

CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

May 27, 2014

Present: Chairman Russ Naylor, Commissioner Sean D. Morrissey, Commissioner Beverly Evans, Commissioner T. Earl Jolley, City Planner Greg Schindler, Assistant City Attorney Ryan Loose, Assistant City Engineer Shane Greenwood, Planner Brad Sanderson, City Recorder Anna West

Absent: Commissioner Richard Feist, Commissioner Jason Haymore

Others: (See Attachment A)

6:30 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Naylor welcomed everyone to the meeting and noted that Commissioners Feist and Haymore are excused.

Chairman Naylor welcomed Scout Troop 1688 in the audience.

B. Motion to Approve Agenda

Commissioner Evans made a motion to approve the May 27, 2014 Planning Commission Agenda. Commissioner Morrissey seconded the motion. Vote was unanimous in favor.

C. Approval of the Minutes from the Meeting held on May 13, 2014

Commissioner Morrissey made a motion to approve minutes from the May 13, 2014 Planning Commission meeting as printed. Commissioner Jolley seconded the motion. Vote was unanimous in favor.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Calendaring Items

None

B. Comments from Planning Commission Members

None

C. Staff Business

None

D. New Business

None

III. CITIZEN COMMENT

Chairman Naylor opened the Citizen Comment. No speakers. He closed the Citizen Comment.

IV. PUBLIC HEARINGS AND POTENTIAL **ADMINISTRATIVE ACTION ITEMS

**Administrative Action = Less Discretion, Substantial Evidence (Objective Standard)

**A.1. Issue: DAYBREAK VILLAGE 5 PLAT 3
PRELIMINARY PLAT**

Address: Approx. 10500 South 5300 West

File No: SUB-2014.25

Applicant: Kennecott Land

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

Gary Langston, Kennecott Land; nothing to add at this time but available for questions.

Chairman Naylor asked Mr. Langston what is being changed on the design guidelines. Mr. Langston said it was just clarifying a variety of points within the guidelines as it relates to the product type.

Chairman Naylor opened the Public Hearing to comments. None. He closed the Public Hearing.

A.2. Potential Action Item – (See IV.A.1)

Commissioner Evans made a motion to approve File No. SUB-2014.25 with the recommendation that all South Jordan City requirements are met prior to recording the plat. Commissioner Jolley seconded the motion. Roll Call Vote was unanimous 4-0. Commissioners Feist and Haymore absent.

**B.1. Issue: ANDERSON HAIR SALON
APPEAL OF HOME OCCUPATION BUSINESS LICENSE DENIAL**

Address: 9373 Dutch Valley Drive

File No: AP-2014.03

Applicant: Sarah Anderson

City Planner Greg Schindler reviewed the background information on this item from the packet staff report. He said he received a letter of support from someone that is not in the packet.

Sarah Jane Anderson, 9373 Dutch Valley Drive, SJC (Applicant); about a week after we moved in a code officer showed up and said that there had been complaints of a home business running. At that

time I had only lived in my home a week and I didn't really have time to get my business up and running. I immediately started applying for the business license and have followed all the steps I needed to get me here and I am looking forward to getting my business license and moving forward.

Chairman Naylor asked if this is a business that was operated in a previous location before moving to South Jordan. Ms. Anderson said no. She said I worked out of a Day Salon in Sandy.

Commissioner Morrissey asked Ms. Anderson if she planned on doing this part time. Ms. Anderson said yes. She said I work Thursdays from about 10 am to 7 pm; that's my long day. I work most Tuesdays from about 4-7 pm and one or two Saturdays a month from 10 am to 5 pm.

Commissioner Morrissey asked how many customers she would have on her long day. Ms. Anderson said 5 or 6 at the most.

Chairman Naylor said one of the letters indicates that the way you dispose of the hair products causes noxious fumes. Ms. Anderson said I do have a professional license issued by the state. I have been doing hair for 10 years and have never been questioned about disposing of these chemicals in a destructive way. I did follow through with the City Health Department and obtained a safety permit, which I was supposed to do for getting a business license.

Chairman Naylor opened the Public Hearing.

