

**CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING AGENDA
CITY COUNCIL CHAMBERS
TUESDAY, DECEMBER 09, 2025 at 6:30 PM**



Notice is hereby given that the South Jordan Planning Commission will hold a meeting at 6:30 p.m. on Tuesday, December 9, 2025. The meeting will be conducted in person in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah, and virtually via Zoom phone and video conferencing. Persons with disabilities requesting assistance should contact the City Recorder at least 24 hours prior to the meeting. Times listed are approximate and may be accelerated or delayed.

In addition to in-person attendance, individuals may join via phone or video using Zoom. Please note that attendees joining virtually or by phone may not comment during public comment or a public hearing; to comment, individuals must attend in person.

If the meeting is disrupted in any way deemed inappropriate by the City, the City reserves the right to immediately remove the individual(s) from the meeting and, if necessary, end virtual access to the meeting. Reasons for removal or ending virtual access include, but are not limited to, posting offensive pictures or remarks, making disrespectful statements or actions, and other actions deemed inappropriate.

To ensure that comments are received, please submit them in writing to City Planner, Greg Schindler at gschindler@sjc.utah.gov by 3:00 p.m. on the day of the meeting.

Instructions on how to join virtually are provided below.

Join South Jordan Planning Commission Electronic Meeting:

- Join on any device that has internet capability.
- Zoom link, Meeting ID and Password will be provided 24 hours prior to meeting start time.
- Zoom instructions are posted <https://www.sjc.utah.gov/254/Planning-Commission>

THE MEETING WILL BEGIN AT 6:30 P.M. AND THE AGENDA IS AS FOLLOWS:

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

B. **MOTION TO APPROVE AGENDA**

C. **APPROVAL OF THE MINUTES**

C.1. **11/12/2025 PLANNING COMMISSION MEETING MINUTES**

D. **STAFF BUSINESS**

E. **COMMENTS FROM PLANNING COMMISSION MEMBERS**

F. **SUMMARY ACTION**

G. **ACTION**

G.1. **ALMOND DENTAL BLDG. 2, SITE PLAN, 10435 S. 2200 W.**

H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. DAYBREAK VILLAGE 9 PLAT 7 PRELIMINARY SUBDIVISION

Address: Generally located near 11085 S 6605 W.

File No: PLPP202500126

Applicant: LHM Real Estate (Vagner Soares)

H.2. DAYBREAK SOUTH MIXED USE PLAT 2

Address: Generally located at the northeast corner of the intersection of Lake Avenue and Kitty Hawk Road (5990 W 11300 S)

File No: PLPP202500160

Applicant: LHM Real Estate (Vagner Soares)

H.3. DAYBREAK SOUTH STATION MULTI FAMILY #9 PRELIMINARY SUBDIVISION

Address: Center Field Drive between Freestone Rd. and Grandville Ave.

File No: PLPP202500217

Applicant: LHM Real Estate (Vagner Soares)

I. LEGISLATIVE PUBLIC HEARINGS

J. OTHER BUSINESS

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)

: §

COUNTY OF SALT LAKE)

I, Cindy Valdez, certify that I am the duly appointed City Deputy Recorder of South Jordan City, State of Utah, and that the foregoing Planning Commission Agenda was faxed or emailed to the media at least 24 hours prior to such meeting, specifically the Deseret News, Salt Lake Tribune and the South Valley Journal. The Agenda was also posted at City Hall, on the City's website www.sjc.utah.gov and on the Utah Public Notice Website www.pmn.utah.gov.

Dated this 4th day of December, 2025.

Cindy Valdez

South Jordan City Deputy Recorder

**CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
November 12, 2025**

Present: Chair Nathan Gedge, Commissioner Steven Catmull, Commissioner Michelle Hollist, Commissioner Bryan Farnsworth, Commissioner Sam Bishop, Assistant City Attorney Greg Simonson, City Planner Greg Schindler, Planner Damir Drozdek, Assistant City Engineer Shane Greenwood, Deputy Recorder Cindy Valdez, IT Director Matt Davis, GIS

Absent: Commissioner Lori Harding,

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

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

Chair Gedge welcomed everyone to the Planning Commission Meeting and noted that (4) of the Planning Commissioner's are present. Commissioner Hollist will be arriving late, and Commissioner Harding is excused from tonight's meeting

B. MOTION TO APPROVE AGENDA

B.1. Approval of the November 12, 2025

Commissioner Catmull motioned to approve the November 12, 2025 Amended Planning Commission Agenda moving the Administrative Item H.2 Horizon Rezone with development agreement to a Legislative Item I.1. Chair Gedge seconded the motion. Roll Call Vote was 4-0 unanimous in favor: Commissioner Hollist and Commissioner Harding were absent from the vote.

C. APPROVAL OF THE MINUTES

C.1. Approval of the October 28 2025 - Planning Commission Meeting Minutes.

Commissioner Farnsworth motioned to approve the October 28, 2025 Planning Minutes. Commissioner Gedge seconded the motion. Vote was 4-0 unanimous in favor. Commissioner Hollist and Commissioner Harding were absent from the vote.

D. STAFF BUSINESS

Chair Gedge said last week there was a municipal election. I believe it hasn't been canvassed yet, but the way things are going it looks like all incumbents in our city were on track to be re-elected. I believe for Mr. Farnsworth, Ms. Harding and Mr. Bishop, are appointed individuals, so

they will reach out to you for continuing service for the next term. We have one meeting on December 9th the second Tuesday of the month. I'll plan to be in attendance, I will reach out to Commissioner Hollist and Harding as well, just to remind them of that.

E. SUMMARY ACTION

F. ACTION

G. ADMINISTRATIVE PUBLIC HEARINGS

H.1. DAYBREAK SOUTH STATION PLAT 3 CONDO PLATS 2C AND 2D

Address: 11247 & 11261 S Grandville Avenue
File No: PLPP202500183 and PLPP202500184
Applicant: Larry H. Miller Real Estate

Planner Greg Schindler reviewed background information from the staff report.

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

Commissioner Bishop motioned to approve File No. PLPP202500183 and PLPP202500184 Daybreak South Station Plat 3 Condo lots 2C and 2D. Chair Gedge seconded the motion. Roll Call Vote was 4 to 0 unanimous in favor; Commissioner Harding and Commissioner Hollist was absent from the vote.

I. LEGISLATIVE PUBLIC HEARING

I.1. HORIZON – REZONE WITH DEVELOPMENT AGREEMENT

Address: 103 S. Jordan Gateway
File No: PLZBA202500153
Applicant: Fieldstone Construction & Management Services, Inc.

Planner Damir Drozdek reviewed background information from the staff report.

Commissioner Bishop said I have a question about the project analysis, it wasn't in the slides, but I was just curious about the potential retail sales of \$2.3 million.

Planner Drozdek said I think that's the additional businesses next to it, so these residents would add to those sales nearby.

Commissioner Catmull said at the secondary fire and emergency access if I looked at that correctly, is that where the garbage receptacle is now?

Planner Drozdek said yes, but it will have to be moved.

Commissioner Catmull said in the goals and strategies where it talks about secondary access, it says, based on the number of units we have at the secondary access is not for daily use. What would be the number of units or trips that would require?

Planner Drozdek said it is based on the City Engineer and his estimate, per city code, but more than 10 single family units require secondary access. But for multi family, it's based on the City Engineers discretion.

Commissioner Catmull said the other question I had was, it talked about expanding and enhancing the existing bike map network. Is that just because there's a sidewalk that connects to transportation plans? And then, I forgot to ask on the emergency access are the owners on the property to the east that goes through their parking lot, are they okay with that or are they obligated to provide that?

Planner Drozdek said they're going have to come into some kind of agreement. They've been in talks with the owner, and the talks seem to be progressing well. So yeah, they feel pretty confident about being able to secure that access.

Commissioner Catmull said I don't know if I saw anything that was contingent enough to meet city code.

Planner Drozdek said they are showing a 20 foot wide access, and that does meet the city code. I think there is a section in the agreement that says they need to obtain this agreement.

Commissioner Catmull said how do we know if we are making progress? I think the goal is to invite people to walk and bike as much as possible. What do we judge that on?

Planner Drozdek said it's a nearby pass to the Jordan trail. So there's gonna be more users on the trails if you add more housing, that's the idea behind it.

Commissioner Catmull said I actually looked at the walk score if you've heard of that. I think I saw it like 15 years ago. I popped in there, and it was interesting because it highlighted that one of the things this area lacked is groceries, parks, but this also has a dog park.

Planner Drozdek said there is a dog park in a little green open space.

Commissioner Catmull said it would be interesting. Because sometimes I think as we develop these areas, we try to implement the strategy and the goal, and maybe look in to some some of these tools, and look at what the deficiencies are, and be able to measure that, so it would be helpful to have that to create a more balanced area. because for me, that made it really easy for me to kind of see, oh yeah, there are no grocery stores in that area. How would someone go get that? Would they always take transit to go get that? Or would they be adding that so? So that's all I have.

Commissioner Farnsworth said in the infrastructure analysis report it talked about sanitary sewer, and there are some questions about how the property would be serviced for the sewer. I'm just curious if that was resolved, or how that was resolved.

Planner Drozdek said so the sewer service is provided not by the city, but a separate agency, and they're going to have to go through that agency to get it approved. So whatever they are going to do it will have to be approved by them. I think it's Jordan Valley basin.

Commissioner Hollist arrived at the meeting at 6:48 p.m.

Chair Gedge said I know in the past year we have approved a development to the north with several 100 units and a hotel directly south at the Jordan Gateway, I'm sure, when it's all built out it can accommodate the vehicular traffic. However, my concern is if all three were to be simultaneously being built at the same time. Are there any traffic concerns on Jordan gateway with construction vehicles or other types of things with three projects at the same time? Do we have any way to plan, prepare, mitigate, or you know, any type of traffic delays in the area?

Assistant City Engineer Greenwood said we don't anticipate any concerns with that.

Chair Hollist said I did hear everything that has been discussed, but I was going to suggest that while I participate, I will not vote this evening.

Commissioner Catmull said do we have any standards for visitor parking and minimum requirements?

Planner Drozdek said we do not.

Chair Hollist said to piggyback on his question. So one thing that came out of this is, I know is in a greater area that what we've considered because of transit and whatnot. Were there guidelines in that transit plan that we passed that speak to the parking requirement, and what Mr. Catmull just said with guest parking,

Planner Drozdek said not as far as I know. We used to have a parking ratio, it was in the city code. It was one parking stall for every four units, but that was taken out of the city code many years ago, but that's the only thing that we had in the past. We don't have anything right now.

Chair Hollist said is this in a zone that qualifies for the reduced parking requirement per unit in general?

Planner Drozdek said because of the proximity to the front runner, having two garage spaces per unit is in excess of what they'd be required to have per city code.

