 W.
Date: Tuesday, November 12, 2024 9:50:08 AM

From: Karen and Steve Jones <kjridge@gmail.com>
Sent: Monday, November 11, 2024 4:56 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Commercial property at 9800 S. 1300 W.

Hello Mr. Aguilera,
Please do not allow Commercial buildings at 9800 S. 1300 W.. I've lived in Lampton Farms since 1989 and this has been a residential area since I've been here. Allowing a business on that corner will start us down the slippery slope to decreased quality and lower property values for the entire area.
Steve and Karen Jones

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Rezoning Application for Properties at 9828 S Temple Drive
Date: Tuesday, November 12, 2024 9:49:55 AM

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

From: Joseph Palmieri <joejpalm@hotmail.com>
Sent: Monday, November 11, 2024 3:08 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Rezoning Application for Properties at 9828 S Temple Drive

> Hi there,

>

> My name is Joseph Palmieri, my family and I live on Lampton Road-not far from where Bess Dental wants to build their office. I am emailing you because I really don't want to see this happen. I feel like that would bring unnecessary traffic to our area and I really just don't think we need any commercial buildings on that corner since this is definitely a residential area.

>

> I honestly think that a park there would be absolutely amazing. I go on walks a lot with my children and there really isn't a park near us within walking distance. The closest park is about 1.5 miles away, Brigadoon Park in West Jordan. A park would be so appreciated there and would bring a lot of joy to our community.

>

> Thank you for reading this and hearing my concern.

>

> Sincerely,

>

> Joseph Palmieri, concerned South Jordan Resident.

> 801-631-6676

Sent from my iPhone

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Commercial Rezoning for 9800 S and 1300 W
Date: Tuesday, November 12, 2024 9:49:35 AM

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

From: Kelsey Palmieri <kelseypalmieri@yahoo.com>
Sent: Monday, November 11, 2024 3:01 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Commercial Rezoning for 9800 S and 1300 W

Hi there,

My name is Kelsey Palmieri, my family and I live on Lampton Road-not far from where Bess Dental wants to build their office. I am emailing you because I really don't want to see this happen. I feel like that would bring unnecessary traffic to our area and I really just don't think we need any commercial buildings on that corner since this is definitely a residential area.

I honestly think that a park there would be absolutely amazing. I go on walks a lot with my children and there really isn't a park near us within walking distance. The closest park is about 1.5 miles away, Brigadoon Park in West Jordan. A park would be so appreciated there and would bring a lot of joy to our community.

Thank you for reading this and hearing my concern.

Sincerely,

Kelsey Palmieri, concerned South Jordan Resident.
801-699-6220

Attachment X

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: zoning of Bess Dental on Shields Lane
Date: Tuesday, November 12, 2024 6:10:48 PM

From: Scott Sumsion <sasumsion@gmail.com>
Sent: Tuesday, November 12, 2024 6:09 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: zoning of Bess Dental on Shields Lane

Hello Miguel,

I am writing to voice my displeasure to rezoning the lot on Shields lane and 1300 West. This area is residential--and the streets are already way to busy for the surrounding area. I live within a tenth of a mile from this location and never would have thought that this would be rezoned.

Instead, this area needs way more parks and open spaces.

Thank you,

Scott

Leonard Browning
9789 South Temple Drive
South Jordan Utah

TO CITY OF SOUTH JORDAN

I am against the building and re zoning of the Dental Office Off 9800 south.

This is zoned a residential community.

This will change the ESTHETIC of our existing Neighborhood In a negative way. This neighborhood has brand new homes just south of the proposed site for the Dental office it will look Totally out of place for our homes in our community and really effect the Esthetics of our beautiful neighborhood and existing homes(KING BENJAMIN COURT)

It will Bring excessive traffic to 9800 south that already has speeding Traffic issues and accidents at the intersection of 9800 south and Temple Drive that has not been controlled.

The speeding has been Horrendous on 9800 south running east and west and Temple drive at the intersection running North and South with out adequate control! Our Community does not need any commercial traffic moving into this proposed area and in a RESIDENTIAL area with homes and children causing more traffic problems accidents etc

If a commercial Building ,Dental Office is allowed into our residential area then the new building put in by Benjamin Child, just east next door of the proposed site as and myself should as well should be allowed run a commercial businesses out of our houses and new Shops just built with excessive restriction put on by the city Of South Jordan .

1,Being only for personal use

A. No Business at all to be used in the Shops /Building bringing in traffic and changing the Esthetics of our neighborhood etc in a residential area.

South Jordan City Council Stated on Record that a Commercial Business can not be run in our residential areas .

If this Dental Office is allowed to be put in this residential area at the proposed site it would be a broken policy And go against all the mandates the city already has in place for a zoned residential area filled with homes not commercial building, and We as Home owners with Shops etc should be as well allowed to run a commercial business out of our new buildings / shops if the Dental office is Allowed in our residential zoned neighborhood. And would be a (Major Bias) decision on the PART OF ,THE CITY OF SOUTH JORDAN PART against our community if this Dental Office is allowed.

Sincerely Leonard Browning

From: [Miguel Aguilera](#)
To: [Cindy Valdez](#)
Cc: [Anna Crookston](#)
Subject: FW: Concerns for public hearing application PLZBA202400175
Date: Thursday, October 24, 2024 8:41:42 AM

Hi Cindy,

I have another comment..

From: Mark Richardson <compyners@gmail.com>
Sent: Wednesday, October 23, 2024 10:07 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Concerns for public hearing application PLZBA202400175

Hello Miguel I'm reaching out to you in response to the notice of public hearing for application PLZBA202400175.

I'm writing to you about my family and our neighbors' concerns about this rezoning as we weren't able to make the public hearing.

We're opposed to placing a business right in the middle of a neighborhood.

We already have a very high amount of traffic on both 1300 west and 9800 south(shields lane) this will draw more traffic and congestion to these already high traffic areas.

There is plenty of office space around these neighborhoods; we don't have businesses scattered through the neighborhoods as well.

This will depreciate all housing prices.

So we would like to vehemently oppose this rezoning.

Thank you for your time.

-Mark Richardson-

From: [Miguel Aguilera](#)
To: [Anna Crookston](#)
Cc: [Cindy Valdez](#)
Subject: FW: South Jordan Planning and Zoning Bess Dental
Date: Tuesday, October 22, 2024 3:37:03 PM

From: Marlin Eldred <wmeldred@gmail.com>
Sent: Tuesday, October 22, 2024 3:35 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: South Jordan Planning and Zoning Bess Dental

Planning and Zoning,

I live at 1392 Marwood Park Ln, South Jordan, UT 84095 which is around the corner from the proposed property rezone for Bess Dental. We have a text thread that has blown up today opposing the zone change. It looks like it was pulled off the planning commission for tonight. Could I schedule some time to come and visit with you and go over the project? The overall concern is this will open up other areas for commercial development, i.e. the pumpkin patch across from the Jordan River Temple. It's zoned agricultural with a general plan of residential.

I am the Economic Development Director for Lehi City and I work with our Planning and Zoning Department all the time. I understand planning and zoning and would like to understand the project. For me personally it makes sense as I don't see housing going there due to the gas line facility. People would like a park but it's owned by a private citizen and they have rights to develop.

Please let me know your thoughts and if there is an opportunity for me to come in and visit with you. I am also more than happy to meet with Steven as I know him as well.

Thanks,
Marlin Eldred

Attachment BB

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Zoning change for 9828 S Temple Drive
Date: Tuesday, November 12, 2024 11:42:46 AM

From: Sheri Mattle <sherimattle@gmail.com>
Sent: Tuesday, November 12, 2024 11:14 AM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Zoning change for 9828 S Temple Drive

Dear Mr. Aguilera, Council Member Harris, Council Member Johnson, Mr. Gedge, Ms. Hollist, and Mayor Ramsey:

I am reaching out to express my concerns about the proposed amendment and zoning change at 9828 S Temple Drive, which would shift the land use designation from Stable Neighborhood to Economic Center and alter the zoning from Single Family Residential and Agriculture to Professional Office. As a resident of this community, I believe that such changes would have a negative impact on the character and quality of life in our area.

Our neighborhood has long been a peaceful, residential space that offers a safe and pleasant environment for families, retirees, and individuals who value a residential atmosphere. Transforming this area into office space would bring increased traffic, congestion, and noise, which would alter the neighborhood's character and could potentially lower property values.

The current infrastructure is designed to meet residential—not commercial—needs. Expanding traffic flow for office use would increase demand for parking, utilities, and road maintenance, particularly along Temple Drive and Shields Lane, both of which are designated bicycle commuter routes. This would place an additional burden on our community's resources and compromise the safety of these routes for local cyclists.

Additionally, in 2008, there was a proposal to develop this land as a dance studio. Residents expressed opposition at that time, and the city subsequently purchased the property with the promise of a neighborhood park. Page 12 of the South Jordan City Parks Master Plan lists this area as "Shields Entry Park." I am concerned that the property was sold without public input and that the promised park was never developed.