Michelle Butcher, 9385 Dutch Valley Drive, SJC; I am representing my parents. We live next door and we noticed that Ms. Anderson states that she only provides services on a part time basis. We have witnessed over the past two months her providing closer to 24-30 hours per week. We believe her business will continue to increase traffic flow in our neighborhood that will increase noise a higher risk of accidents. Our HOA ordinances states that no home occupations are allowed without the approval of the HOA. We are concerned about fumes and hazardous waste and cause us concern for our overall health. She voiced her concern about formaldehyde in the products being used and concerned because it is a known cancer causing substance. My mom is in the middle of fighting cancer. I also have medical problems where I have an increased risk of getting cancer. We realize she has been trained to dispose of her hazardous waste material and hope it is being done within city compliances. Ms. Anderson did not apply for her business license until she was contacted by code compliance. She continued to provide services even while she had no permit. We are concerned for the negative impact on the safety of our neighborhood.

Jason Foster, 9372 Dutch Valley Drive, SJC; I live across the street from the Andersons. Our first concern was mostly with traffic because we have two little girls; with that being said we haven't noticed any increase in traffic. They have been very good to communicate to us and making sure we were okay with what is going on there.

Patti Anderson, 9432 Dunbar Cove, SJC; My family has been in South Jordan for 19 years and we have a number of home based businesses in our neighborhood and I would like to testify to you that we have never had a problem with any kind of increased crime or traffic from these. They have been responsible businesses. Sarah Anderson is my daughter-in-law and I feel it prudent to let you know that every time we go to visit we are watched extremely carefully by these next door neighbors that have testified. I feel like it is very intimidating to me to feel like I can go to my own son and daughter-in-laws home to see them or my grandchildren without heads poking out and checking out every move. I

am sure that these folks have no idea how many family members the Anderson's have in South Jordan and how many friends they have here growing up in South Jordan. I felt like it was important for you to hear this side of the story from a 19 year South Jordan resident.

Jason Butcher, 9385 Dutch Valley Drive, SJC; I feel bad that anyone doesn't feel comfortable coming into our neighborhood. To be honest, my mom and sister have felt the same way. We don't want this to be something that causes a conflict between our two families. We just moved from a neighborhood that had this exact thing happen and that is why we moved. We noticed that our neighbor has two chairs and two hair dryers in front of her house and they are opening a business. It seemed like she had clients over there even before they moved into the house. It became a concern because this is what we moved to get away from. We don't want the quality of our neighborhood to go down. It's nothing personal, but we want to express our concerns.

Commissioner Evans said our responsibility tonight is to make certain that we are in compliance with the City Codes and requirements we have and our intent is not to try to manage relationships in communities. We need to clarify to make certain that we address the requirements within the statutes for the City of South Jordan.

Natalie Copley, 2370 Country Bend Drive, SJC; I don't live in their neighborhood but being a cosmetologist I just would like to share a little bit of light for people that maybe are scared with two people coming into a home. When you are doing a hair color you will have some waiting time so it is wiser and makes it so you are not doing as many hours in your home if you can use your time wisely if you have two people working back to back.

James Dashner, 10287 Eden Ridge Dr., SJC; I am the brother-in-law of Sarah. First of all their information is completely false. She only has one chair so she could never working on two people at the same time anyway. I have over to their house many times after 7 pm and the neighbor comes out and just scowls at us and assumes that we are customers. Sarah is a great person. They bought this house fully intending to have a little bit of extra income from this. If this was denied they would have to sell the house and move.

Preston Olsen, 9351 Dutch Valley Drive, SJC; we just wanted to stop by and say we have no problems with any of what is going on there with her business.

Heather Gouche, 3 Old Oak Lane, Sandy; I have been a client of Sara Jane's for the past 7 years. When she had her first child about three years ago her hours greatly reduced and for the past three years she has only been available Tuesdays, Thursdays and once a month on Saturday. My guess is her clientele in the past few months of her moving in hasn't increased much. She was a premier hair stylist at the salon she was at and people paid extra at the day spa to go to Sarah Jane. The people that will be visiting her home are not riff raff that will come and decrease the value of the neighborhood. They are people that are paying a good price for great services.