Commissioner Hollist said you mean there's a state statute that if they're within a quarter mile of a transit?

Planner Drozdek said yes, that is correct.

Commissioner Catmull said what factors go into determining the length of time an applicant has to complete or start the development, I believe that's tied to the 10 year term that we've talked about in the past, or in a previous

Assistant City Attorney Simonson said it is after approval and completion of the construction.

Commissioner Catmull said like for daybreak, I think we have a 30 year term. Does the city have some sort of default or standards, or do we make it up as we go? Do we determine it on each application?

Assistant City Attorney Simonson said the development agreement, by its terms, remains in effect for 10 years. And as far as approvals go, my recollection is that construction needs to be at least started within one year.

Commissioner Catmull said when the building permit is taken out, or when the development agreement is registered.

Assistant City Attorney Simonson said the building permit is taken.

Commissioner Catmull said they have to be done in a year, but what happens when it terminates in 10 years. What happens to all the provisions there? For example, does garbage collection then default back to the city instead of the HOA, does that mean that after 10 years, all units can be owned by a single owner?

Assistant City Attorney Simonson said I'd have to go back to the development agreement and read exactly what the terms say. My recollection is that the 10 years expires if nobody's basically done anything, but if it's recorded on the land it's binding on the parties and the project is built and it's being utilized, then the development agreement will continue to run with the land.

Commissioner Catmull said I just wanted to make sure that the ones that were not part of the concept plan, those provisions were protected after 10 years. So thank you.

Chair Hollist said you had asked about walkability before I arrived, and I wanted to follow up on that, the Architectural Review Committee also cited a walkability within the complex to their green spaces.

Planner Drozdek said within the concept, within the project.

Chair Hollist said were those concerns adequately addressed?

Planner Drozdek said they were addressed. They added some more sidewalks, because what they had previously was no sidewalks, it was just a road. The argument they made was, they were just dead ends. People are not going to be driving fast, so maybe we don't need sidewalks. But, they did add some sidewalks. And going back to the station, the state law regarding areas next to station areas, to be honest, I'm not sure what it is. I think it is what you said, but I'm not 100 percent sure.

Randy Smith, Fieldstone Homes - said it's easier than saying Fieldstone Construction and Management Services. Damir is fantastic, so you need to keep him on staff, right? He's been really good to work with. I appreciate all the questions. We are excited about this project. we think it will be great. I think it falls about 1000 feet from the from the track station. And we think we can build a nice high end townhome that would fit well in South Jordan and on this property. The way the property slopes down as the units go down, just creates amazing views, and it'll be be a very good project. I'm happy that staff has covered it extremely well. But what questions can I answer for you?

Commissioner Farnsworth said I was just curious, when you met with the Jordan River Commission, did they have any feedback for you on the project, or were there any changes made?

Jared Payne, Fieldstone Homes - said yes we did meet with them. Because of the distance between us and the river and the federal land ended between us, there wasn't much recommendations other than they offered to print signs for us to put in some of our active areas. We agreed to allow that, just for education and they did offer to send a letter of recommendation, but that was the end of it. It was a good conversation, though.

Commissioner Bishop said why is the HOA managing garbage disposal rather than the city?

Randy Smith said because they asked us to do it that way. I imagine it's because of the alleys being smaller than typical public streets. I don't know the reasons, but we're willing to work with whatever's best for the city.

Chair Gedge said I guess a follow up on that, will you be doing the snow removal and maintenance?

Randy Smith said these are private roads. The HOA would manage its own snow removal and things like that.

Commissioner Catmull said if you don't have enough guest parking or say four people have family parties or whatever, and they come in, where are you going to guide people to park?

Randy Smith said we did try to provide as many parking spaces as we could. We eliminated one building to add in that green space, and they took up some of the green space to line that with parking to get a few parallel stalls, but it still maintains fire access.

Commissioner Farnsworth said so the length of the driveways for the units, are they big enough to park a car?

Randy Smith said I think there are two units that have a longer driveway, but otherwise the driveways are short and those areas actually will be red curved as a fire lane.

Chair Gedge said would you be open to the site plan phases having directed overflow guest parking, or enter into parking agreements, access agreements to the neighboring properties and or the public transit station at the front runner.

Randy Smith said yeah, we would be willing to do that.

Chair Gedge said when we get to that, we're just trying to prevent our biggest complaint that we hear on the commission is parking issues. People parking for homes. You can't get through. You can't get fire vehicles through. So we're just trying to make sure that it's adequately planned for.

Randy Smith said I think what would happen, for example. I lived in Traverse Mountain in Lehi, and with our HOA, the rule was no parking on streets overnight, and the HOA monitored it religiously. In fact, I was living in California with my daughter who was having surgery over there, and I was getting parking tickets from the HOA, and I'm not even there. Someone else was parking in front of my house, right? So, all that to say, that the HOA is will manage the parking condition in there and and I suspect someone that won't be able to park in there, hopefully would not buy a unit that they can't fit in.

Commissioner Catmull said if there is a parking agreement with the HOA, then will they have to enter into a public parking agreement?

Randy Smith said we had not anticipated any neighboring parking agreements. We hadn't planned for that. We had anticipated the HOA would, would manage it and would enforce it.

Commissioner Catmull said I am just trying to figure it out, because it's a little bit of a unusual application for us, in that it is kind of locked in. There's not very many streets by it to overflow and stuff.

Randy Smith said this is definitely an infill, this has been a tough one to figure out.

Commissioner Catmull said my next question is, what place in that park has open space, and the dog park? I think I read from the staff reports, it can be shared between that and the apartment complex.

Randy Smith said the dog park is shared between both.

Commissioner Catmull said is that like by agreement, or by verbal agreement?

Randy Smith said the owner of land that we're buying the land from was a part of that apartment deal. They actually have an existing dog park on the land already that's currently being used by the apartments. Now, based on our grading we need to move that. So we agreed to move it and rebuild it, and then we would have an agreement and access from both sides that both parties can use that.

Chair Hollist said if these are going to be high end, what type of pricing do you anticipate?

Randy Smith said in the \$550,000.00 range.

Commissioner Hollist said I am just a little surprised that you got city council to agree to this density without some other sort of concession along those lines.

Randy Smith said they did cut us back. We had proposed more buildings before.

Commissioner Hollist said I'm here to tell you they already gave you more than they give most. It is so interesting.

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

Chair Gedge said I am concerned a little bit about the parking and of course the road access with the other projects going in this area. I take front runner right there every morning, and I'm surprised I have not been hit. People are just very aggressive drivers in that area. This is of course right near the freeway as well. There is lack of retail grocery stores, there's like one restaurant within that, if not, you have to travel for any other type of services, not necessarily for this, but for the hotel or for the Rise Development as well. But I think this is a good fit. Obviously, Utah has an overall housing shortage. This will fill some of that need. I agree that for the price range, they got that many units, but that's why they're in that legislative elected position, not us. But that's my comments. So anyone else?

Commissioner Catmull said my main thing is, I wish I had a standard to peg. I'm not saying this needs to be micromanaged or anything. I wish we had a standard I could peg on the agreement, before it gets done and gets registered for 10 years. It was a long time for a relatively small agreement. I would like to see that be smaller. I mean, this is really like two and a half terms, and a lot can happen in that time. This would lock the provisions, and lock the code, the zoning code, and everything to enable this developer to do that for 10 years. And so that feels like a little long, yet the opposite side, Daybreak at 30 years feels about right. You got thousands and thousands of units to develop, so it takes a while to get everything done. That would be a thing I wish we had, but because I don't have it, and it's not a standard, I can't make a recommendation or a condition, but I would have shrunk it in size or in light.

Commissioner Hollist said these transit type communities that are close to our public transit, I know that legislators hope in their hearts people will reduce the number of cars when they live there, but when they're high end units, I don't see those as the type of consumers that want to live with this. Single car, which would then resolve your guest parking issue if you only had one car and then had a guest spot in your garage. I do anticipate that parking will be an issue, because something that these residents wish they had more of, especially if they start storing stuff in their garage. But that's not necessarily our purview. And I'll say again, this is the right place for density. But again, I'm a little surprised that city council gave this density without, I don't know, some sort of feature, like we've seen bridges, or we've seen deed restricted housing, etc, associated with projects that get that type of density. I didn't join the work sessions, so I'd be curious if there was something they wish they could have gotten, or this was just small enough,

like Commissioner Catmull indicated, it's only two and a half acres, so it was an infill that kind of fit the area.

Chair Gedge motioned to send a positive recommendation to approve File No PLBA202500153 Horizon – Rezone with Development Agreement. Commissioner Farnsworth seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Michelle Hollist abstained from the vote and Commissioner Harding was absent from the vote.

OTHER BUSINESS

Chair Gedge said I would like to wish everyone a Happy Thanksgiving, because we will not have a meeting the fourth Tuesday of this month due to that being Thanksgiving week. So enjoy your holiday.

ADJOURNMENT

Chair Gedge motioned to adjourn.

The Planning Commission Meeting adjourned at 7:15 p.m.



Memo

TO: Planning Commission
CC: Jared Francis, Senior Engineer

DATE: November 26, 2025
SUBJECT: Almond Dental Building 2
Time Extension Request

FROM: Damir Drozdek, Planner III

The Planning Commission reviewed application PLSPR202400093 at a public hearing on August 26, 2025. The application proposes construction of a new commercial building at the southeast corner of South Jordan Parkway and 2200 West, located at 10433 South 2200 West.

The site currently contains one commercial building occupied by a dental office and a dance studio. The property owner intends to construct an additional building and relocate the dance studio into the new space. The existing building's vacated suite is planned to be leased to an office user, while the dental office will remain.

During its review, the Planning Commission expressed concerns regarding parking and site access. The two properties on the site do not have a shared access and parking agreement, and the proposed new building has no direct access to public streets and no on-site parking. Additionally, based on City Code requirements for the proposed uses and square footage, the site does not currently meet minimum parking standards. Due to these issues, the Commission tabled the application until the end of the year and requested that the applicant:

- Execute and record a shared access and parking agreement between the two properties; and
- Either propose uses that comply with City parking requirements or petition the City Council for a reduction in parking standards.

Since then, the applicant has submitted a draft shared parking agreement to staff, and staff has completed an initial review. The agreement has been returned to the applicant with requested revisions. The applicant has also paid the required fees to initiate a parking study to determine projected parking demand for the proposed uses and the new building, and to compare those findings with City Code requirements.

Because the applicant has been actively working to address the parking issues, staff supports the request for the Planning Commission to grant an additional extension. The Planning Commission minutes from the August 26, 2025 meeting are attached.