If the proposed land use amendment and zoning changes are approved, I fear it could set a precedent for other properties zoned as Stable Neighborhood and Agriculture

along Temple Drive to be similarly rezoned for economic and professional office use. Such a precedent would fundamentally change the nature of our residential area.

I respectfully urge the planning commission to consider maintaining the current land use and zoning for this property, preserving the character and stability of our neighborhood. I am confident that alternative areas within our city could support commercial growth without encroaching on established residential zones.

Thank you for your time and consideration of this matter. I look forward to attending the upcoming public meeting and discussing this issue further with you. Please contact me if you have any questions about this matter.

Sincerely,

Sheri Mattle

1270 W Lampton Rd

South Jordan, UT 84095

sheri.mattle@gmail.com

801-209-4550

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: proposed rezoning of properties near 9828 S Temple D
Date: Monday, October 21, 2024 9:51:12 AM

From: Michelle Langford <fancycrazy5@gmail.com>
Sent: Sunday, October 20, 2024 4:14 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: RE: proposed rezoning of properties near 9828 S Temple D

To Whom It May Concern:

Dear Miguel Aguilera,

I am writing to express my strong opposition to the proposed rezoning of properties near 9828 S Temple Dr from single-family residential to professional office use. As a resident and homeowner within 200 feet of the proposed site, I believe that rezoning this area would negatively impact our neighborhood for several important reasons.

First and foremost, this location is in the heart of a residential neighborhood. The area is currently thriving as a family-oriented community, and introducing businesses or professional offices would disrupt this atmosphere. We are in need of more homes, not businesses, to encourage the growth of families who contribute to the community's character and vitality. Increasing commercial activity here would also lead to more traffic, which our neighborhood is not equipped to handle safely.

Second, there are numerous other locations within a mile or two of this site that are already zoned for commercial and professional office use. These areas are either currently available or underutilized, making them far better suited for business development than a primarily residential area. Redirecting business ventures to those locations would allow South Jordan to continue fostering a vibrant business environment while preserving the integrity of established residential neighborhoods.

Furthermore, the city is in the middle of replanning this area to encourage pedestrian and bicycle traffic while reducing vehicle congestion. Rezoning this property for professional office use would be directly at odds with these efforts. The introduction of office spaces would lead to increased vehicular

traffic, undermining the city's goal of promoting a more walkable and bike-friendly community. Our neighborhood would benefit much more from additional housing that aligns with the city's current planning efforts.

Lastly, as a homeowner, I am deeply concerned about the long-term impact on the quality of life for my family and my neighbors if this rezoning goes forward. We are striving to limit traffic and maintain the peaceful, residential nature of this part of South Jordan. The last thing we need is to add businesses where more homes should be. There are other vacant or developable areas in the city that are better suited for professional offices—let's direct business development there and preserve our neighborhood for families.

Thank you for considering my concerns. I urge you and the City Council to reject this rezoning application and prioritize the needs and desires of the residents in this area.

Please keep me informed of any updates or opportunities for further community input on this matter.

Sincerely,
Michelle Langford

801-450-5315

1266 W Shields Lane, South Jordan, UT 84095

From: [Miguel Aguilera](#)
To: [Cindy Valdez](#)
Cc: [Anna Crookston](#)
Subject: FW: Concerns about the rezoning on 1300 W Shields Lane
Date: Wednesday, October 23, 2024 12:37:35 PM

Hi Cindy,

I received another public comment on the postponed rezone hearing.

From: Jennifer Morris <jenjack2@gmail.com>
Sent: Wednesday, October 23, 2024 11:53 AM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Concerns about the rezoning on 1300 W Shields Lane

Hello,

I am a resident of South Jordan and I live at 9902 S Marwood Park Lane. I am very concerned and opposed to the rezoning proposal for the Bess Dental Office on the corner of 1300 West and Shields Lane. This area is currently zoned residential, and I'd like it to stay that way. This is a residential area and we do not want the area rezoned to be commercial, as that could result in any number of businesses coming to the area. This would bring down the values of our homes, add additional traffic to an already busy intersection, possibly bring unfavorable businesses close to our homes and families.

Thank you for your consideration!

Jennifer Morris
801-696-5233

Attachment EE

From: [Miguel Aguilera](#)
To: [Cindy Valdez](#)
Cc: [Anna Crookston](#)
Subject: FW: Bess dental office land use amendment.
Date: Wednesday, October 23, 2024 3:47:02 PM

From: Patrick Ryan <prhickerson@gmail.com>
Sent: Tuesday, October 22, 2024 5:29 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Bess dental office land use amendment.

Hi Miguel—

I am writing you in regards to the Bess dental office proposed commercial area. I am a resident on Marwood park lane. I am directly across the road from the land.

What I love the most about this area is the mix of quiet homes, rural land and safe walking areas. I strongly oppose and request that this land is not changed to commercial land. It is directly in the middle of our neighborhood, on an already busy road and would only increase noise, traffic and be an eye sore for our neighborhood. Additionally— this street is already busy and with more pull-ins and pull-outs for a business park it would be a safety issue.

Please do not let that land turn into commercial land.

Best regards,

Patrick

Attachment FF

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: REZONING OF 9828 South TEMPLE DRIVE???!!!
Date: Tuesday, November 12, 2024 9:48:18 AM

From: Michelle Petersen <mrpcarpenter8@msn.com>
Sent: Monday, November 11, 2024 11:51 AM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: REZONING OF 9828 South TEMPLE DRIVE???!!!

Hi Miguel,

Can you please call me at your earliest convenience to discuss this?

Since this is residential either the Buyer did not do his due diligence, or someone with no authority made sale they shouldn't have. The influx of traffic on 9800 South is already so heavy and we have enough dental offices to choke a horse.

This was supposed to be a park according to the City plan.

Can you tell me if I am missing something?

If anyone can just buy property that the city is guardian of for their own gain, and have it rezoned to their needs...that is a problem.

We moved here to South Jordan 14 Years ago because of specific dynamics in this neighborhood. And want to make sure it remains that way.

Respectfully,

Michelle Petersen
Coldwell Banker Realty
801 759-9044
Resident 1063 West Joran Ridge Court South Jordan

Attachment GG

To the City of South Jordan,

The residents impacted by the potential rezone of 9828 S Temple Dr (BESS DENTAL) have signed this petition. We are against the amendment and rezone of this lot.

Signatures were collected digitally at change.org/shieldslanerezoning.

Printed signatures were collected along with the same petition. A copy of the petition is available for review on the next two pages. Following is a list of the signatures from concerned residents. Thank you for your review.

Prepared and collected by,

Chandler Swenson

Stephanie Hurst

Vivian Wilson

Leonard Browning

And more



**HALT THE REZONING
APPLICATION FOR
PROPERTIES AT 9828 S
TEMPLE DRIVE**



change.org

Why you should sign this petition and join your neighbors in fighting this land use amendment and rezone application.

- The South Jordan General Plan and the South Jordan Municipal Code control development in the city by Land Use Designations and by Zoning.
- In order for a piece of land to have a certain type of Zoning, it must also have the correct Land Use Associated with it.
- Currently, the land at approximately 9828 S Temple Drive has a Land Use designation of Stable Neighborhood, which is defined as “Stable Neighborhood identifies residential areas throughout South Jordan that are mostly built out and not likely to change or redevelop into a different land use. This land use designation supports existing or planned residential with a variety of housing types, densities, and styles. Any new development, redevelopment, or rezoning within this designation shall be consistent with the surrounding land uses in order to maintain existing character and quality of life for adjacent property owners.”
 - o The current land use is the correct and accurate designation.
- Currently, that land is zoned for Single Family R-2.5, a zoning classification that allows for homes to be built, but also Parks, which is why South Jordan’s master plan for parks showed this land as “Shields Entry Park”
 - o This current zoning is the correct and accurate designation.
- What the PLZBA202400175 application proposes is that the Land Use be changed from Stable Neighborhood to Economic Center, and that the zoning be changed from Residential to Professional Office
 - o Economic Center is defined as “Economic Center identifies areas that are currently mostly built out as commercial or office land uses and not likely to change or redevelop into a different land use. These areas are characterized by proximity to primary transportation corridors and supportive residential densities. Economic Center typically serve the City’s current and near future needs and there is no desire for a change in land use in these areas.”
 - This is an inaccurate designation for this land and the surround neighborhood
 - o Professional Office zoning allows for 7 story or 60’ tall buildings.
 - This zoning is not compatible with the surrounding neighborhood, and would significantly diminish the property values of the surround homes.