Kathleen Sorensen, 9435 S. Lady Dove Lane, SJC; I am Sarah Jane's mother. We have a hairstylist two house from us that has been cutting hair for 20 years. Crime has not increased and we don't even see the clientele go in and out. It's the same thing; One dish, one bowl, one dryer, one chair. She is not in this to make oodles of money; she is in it as a part time mother to help offset the cost of the home. I feel as a resident of South Jordan there are many, many, many home business that you will find. Some are licensed and some are not. Her intent is to be a stay at home mother. It is an opportunity that South

Jordan provides to have a home business. She will follow the code and her license. She will improve the community rather than hurt it.

Kyle Anderson, I am Sara Jane's husband. One thing she didn't mention that I think you need to know is that we have a letter from the HOA stating that they give their approval to have a home business in the neighborhood (Attachment B). This house was built with a salon knowing that that's what we were doing.

Chairman Naylor said as a matter of policy we don't attempt to try to enforce CC&R's. That is up to your HOA to deal with enforcement. The only thing we are challenged to do is try to make sure that the applications that come before us meet the ordinance of South Jordan City as Commissioner Evans indicated. We see these quite often. Most Planning Commission meetings we have include home occupation appeals. The Ordinances in South Jordan that impact and apply to home occupations are pretty restrictive with the number of vehicles allowed each day.

Chairman Naylor closed the Public Hearing.

Commissioner Morrissey asked Ms. Anderson to run through a scenario for disposal of the chemicals she would be using. Ms. Anderson described how she disposes the chemicals. She said I am the only one doing this. I ask my customers to park in my driveway or directly in front of my house.

B.2. Potential Action Item – (See IV.B.1)

Commissioner Jolley made a motion to approve Application AP-2014.02 to allow for Home Occupation Business License to be issued for a Hair Salon with the requirement that all South Jordan City Municipal Code requirements are met prior. Commissioner Morrissey seconded the motion. Roll Call Vote was unanimous 4-0 in favor. Commissioners Feist and Haymore absent.

**C.1. Issue: MATTRESS FIRM
SITE PLAN
Address: 11509 South 4000 West
File No: SP-2014.09
Applicant: Alan Cantlin, Madison South Jordan LLC**

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

Ted Didas, 8610 Sandy Parkway, Sandy (McNeill Engineering); Mr. Cantlin could not be here tonight. Nothing I need to add on this.

Chairman Naylor opened the Public Hearing to comments. None. He closed the Public Hearing.

C.2. Potential Action Item – (See IV.C.1)

Commissioner Evans made a motion to approve Application SP-2014.09 approving the site plan for Mattress Firm to be located at 11509 South 4000 West. Commissioner Morrissey seconded the motion. Roll Call Vote was unanimous 4-0 in favor. Commissioners Feist and Haymore absent.

- D.1. Issue: SRI GANESHA HINDU TEMPLE EXPANSION
SITE PLAN AND CONDITIONAL USE PERMIT**
Address: 1142 West South Jordan Parkway
File No: SP-2014.11
Applicant: Selvam Rajavelu, NJRA Architects Inc.

City Planner Greg Schindler reviewed the background information on this item from the packet staff report. The entrance feature is 43 feet tall and is constructed with the same materials as the rest of the temple. Religious facilities do not have to meet the standard height restrictions of 35'.

Selvam Rajavelu, I am the architect for the project. This is a great project for us. The community has grown and there is a need for us to expand. We are also adding parking.

Chairman Naylor opened the Public Hearing

D.2. Potential Action Item – (See IV.D.1)

Commissioner Morrissey made a motion to approve Application SP-2014.11 approving the Site Plan and Conditional Use Permit for the Sri Ganesha Hindu Temple expansion located at 1142 West, south Jordan Parkway. Commissioner Jolley seconded the motion. Roll Call Vote was unanimous 4-0 in favor. Commissioners Feist and Haymore absent.

- E.1. Issue: OQUIRRH MOUNTAIN MARKETPLACE
SITE PLAN**
Address: SWC of 11400 South 4000 West
File No: SP-2014.13
Applicant: Bill Sandre, CCA Acquisition Company LLC

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

Bill Sandre, 5670 Wilshire Blvd., Los Angeles, CA (Applicant); nothing to add at this time.