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Chair Gedge said I attended city council meeting last week and they did appointed our new Commissioner Bryan. Farnsworth, so that was unanimous, which is always a good sign when it's unanimous. Also, they had the public comment for the Bess Dental which we had heard two weeks ago in our meeting. They did table that item because at the last second an adjoining property owner joined that is part of this parcel, Jordan Valley Water Conservancy District. They will hear this at the next city council meeting, there will be no further public comment, and they will just have their deliberation on that hopefully. One other item they did pass is a parking lot size reduction for the new Bingham High School seminary. So if we do see that come before us in the future that did pass five in favor by the city council. So we have our city council direction that there was a change in parking lot requirement.

F. SUMMARY ACTION

G. ACTION

H. ADMINISTRATIVE PUBLIC HEARINGS

H.1. NEW TWO STORY COMMERCIAL BUILDING SITE PLAN "ALMOND DENTAL PHASE 2"

Address: 10435 S. 2200 W.

File No: PLSPR202400093

Applicant: Jordan Dejarnett; Mint Architecture

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

Commissioner Harding said so the grass section that comes off of South Jordan Parkway is that a required length of "no parking" so if I'm reading correctly, that sign can be moved. Could additional parking be put between where that sign is?

Planner McDonald said possibly.

Commissioner Harding said and then at the same time if you go to the corner where the image shows all of the parking off of 2200 South, is there any requirement to have so many feet to the street there?

Planner McDonald said there is a public utility easement that runs along double frontage, and Rocky Mountain has one in that lentire left corner.

Commissioner Harding said could they move the garbage over there and add parking to that?

Planner McDonald said they wouldn't be able to occupy that easement. It has active services in it, there are actual junction boxes installed there as well.

Commissioner Harding said so if I heard you right, there is a provision to allow for 69 spots.

Planner McDonald said the provision in city code that was referenced, staff does not support in this application. The requirement is for an assembly and recreation use. In this case, the dance studio is one parking stall per 100 square feet, or if you were to have four seats, doesn't matter if they're fixed or not, then you can have one stall per four seats and that is the provision that staff does not support given the issues identified in that report. The number that you're referring to is if we were to modify their original one per 250 approval for the whole development, which is both phases. It would still result in a number that is higher than the existing 64 stalls on site.

Commissioner Harding said and the change of the parking lot across the street doesn't affect it. We can't take that into accountability at the high school.

Planner McDonald said no. They must retain on their own property within this development.

Commissioner Catmull said what is the deficit then? Is it a five parking stall deficit? 64 current, 69 with that 250 number, using the 250 square foot per stall.

Planner McDonald said if we were to adjust the numbers, they would be roughly four to low 20s. Short.

Commissioner Catmull said how many?

Panner McDonald said number four to the low 20s short adjusting those ratios.

Commissioner Catmull said depending on what use goes in there?

Planner McDonald said correct. The extra five is based upon the current use as the medical clinic and the Empowered Dance size of their spaces.

Commissioner Catmull said can you also remind me what is the requirement for accessible parking spots? How many per how many slots?

Planner Greg Schindler said I think they have to have one for every 40 spaces.

Planner McDonald said they do have two on the south side of phase two, and two on the east side. Those two on the east side have to be removed and relocated further north to meet those requirements of access distance to that entry on the northeast corner of that building.

Commissioner Hollist said included are a couple of notes in your staff report regarding code that prohibits medical clinic uses within the CN zone and buildings with footprints exceeding 5000. How is a dental office currently operating there? Is that something that was approved before that code.

Planner McDonald said it was missed by staff, and they got away with it, per se. So the new building still has to comply if those uses are going to occupy any space within it.

Chair Gedge said so the current use is a grandfather non conforming because it was missed by staff initially, correct?

Planner McDonald said but if they discontinue, they would not be allowed to come back.

Commissioner Hollist said is that why this next building is now just a little bit smaller in the footprint, to come right under that 5000 within the second story.

Planner McDonald said correct.

Commissioner Hollist said in the packet that you provided us, I assume this is what was presented to the Architectural Review Committee, they've claimed that they've got 74 existing stalls on site. Do we have a way to confirm which set of documents is correct?

Planner McDonald said what's been presented in the report, the 64 is the valid number. It's been confirmed on the counts, and it's the number from the original approvals. The 74 is either a miscount or a typo.

Commissioner Hollist said in reviewing all the notes, "thank you" that was very helpful to have the meeting minutes from when we previously visited this. We made a motion the last time we saw this for the final or the preliminary subdivision, and we made it very clear that our approval was pending both a shared parking, a shared access, and a shared stormwater plan being presented. So, I am not convinced that this is actually a complete application. I am not ready to review it based on that. I'm just gonna throw that out there.

Commissioner Farnsworth said in the December 12, 2023 minutes, it says there's 26 parking stalls required, 22 for the dance studio and four for the dentist office. Why is there such a discrepancy in that number versus the presentation of parking and all of the other minutes and presentations?

Planner McDonald said with the site plan application staff took a deeper dive into the original approvals and found more accurate numbers. So what's been shown in the report is more accurate based upon the extent of the entire developments existence from when it first came to be, from phase two today.

Chair Gedge said with the building that you presented this evening on the northwest corner of South Jordan Parkway at 2200 West and the two accesses. Are there any concerns with vehicular traffic, with the increased vehicular traffic coming in here, and the parking issues that might go especially along 2200 west and South Jordan Parkway, if they are under parked?

Assitant City Engineer Nielson said there are parking concerns if they're under parked, if they're not meeting the city's parking ratios, just because of the because of the parking issues that already exist with Bingham High School.

Chair Gedge said know Bingham High School is a different application, different property. However, I know they've made some improvements to parking in their southwest corner locally,

mostly for teachers and visitors. Do we have any numbers from the school district of how that will improve their parking situation along 2200 west or overflow into neighboring properties such as this?

Commissioner Hollist said I would like to point out that when we saw this previously, it was brought to our attention that this site was actually selling and encouraging parking by students.

Assistant City Engineer Nielson said think it's going to be tough to tell it. I mean, they were able to gain another 90 parking stalls, which is fantastic, but when you see how many vehicles are already parking on the public streets, there's still going to be a lot of on street parking.

Commissioner Catmull said on the arc committee vote, it was that unanimous.

Planner McDonald said yes.

Jeff Almond, (Owner) said I am the owner of the property, and this is Jordan. He's kind of helping with the development and so forth. So he'll probably answer a lot of the questions. But one thing I guess, that I'd like to state is on that first building, I feel like there needs to be a correction on whether that was missed. Andrew mentioned that there was something that was missed in the planning, and I don't think that there was. We still did the 5000 square foot building, which is the dance studio, and we had to have a zero setback. Well, we asked if we could put two separate buildings with a zero setback, and they said yes. So there's a separation between the dance studio and my office that has a firewall, whatever it is that we had to put in. So it was approved. I don't know why they're saying that they that was missed. I don't know where the correction is on that, but I specifically remember addressing that issue. They said that the first building could only be a footprint of 5000 square feet. So we did do that, and then we did the firewall proofing and did a zero setback on the second where my office is. I just kind of wanted to clarify that a little bit, and then the parking issue.

Jordan Dejarnett, (Mint Architecture) said First of all, I would like to kind of address the few comments that Commissioner Hollist had. There was an updated storm water system that had been submitted, so that is now on record. And then in regard to the shared parking, in your last in that packet that you guys have there from the Assistant City Attorney Greg Simonson. He says that, since the owner is the owner of both lots that no shared access and or parking agreement is required and that's in page five at the last exhibit of what you guys had there with what Andrew had submitted. So with that being said, I don't feel that the owner is against doing a shared access agreement in the future. If he were to say, consider selling one of the lots and have that be an option with the parking as far as the one per 100 square feet for the dance studio right now it says in your code that it's also one per four seats. As Andrew had mentioned with that we have gotten confirmed numbers from the existing dance studio right now that they only have 16 seats, and so there would only be a requirement for four four stalls for their space currently, one thing to potentially consider is, although it's not written in the code, it would only be a requirement for four stalls for their space currently. Also, one thing to potentially consider is, although it's not written in the code, exactly what that portion of the parking kind of relates to, this isn't a performing arts theater. So there, it's just a rehearsal space where kids are getting dropped off

and for their dance class, and then they're getting picked back up. It's not a place where they're holding their recitals or anything like that. When they do that, they go off site and they host it at a very large a larger facility where family members and friends and people the community can come and watch those events. So that's where I think the one per 100 is suitable for something where it's more of an actual Recital Hall, rather than a place where they're rehearsing and it operates outside the hours of the existing dental clinic. With that, the owner has also mentioned that in talking with the dance studio that they would more than likely be considering to actually occupy the whole new building. And if they would like to expand the existing space that the dance studio is in just due to the current market, and what's kind of the best target audience for a new tenant would be someone that would be asking for office space. And so with that, that's one per 300 stalls, and he is planning on staying in his current location now. So with that, in this hypothetical situation, his current space and the square footage that he has requires 22 stalls in the office, if office was to occupy the existing dance studio space at the one per 300 that would require 13 stalls, that would then leave 29 stalls remaining for the dance studio. Which that would then, if you went with the route of one per four seats, that would give the dance studio an option to have 116 seats in that new facility, which is a massive amount of seats that the dance studio would ever put in that because they really only have, in this case, if they were to occupy both buildings. They would probably have two smaller lobbies, and that's currently just used for dancers that are either waiting for their class or waiting as their class to get out, or eating a snack after school before their class starts, type of thing. And that's really the only occupiable seating in the whole dance facility. So I guess with that, that's kind of our argument as to why we feel that with the current proposed 64 stalls it would be adequate, not only from the calculations that we've done, but then also from the standpoint of what is kind of going to be realistic for those because, they're not going to put 116 seats in the dance studio. The other thing with that too is, in the future, if the if the dance studio decides to vacate and he wants to then have office space for that whole new proposed building at the one per 300 that then puts the office building at requiring 64.9 stalls. So it'll really only requires us to at that point to then need one extra stall, which, by looking at the site plan, I'm confident we could accommodate.

Mr. Almond said someone had a question whether I'm still selling parking permits to Bingham students, and we have done this for eight years. We usually do about 30 parking spots. So I know that there is plenty of parking available for another building. We would never sell that many if we didn't feel like I have the space. I've had eight years of doing that with the experience of selling that it's never over parked. So I don't know if that's a way to put your mind at ease a little bit, because, I mean, if you look at the map there on the back side, on the east side, and then going north, against the building on the north side of that handicap, there's 28 parking stalls. And now, that's basically what we sell to the high school students, because we know that those parking are just free. They're never used. And we did that for my first year I was in there, just the whole basically East Side sat vacant. And so we have the idea, well, let's just sell to get some of the congestion off of 2200 let's sell some of those parking spots. So we've been doing that now for six years and there's never been a parking issue at all.

Commissioner Hollist said when do you anticipate that you'll begin construction on this, if it were approved?