-In order for this change to happen, the unelected planning commission must make a recommendation to the city council whether to approve the application or reject the application. The elected city council members may consider the planning commission and citizen petitions in making their vote on whether to approve or reject the application. It is important for us residents of South Jordan to let our council and our planning commission know that we oppose these land use and zoning changes. By signing this petition, you will urge both the council and the commission to firmly reject the BESS Dental Proposal

1	Name	City	State	Postal Code	Country	Signed On
2	Chandler Swenson	South Jordan	UT	84095	US	2024-11-05
3	Stephanie Hurst	South Jordan	UT	84095	US	2024-11-05
4	Vivian Wilson	South Jordan	UT	84095	US	2024-11-05
5	Leonard Browning	Salt Lake City	UT	84117	US	2024-11-05
6	Laurin Sondergaard	South Jordan	UT	84009	US	2024-11-06
7	Jefferson Langford	Sandy	UT	84092	US	2024-11-06
8	Michelle Langford	Sandy	UT	84092	US	2024-11-06
9	Kaity Sasine	South Jordan	UT	84095	US	2024-11-06
10	JoAnne Jirsa-Myers	South Jordan	UT	84095	US	2024-11-06
11	Michelle Newman	South Jordan	UT	84095	US	2024-11-06
12	Deborah Veater	South Jordan	UT	84095	US	2024-11-06
13	Laura Fillmore	South Jordan	UT	84095	US	2024-11-07
14	Laura Packard	South Jordan	UT	84095	US	2024-11-07
15	Sarah Allred	West Jordan	UT	84088	US	2024-11-07
16	Zachary Gee	West Jordan	UT	84088	US	2024-11-07
17	Alesha Sumsion	South Jordan	UT	84095	US	2024-11-07
18	David Findlay	Draper	UT	84020	US	2024-11-07
19	Maria Camilli	South Jordan	UT	84095	US	2024-11-07
20	Sara Nichols	South Jordan	UT	84095	US	2024-11-07
21	Megan Sorensen	Salt Lake City	UT	84102	US	2024-11-07
22	Elenoa Moala	South Jordan	UT	84095	US	2024-11-07
23	James Gittins	South Jordan	UT	84095	US	2024-11-07

24	Jo Walker	South jordan	UT	84095	US	2024-11-07
25	Melissa Samson	South Jordan	UT	84009	US	2024-11-07
26	Mykel Severson	South Jordan	UT	84095	US	2024-11-07
27	Meliha Kikanovic	South Jordan	UT	84009	US	2024-11-07
28	McKenzie Mitchell	South Jordan	UT	84095	US	2024-11-07
29	Kenzie Tobler	South Jordan	UT	84095	US	2024-11-07
30	Shirley Earl	South Jordan	UT	84109	US	2024-11-07
31	Cindy Ellis	Salt Lake City	UT	84105	US	2024-11-07
32	Gabriella Olson	South Jordan	UT	84095	US	2024-11-07
33	Abby Krout	Austin	MN	55912	US	2024-11-07
34	Winslow Krout	South jordan	UT	84095	US	2024-11-07
35	Bethany Simmons	Draper	UT	84020	US	2024-11-07
36	Gina Flynn	South Jordan	UT	84095	US	2024-11-07
37	Elizabeth Aiono	Salt Lake City	UT	84107	US	2024-11-07
38	Tricia Troester	South Jordan	UT	84095	US	2024-11-07
39	Clinton Ostler	South Jordan	UT	84095	US	2024-11-07
40	Tiffany Ostler	South Jordan	UT	84095	US	2024-11-07
41	Brooks Catmull	Salt Lake City	UT	84118	US	2024-11-07
42	Aaron Klunker	Salt Lake City	UT	84105	US	2024-11-07
43	Jackson Poore	Salt Lake City	UT	84106	US	2024-11-07
44	Brandee Johnson	West Valley City	UT	84119	US	2024-11-07
45	Kathryn Cole	Riverton	UT	84095	US	2024-11-08
46	Raja Paladugu	Salt Lake City	UT	84103	US	2024-11-08
47	Brycr Morris	Salt Lake City	UT	84107	US	2024-11-08
48	Sharon L Francis-Smith	South Jordan	UT	84009	US	2024-11-08

49	Todd Hunter	Sandy	UT	84092	US	2024-11-08
50	Janice Williams	South Jordan	UT	84095	US	2024-11-08
51	Marie Yergensen	Salt Lake City	UT	84106	US	2024-11-08
52	Jeannine Fowler	South Jordan	UT	84095	US	2024-11-08
53	Whitney Anopol	Salt Lake City	UT	84106	US	2024-11-08
54	Gracie Langford	Salt Lake City	UT	84123	US	2024-11-08
55	Deirdre Canale mork	West Valley City	UT	84120	US	2024-11-08
56	David Tedjamulia	South Jordan	UT	84095	US	2024-11-08
57	Sherry Larson	South Jordan	UT	84095	US	2024-11-08
58	Karen Quigley	South Jordan	UT	84095	US	2024-11-08
59	Jaden Larsen	West Jordan	UT	84084	US	2024-11-08
60	Jeremy Memmott	South Jordan	UT	84009	US	2024-11-08
61	Sheri Barnes	Santa Clara	UT	84765	US	2024-11-08
62	Colleen Nadauld	West Jordan	UT	84088	US	2024-11-08

TO SOUTH JORDAN PLANNING AND ZONING COMMISSION.

SAY NO TO COMMERCIAL REZONING

WE THE RESIDENTS OF SOUTH JORDAN UTAH, 84095, LISTED ON ATTACHED PETITION, OPPOSE THE REZONING OF THE PROPERTY LOCATED AT APPROXIMATELY 9828 S TEMPLE DRIVE, SOUTH JORDAN UTAH, 84095, FROM RESIDENTIAL TO COMMERCIAL USE! APPLICATION # (PLZBA202400175)-BASS DENTAL OFFICE.

Bullet Points Of Concern!

1. Rezoning would significantly change esthetics of our Beautiful neighborhood and existing homes and look completely out of place .
2. Bring in more excessive traffic to 9800 south and Temple drive and surrounding neighborhood and Streets , which is already not under control. The speeding has been Horrendous. It would increase amount of automobile accidents in our residential neighborhood.
3. This would Open the door for all other Buildings , Shops that just have been built in the area to be re zoned for commercial use, for professional use, and all other existing farm land and lots that are located in our area to BE rezoned for commercial use.
4. City Of South Jordan already Opposed a Dance studio in the same location/lot.
5. City Of South Jordan has already denied commercial use for 2- shops and buildings just built on and around 9789 south temple Drive

If The city Of South Jordan Council allows this to be approved it would be a Major Bias decision on their Behalf

WE THE PEOPLE LISTED BELOW ON THE PETITION , WHO RESIDE IN SOUTH JORDAN UTAH ARE AGAINST THE REZONING IN ANY VARIATION FROM RESIDENTIAL TO COMMERCIAL!

We, the undersigned, urge the South Jordan Planning Commission to recommend that the City Council vote against the BESS DENTAL proposal, and urge our elected council members to vote against these applications regardless of the recommendation put forth by the planning commission.

Printed Name	Signature	Resides in South Jordan
Rebecca Gough	Rebecca Gough	X
Hollie Poore	Hollie Poore	X
Jackson Poore	Jackson Poore	X
Mark Mathison	Mark Mathison	X
Athena Hamward	Athena Hamward	X
Daren Mathole	Daren Mathole	✓
Judy Stradman	Judy Stradman	✓
Vernon Busath	Vernon Busath	X
Naomi Aulick	Naomi Aulick	✓
Lem Manoa	Lem Manoa	X
Traci Yergensen	Traci Yergensen	X
Marie Yergensen	Marie Yergensen	X
Demond S Browning	Demond S Browning	X
Rex Mecham	Rex Mecham	X
Elene Mecham	Elene Mecham	X
Bill Owens	Bill Owens	X
Marilyn Owens	Marilyn Owens	✓
Laurel Rugby	Laurel Rugby	X
Hailey Stephenson	Hailey Stephenson	X
Shane Stephenson	Shane Stephenson	X
Camber Keiser	Camber Keiser	X
Dan Keiser	Dan Keiser	X
Winslow Krout	Winslow Krout	X

We, the undersigned, urge the South Jordan Planning Commission to recommend that the City Council vote against the BESS DENTAL proposal, and urge our elected council members to vote against these applications regardless of the recommendation put forth by the planning commission.

Printed Name	Signature	Resides in South Jordan
Candice Neilson	Candice Neilson	X
Sharon Price	Sharon Price	X
LINDA PRICE	Linda Price	X
Brad Dymond	Brad Dymond	X
Renee Christiansen	Renee Christiansen	X
Deanna L. Welch	Deanna Welch	X
Joyce C. Fenton	Joyce C. Fenton	X
Jim A Fenton	Jim A Fenton	X
SCOTT BURNETT	Scott Burnett	X
Ashley Thomas	Ashley Thomas	X
Patricia L. Price	Patricia L. Price	X
Randall Fillmore	Randall Fillmore	X
Shanon Philips	Shanon Philips	X
Denton A. Parker	DENTON A. PARKER	X
Glenda Parker	Glenda Parker	X
Robert B. Butler	Robert B. Butler	X
Elissa Skinner	Elissa Skinner	X
Susan Skinner	Susan Skinner	X
Ryan Mackowiak	Ryan Mackowiak	X
A. Mackowiak	A. Mackowiak	X
Deborah K. Veater	Deborah K. Veater	X
James R. Veater	James R. Veater	X
JAMES GOUGH	James Gough	X

We, the undersigned, urge the South Jordan Planning Commission to recommend that the City Council vote against the BESS DENTAL proposal, and urge our elected council members to vote against these applications regardless of the recommendation put forth by the planning commission.