Chairman Naylor opened the Public Hearing.

Jason Beckstead, 11415 S. Country Crossing Rd., SJC; I live in close proximity to the field where this is being developed. Curious and concerned with the future plan with what will happen there. The big draw for our home is a big wrap around deck and really nice back yard. We are right up next to the walkway along there. We were hoping there wouldn't be any development and now we have this commercial development and half the field will be developed. We are concerned about the height of the buildings impeding our view, bringing additional noise and hurt our property value. My biggest concern is what will happen in the field in the future. I hope it is kept with low density. Traffic is already busy and concerned what additional development will do to the area.

Chairman Naylor said the buildings proposed are one story and maximum height is 35'. While we can tell you what the master plan calls for the property there is no guarantee that there might not be some application that would come forward suggesting doing something else.

City Planner Schindler reminded Commissioners that they did approve a subdivision for that field. He said the subdivision has not been recorded yet but it has been approved for ¼ acre lots or larger.

Chairman Naylor closed the Public Hearing.

E.2. Potential Action Item – (See IV.E.1)

Commissioner Jolley made a motion to approve Application SP-2014.13 approving the site plan for Oquirrh Mountain Marketplace generally located at the South West corner of 11400 South and 4000 West. Commissioner Morrissey seconded the motion. Roll Call Vote was unanimous 4-0 in favor. Commissioners Feist and Haymore absent.

**F.1. Issue: WEST RIVER ESTATES PHASES IV AND V
PRELIMINARY SUBDIVISION PLAT AND SUBDIVISION
AMENDMENT**
Address: 9785 South Jordan Ridge Road
File No: SP-2012.41
Applicant: Kevin Peterson

City Planner Greg Schindler reviewed the background information on this item from the packet staff report. Kevin Peterson is listed as the applicant but I am not sure he is still involved with this project or not.

Gary Howland, 9450 S. Redwood Rd., SJC (Eagle Point Dev.); we have taken over this for Kevin Peterson and are now representing both the Lamberts and the Jorgensen's. We are trying to get this plat approved. The Lamberts have been waiting for quite some time to get going on two homes for their sons. We have been in contact and working with the Jones' and Mumford's. We are currently working with the Jones' and believe that we will shortly have an agreement. The Jones' are gifting the property to the Nature Conservancy District of which we are trying to acquire it from. When we met with the DRC they liked that rather than just providing an easement, if we are successful in getting the Jones property, we will actually extend the cul-de-sac to the very end. The Mumford's are here and they can speak as to what their intent would be. Right now we don't believe it is their intent to see their property developed. We would be more than willing to grant the easement necessary that was required in 2013.

Chairman Naylor opened the Public Hearing.

Glade Mumford, 972 Shields Lane, SJC; what has been stated here is correct. At this point we have no desire to develop into a subdivision. We still maintain they we should not be cut off as far as access goes and that appears to be handled. We have met with the developer and he has offered to help us to develop if and when we choose to. Right now we want to keep it is it is.

Sherry Mattle, 1270 W. Lampton Rd., SJC; my concerns are with the lack of open space. I appreciate that they are low density housing but am concerned of the liability of the City because that is a flood plain.

Chairman Naylor closed the Public Hearing.

Chairman Naylor said I am sure this is well above the 100 year flood plain with the finished floor elevations established. We would not have any immediate concerns about flooding. With regard to the open space we all love the open space but this property is privately owned and the property owners have the right to develop their property.

F.2. Potential Action Item – (See IV.F.1)

Commissioner Evans made a motion to approve Application AP-2012.41 approving the preliminary subdivision plat and subdivision amendment on property located at 9785 South Jordan ridge Road with the requirement that the access road/easement is at minimum 38' wide. Commissioner Jolley seconded the motion. Roll Call Vote was unanimous 4-0 in favor. Commissioners Feist and Haymore absent.

**G.1. Issue: STERLING RIVER P.U.D. PHASE 3
 SUBDIVISION AND CONDITIONAL USE PERMIT**
Address: 11723 South Lampton View Drive
File No: SUB-2014.19
Applicant: Todd Bradford

Planner Brad Sanderson reviewed the background information on this item from the packet staff report.