Mr. DeJarnett said if I had to take a guess, we upon approval. Let's say you guys vote to approve tonight, and the owner chooses to then move forward with the continuation of the drawings. We're probably three, four months out from even submitting for permit, and then from there, there's going to obviously be one, two, maybe three rounds of comments in that turnaround period. And then each jurisdiction is different, but roughly it's about two weeks that the city has to be able to turn around city comments back to us, and then from there, we then schedule when we would like to start construction. So by the time that all comes around, I mean, we could also make sure that we coordinate with the owner, and we have it permanent and ready, but that we don't kind of forego the agreement that he has with those students, and then we don't potentially start construction until after the school year is over.

Commissioner Hollist said are you still letting the dance studio sublease to a preschool? I know that that was contributing to the build up on 2200 W.

Mr. Almond said no.

Commissioner Hollist said why the second story? Why the change? I guess, in what was presented previously.

Mr. Almond said the change from the original proposal of the just a single floor. I just wanted to max out the earning potential of the property. I was approached by another dentist in the South Jordan area. We were going merge our practices and so we just thought, with the design and the calculations, we could just do a two story and do more per square footage mainly just to maximize the property.

Commissioner Hollist said I was not able to find the comment from our city attorney, but my biggest concern when we saw this previously was the change from having the number two lot have any parking specifically allocated to it? I know that it's currently owned both by you, so apparently no issues. But what happens in the future when you sell off building two and building one, whoever's in it operating at whatever says this parking is technically ours, we don't grant you any access or parking spots. That's where my concern is coming from is for the future, you can't promise that you'll always own the both of these or that the same owner will own both because you subdivided it. Right?

Mr. Almond said I don't know the ins and outs of shared parking agreements, but if that was contingent on a sale, it certainly would obviously sign something that would accommodate and be fair for both buildings.

Chair Gedge said what are your current dental hours of operation, days of the week, hours of operation, and then, of course, the dance studio?

Mr. Almond said Monday, Tuesday, Wednesday, was it. But I am looking to expand my practice, bring on associates, and there's the potential we'd be open five to six days a week.

Chair Gedge said do you know the dance studio's hours of operation?

Mr. Almond said generally, they do Monday through Friday, I don't know exact time, but usually around 3:30 pm to probably 8:30 or 9:30pm.

Commissioner Catmull said my question is around the architecture committee, they made recommendations, and you heard staff say that they were not accepted. Could you give us some more details on why you chose not to accept the recommendation for further changes?

Mr. Dejarnett said the only thing that we didn't incorporate and or change was the issue about the parking. There was one prior iteration, and that was that we had less pitched roofs, and then it was brought to us that they would feel it's acceptable to then have 80% pitched roof and gabled or hit roofs and 0% flat, to be able allow screening of mechanical equipment for rooftop units and stuff. And so we went back in and addressed it and made that correction. In regards to the brick they didn't initially ask . We were planning on having a white painted brick, but that was another item that they didn't feel was acceptable, just because painted brick can be costly and you'd have to make it look good. It requires continual upkeep. So, that's why on that material board you have that other piece of brick there that would be the new proposed brick, that is a white brick that is not painted. Those are the only other items that really came from that meeting, per se, and even in the Architectural Review Committee meetings, they were more concerned about the architecture of the building rather than the parking. I know it was discussed a little bit, but it wasn't discussed at full length, like we were discussing it tonight. And then the other item was we had our main entry to the east towards the parking lot. But in order for us to encroach on or have a less setback towards South Jordan Parkway, we had to have our building entry towards the street facing side. Which we then updated our elevation to add in an entry, and adjusted the architecture to kind of accentuate that, this is the main entry, rather than facing east towards the parking lot. One other thing that I would like to add to in regard to the parking was, August 9, 2024 was when we submitted our third time of comments, and at that point was the last time that we had heard about the parking issue, per se. Now, there's more to that, and I'll get to that, but we ended up submitting three other times before being able to be before you guys. And at that point, other than September 4, 2024 when it was mentioned that there's still a potential concern, but nowhere in those city comments after that was there a parking question. So once we fulfilled that, once we addressed that comment after the third time, and then after the prior or the next three submissions, there was no city comments. We thought, we assumed it was resolved and that it was acceptable to the city. And then on September 4, 2024 is when we got a this letter that talks about the concern for the parking. Then on January 3, 2025 we got an email from the portal and that it had got pushed through, and our application was being deemed, either approved or accepted from the planning department to then move on forward to you guys. So from September to January, having those and still not addressing it in September, but then in January of this year, then basically deeming it accepted and allowing us to become before you. And if it wasn't accepted because of the parking then why are we here?

Commissioner Catmull said ust real quick follow up on that, because that was a mixture of several items. As far as the Architectural Review Committee, my understanding of what you said was that the brick was changed, and we see that reflection in there. The pitch and the percent of the roof that has to be pitched was set to 80% is what they wanted, is that where it is at?

Mr. Dejarnett said one of our earlier iterations of this building had less than 80% pitch roof, and the planning department then basically said that they would find it acceptable. If we were able to come to a new design where we were able to achieve 80% which is what we're at.

Commissioner Catmull said he architecture review committee was okay with your percentage, that was not a concern to them?

Mr. Dejarnett said correct.

Commissioner Catmull said so then I think the only thing I have on my list is the entrance was the sticky issue that was not resolved?

Mr. Dejarnett said it's resolved. That was one of the things that's updated in the package that you guys have, and what the city has is the main entry was changed to now be street facing, rather than East facing towards the parking lot.

Commission Catmull said I am just trying to reconcile what Planner McDonald's presentation said, because it said there was a remaining issue that was not resolved.

Mr. Almond said that 80% wasn't just a number that we thought up and then they said it was acceptable. It was one that the planning department brought to us and told us that if we could get to that, it was acceptable.

Chair Gedge opened the Public Hearing to comments.

Regina Pikus, South Jordan said I actually didn't come here for this, I am the applicant on a different item. I live right off 2200 W and I have a high schooler at Bingham, so I'm definitely familiar with this. The parking situation right now, and the traffic is a nightmare at Bingham. If the way I'm interpreting this, maybe I'm interpreting it wrong. If there's an additional almost 10,000 square feet, and right now there's 28 parking spots that are available to flux. I don't know how 28 parking spots are going to do for 10,000 additional feet. I definitely have big reservation because Bingham is a massive part of that parking equation. The kids at Bingham are still in a lottery system, and for sophomores are not allowed parking passes. Juniors are in a lottery system, and then seniors are the only ones that are guaranteed. So opening up the 90 new spots has been great. My child got a lottery Pass, which I feel like we hit the jackpot and but most of the new ones in the front everybody has to be gone by three o'clock, and you guys probably know that, but they use that space for for driving lessons, and so everybody has to vacate in the front, where every spot that's marked as blue. So during the morning commute, it's very, very congested.. Years ago, people were allowed to park on 2200 W and across 10400 S, which is South Jordan Parkway, but that has been cleared. Nobody's allowed to park there anymore. So it's it's tight. That's what I'm saying, I definitely have concerns with that.

Chair Gedge closed the Public Hearing.

Commissioner Harding said Andrew can you confirm those numbers that we heard with the future planning? We know it's all hypothetical, right now, but if the entire amount went to office,

that would only be one more needed. He has agreed to do a shared parking agreement. I just like the city to confirm that.

Chair Gedge said and that's the one per 300 square feet, correct?

Commissioner Harding said this is what I heard. If the dance takes a whole building, they would take 29 based on the seats, dental would be 22 and if office took over from the original building phase one, that would only be 13. But then, if the dance doesn't take all of that and it goes to Office, it would only be an additional one. I just want to make sure we're all on the same page based on code.

Planner Andrew McDonald said referring back to the report, staff cannot confirm those numbers because that is future speculation, so we can't engage with that. What we know is that there is a problem right now, and that is the whole basis for what's been presented to you. We will require what's required of code for those uses, as they are defined and how they apply in the chapters ratio. This is a 9897 square foot area building, and as that code applies, that is per floor area. If the applicant, slash property owner, wants the whole building to be occupied by the dance studio, that one per 100 ratio will apply to that whole building that calculates the 99 parking stalls required for that building alone. So again, referring back to the staff report, we can't speculate. What we do know has been reviewed and presented before you, there is an issue it remains unresolved, and that the applicant has not met that burden of proof to demonstrate that any potential that they want to bring into the property with any parking studies or analysis would provide a basis to have those conversations, which they haven't done.

Commissioner Hollist said as a mom that takes girls to dance studios, I've been thinking about this a lot. I think I agree with the applicant that we might not have a great metric for what a dance studio requires that cannot put on a recital. The number of chairs actually in there, again, really doesn't signal how many people might have parked there. I would actually think the number of studios might be more appropriate. You probably have a teacher and two parents per studio. And I know that's not in the code, so we can't go by that. I don't know if they were able to provide you a picture of their lobby and showed how many chairs would they fall under that definition of the recreation and assembly use well.

Planner McDonald said regardless if there's recital performance or not. This is a dance studio as defined under recreation and assembly, subcategory instruction and training, primarily engaged in the personal or group instruction of cultural sports or recreational activities such as dance, gymnastics, martial arts, music and similar activities. Whether or not they have recitals there or not that would bring in more traffic, our report and conclusion still stand that we have an issue with the parking in that use, and that that whole development as it currently is.

Commissioner Hollist said so why were we talking about the number of chairs at a previous meeting? There seemed to be another metric that the city was open to using for interpretation.

Planner McDonald said it was a conversation not pertaining to the standard of approval for that application. We did have to cycle around and clear up that yet that time you were focusing on the

standard of approval for the preliminary subdivided application, and then coming at tonight's site on application, you could circle around and bring back those concerns which staff has referenced. For the record, we still don't support the use of that reduction in this application. And if there's any questions, it would defer back to the director of the department for interpretation on the historical context of this project and property.

Commissioner Hollist said we talked about a traffic study potentially being a part of this final site plan. I don't know, visiting and confirming that during the daytime there are spots available, and at nighttime there are not. I'm very sensitive to the parking issue. Mr. Gedge lives right by a business development that we have a lot of heartburn over every time it comes up, because they are always under parked based on what's gone in. And apparently, once, historically, something's been there, you can never revoke that use. And I understand exactly why you're doing your due diligence here. And so I guess I'm trying to understand, I tend to agree with the applicant. I don't think I ever drove by it during preschool time, where we did receive testimony that can back up onto 2200 West and around the corner to the neighborhood. But when I go by during the day at Bingham, even with Bingham students there, I see spots available when I go by during dance hours. It does look busy, but I would have thought I could probably get in and still get a spot. But again, my biggest concern, which I stated right at the beginning, is a shared parking and access to ensure that the future property owners business providers have a designated number of spots allocated for their use. I think there might have been a question in there for him, like what would it take for the city staff to review on this particular case basis.

Planner McDonald said we would need to know and not speculate, which we wouldn't know until permit applications come in, where we have actual documents and complete applications to review and apply our code to. Outside of that, it's speculation, and we will stand by what we have gone on record with and what's in our code to support what we will apply.