[illegible]

We, the undersigned, urge the South Jordan Planning Commission to recommend that the City Council vote against the BESS DENTAL proposal, and urge our elected council members to vote against these applications regardless of the recommendation put forth by the planning commission.

Printed Name	Signature	Resides in South Jordan
Abby Kroot	abby Kroot	X
Annette Keiser	Annette Keiser	X
Jim Keiser	Jim Keiser	X
Brandon Fineman	Brandon Fineman	X
BRETT NIELSEN	Brett Nielsen	X
Katie M Hall	Katie M Hall	X
PATRICK RYAN	Patrick Ryan	X
SUBRAMANIAM THIRU	Subramaniam Thiru	X
Chuma Archibald	Chuma Archibald	X
Chris Archibald	Chris Archibald	X
Jennifer Morris	Jennifer Morris	X
Julie Wilson	Julie Wilson	X
Jill Stimatz	Jill Stimatz	X
Sheri Mattle	Sheri Mattle	X
Eric Mattle	Eric Mattle	X
Sherri Lund	Sherri Lund	X
Glade Mumford	Glade Mumford	X
Nate Vandertoolen	Nate Vandertoolen	X
Bonnie Vandertoolen	Bonnie Vandertoolen	X
Christopher Hall	Christopher Hall	X
Claudia Mumford	Claudia Mumford	X
Jane Walker	Jane Walker	X
Allyson Taylor	Allyson Taylor	X

Attachment HH

From: [Miguel Aguilera](#)
To: [Anna Crookston](#)
Cc: [Cindy Valdez](#)
Subject: FW: Rezoning and Land Use for property located at 9828 S Temple Drive
Date: Tuesday, October 22, 2024 3:26:52 PM

Hello,

Thank you for providing feedback on this project. For now, the city has decided to remove it from tonight's planning commission agenda as staff works to gather more information. If it is brought back again for a hearing, local residents within the 300 foot buffer of the property will be noticed. If there is anyone else you know who is intending on attending the hearing, please let them know it will no longer be held tonight.

Regards,
Miguel

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

From: Shanon Philips <shanonphilips@yahoo.com>
Sent: Tuesday, October 22, 2024 2:19 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Cc: Kevin Philips <kphilips18@yahoo.com>
Subject: Rezoning and Land Use for property located at 9828 S Temple Drive

To Whom It May Concern:

We are sending this email to express our strong opposition and disagreement with the proposed rezoning of the property located at 9828 S Temple Drive for commercial use.

Our family currently resides in South Jordan and are within the King Benjamins Court development, directly North of Shields Lane. We are within 300 feet of the proposed rezoning and have serious concerns about the implications this change would have in our community.

When we purchased our home in 2010, our realtor conducted extensive research on the property and learned that nothing would be built in the area due to it being considered an insignificant parcel and did not meet the definition of city code because of its size. This knowledge gave us comfort that we would not deal with this issue in the future.

We were first notified of this proposal by a personal (unannounced) visit from the owner of Bess Dental, who notified us he had already purchased the land. Based on the timing of learning this and receiving the notice from SJC, it seems that the city did not conduct this process in a proper manner, which creates even more of a concern. That said, for the owner to come to our home and state his visit was just as a "courtesy" and it didn't matter what we think, because it is "already done," speaks volumes to what adding this commercial business will do to our community.

As members of the South Jordan community, we support local businesses, however, we do not understand why it makes sense to disrupt this residential area when there are many other vacant properties already zoned for businesses like this in SJ and perfectly suitable for a dental office. We are very concerned that by adding a commercial business to this property it will negatively impact our community and it will bring additional traffic, noise, and potential safety issues to our area.

We urge you to reconsider allowing this rezoning and stop the Dental office, or any future commercial businesses to build here. Please consider the needs and desires of the residents who reside here. It is essential that we protect the integrity of our neighborhood.

Thank you for your attention to this matter. We trust that you will consider the voices of your constituents as you make your decision.

Sincerely,

The Philips Family
1351 West Mosiah Way
South Jordan, UT 84095

Attachment II

From: [Miguel Aguilera](#)
To: [Anna Crookston](#)
Cc: [Cindy Valdez](#)
Subject: FW: Rezoning 9800 S. 1300 West
Date: Tuesday, October 22, 2024 3:54:06 PM

From: Reed Bodell <bodellr2@gmail.com>
Sent: Tuesday, October 22, 2024 2:32 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Rezoning 9800 S. 1300 West

I can't make the meeting tonight regarding the subject matter. However, as a neighbor directly to the south pm Marwood Park Ln, I would like to be on record as being adamantly opposed to the rezoning of this property.

Attachment JJ

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Rezoning
Date: Tuesday, November 12, 2024 9:48:44 AM

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

From: Barbara Rex <onehiker@yahoo.com>
Sent: Monday, November 11, 2024 12:05 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>; maquilera@sjc.utah.gov
Subject: Rezoning

> Hi Miguel,

>

> I live in the neighborhood where Bess Dental is requesting a rezoning for a dental practice at 9800 S and 1300 W. This is a quiet residential area without offices or businesses. I would love to keep the area strictly residential! There are many other commercial or professional lots available nearby where this business could be built.

>

> Thank you for your consideration,

>

> Barbara Rex
> 1439 W 10330 S
> 801-703-0774

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Oppose Rezoning 9828 S. Temple Drive
Date: Tuesday, November 12, 2024 9:37:24 AM

From: Frederick Shepherd <fwshepherd@gmail.com>
Sent: Saturday, November 9, 2024 2:19 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Oppose Rezoning 9828 S. Temple Drive

Dear Mr. Aguilera,

As a long-term resident of the King Benjamin Court Subdivision, I strongly oppose the proposed commercial rezoning of 9828 S. Temple Drive. This rezoning is highly detrimental to the value of residences in our subdivision and will increase traffic on Shields Lane which is already highly congested every evening at rush hour.

Several years ago your Planning Commission recommended AGAINST the rezoning request of Merit Medical for their property just a few hundred feet west of the current rezoning proposal. Sadly, the South Jordan City Council ignored and over-rode the recommendation of the Planning Commission and approved the rezoning. Since that parcel has not been developed as proposed by Merit Medical, it turns out there was no justifiable need to approve that rezoning request. South Jordan City tax base has not increased as hoped by the South Jordan City Council.

Let's not repeat the mistakes of the past. Recommend AGAINST rezoning 9828 S. Temple Drive and STAND UP to the South Jordan City Council.

Regards,
Frederick W. Shepherd
1369 W. Ammon Way
South Jordan, Utah 84095



From: [Miguel Aguilera](#)
To: [Cindy Valdez](#)
Subject: FW: Opposing Bess dental office land use amendment
Date: Tuesday, October 22, 2024 5:29:13 PM

From: Stephanie Hahn <snh50@georgetown.edu>
Sent: Tuesday, October 22, 2024 5:22 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Opposing Bess dental office land use amendment

Good evening,

I live in south Jordan and am unable to attend the hearing this evening but I oppose the amendment to rezone the lot on 9800 s/shields lane and 1300 west to a professional office zone.

Please let me know if additional information is needed.

Thank you!

Stephanie N. Ryan

Attachment NN

Chandler Swenson
9832 S Castello Ct
South Jordan, UT 84095

Planning Commission
Planner I
Director of Planning
South Jordan City
1600 W Town Center Dr
South Jordan, UT 84095

October 21st, 2024

To Whom It May Concern,

As a resident of South Jordan and as an owner of property within 300' of the affected property in the BESS DENTAL OFFICE LAND USE AMENDMENT AND REZONE case, I firmly and wholly disagree with the staff recommendation that planning and zoning committee should put forward a motion to the city council to approve the resolution and ordinance.

I will numerate my objections below. I must first however comment that I find it concerning that the city would have disposed of the land considered as an “insignificant parcel” (not meeting the definition of the city code of a significant parcel, by being less than 1 acre in size, and therefore requiring no notice to the public or public hearing that the city intended to dispose of this land), and then immediately turn around and represent that the targeted project site meets the definition of an economic center by totaling 1 acre. The city manager should have provided at a minimum, a courtesy notice of the intended sale. This is a matter I intend to pursue separately with the city, as the South Jordan code is insufficient in providing protection of the public good, and that the city manager at their sole discretion can mete out disposition of public lands with virtually no transparency to the residents and taxpayers, as long as those parcels are not 1 acre in size, regardless of the parcels value or the impact of the sale on the community and the general plan. There is no formal process for nomination as a successor for surplus lands that are deemed insignificant within city code, and this opens the city up to legal challenges against the sale of surplus lands and jeopardizes the citizens of South Jordan who have a right to know to who and for what purposes public lands may be sold.

Numerated Objections:

Land Use Amendment – Resolution R2024-44

Objection One: South Jordan’s general plan identifies Economic Centers as “areas that are currently mostly built-out as commercial or office land uses and not likely to change or redevelop into a different land use. The target site for Bess Dental does not meet this definition, nor will it meet that definition if this amendment is passed and the project goes forward.