Todd Bradford, 981 W. 920 S. Spanish Fork (Applicant); I have nothing to add at this time.

Chairman Naylor opened the Public Hearing.

Adelle Dorrance, 11709 S. Lampton View Dr., SJC; have a question about the masonry fence that will be placed on the east side. Will there be a fence on the other side of our property?

Planner Sanderson said for clarification it is for any property that is both zoned for and has the ability to have large animals. In your case for clarification for the Commissioners, Mrs. Dorrance's property is to the north of the Hoffman property. A fence will be required along both sides of her property and will be put in by whoever develops the property.

Chairman Naylor closed the Public Hearing.

G.2. Potential Action Item – (See IV.G.1)

Commissioner Evans made a motion to approve File No. SUB-2014.19 with the staff recommendations as follows:

- 1. The Developer/Builder shall be required to have the geotechnical spoils study address the issues of soils instability, settlement and liquefaction and shall make recommendations to be implemented with the construction of the homes within this development; and**
- 2. Beckstead Ditch shall be relocated, piped, or otherwise abandoned, the final location and design of which, are to be determined by the City Engineer. All Construction, drainage, and maintenance easements shall be acquired by the Developer prior to: Beckstead Ditch improvements, plat recordation, or within one year from the date of preliminary plat approval, whichever comes first; and**

3. **The Developer shall cause a secondary water feasibility study to be conducted. The Developer furthermore acknowledges that if feasible, as determined by the City Engineer, the Developer shall be responsible for installing a secondary water system per the City Engineer's specifications; and**
4. **The Developer/Builder shall be required to develop a noticing requirement for sale of the lots to prospective builders/buyers of the issues regarding soils stability, liquefaction, groundwater issues, flooding and river erosion potential. This notice shall be placed on the Plat, Building Permits, CC&R's and any other documents as required by the City Engineer. This document shall be reviewed and approved by the City Engineer prior to plat recordation; and**
5. **A 6' tall decorative masonry fencing shall be required between this development and all adjoining properties within South Jordan City limits that are both zoned for and large enough to have large animals. The final design and height of which shall be submitted to and approved by the City Engineer prior to installation; and**
6. **That all South Jordan City requirements are met.**

Commissioner Morrissey seconded the motion. Roll Call Vote was unanimous 4-0 in favor. Commissioners Feist and Haymore absent.

V. PUBLIC HEARINGS AND POTENTIAL *LEGISLATIVE ACTION ITEMS

***Legislative Action = More Discretion, Reasonably Debatable (Subjective Standard)**

**H.1. Issue: OUR HOUSE OF SOUTH JORDAN
LAND USE AMENDMENT AND REZONE**
Address: 11386 South 1300 West
File No: LUA-2014.10 & REZ-2014.10
Applicant: Mike Wright

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

Michael Wright, 801 N. 500 W. Suite 300, Bountiful (Applicant); we approached this property for a quite use. Professional Office zone is the zoning for Assisted Living here in the City and that is why we are proposing the zone change.

Chairman Naylor opened the Public Hearing.

Scott Driggs, 11324 S. Red Canyon Ct., SJC; my property is right behind this development proposal. I would like to find out about lighting that will go back into my backyard. I also would like to know about the landscape buffer that will be used.

Chairman Naylor said I understand your comments; in this process all we are considering here tonight is whether we recommend to the City Council that the zone be changed. If they are successful in getting the zone changed then the next step they would retain a civil engineer and come back with a specific site plan that will answer the specific questions that you are concerned about. When it comes back again it will be noticed and we will work with you on the next steps.

Inn Fisher, 11354 S. 1300 W., SJC; if this piece of property gets sold what does that do to the remaining 4 older homes on that side.

Chairman Naylor said this application is specifically tied to this piece of property. Everything else will just stay as it is.

City Planner Schindler said the property is for commercial development only.

Jason Burton, 11325 Brown Summit Circle, SJC; my question is the proposed change automatic approval for a two story building or could that be altered later.

Chairman Naylor said the height limitation that is established in the zoning ordinance would apply to this professional office district. It is probably 35 feet.