Chair Gedge said so as we continue our deliberation, we're focused on what we should be doing as a commission to either approve, conditionally approve or deny. Can you help us with that?

City Attorney Ryan Loose said from from the standpoint of the legal requirements. The legal requirements are what they are until we know what the use is. Then you go on what the potential use could be. If the applicant wants to say that they will not invite themselves into not leasing to those higher parking uses, then any application for the higher parking uses would be rejected until such parking was created on site, which after building there's difficult, very difficult. So from that standpoint, the approved use, or the approval of the parking, would start to then stop any other use from coming into the building just by function. So if you approve the parking like it is now, with the building like it is now, that's what you approve, then uses that take more parking will not be allowed because they just functionally can't go into that space. And so what planning staff is advising is that, until you know the use, don't approve a parking, deny the request, have them cement their uses, then approve it that way so you know what the parking is.

Chair Gedge said another avenue for the applicant is if we were to go down that route, they could then apply to the city council for a code change to a different definition to allow the parking to be allowed on the use that they're proposing. Is that an option if we were to deny?

Director Brian Preece said they could also apply for a parking reduction, which is what the seminary across the street. The city council allowed to do a parking reduction with evidence.

Commissioner Harding said do we have the ability to put that stipulation in to avoid coming back? Meaning, if the city council approves a reduction, and verifies residency or type of use, so it avoids coming back here, or we don't.

City Attorney Loose said It would be a complicated motion, because you'd have to anticipate what the what you have to anticipate what the uses are that they would allow and reduce the parking for.

Commissioner Catmull said on the applicants questioning and answering of the Architecture Review Committee, as we went through those items, they did not identify an item that they felt like they refused to address, and they seemed to say so there was some sort of miscommunication somewhere in here. Can you illuminate some details as to what item is outstanding from the committee that they wanted addressed?

Planner McDonald said yes, to clarify, the Architectural Review, committee reviews the designs of the building. They do not review site plan issues, which includes the parking right? So there were no conversations in regards to the parking compliance issue that was being handled through staff according to code. The concerns that were initially discussed in the August 14th meeting, referring back to the presentation with a lack of main design entrances so they could utilize that setback reduction and be within 10 feet instead of having to be 20 on the South Jordan Parkway. Which (1) required redesigning the entryway to how you see it now and what you saw in the presentation on those slides is not what was presented at the recent one on the one before that on August 4th. They did make some changes, however, of the ones that were listed, the Committee on the 11th meeting did not recommend approval. They unanimously found that they were not adequate changes to address the concerns that they had expressed. They felt the applicant could have done more in the design to appease their concerns with the roofing issue, referring back to the presentation and discussion of how the CN zone does not allow it prohibits flat roofs, and explicitly states that all roofing shall be pitched or cabled in some fashion. Now, naturally, that means the entire roof. However, you're going to have rooftop mechanical equipment on this building. You do have it on phase one, the existing building, and it does need to be screened from line of sight. So reasonably with phase one and with the designs you see in phase two on that rooftop, calculation, what's left is flat space for them to put their equipment and how they need to access it. And reasonably, it is screened from view, and the 80% was a strong majority determined by the Director of Planning at the time, Mr. Schaefer Meyer, that number, in reference to looking at phase one, is solid enough to determine that it could be considered compliant, while still being reasonable with the mechanical bridge, but flat space still being there, even though explicitly the code says it shall not be flat.

Commissioner Catmull said I'm trying to sort out in my mind, the process of taking these four buildings, but two structures anyway, taking these and considering their use through time. As I look at the parking ratios, and if my calculations are correct, wherever they are ,if it was all office space, it could require as little as 51 or 171 if it was all assembly, if that was the use. So,

as you know in 10 or 15 years and new owners, new uses, how does the parking ratios get managed as new permits and uses come into a property?

Planner McDonald said the ratios are still applied as they're listed in the code, the requirement for 1626, parking ratios based upon how the uses are currently defined. So in this particular case, a dance studio is recreation and is simply one per 100 with the provision to reduce that which staff doesn't support the office use as city code defined which does not include a dentist office, despite that being in the name, dentist offices are medical clinic uses, by definition requires one per 200 which is the same as retail. All of these are permitted uses. So again, we can't speculate as to what the future could be, as we refer to in the presentation. We need to focus on what we do know. What we do know is that the uses that have been identified, and historically have existed, and the ratios have been applied, and those developments have been looked at and processed and etc. There's an issue that they are not resolving through their burden of proof to show what they are doing will meet that code. Here is a study that's looked at for the existing building and the size of the 17,000 that's being proposed on the floor space, and they've calculated using the uses and their ratios as is explained in the code, and has looked at the traffic flow and intake and those uses and whatever else the engineers and whoever prepares those, puts into it and can say that this is the intent. Here's the report, however, as it was recommended by Commissioner Hollist during at the end of those meetings, that would be considered part of their burden of proof, which they did not provide, even though it wasn't required of staff to provide, it still would have met or contributed to an evaluation of that burden of proof, which still overall, was not met.

Commissioner Catmull said the parking reduction, is that something that is binding, bound to the property, or is that between the city and the current owner?

Director Preece said I am not sure why we're saying parking reductions, even by staff, the code says that it's one per 100 or one per four seats. To me, that doesn't make sense that you can choose to have the number of chairs, and then if somebody said, Well, we're going to have four chairs, so we only need one parking space. What happens if they bring in more chairs as a removal? My interpretation of that is fixed seating, and I agree that it is poorly written and we should probably straighten that out, I mean, that's a huge disparity from one per 100 to four. And so I don't think in my opinion that was the intent of that code, to be able to choose between, we're going to bring in a few chairs, versus what it actual says. And so, my interpretation would be that it is fixed seating that's known. We know that that's we're going to fix those chairs. We deal with this with restaurants, which a restaurant is something that could happen here and they have booze. And if that's the case, then we say this is how many, but if they have movable chairs and what not, then we go by floor area. So I think this would be consistent with that. I think the reduction in parking by code is left up to the city council.

Commissioner Catmull said that's what I was referring to. I'm sorry, I may have miscommunicated. Is a reduction agreement going through the city council? Is that a binding agreement with the parties, or does it run on the land?

City Attorney Loose said It's not an agreement in my sense of the word, meaning the two party entering into it, it would be the council exercising their discretion to allow a lower limit, and that

would stand as to what the approval is. So if it's for a specific use, it would be for that use. So with the Bingham High seminary, it wasn't for an office building or a school, it was for a seminary use, or only teachers got to park there. That was explained in the terms, for lack of a better word or what exactly would happen. That was all known in the council that we will approve the lower limit for that. And so if an application was taken to the Council for this, they would have to do the same thing. They'd have to outline what they needed for why they needed less spaces. If the council found it reasonable, as long as they're not arbitrary, capricious or illegal, they can approve what they need to

Director Preece said they are replacing a building so they already had a number of parking spaces that was working. They also showed evidence of other seminaries at other schools around and how many worked for them. So they built their case to the city council.

Commissioner Hollist said I looked up the bingham seminary parking reduction request for their site plan application. This is a substantial reduction over what would normally be required for educational use and I think we all agree that it's reasonable. Let's say a homeschooling group came in and purchased that building in the future, obviously changing the use, potentially bringing a lot more cars. How do you balance that? Because it is my understanding that the land use, the underlying application would carry.

City Attorney Loose said they may not be able to get a business license, they may not be able to get tenant occupancy permits to change the inside, there's a lot that goes into when a new use comes in. I know what you're saying, is it still educational? The use wouldn't change, there would be a new tenant using the property in different way. Having people come there to park like the paradigm high school up on 3636 West, just behind the district. They're a private high school that has more cars. It's not the very big high school, but it's parking in this sort of scenario would be counted more, so we would deal with it that way. That's why it's really hard when you approve less.

Director Preece said and also, what was considered was it's only teachers that are parking there and that there is parking for students elsewhere.

Commissioner Hollist said my thoughts on that, and the city staff would probably have to tell the applicant how this would work, but potentially that we table this so that they can go in front of city council, present their evidence showing we're selling 30 parking spots.

Chair Gedge said that's where I'm leaning, because right now, based on our purview, we would have to deny, and so by giving them a pathway to table it, we're not denying it. We're not approving we're tabling until they can work something with the city council, that's up to our elected officials, and then maybe it can come back. We don't have to have the public comment again. We didn't have a clear direction on the number of stalls, not hypothetical anymore, which I understand staff's position, because we don't know what it might be, but you know, it could get built, and the next day it could be completely something different. We need to protect the future. I think that's one of our long term plan, our goals as the planning commission. So I'm in favor of table it.

Commissioner Farnsworth said is there anything the applicant could do to get staff comfortable with the lowered parking number for the dance studio, such as building fixed seating or traffic study or having contracts signed that show the uses? Is there anything the applicant can do to get staff comfortable?

Director Preece said these are always difficult, because you don't know what the future tenants are, and the applicant does the best they can. We do the best we can to try to figure out a parking number, but we are bound by the code, so we're not the ones that can give relief. It's the city council. I guess there's things such as deed restrictions they could put out that certain uses wouldn't be allowed, but that would, again be a whole nother process. We probably err on the side of over parking, and that's one of the flaws cities have. Most parking ordinances are overkill because they were designed planned for the day after Thanksgiving for retail things, but their parking may be exactly right, we may be wrong, but that's what our ordinance says.

Chair Gedge said I would like to ask the applicant to come back up, and ask him how he feel about us tabling it.

Mr. Almond said yes, I'm open to that. I know being there eight years that there's plenty of parking, it's not an issue. So yes, I am totally open to that. We will do whatever we can to make everyone feel comfortable about this.

Mr. Dejarnett said so from here going forward, if you are going to table this, what is our process moving forward?

Chair Gedge said our City attorney has recommended to a date certain, I believe, so we would table our ultimate decision. I don't know, the ample amount of time that City Council needs, they will work with you on that.

Director Preece said we don't have control on when they can get on the city council agenda. So we'd suggest that you table it for like, three planning commission meetings, unless they've made an application before the city council, and then we will come back the first meeting after the City Council meets.

Commissioner Hollist said I think there's also room for them to provide uses to city staff and have their numbers recalculated without even going to city council. I don't think we are saying they have to go in front of city council.

Commissioner Hollist motioned to table File No. PLSPR202400097 New Two Story Commercial Building Site Plan “Almond Dental Phase 2” located at 10435 S 2200 West, pending the applicant working with staff to either provide site plan uses that are in compliance with current city parking codes, as well as to provide a joint parking access plan between the two subdivisions or going to city council and successfully petitioning for a reduction in parking requirements related to this site plan. Chair Gedge seconded the motion.

Deputy Recorder said, you stated the wrong file No. in your motion.

Commissioner Hollist amended the motion and restated the motion with the correct File No. PLSPR202400093. Chair Gedge seconded the amended motion.