Objection Two: South Jordan’s Parks Master Plan identifies the Bess Dental target site as “Shields Entry Park”. Prior to considering a text amendment to change the land use for this site, South Jordan should consider the parks master plan and address the Play Desert that currently exists in this corridor. There are very few public amenities in the eastern part of Shield Lane Corridor, and the city should be working to address this.

Objection Three I: 17.12.040 of the South Jordan municipal code states that a land use amendment application shall include a Salt Lake County plat of the subject parcels, the acreage of the area amended and the parcels within 300’ feet of the subject area. In the Planning Commission Packet “10-22-2024 PC Packet FINAL” includes no such Plat.

Objection Three II: Because no such plat exists in the public record. It is impossible for the planning commission or the public at large to reasonably consider this proposed land use amendment. 17.04.190 “Preservation of Lot Space” states that “No space needed to meet requirements for lot width, yard or open space, lot area, building coverage, parking landscaping, public street frontage or other requirements of this title for a lot or building may be transferred, sold, bequeathed, or leased apart from such lot or building unless other space is provided which will achieve compliance. No land may be sold or transferred which will result in a lot that does not comply with the provisions of this title”. It is impossible to determine at this time if the proposed Economic Center complies with this provision, but I am extremely doubtful that it does after having conversations with the applicant and reviewing the documentation provided by the city.

Objection Three III: Because no such plat exists, it is impossible to determine if the proposed project is in compliance with 17.04.180 of the municipal code which states that No required yard or open space around a building or structure or on a lot or parcel shall be considered as required yard or open space for another building, structure, lot of parcel.

Objection Four: The South Jordan general plan recognizes a need to preserve open space. Shoehorning an EC use into a Stable Neighborhood to satisfy a single developer and development which either does not comply with the minimum standards of such a land

use designation, or barely complies by applying a very loose interpretation of the city code, is not in the spirit of the city's general plan.

Objection Five: The General Plan provides for flexibility in interpretation of the boundaries provided that the proposed change is consistent with the vision, goals, and strategies contained in the general plan. This proposed land use amendment does not meet that standard, and should not be approved by council or recommended for approval by the planning commission.

Zoning Change – Ordinance No. 2024-09-Z

Objection Six: Staff Findings- “There is no development agreement associated with this rezone.” It is highly unusual in my experience for a planning commission to move forward with a land use amendment and a rezoning without any development agreement, but particularly so in this case where the current city parks master plan has already identified the site as a public park. “Shields Entry Park”.

Staff Finding- “The properties zoned a-5 are considered nonconforming lots. With the new zone change, they will come into compliance as the P-) zone does not have a minimum lot size.” This is very liberal application of conformance. The lot size will be conforming, but the use (municipal water service) will not be a conforming use of professional office.

Staff Finding- “The application meets the rezone standards of approval of the City Code”. I wholly disagree with this finding. Even if the land use is amended to economic center, the rezoning of the a-5 parcels which are only intended to be rezoned to meet the minimum area required for the EC land use, and are not intended for development, will not meet the standard of conformance required per 17.12.020 “Parcels of land shall be rezoned in conformance with the land use designations for those parcels indicated in the future land use map of the land use element of the general plan.” If these A-5 parcels which are currently being used for public utility are rezoned to P-O, and are not intended for development, they will not be conforming with P-O, and will only be rezoned in function of circumventing the land use guidelines that economic centers be a minimum of 1 acre.

Objection Seven: Conclusion “Based on the findings, the Application, if approved, will be consistent with the goals and policies of the general plan and the city's strategic priorities, and as such, should be approved”. There are innumerable contradictions with

this conclusion within the general plan, but here I will provide the contradictions that exist on just a single page (Page VII) of the general plan.

- Preserve Stable Neighborhoods
- Enhance Public Spaces
- Promote Unstructured Recreation Opportunities
- Preserve open space and agricultural Heritage

Objection Eight: This application for rezoning appears incomplete. The public has not been provided a plat or elevations of a proposed development. Planning commission should not recommend approval on such a hasty underdeveloped plan. Municipal code 17.62.020 lays out specific site requirements. Many that are subject to the discretion of planning. We should not be putting forth re-zoning applications that create a scenario where a developer will be entitled to leeway for setbacks, screening, lighting requirements. This is a very difficult site to develop properly regarding the requirements of the zoning class and with the limited footprint for the development itself. Bess Dental has not shown itself to be a developer that is capable of meeting those requirements and would require significant discretion on the part of city staff and planning commission to get an approved specific site plan. All of which would come at the cost of those residents and developers in South Jordan that do their very best to uphold the standards set forth in the municipal code.

Objection Nine: P-O zoning allows for 7 story of 60' tall buildings. This is not compatible with the surrounding neighborhood and would significantly diminish the property values of the surrounding residences.

General Objections

In the above pages, I have laid out my objections based on reading of the city's general plan, municipal code, and related them to the specific amendment and ordinance proposed. Below I will lay out more general objections to the Bess Dental project.

Objection Ten: There are plenty of commercial lots available in the region that would not require any rezoning to build what Bess Dental wants. I have identified 24 such sites. The biggest difference between any of those sites and this one is that the fair market value of such a site is much greater than what Spectrum LLC paid South Jordan City for the sale of the .65 acres which are zoned for residential.

Objection Eleven: There are at least 46 available leases for medical offices in the region that would require no zoning, and no more loss of open space in the state for unnecessary development. These are a mix of suites and buildings. Some would require a fit out for dentistry, others would be available immediately.

Objection Twelve: South Jordan is currently pursuing a robust planning process for the entire Shields Lane corridor. This plan calls for open spaces. To grant a single developer such privilege to take away already limited open space would be a severe disservice to the goals of that project.

Objection Thirteen: Approval of this proposal, with such limited information to residents would set a very bad precedent for the city. The general plan does call for thoughtful infill on vacant spaces, but there is nowhere I can identify that a parcel of city owned land that was slated for a future park was disposed of as surplus to a developer, who then asked to change a stable neighborhood land use to an economic center.

In Conclusion, it is in the best interest of The City, its residents, and the general plan, for this commission to recommend a rejection of the proposed land use amendment and rezoning application. I believe I have presented this commission with an abundance of facts that contradict the recommendation to approve, and by city process, further study should be required.

Without a development agreement in place, the risk to the community and the general plan is unlimited. There is nothing in this process that would prevent a successor to the land from tearing down whatever Bess dental builds and putting in its place a 7 story medical office complex that would rival the size and stature of the South Jordan Temple. It is conceivable, that this approval would open the door to changes all over the town's Stable Neighborhoods and allow developers a foothold that would jeopardize everything that is great about the general plan. If the city does want to consider this development, time must be taken to encumber the site with a development agreement that will limit the bounds of the proposed zoning class to ensure that what is being heard today will be enforced now and ten years from now.

Sincerely,

Chandler Swenson

From: [Miguel Aguilera](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Commercial Rezoning - Bass Dental
Date: Tuesday, November 12, 2024 9:46:53 AM

From: Kaelyn Thomas <kaelyn.witherspoon@hotmail.com>
Sent: Sunday, November 10, 2024 9:04 PM
To: Miguel Aguilera <MAguilera@sjc.utah.gov>
Subject: Commercial Rezoning - Bass Dental

Hi Miguel,

I am writing to express my strong opposition to the commercial rezoning proposal for Bass Dental at 9800 South and 1300 West.

The proposed site for a dental office is located near many residential properties. I have significant concerns regarding the potential impact of the "commercialization" of the property and the well-being of the surrounding residential neighborhoods. The proposed commercial rezoning area currently struggles with traffic flow. Commercial rezoning will only increase traffic congestion. Commercial Rezoning will also set a precedence which would allow future lots in this residential neighborhood to be zoned for commercial purposes.

I understand the need for development and progress; however, I am confident that the South Jordan City Council will consider this objection and make a well-informed decision, prioritizing the concerns of immediate residents.

Kaelyn Thomas

Attachment PP

Planning Commission
South Jordan City
1600 W. Town Center Dr.
South Jordan, UT 84095

Vivian Wilson
9811 South Temple Dr.
So. Jordan, Ut 84095

October 22, 2024

To Whom it May Concern,

I am a resident of Lampton Farms Subdivision on Temple Dr.

I would like to give you some back history on the piece of land currently under consideration for rezoning from residential to commercial which is the BESS DENTAL OFFICE LAND USE AMENDMENT AND REZONE CASE.

The property on Shields Ln. and Temple Dr. was up for sale 10 plus years ago.

Originally there were 3 lots on the property being considered.

If I remember correctly...

The Water Company owned one lot.

Fred Lampropolous, owner of Merit Medical, owned one lot.

Both Lampropolous and the Water Company were contacted by the owner of the 3rd lot, unknown, to combine the three lots for sale.

According to what we had heard, the prospective buyer of all three lots was a dance studio.

The zoning would need to be changed from residential to commercial to accommodate the building of a commercial business on said lots.