City Planner Schindler said the professional office zone goes higher but they would have to have a much bigger setback over two stories. They wouldn't be able to put in anything greater than two stories to meet the setbacks. Our ordinance does say that assisted living cannot exceed two stories.

Mr. Burton asked if that could be challenged in the future.

City Planner Schindler said no. It is permitted to have a two story building.

Maria Fleejden?, 11207 S. Palisade View Dr., SJC: I am a 15 year resident of South Jordan. I think the proposed use of the property is positive. I would not want to approve something that I personally didn't like and I think the proposal is good and will be a great asset for South Jordan.

Chairman Naylor closed the Public Hearing.

H.2. Potential Action Item – (See V.H.1)

Commissioner Evans made a motion to forward a recommendation to the City Council to approve Resolution R2014-37, Amending the Land Use Designation from Village Commercial to Office; and Approve Ordinance 2014-12-Z, Rezoning the property from R-1.8 & R-2.5 to Professional Office (P-O). Commissioner Jolley seconded the motion. Roll Call Vote was unanimous 4-0 in favor. Commissioners Feist and Haymore absent.

**I.1. Issue: PEARL COVE SUBDIVISION
REZONE
Address: 9953 South 2200 West
File No: REZ-2014.09
Applicant: Rob Poirier**

Planner Brad Sanderson reviewed the background information on this item from the packet staff report.

Rob Poirier, (Applicant); I was asked to come here tonight to represent AFJS Holdings or Hard Rock Homes is the name of the home builder that will be doing this development. Price range of these homes will run 4-6 hundred thousand depending on the level of customization. They should raise the value of the surrounding properties and be a positive impact on the City.

Chairman Naylor opened the Public Hearing.

Jim Morris, 9875 S. Spruce Creek Court, SJC; I am not opposed to the R-2.5 zoning. My concern relative to this development and I have some photos (Attachment C) to show my concerns. My concerns involve three subdivisions that are in the immediate area shown in red. The green area is the subdivision called Santorini and then the Ivory homes subdivision across from the high school. Each of these subdivisions have been built up. He showed a picture of a privacy fence that is basically useless due to the property being built up so high. He showed the Louise Anderson property with a similar situation with 12 feet difference in elevation. Ivory is the worst example of this; they are 23 feet of elevation difference between the existing surrounding houses. I understand the reasons for each of those like sewer and storm drains. I have had the opportunity to talk to Robert Poirier who just spoke and he was very kind with me on the phone. He told me that sewer for this development is going to go east underneath the canal, but I don't know where it will tie in from that point. He thought there would be no reason to raise the elevation of that subdivision to accommodate that. The house that is east of the Ivory development by Bingham High School has been for sale for a while. The original asking price was \$520,000 and has now been lowered to \$462,000. The owners feel they have been impacted. I don't know if you have any answers for me. I would love to see an elevation; not just a plot plan but what the anticipated elevation is. Is that available yet? I just don't want towering homes looking down into my home.

City Planner Schindler said no. Those types of things will be available at the subdivision review if it gets rezoned. If you were notified for this you will be notified of the subdivision review as well.

Chairman Naylor said all we are doing tonight is recommending the rezoning of the property. It is good that the developers have heard your concerns and hopefully will address your concerns when they come back.

Leon Higgins, 9881 S. Spruce Dale Dr., SJC; my house is on the first cul-de-sac and I would like to know what will be done for privacy fencing.

City Planner Schindler said there are similar zones there and I don't think there will be any requirement for fencing where the zones are the same.

Jay Eastly, 2133 Spruce Creek Ln., SJC; I echo the concerns of the two gentlemen that spoke previous to myself. I understand there is no limit other than the 35' height that would restrict bringing in fill dirt, the results of which we have seen in the pictures of the other construction sites nearby. Right now you are saying the answer is waiting till the next hearing and that may be an answer that you have to give in light of current statutes. I suggest that members of the Commission can see the reason for our concern because all you have to do is drive to these construction sights and see what has happen. They are beautiful homes and lovely settings, but I have sympathy for their neighbors who never would have anticipated what has occurred on these sites. I suggest this needs attention for fairness to those who have built there previously in good faith that a reasonable continuum would be maintained for additional homes that they would look something like the ones that have already been constructed.