Commissioner Hollist motioned to amend the last motion and add the shared parking agreement or work with city council on an application for a parking reduction and hat it comes back to us by the end of the year. Chair Gedge seconded the motion.

Commissioner Hollist motioned to table File No. PLSPR202400093 New Two Story Commercial Building Site Plan “Almond Dental Phase 2” located at 10435 S 2200 West, pending the applicant working with staff to either provide site plan uses that are in compliance with current city parking codes, as well as to provide a joint parking access plan between the two subdivisions or going to city council and successfully petitioning for a reduction in parking requirements related to this site plan, and add the shared parking agreement or work with city council on an application for a parking reduction and hat it comes back to us by the end of the year. Chair Gedge seconded the motion; Roll Call Vote was 4-0 unanimous infavor. Commissioner Bishop was absent from the vote.

I. GENERAL PUBLIC COMMENT

Chair Gedge motioned to add item I. General Public Comment to tonight’s agenda to allow for comments. CommissionerHollist seconed the motion.

Chair Gedge said there was an item that was mailed to residents within our public noticing requirement. It was supposed to be on our agenda this evening for a conditional use permit at 2306 West old Rosebud lane. We will hear that at a subsequent Planning Commission meeting when that is properly noticed and on the Agenda. However, any comment that we take this evening that might be referring to this project, we'll ask our city recorder to please enter that as public comment to that future meeting.

Chair Gedge opened the General Public to comments.

Regina Piku, South Jordan said I'm here about Mimi's cottage, the agenda item that was supposed to be on the agenda tonight. File No. PLCUP202500140 this is for an ADU that we're building in the backyard. The majority of it is an extension of our main house, and then 1500 square feet of it is allocated to an ADU that my mom is going to live in. It's called Mimi's Cottage. This is my house. This is an existing pool house that's going to be demolished, and this right here, this is my neighbor to the west and It's the only neighbor that's affected.. So their primary residence is up here. They built before the no windows on the second floor was a rule, so they have windows. It is on their top floor. Nobody wants to look at each other. We are very happy to do whatever we need, but we need light coming in from that direction. There's the section that is closest to where I'm pointing. Here is part of our main house, and if we need to put frosted windows on that part, I'm totally fine with doing that. The part that is over here where I'm pointing is the upstairs bonus room for my mom and it's only 115 square feet. It's just can be

SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: DECEMBER 9, 2025

FILE OVERVIEW

Item Name	Daybreak Village 9 Plat 7 Preliminary Subdivision
Address	Generally located near 11085 S 6605 W.
File Number	PLPP202500126
Applicant	LHM Real Estate (Vagner Soares)
Property Owner	LHM Real Estate
Staff Author	Greg Schindler
Presenter	Greg Schindler

PROPERTY OVERVIEW

Acreage	14.872 acres		
Current Zone	P-C (Planned Community)		
Current Land Use	Vacant		
General Plan Designation	Residential Development Opportunity (RDO)		
Neighboring Properties	<i>Zone</i>		<i>Land Use</i>
	<i>North</i>	P-C	RDO (Vacant)
	<i>East</i>	P-C	RDO/OS (Vacant)
	<i>South</i>	P-C	RDO (Vacant)
	<i>West</i>	P-C	RDO (Vacant)

ITEM SUMMARY

A complete preliminary subdivision application for Daybreak Village 9 Plat 7 was submitted on June 20, 2025. The proposed subdivision comprises of 76 residential lots and associated public rights-of-way.

TIMELINE

- On June 20, 2025, the applicant submitted a complete application to Staff for review. Staff reviewed the application and worked with the applicant to revise the preliminary subdivision plat to conform to applicable city regulations. Four reviews were completed by staff with all required corrections completed on November 18, 2025. The application was reviewed by the following departments:
 - Planning:
 - Engineering:
 - Building:
 - Fire:
 - Public Works: Storm-water, Streets, Parks and Water Divisions

REPORT ANALYSIS

Larry H. Miller Real Estate has filed a subdivision application that will create 76 residential lots and associated public rights-of-way on 14.872 acres. The property is located generally at 11085 S 6605 W.

The residential lots include 70 single family detached lots and 6 twin/paired homes.

Gross density – 5.1 units per acre

Net Density – 7.1 units per acre

Average Lot Size-6,065 Sq. Ft. (Largest lot– 11,419 Sq. Ft.---Smallest lot– 2,660 Sq. Ft.)

The Daybreak Community Structure Plan designates this area as Village. Section 17.72.020 of the Municipal Code describes the Village Land Use Designation as follows: “This category is designed for medium density mixed use development that includes residential (single and multi-family), office, commercial, industrial, public/semipublic and recreation/open space uses, without a predetermined emphasis on any single use. This category may accommodate gross residential density of twenty five (25) units per acre.”

The future land use designation for the property is Residential Development Opportunity (RDO). “Residential Development Opportunity identifies areas, generally located within existing residential areas, which are not yet fully developed, but would support a variety of residential land uses. These areas are suited to support additional residential development due to adjacency to

municipal services such as utilities, road, and amenities. 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.”

FINDINGS AND RECOMMENDATION

Findings:

- The proposed subdivision is consistent with the City General Plan.
- All State and Local subdivision review requirements have been followed.
- The proposal complies with all City ordinances, the Daybreak Master Development Agreement and the Daybreak Master Subdivision requirements.

Conclusions:

- The application is in conformance with the minimum requirements of South Jordan Municipal Codes [§16.10.040](#) and [§17.72.110](#) and the General Plan of South Jordan.

Planning Staff Recommendation:

Staff recommends approval of the application based on the report analysis, findings, and conclusions listed above.

PLANNING COMMISSION ACTION

Required Action:

Final Decision

Scope of Decision:

This is an administrative decision to be decided by the Planning Commission.

Standard of Approval:

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the proposed subdivision does not meet City ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application.

Motion Ready:

I move that the Planning Commission approve:

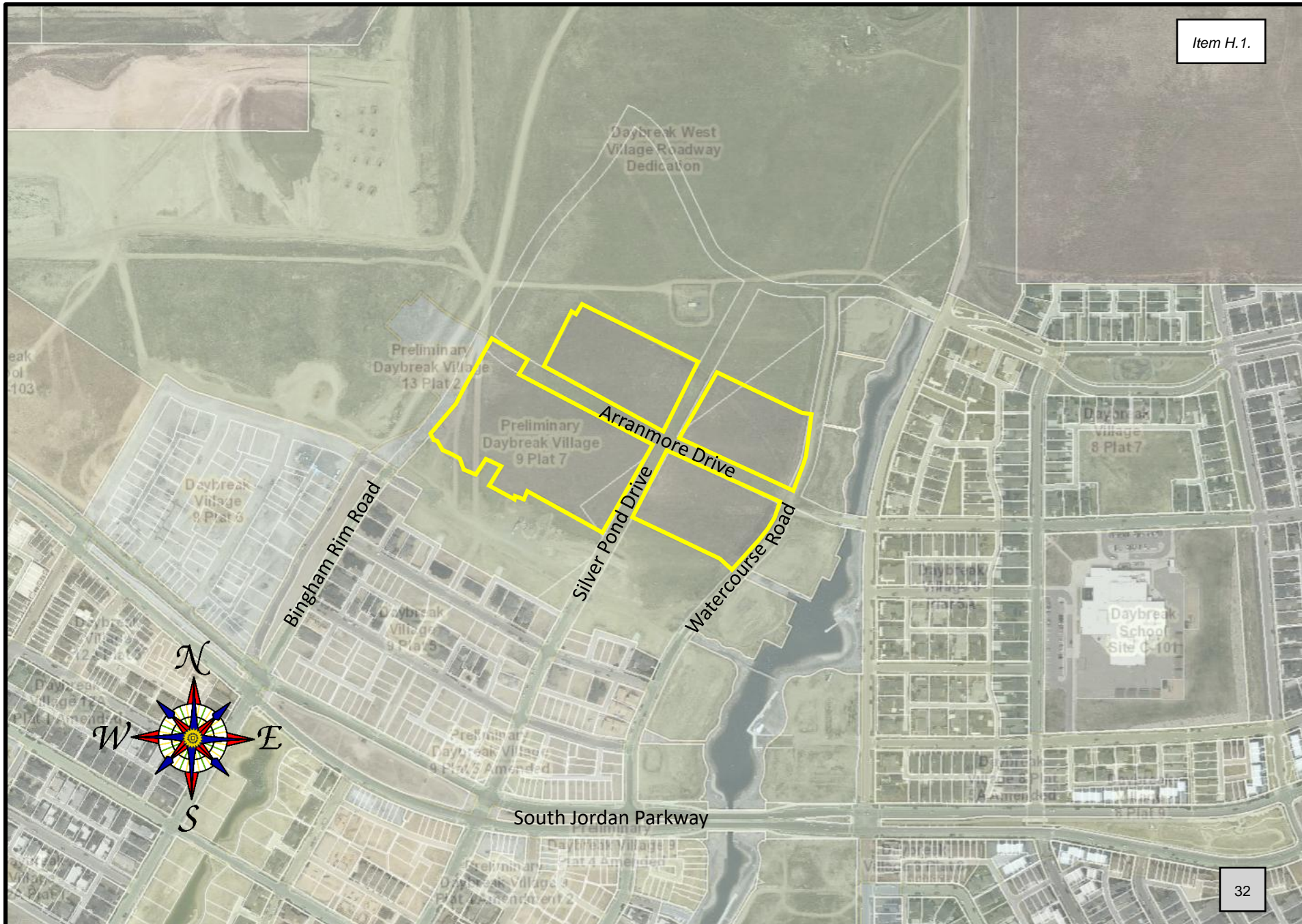
1. File PLPP202500126, Daybreak Village 9 Plat 7 Preliminary Subdivision.