If sold and purchased it would impact not only Shields Ln. but also Temple Dr. My home is on Temple Dr. and would be directly across from the proposed building site which I oppose.

Temple Dr. is zoned residential.

We were opposed to the zoning change from residential to commercial not only because it would impact our neighborhood but it would open the door eventually to commercial building down the road on Temple Dr.

Because of the overwhelming support of our neighborhood, community, Leona Winger of the City Council and Fred Lampropoulos, the night of the City Council meeting was standing room only. The mayor said that the proposal would not be heard and the proposal was shut down.

We worked with Leona Winger of the City Council and Fred Lampropoulos of Merit Medical to have the city purchase the property. We understood that the city purchased the lots which would be turned into a city park.

Commercial sites were not to be an option.

Lets keep South Jordan beautiful. Please consider building the park so that we do not have to address this same concern in the future!

We also want our neighborhood and Temple Dr. to stay as residential zoning as set down by the South Jordan original master plan.

Sincerely,
Vivian Wilson

November, 7, 2024

To Whom It May Concern,

I am writing to comment on the proposed rezoning of property generally located at 515 W. Ultradent Ave. The applicant has requested the property be rezoned from natural area and agricultural preservation to mixed use transit-oriented development.

I myself do not live near the property, but I have, for much of my adult life, been deeply connected to it. My mother, Barbara Deyette, has lived on the property, in an old pioneer home for nearly 25 years. In the past 30 years, nobody else has been as connected to that land. She's raised cats, dogs, chickens, goats, and a handful of horses there. Our family has hosted countless family gatherings there, and built so many wonderful memories.

The property in question is now mostly a field, overlooked by brush as thick as anything you'd find in the mountains surrounding this valley. We've ridden and trained horses down in that field. Played whiffle ball. Tag. We've watched foxes rear their young there. Heard pheasants calling from the reeds and rushes. Watched deer feed out into the field from the brush above the Galena Canal. I trained my first horse down there. That's where I took my son on his first horse ride, and I smiled as the sun was setting and he chased off flocks of duck and geese with all the glee of his two years.

I understand that change is inevitable, and, in these parts, change most often means development. And I've long known that the development of this property would come in due course.

I understand the applicants for this rezoning want to maximize their profit on the land. I also understand, and I hope you do too, that there's value in the land beyond its monetary returns or development potential, even in a growing metropolis such as this.

As someone deeply connected to the property in question, I would like to humbly present the following observations and thoughts regarding the property in question.

The extent and footage of this development would be a radical and unacceptable fracturing of the wildlife habitat along that section of the Jordan River. As you may know, the large property to the south is a wildlife refuge that also exists to the north of the property in question. This is an incredibly valuable piece of wildlife habitat, and while people may recognize the difference between zoning boundaries, ducks, geese, deer, foxes, and other wildlife don't and can't.

While measurements are not provided on the documents made public by the planning commission, the setback from the Jordan River to the proposed development appears vastly inadequate, something on the order of 150 feet. LEI, the project planners, are currently undertaking a similar development along the Jordan River in

Saratoga Springs. The setbacks from the river on that project are between 300 and 600 feet, significantly larger than what is being presented here.

Therefore, I propose that at least a 400-foot setback corridor from the Jordan River be the western boundary of the proposed zoning transition. The corridor would then remain Natural Area.

This change would have manifold positive effects. It would

- Preserve a valuable wildlife corridor that connects two pieces of wildlife refuge land
- Decrease wildlife-human conflict
- Improving quality of life for property residents
- Reduce soil and riverbank disturbance from heavy land manipulation
- Ensure the future and long-term health of the Jordan River

The increased setback need not reduce the amount of housing the land could potentially host. A mix of apartments and townhomes could achieve similar density objectives, as could the construction of stacked townhouses. This would also result in increased quality of life for residents of the planned development, who would have the pleasure of looking out over a larger field of wild land filled with wildlife.

The proposed zoning transition is an opportunity for the City of South Jordan to meet numerous objectives. It would increase the value of the land for the landholders, construct much needed new housing, increase tax base, and, by extending the setback from the river, it would preserve the value of sensitive and intrinsically valuable wild land. All these objectives matter.

Thank you very much for your time, attention, and consideration.

Sincerely,

Benjamin R. Bombard

998 S. Windsor St.

SLC, UT 84105

801-913-9729

Attachment RR

From: [Damir Drozdek](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Proposed zoning change for 515 W Ultradent Drive
Date: Thursday, November 7, 2024 5:13:41 PM

Please see below for a comment regarding the Altitude rezone application.

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: Tami Carlson <tcarlson222@gmail.com>
Sent: Thursday, November 7, 2024 4:36 PM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Cc: Dawn Ramsey <DRamsey@sjc.utah.gov>
Subject: Proposed zoning change for 515 W Ultradent Drive

Mr. Drozdek,

As a South Jordan resident for ten years, I am writing to comment on the proposed zoning changes above.

My husband and I reside in the Riverwalk Community on the west side of the river, adjacent to the property in question. I have walked hundreds of miles on the Jordan River Trail in South Jordan. My husband has biked on it many more.

We purchased our property mainly due to the beauty, serenity and nature outside our door. We enjoy the wildlife all around constantly. We see mule deer, red foxes and beavers. I even saw a coyote when I was walking early one morning. We especially love the birds. We see Blue Herons, hawks, storks, all the water fowl. One Christmas morning an eagle flew right past our window. One day a sandhill crane walked by, which was a rare treasure to see.

Why would the planning commission even consider changing the zoning of a natural preservation area to a mixed use development? There is plenty of space in city limits on the west end that doesn't include a wildlife habitat and wetland area.

In the city's own adopted Jordan River Open Space and Habitat Master Plan (adopted 2011) ensures that 'open space will be preserved for its wildlife habitat...values and with a consistent intent, regardless of whether changes occur with South Jordan City's managing and planning personnel'. It also "supports the specific goals of the Jordan River Ecosystem Policy resolution to maintain buffer lands between the river and development to reduce water quality impacts and preserve wildlife habitats".

The master plan was developed because citizens requested a need for "more natural area open space and (for) the needs of the wildlife species that depend on the Jordan River and its associated habitat for their continued survival".

Please consider the wishes of the citizens for whom you serve over padding the bank account of a developer. Prioritizing Sojo's natural resources is the right thing to do.

Thank you for your time and consideration,

Tamra Carlson
10209 S. Mystic Falls Way
South Jordan, UT 84095

associated
associated

Attachment SS

From: [Damir Drozdek](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Public's comment 515 wet ultradent
Date: Friday, November 8, 2024 8:25:18 AM

Small correction on a previous email – Altitude

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: ponypalmer@gmail.com <ponypalmer@gmail.com>

Sent: Thursday, November 7, 2024 9:38 PM

To: Damir Drozdek <DDrozdek@sjc.utah.gov>

Subject: Re: Public's comment 515 wet ultradent

Please note address correction.

Correct address:

515 West 10000 South

(The incorrect address in previous email: 1000 S.)

On Thursday, November 7, 2024, <ponypalmer@gmail.com> wrote:

I've lived in this area, on both sides of the river, for 30 years.

Change is a constant.

I care deeply about grass, trees, hawks flying overhead, there was an eagle in a tree here at 515 west 1000 south.

Two kit fox playing in the front lawn, a large herd of deer eating the crab apples that fall from the tree close to the house, the geese as they make their way south.

I believe myself to be one of very few that care about the land and all it provides, more than the dollar.

I would also point out, this old Cowboy town is no longer a kind town.

My dog blew out his ACL chasing a fox.

His PT was twice daily walking for four months.

I have crossed 10000 south 515 west hundreds of times.

No one will even slow down and let an old (70) lady and her dog cross the street.

I wait till it looks real safe.

Cars come at a high rate of speed.

One older man stuck his tongue out at me when I signaled to slow down and not hit me.

I think there has been 3 times, someone has stopped.

And that may be an exaggeration.
Yesterday, a Mexican in a truck did.
I stood there frozen on the spot.
I was so surprised.
I shared my deep gratitude.
For something that should come first nature.

I spend time in Salt Lake City.
9th and 9th.
People **watch** for pedestrians, to slow and stop for.

South Jordan, all its growth, no longer feels friendly.
I walk on the side walk and pass others, people don't even look up. Don't even
acknowledge another human being.

More growth will come.
I am sorry to be so negative, but more uncaring about nature and each other.

Barbara Deyette
515 West 10000 South

From: [Damir Drozdek](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Public's comment 515 wet ultradent
Date: Thursday, November 7, 2024 5:40:02 PM

See below for comments regarding the Altitude project.

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: ponypalmer@gmail.com <ponypalmer@gmail.com>

Sent: Thursday, November 7, 2024 5:36 PM

To: Damir Drozdek <DDrozdek@sjc.utah.gov>

Subject: Public's comment 515 wet ultradent

I've lived in this area, on both sides of the river, for 30 years.