Margaret Warne, 9874 S. Spruce Grove Way, SJC; I just wanted to say that I do agree with the Zone change. I do have some concerns with the height and I will be at the next meeting.

Ann Lindsey, 9867 S. Spruce Grove Way, SJC; I also have a concern like the other gentleman about the height of the homes.

Tim Furth, 10017 Copper King Ln., SJC; I live directly south of the proposed development. I have a question to the access. Is this what it is going to be or just what is projected?

Chairman Naylor said this is just a concept plan and the access could change.

Mark Woolley, 2244 Jordan Haven Ct., SJC; I realize that you are having a public hearing with the City Council on the 17th of June and I may be out of town so I wanted to go on record with some of my concerns. Over the years we have had a continuing problem of stub streets. Developers like myself have been required to put them in and then things happen and either they are not used or they are moved; occasionally they are not even allowed for or provided for. I would ask that City Staff and others keep that in mind that the stub road was meant to go through and the developers should align that stub street so it is activated and becomes part of the circulation plan.

Chairman Naylor closed the Public Hearing.

Planner Sanderson said for clarification the next meeting would be the City Council. There will be a third meeting to talk about the subdivision and address a lot of these concerns that are raised. We will send a notice out to you for that.

Chairman Naylor said I agree with their comments and hope all elevations can be worked out.

I.2. Potential Action Item – (See V.I.1)

Commissioner Jolley made a motion that the Planning Commission forward a recommendation to the City Council to approve Ordinance 2014-10-Z, Rezoning the property from A-5 to R-2.5. Commissioner Evans seconded the motion. Roll Call Vote was unanimous 4-0 in favor. Commissioners Feist and Haymore absent.

**J.1. Issue: TWO TOP PROPERTY
LAND USE AMENDMENT AND REZONE
Address: 11245 South Redwood Road
File No: LUA-2014.09 & REZ-2014.08
Applicant: Jerry Salt**

Planner Brad Sanderson reviewed the background information on this item from the packet staff report.

Jerry Salt, 11493 S. 2510 W. SJC (Applicant); we are just at the concept stage right now. Losing the Village Mixed Use hit us pretty hard and it is actually what should be going there to separate the Heatherwood residents from the commercial that is going to happen on Redwood Road. As of right now we are looking at putting in 21 single family homes with smaller lots.

Chairman Naylor opened the Public Hearing.

Linda Kearney, 1369 Skyscape Way, SJC; I am not opposed to the use of this property. My concern is that adequate parking be provided for offices and any commercial that goes in.

Martha Williams, 11162 S. Heather Grove Ln., SJC; one of my concerns is are they planning on developing this at the same time as the project on the corner of 11010 Beckstead at the same time? If they are, it is going to be a real problem for the people that live in Heatherwood to get in and out of their subdivision.

Chairman Naylor said we have no control over that.

Planner Sanderson said the other development is the Hamilton project on 11010 S. There is a system for developers to maintain access.

Chairman Naylor said if there are problems you can call the City to have someone come out to take a look at it.

Chairman Naylor closed the Public Hearing.

Planner Sanderson said this is one of the projects that would be worth recommending a development agreement to guide that. It doesn't have to be very complicated. If we need to delay or postpone the City Council to negotiate those terms it is something we can work with the applicant on. It would benefit both him and the residents and the City.

Commissioner Morrissey said I agree there needs to be some sort of resolution to those issues before we have another meeting.

Chairman Naylor said are you suggesting that we let the staff work on this with the developer before we sent a recommendation.

Commissioner Morrissey said I think our recommendation should be based upon what Brad just suggested. I don't think it is necessary for us to see this again. I think it is relatively easy like he suggested.

J.2. Potential Action Item – (See V.J.1)

Commissioner Evans made a motion to table this item for two weeks giving staff enough time to work with the developer.

City Planner Schindler said the Commission doesn't approve development agreements. I think Commissioner Morrissey was saying that he would prefer just to have staff have the development agreement ready for Council when it goes to them. We as staff want to see something in the development agreement that would restrict it to single family only and that they would not have townhomes. The applicant would also like to establish specific setbacks through the development agreement as well. We have talked to him already about that.