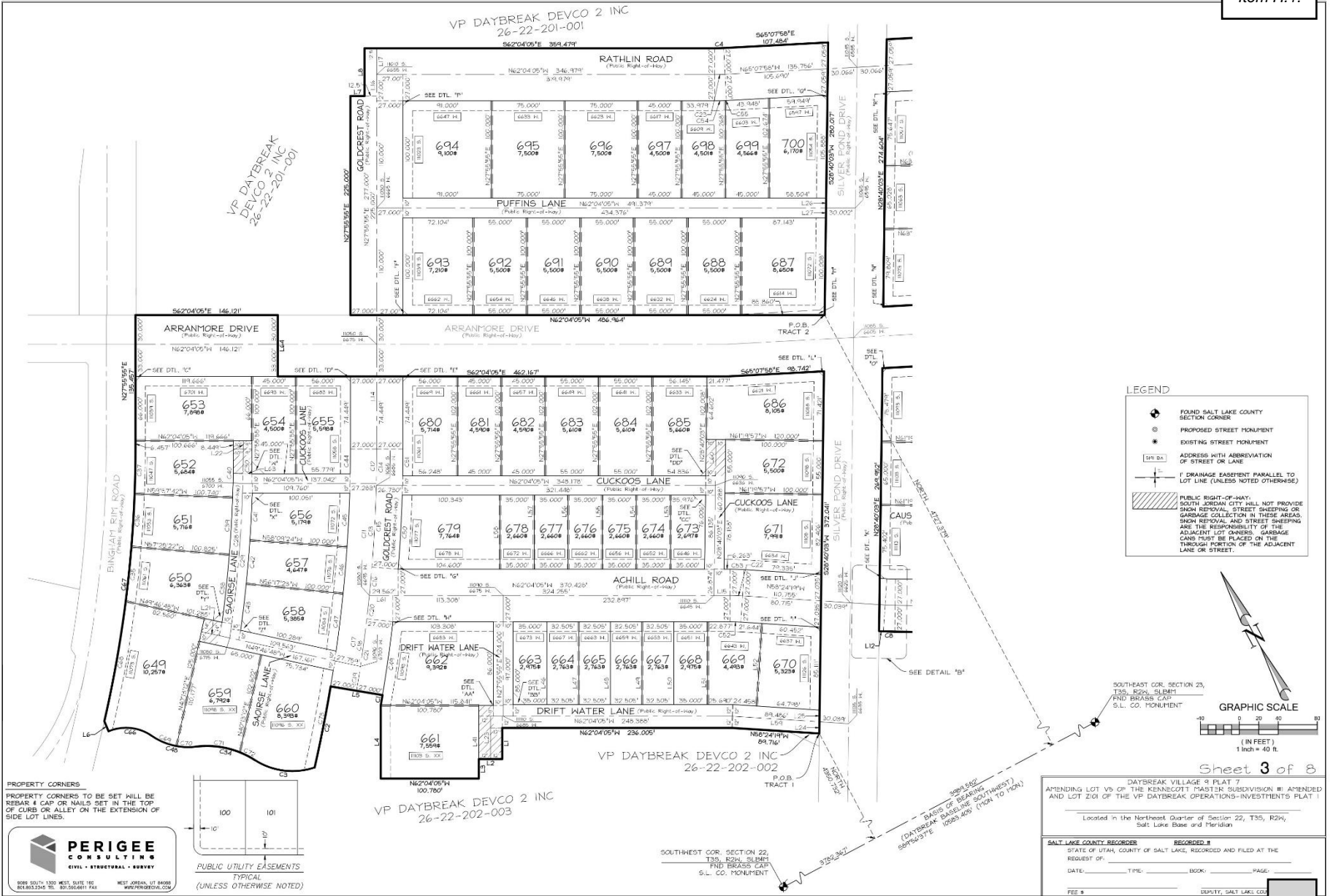
Alternatives:

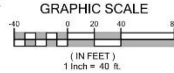
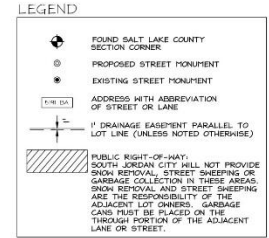
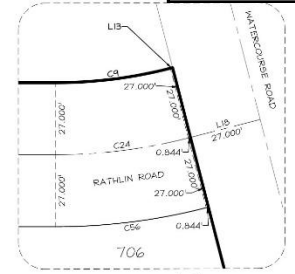
1. Recommend denial of the application.
2. Schedule the application for a decision at some future date.

SUPPORTING MATERIALS

1. Attachments (Location Map and Proposed Preliminary Subdivision)







Sheet 4 of 8

DAYBREAK VILLAGE 9 PLAT 7
ATTENDING LOT V0 OF THE KENNECOTT MASTER SUBDIVISION IS ATTENDED AND LOT 701 OF THE VP DAYBREAK OPERATIONS INVESTMENTS PLAT 1

Located in the Northeast Quarter of Section 22, T35, R20N, Salt Lake Base and Meridian

SALT LAKE COUNTY RECORDER RECORDED IN

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:

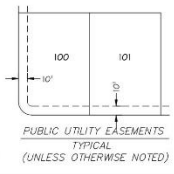
DATE: TIME: BOOK: PAGE:

FEE \$ EXPITY, SALT LAKE CO.

PROPERTY CORNERS
PROPERTY CORNERS TO BE SET WILL BE REBAR # 4 OR NAILS SET IN THE TOP OF CURB OR ALLEY ON THE EXTENSION OF SIDE LOT LINES.



3030 SOUTH 1200 WEST, SUITE 101
801.853.3345 TEL 801.906.6611 FAX
WEST JORDAN, UT 84088
WWW.PERIGEECONSULTING.COM



SOUTHWEST COR. SECTION 22, T35, R20N, S&M
P.N.D. BRASS CAP
S.L. CO. MONUMENT

4428.060' BASIS OF BEARING
(DAYBREAK BASELINE SOUTH-WEST)
58°16'57"E 1098.405' (FROM TO HX)

SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

Item H.2.

MEETING DATE: DECEMBER 9, 2025

FILE OVERVIEW

Item Name	Daybreak South Mixed Use Plat 2
Address	Generally located at the northeast corner of the intersection of Lake Avenue and Kitty Hawk Road (5990 W 11300 S).
File Number	PLPP202500160
Applicant	LHM Real Estate (Vagner Soares)
Property Owner	LHM Real Estate
Staff Author	Greg Schindler
Presenter	Greg Schindler

PROPERTY OVERVIEW

Acreage	10.013 Acres		
Current Zone	P-C (Planned Community)		
Current Land Use	Vacant		
General Plan Designation	Mixed Use (MU)		
Neighboring Properties	<i>Zone</i>		<i>Land Use</i>
	<i>North</i>	P-C	MU (Vacant)
	<i>East</i>	P-C	MU (Vacant)
	<i>South</i>	P-C	SN (Single Family Attached Residential)
	<i>West</i>	P-C	OS (Highland Park)

ITEM SUMMARY

A complete preliminary subdivision application for Daybreak South Mixed Use Plat 2 was submitted on August 4, 2025. The proposed subdivision will create one 10.013 acre lot.

TIMELINE

- **On August 4, 2025**, the applicant submitted a complete application to Staff for review. Staff reviewed the application and worked with the applicant to revise the preliminary subdivision plat to conform to applicable city regulations. Three reviews were completed by staff with all required corrections completed on November 12, 2025. The application was reviewed by the following departments:
 - Planning:
 - Engineering:
 - Building:
 - Fire:
 - Public Works: Storm-water, Streets, Parks and Water Divisions

REPORT ANALYSIS

Larry H. Miller Real Estate has filed an application that will create one 10.013 acre lot. The property is located at the northeast corner of Lake Avenue and Kitty Hawk Road (approx. 5990 W 11300 S). The property is immediately west of South Jordan City Highland Park.

The subdivision is located within the boundaries of the Daybreak Town Center. Section 17.72.020 describes the Town Center designation as “designed for high density mixed use development that emphasizes office, commercial and recreational uses, but also includes residential (single- and multi-family), public/semipublic, industrial and open space uses. This category may accommodate gross residential density of fifty (50) units per acre.”

The future land use designation for the property is Stable Neighborhood (SN). “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.”

The anticipated use of the property is a Catholic Church, Priest Residence and Social Hall with possible future development. A concept plan is attached.

FINDINGS AND RECOMMENDATION

Findings:

- The proposed subdivision is consistent with the City General Plan.
- All State and Local subdivision review requirements have been followed.
- The proposal complies with all City ordinances, the Daybreak Master Development Agreement and the Daybreak Master Subdivision requirements.

Conclusions:

- The application is in conformance with the minimum requirements of South Jordan Municipal Codes [§16.10.040](#) and [§17.72.110](#) and the General Plan of South Jordan.

Planning Staff Recommendation:

Staff recommends approval of the application based on the report analysis, findings, and conclusions listed above.

PLANNING COMMISSION ACTION

Required Action:

Final Decision

Scope of Decision:

This is an administrative decision to be decided by the Planning Commission.

Standard of Approval:

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the proposed subdivision does not meet City ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application.

Motion Ready:

I move that the Planning Commission approve:

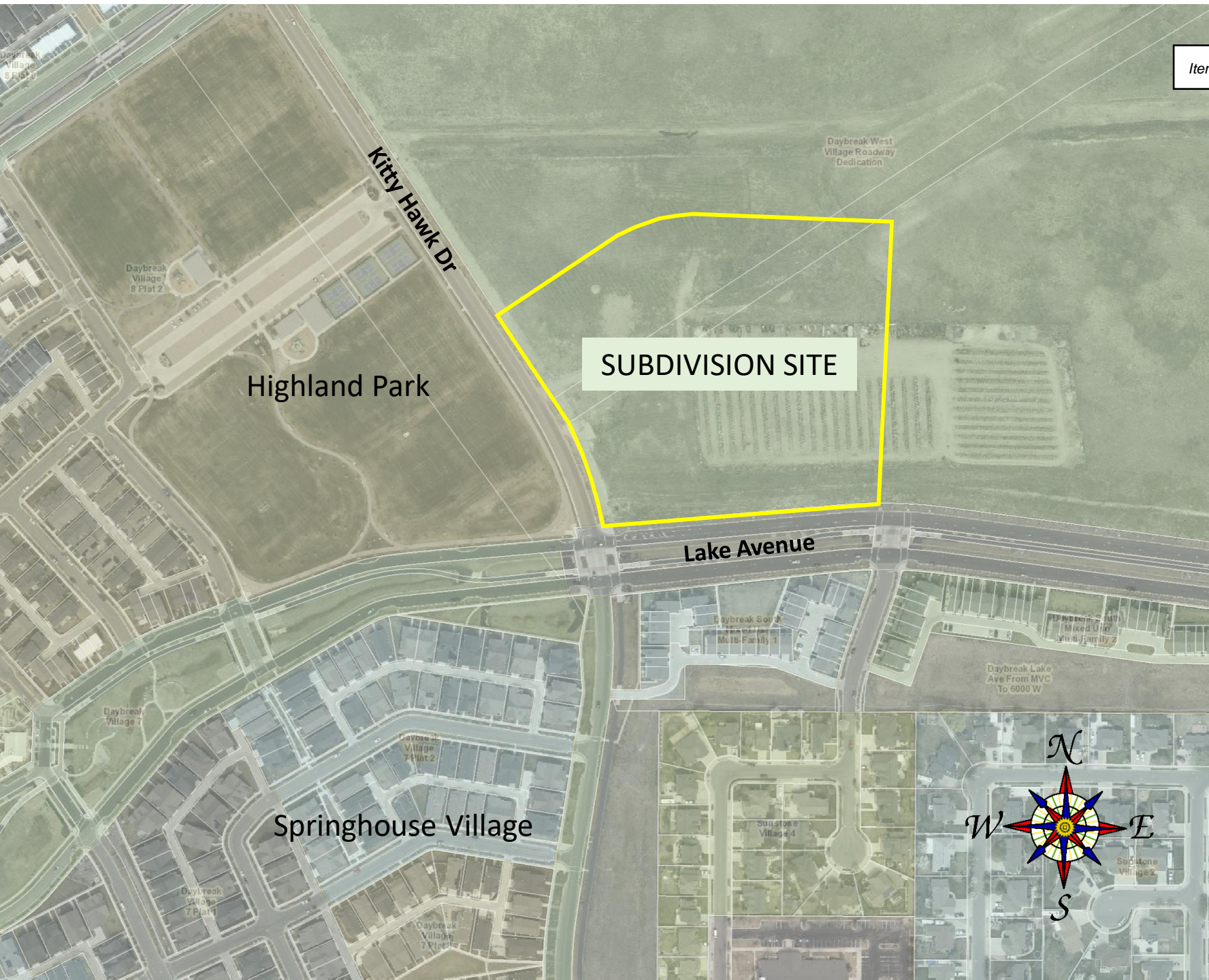
1. File **PLPP202500160**, Daybreak South Mixed Use Plat 2 Preliminary Subdivision