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Barbara Deyette

515 West 10000 South

Attachment TT

Cindy Valdez

From: Damir Drozdek
Sent: Thursday, November 7, 2024 10:28 AM
To: PLANNING COMMISSION
Subject: FW: Townhouse development west of 10096 South Jordan Gateway

This is regarding the Altitude rezone project scheduled for the next PC meeting.
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: ldisera@silverstoneinc.com <ldisera@silverstoneinc.com>
Sent: Thursday, November 7, 2024 8:11 AM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Cc: 'Corey Bodily' <cbodily@silverstoneinc.com>; Shane Greenwood <SGreenwood@sjc.utah.gov>
Subject: RE: Townhouse development west of 10096 South Jordan Gateway

Hello Damir,

We're submitting a comment related to the Notice of Public Hearing for 515 W. Ultradent Drive. We understand that the meeting is about zoning and not necessarily accessibility. Our comment is about possible access to the development property through our property.

Corey and I own the building at 10096 South Jordan Gateway. As written below, we will not grant an easement across our road (that is south of our building) to the 515 W. Ultradent property. An easement would adversely affect the livelihood of our business at 10096 South Jordan Gateway.

Regards, Lenny

From: Shane Greenwood <SGreenwood@sjc.utah.gov>
Sent: Friday, June 7, 2024 9:13 AM
To: ldisera@silverstoneinc.com
Cc: 'Corey Bodily' <cbodily@silverstoneinc.com>
Subject: RE: Townhouse development west of 10096 South Jordan Gateway

Hey Lenny,

I appreciate the email with the information provided. I have shared this information with the City Engineer who has been working with the Harrison Group. The City Engineer is going to meet with Russ, Ryan and Ty to discuss and collaborate the varying conversations. If you still want to send a letter, you can send to Brad Klavano, City Engineer.

Thanks,

Shane Greenwood | Supervising Senior Engineer | City of South Jordan

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.254.3742 | Direct 801.253.5203 ext 1286



From: ldisera@silverstoneinc.com <ldisera@silverstoneinc.com>
Sent: Thursday, June 6, 2024 3:47 PM
To: Shane Greenwood <SGreenwood@sjc.utah.gov>
Cc: 'Corey Bodily' <cbodily@silverstoneinc.com>
Subject: RE: Townhouse development west of 10096 South Jordan Gateway

Hello Shane,

At the South Jordan facility, Corey and I met with Russ Avery, Ryan Lesner, and Ty (not sure of his last name). We wanted to understand how a potential easement would impact our normal business operations. They indicated that we would not be able to perform our normal business operations (shipping and receiving on our private road) if our private road became a fire easement. And, that the development needed not just a fire easement but an access easement for development. We would not be able to perform our necessary business operations if this became a development easement.

They also said that, in a City meeting, the developer told the city planners that they had our agreement on the easement which is completely false. The developer also told Alisha Kay, the Social Security building owner representative, that we had agreed to the easement. This made the SS building owner more comfortable to accept an agreement. Over a year ago Brandon Harrison asked about a fire easement, and we said we wanted to understand the requirements and how it would affect us. We were open minded about the request.

We think that we should send a letter to the City to ensure that the meeting records are correct showing that there was never any sort of easement agreement with the developers. Do you know where/how we should submit the letter?

Thank you, Lenny

From: ldisera@silverstoneinc.com <ldisera@silverstoneinc.com>
Sent: Wednesday, May 22, 2024 10:27 AM
To: 'Shane Greenwood' <SGreenwood@sjc.utah.gov>
Cc: 'Corey Bodily' <cbodily@silverstoneinc.com>
Subject: RE: Townhouse development west of 10096 South Jordan Gateway

3rd of 3.

From: ldisera@silverstoneinc.com <ldisera@silverstoneinc.com>
Sent: Wednesday, May 22, 2024 10:27 AM
To: 'Shane Greenwood' <SGreenwood@sjc.utah.gov>
Cc: 'Corey Bodily' <cbodily@silverstoneinc.com>
Subject: RE: Townhouse development west of 10096 South Jordan Gateway

2nd of 3.

From: ldisera@silverstoneinc.com <ldisera@silverstoneinc.com>
Sent: Wednesday, May 22, 2024 10:27 AM
To: 'Shane Greenwood' <SGreenwood@sjc.utah.gov>
Cc: 'Corey Bodily' <cbodily@silverstoneinc.com>
Subject: RE: Townhouse development west of 10096 South Jordan Gateway

Hello Shane,

I found another splitting tool. Attached is the 1st of three.

Regards, Lenny

From: ldisera@silverstoneinc.com <ldisera@silverstoneinc.com>
Sent: Wednesday, May 22, 2024 10:13 AM
To: 'Shane Greenwood' <SGreenwood@sjc.utah.gov>
Cc: 'Corey Bodily' <cbodily@silverstoneinc.com>
Subject: RE: Townhouse development west of 10096 South Jordan Gateway

Hello Shane,

The 13 mb file did not make it through. Adobe splitter indicates that it is a certified file and can not be split. If I place it on our Dropbox site and send you and invite, can you access it there?

Regards, Lenny

From: ldisera@silverstoneinc.com <ldisera@silverstoneinc.com>
Sent: Wednesday, May 22, 2024 10:04 AM
To: 'Shane Greenwood' <SGreenwood@sjc.utah.gov>
Cc: 'Corey Bodily' <cbodily@silverstoneinc.com>
Subject: RE: Townhouse development west of 10096 South Jordan Gateway

Hello Shane,

Attached is a PDF file where we tried to consolidate the Harrison traffic numbers into an easy-to-read table. We also entered our estimates for traffic numbers once we occupy our building.

Below is a copy of the PDF contents. From the Harrison study, NBL indicates north bound traffic turning left in our private drive. SBR is south bound left turn. EBL is exiting our drive and turning left onto South Jordan Gateway. EBR is leaving and turning right. The second group of rows are their estimates for traffic backup on our private drive.

The far-right columns are our estimates of morning vehicle counts for the Social Security building, our building, and Ultradent's employees into the rented parking lot. The Ultradent numbers are a total guess on our part. I think Ultradent's workforce is building back up after the Covid slow down.

The social security office manager gave us the following information:

- 20 employees.
- 300 customers per day.
- 60 customers from 9 to 10AM. (Their parking lot looks full by 9AM and has over 40 stalls).
- 35 customers from 3 to 4PM.

To us, the study counts don't really match what we see on site.

Regards, Lenny

Cc: 'Corey Bodily' <cbodily@silverstoneinc.com>

Subject: Townhouse development west of 10096 South Jordan Gateway

Hello Shane,

The Harrison group is asking us for easement access across our private dead ended road (that we share with the Social Security building) to get to South Jordan Gateway.

This is a relatively narrow road, and we want to understand the repercussions.

To ship our product, a few times a month, a semi-trailer will need to park in front of our building for a few hours while will load a crated machine. It is difficult to imagine sharing the road with traffic from the proposed 180 unit development. Also, the fire department will likely have a say on how this road is used and what can be parked on it.

Can you help us understand the city requirements associated with this development request.

Regards, Lenny

Lenny Di Sera

ldisera@silverstoneinc.com



14621 S. 800 W. Suite 200, Bluffdale, Utah 84065

phn: 801.619.0803 x 100

www.silverstoneinc.com

From: [Damir Drozdek](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Ultradent concerns with Stone Homes / Harrison Development - Zoning meeting Nov 12, 2024
Date: Tuesday, November 12, 2024 8:13:28 AM
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)

This is also regarding Altitude - please see below.

Thanks,

Damir Drozdek, AICP | Planner III | City of South Jordan

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.254.3742 | C: 801.946.4377



From: Erwin Fischer <Erwin.Fischer@ultradent.com>
Sent: Monday, November 11, 2024 11:25 AM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Cc: Kris Pasker <kris@pgaw.net>; Rachel Allsop-Ivers <Rachel.Ivers@ultradent.com>; Todd Sargent <Todd.Sargent@ultradent.com>
Subject: Ultradent concerns with Stone Homes / Harrison Development - Zoning meeting Nov 12, 2024

Good morning Damir.

We'll be attending the zoning meeting Tuesday night, but as requested, here is a list of concerns from the Ultradent perspective. Some of these have already been discussed with the developer and possible solutions discussed. They've been amenable so far.

Here's our current list:

- Concerns with traffic calming due to employee parking and pedestrian traffic north of Ultradent drive. Worried about injuries
- Desire for the north access road (north of the SS building) will be also calmed, for similar reasons, and will be made as wide and usable as possible to reduce traffic on Ultradent drive. Ultradent has parking, albeit less utilized, north of this also, under the RMP power lines
- Probable bottlenecks with commercial traffic entering and exiting Ultradent Drive for our Building 1 docks. Large Semi-trailers and other trucks co-mingling with residential traffic and causing significant congestion and chance of accidents
- Related concerns with Ultradent parking lot entrances on Ultradent Dr blocked during rush hours by residential and commercial traffic to Ultradent and the new development
- Concerns about public parking in our private parking lots, due to the Jordan River trail access point
- Concern about the Hawk traffic crosswalk; need to upgrade to a standard traffic light to

avoid accidents, injuries and congestion?

- Snow plowing on Ultradent Drive, including snow pile management?
- Lighting improvements on Ultradent Drive, especially with increased pedestrian traffic?

All of these can be mitigated, but we know it will take focused effort and resources from all involved parties.

See you tomorrow evening - thanks for your help!

Erwin Fischer

Senior VP of Shared Services

505 West Ultradent Drive
South Jordan, UT 84095 USA
Mobile: 1.801.560.7853



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From: [Damir Drozdek](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Opposition to Zoning Change Application for 515 W. Ultradent Dr.
Date: Thursday, November 7, 2024 5:14:47 PM

It is regarding the Altitude rezone application. Please 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: Chase Passey <chasepassey@gmail.com>
Sent: Thursday, November 7, 2024 4:55 PM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Subject: Opposition to Zoning Change Application for 515 W. Ultradent Dr.

Dear Mr. Drozdek,

I am writing to express my strong opposition to the proposed zoning change and future land use amendment for the property located at 515 W. Ultradent Dr. As a resident within the 600-foot notification area, I am deeply concerned about the impact that this change from Agricultural Preservation (AP) to Mixed Use Transit Oriented Development (MU-TOD) and Residential Multiple Planned Development (R-M-PD) will have on our community.

Key Concerns:

- 1. Increased Traffic and Congestion:** Transit-oriented developments typically attract a higher volume of both pedestrian and vehicle traffic, which would significantly affect the surrounding residential areas. Our local roads may not be adequately prepared to handle this increase, potentially causing safety issues and further congestion.
- 2. Environmental Impact:** The current zoning includes a natural preservation designation, which helps maintain green space and supports local wildlife. The development of this area could disrupt the ecosystem, reducing the natural beauty and environmental benefits that many of us in the community cherish.
- 3. Strain on Infrastructure:** An increase in population density due to the proposed development may put additional pressure on local infrastructure, including roads, schools, and public services. These systems may not be equipped to accommodate a sudden increase in residents, leading to a decline in the quality of services available to existing residents.
- 4. Impact on Property Values and Neighborhood Character:** The introduction of high-density residential and mixed-use buildings may change the character of our neighborhood, potentially

diminishing property values and altering the sense of community that we currently enjoy.

For these reasons, I urge you to carefully consider the long-term effects of this zoning change on our community. Myself and other neighbors believe that this proposed development is not in alignment with the existing character of our area and would bring more challenges than benefits to the current residents.

Thank you for your attention to these concerns. I hope that they will be given serious consideration during the planning commission and city council hearings. I will also be attending the upcoming meetings to ensure my voice, along with that of my neighbors, is heard.

Sincerely,

Chase Passey

From: [Damir Drozdek](#)
To: [PLANNING COMMISSION](#)
Subject: FW: Notice of Public Hearing Re: amend land use for property generally located at 515 W Ultradent Dr
Date: Tuesday, November 12, 2024 8:12:03 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Regarding Altitude – please see below.

Thanks,

Damir Drozdek, AICP | Planner III | City of South Jordan

1600 W. Towne Center Drive | South Jordan, UT 84095

O: 801.254.3742 | C: 801.946.4377



From: Kacie Seamons <kacieseamons@msn.com>
Sent: Thursday, November 07, 2024 4:58 PM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Subject: Notice of Public Hearing Re: amend land use for property generally located at 515 W Ultradent Dr

Dear Mr. Damir Drozdek and South Jordan City,

What is the added value to the homeowner's and residents of South Jordan to change the zoning of the property generally located at 515 W. Ultradent Dr. from "Natural Area" designated as Agricultural Preservation to "Mixed Use"? I don't see any. Only the loss to preserving and protecting the needs of the wildlife species that in habitat the area (ie. deer, birds, foxes, beaver, etc.); Vegetation; Protection of the Jordan River, creeks and canals; Flood zone issues; Added traffic congestion to an already overly congested road with many large businesses, high rise hotels, high rise office buildings, Front Runner, high rise apartment buildings and car dealerships; and Noise and Air pollution from destabilizing natural environment, added dirt and construction.

From the document called "Open Space Master Plan" for the "Jordan River Corridor Open Space and Habitat Conservation Master Plan and Management Guidelines" on the South Jordan website states:

"The Jordan River Corridor Master Plan was developed according to the expressed needs of South Jordan City citizens for more "natural area" open space and the needs of the wildlife species that depend upon the Jordan River and its associated habitat for their continued survival. "Protecting rivers, creeks, and canal corridors" ranked as the

highest value for the City's open space program and was rated as the most important "natural area" open space value."

The community has already made its opinion clear about not wanting to give up Mulligans and the open, green space for more buildings. Nothing has changed in wanting to preserve all the Natural Areas around the Jordan River.

For the last 6 years we have had to be disturbed with 561 W Shields Ln (10000 S) and their permit to bring in fill dirt to improve irrigation. We've had to deal with the excessive amount of time; noise disturbance from dozens of daily dump trucks (most days more than 30 trucks); consistent noise and vibration from heavy machinery; and air pollution. I know that a lot of my neighbors say that they bought their property because of the conservation area behind our homes. We've all found a hidden gem of nature in the middle of South Jordan and Salt Lake County. Thankfully that permit expired and finally we have been able to live in peace and quiet again.

As a 15-year homeowner in the Cottages at Riverwood community, again I ask, what is the added value to the homeowner's and residents of South Jordan to change the zoning of the property generally located at 515 W. Ultradent Dr. from "Natural Area" designated as Agricultural Preservation to "Mixed Use"? None. Especially if they are rental properties. Renters usually live in building they rent for a short amount of time. They definitely don't own the land and won't have a vested interest in protecting, preserving and maintaining the Natural Area, the Jordan River and its wildlife.

Please follow the guideline you have published to our community in the Executive Summary of the "Jordan River Corridor Open Space and Habitat Conservation Master Plan and Management Guidelines":

"The Jordan River Corridor Master Plan also designates land use zoning and ordinances for the river corridor to ensure that open space will be preserved for its wildlife habitat and recreation values, with a consistent intent, regardless of whether changes occur within South Jordan City's managing and planning personnel."

Thank you for doing the right thing and saving our open space for the South Jordan homeowners and the residents of the conservation area,

Kacie Seamons
10203 S. Mystic Falls Way
South Jordan, UT 84095

November 12, 2024

PLANNING COMMISSION MEETING SIGN IN SHEET

<u>PRINT NAME</u>	<u>ADDRESS</u>
Stephanie Hurst	9832 S. Castello Ct.
Kathy Thompson	784 W Jordan Creek Dr
Bill Theef	784 W. JORDAN CREEK DR.
Glen Robertson	1361 W. Palmer Park Lane
Linda Robertson	1361 W Palmer Park Lane
Tim Hansen	1268 W. Wasatch Downs Dr.
Clayton Austin	9591 S. Chavez Av. S. Jordan
Jane Hansen	1268 W. Wasatch Downs Dr
Chase Passey	10207 S MYSTIC FALLS way
Cely Jenkins	10221 MYTIC Falls Way
Katie Seemans	10203 MYSTIC FALLS WAY
Linnie Spar	9525 S. 3770 W.
Michael Spar	9525 S 3770 W

November 12, 2024

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Ron Madsen 1200 W. Shields Lane

Jeffrey Walton 9467 S. 3770 W.

Leonard Browning 9789^S Temple DR

Vivian Wilson 9811 S. Temple Dr

Sheri Mattle 1270 W Lampton Rd

Chris Barron 1601 W Palmer Park Ln

Bryce Cameron 10237 S. Mystic Falls Way

Lizel Travis 14034 S 145 E. Draper

Tom Curtis 10163 So SILVER STREAK^{DR}

Yickie Roberts 1388 W. Palmer Pk. Ln.

Peggy Petersen 1353 W Ammon Way

SHONA BESS 10073 COPPER KING LN

Jonathan Johnson 143 W 1120 N, American Fork

November 12, 2024

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Joyce Fenton

1389 West Rames Road

LAKE SEILER

1100 E DEBORAH ST EAGLE MTN

GORDON SLADE

3297 W. COUNTRY KNOLL RD.

LINDA PRICE

9739 S JORDAN RIDGE RD. S.J

Sharon Price

U

Perry Nelson

1337 mosiah Way

Josh Olofson

9762 S. King Benjamin Dr.

November 12, 2024

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Marc Halliday	1949 W Springfield Dr. SJ UT
Nathan Miller	10229 S. Mystic Brook Way
Tami Carlson	10209 S Mystic Falls Way
Michelle Foster	10233 S Mystic Falls Way
Emily Kartchner	9518 S 3770 W SJ
Les Kartchner	9518 S 3770 W SJ
TIM MILLER	1422 Y WERRY LANE
Hallie Poore	9911 Treasure Circle
Michelle Langford	1266 Shields Lane SJ
Jeffery Langford	1266 Shield Lane SJ
Tanner Johnson	9653 W 6530 W Highland, UT
Winslow Kroat	9856 S. Temple
Abby Kroat	9850 S Temple Drive