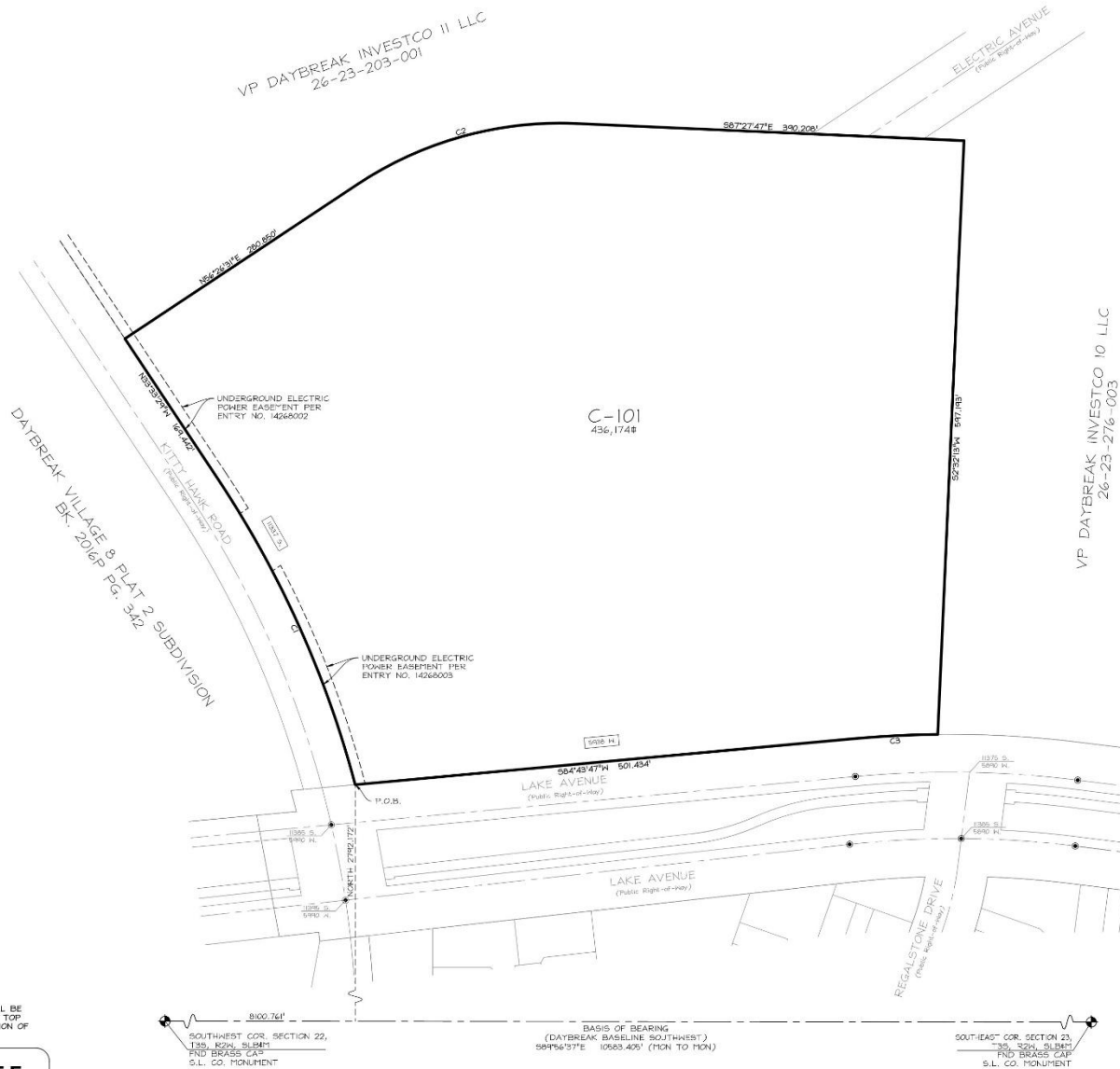
Alternatives:

1. Recommend denial of the application.
2. Schedule the application for a decision at some future date.

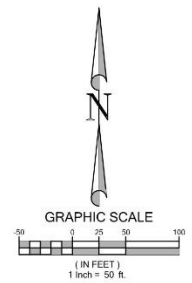
SUPPORTING MATERIALS

1. Attachments (Location Map, Proposed Preliminary Subdivision, Initial Concept Plan)





Curve Table				
Curve #	Length	Radius	Delta	Chord Bearing
C1	336.013	1033.000	0°04'44.93"	N24°11'02"W
C2	231.630	360.000	0°06'05.41"	N74°29'22"E
C3	86.444	1071.000	0°04'57.29"	S67°02'32"W



LEGEND	
	FOUND SALT LAKE COUNTY SECTION CORNER
	PROPOSED STREET MONUMENT
	EXISTING STREET MONUMENT
	ADDRESS WITH ABBREVIATION OF STREET OR LANE

Sheet 2 of 4

PROPERTY CORNERS
PROPERTY CORNERS TO BE SET WILL BE REBAR # CAP OR NAILS SET IN THE TOP OF CURB OR ALLEY ON THE EXTENSION OF SIDE LOT LINES.

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WEST JORDAN, UT 84088
WWW.PERIGEECONSULTING.COM

DAYBREAK SOUTH MIXED USE PLAT 2
ATTENDING LOT 16 OF THE KENNEDOTT
TRASTER SUBDIVISION III ATTENDED

Located in the Northeast and Northwest Quarters of Section 23, T35, R24N,
Salt Lake Base and Meridian

SALT LAKE COUNTY RECORDER **RECORDED #**

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE \$ _____ DEPUTY, SALT LAKE CO. _____



SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

MEETING DATE: DECEMBER 9, 2025

FILE OVERVIEW

Item Name	Daybreak South Station Multi Family #9 Preliminary Subdivision
Address	Center Field Drive between Freestone Rd. and Grandville Ave.
File Number	PLPP202500217
Applicant	LHM Real Estate (Vagner Soares)
Property Owner	LHM Real Estate
Staff Author	Greg Schindler
Presenter	Greg Schindler

PROPERTY OVERVIEW

Acreage	2.783 acres		
Current Zone	P-C (Planned Community)		
Current Land Use	Vacant		
General Plan Designation	Residential Development Opportunity (RDO)		
Neighboring Properties	<i>Zone</i>		<i>Land Use</i>
	<i>North</i>	P-C	MU-TOD (Parking Lot)
	<i>East</i>	P-C	MU-TOD (Townhomes)
	<i>South</i>	P-C	MU-TOD (Vacant)
	<i>West</i>	P-C	MU-TOD (Commercial & Vacant)

ITEM SUMMARY

A complete preliminary subdivision application for Daybreak South Station Multi-Family #9 subdivision was submitted on October 28, 2025. The proposed subdivision is comprised of 31 townhomes and one C-Lot (commercial).

TIMELINE

- On October 28, 2025, the applicant submitted a complete application to Staff for review. Staff reviewed the application and worked with the applicant to revise the preliminary subdivision plat to conform to applicable city regulations. Four reviews were completed by staff with all required corrections completed on December 1, 2025. The application was reviewed by the following departments:
 - Planning:
 - Engineering:
 - Building:
 - Fire:
 - Public Works: Storm-water, Streets, Parks and Water Divisions

REPORT ANALYSIS

Larry H. Miller Real Estate has filed a subdivision application that will create 31 townhome lots, one park lot and one commercial lot. The property is located on the north and south sides of Center Field Drive between Freestone Road and Grandville Avenue (11085 S 5340 W).

The majority of the townhomes will be three stories. Four of the townhome units (lots 128-131) will be live-work units with a commercial business on the ground floor and living space above. These units will be four stories and be located closest to Grandville Avenue. All of the townhomes will be for-sale properties.

Gross density – 11.1 units per acre

Net Residential Density – 23.3 units per acre

The subdivision is located within the boundaries of the Daybreak Town Center. Section 17.72.020 describes the Town Center designation as “designed for high density mixed use development that emphasizes office, commercial and recreational uses, but also includes residential (single- and multi-family), public/semipublic, industrial and open space uses. This category may accommodate gross residential density of fifty (50) units per acre.”

The future land use designation for the property is Mixed Use TOD Opportunity (MUT). “Mixed Use Transit Oriented Development Opportunity identifies active areas that are within ¼ mile of transit hubs. These areas support a vertical or

horizontal mix of commercial, office, and higher density residential uses with entertainment, restaurants, bars, cafes, and businesses that do not require automotive transportation. These areas shall be located adjacent to regional transit hubs and provide accommodation for active transportation such as bike racks.”

FINDINGS AND RECOMMENDATION

Findings:

- The proposed subdivision is consistent with the City General Plan.
- All State and Local subdivision review requirements have been followed.
- The proposal complies with all City ordinances, the Daybreak Master Development Agreement and the Daybreak Master Subdivision requirements.

Conclusions:

- The application is in conformance with the minimum requirements of South Jordan Municipal Codes [§16.10.040](#) and [§17.72.110](#) and the General Plan of South Jordan.

Planning Staff Recommendation:

Staff recommends approval of the application based on the report analysis, findings, and conclusions listed above.

PLANNING COMMISSION ACTION

Required Action:

Final Decision

Scope of Decision:

This is an administrative decision to be decided by the Planning Commission.

Standard of Approval:

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the proposed subdivision does not meet City ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application.

Motion Ready:

I move that the Planning Commission approve:

1. File PLPP202500217, Daybreak South Station Multi-Family #9 Preliminary Subdivision.

Alternatives:

1. Recommend denial of the application.
2. Schedule the application for a decision at some future date.

SUPPORTING MATERIALS

1. Attachments (Location Map and Proposed Preliminary Subdivision)