Commissioner Evans said I feel very comfortable tabling this for two weeks giving the developer a chance to solidify a little more in their mind what the plans are. When we heard this previous we were looking at town houses and now we are looking at something different. The lot sizes need to be defined a little more so we feel comfortable and this would be a good opportunity to work with the City Planners to have a little more information before we make a decision.

Chairman Naylor said the PUD process affords the developer the opportunity to adjust required setbacks.

City Planner Schindler said I think we need to look at that because the RM zones have been changed and I am not sure if the PUD process still reads the same.

Chairman Naylor asked if anyone is prepared to second Commissioner Evans motion.

Commissioner Morrissey said if we table it that would mean that it would come back again to us is that right? I don't understand why it would need to come back to us.

Chairman Naylor asked Mr. Salt if it would be a problem to have this postponed. Mr. Salt said every delay puts me that much closer to the asphalt plant closing. If we delay this two more weeks and then another two weeks, pretty soon asphalt plant is closing and this project won't happen until 2015 and that's all because somebody wants to see the house that I am going to put on the lot. What you are considering is can I put 7 units per acre on that ground.

Commissioner Evans said she will withdraw her motion because we finally got the issue out that we needed to make a better decision.

Chairman Naylor said I would like to have the four of us communicate to Brad the concerns that we've got with this so that when he works on the agreement with the developer that they take into consideration the things we think are important.

Commissioner Morrissey said the only thing I am concerned about is that minimum requirement in the code. Code section 17.48.060 the RM Zone requires a 5,000 square foot lot size with a 6,000 square foot average. If they can resolve that issue while moving it along to City Council I am all for that. City Council is going to accept or reject our proposal anyway. I feel confident in the rest of the proposal except for that one minute issue.

Chairman Naylor said I would like to add the note too that it be single family homes not townhouses.

Planner Sanderson said we should put the setbacks in there as well. Those we don't know yet but we can come up with something to formalize it.

Commissioner Morrissey made a motion that the Planning Commission forward a recommendation to the City Council to approve Resolution R2014-36 Amending the Land Use Designation on the property from Village Mixed Use to Professional Office and Medium Density Residential; and approve Ordinance 2014-11-Z, Rezoning the property from A-5 & R-2.5 to Professional Office (P-O) and Residential Multi-Family (RM-7) with recommendation that it accompany a development agreement that includes the following:

- 1. That the code section 17.48.060 dealing with minimum square foot lot size be resolved; and**
- 2. Setbacks be resolved; and**
- 3. Designation for single family units and no townhouses.**

Commissioner Jolley seconded the motion. Roll Call Vote was unanimous 4-0 in favor. Commissioners Feist and Haymore absent.

VI. OTHER BUSINESS – NOT PUBLIC HEARINGS

None

ADJOURNMENT

Commissioner Evans motioned to adjourn. Commissioner Morrissey seconded the motion. Vote was unanimous in favor.

The May 27, 2014 Planning Commission meeting adjourned at 8:45 p.m.

Meeting Minutes were prepared by City Recorder Anna West.

This is a true and correct copy of the May 27, 2014 Planning Commission meeting minutes, which were approved on June 10, 2014.

Anna M. West

South Jordan City Recorder

MAY 27, 2014

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

<u>W. WHITNEY</u>	<u>5329 S. MEADOWCREST MURRAY</u>
<u>Reed & Paula Beatse</u>	<u>1114 Shields Lane</u>
<u>David + Gayle Handralan</u>	<u>1928 W Silver Streak Dr.</u>
<u>BILL SANDRE</u>	<u>5670 WILSHIRE BLVD LOS ANGELES</u>
<u>KEN & SYLVIA BOLDWIN</u>	<u>11181 S. HEATHER GROVE LN</u>
<u>Jason Foster</u>	<u>9372 Dutch Valley Drive</u>
<u>JERRY SALT</u>	<u>11493 So. 2510 W. SJ.</u>
<u>S. Leon Higgins</u>	<u>9881 So South Spruce Dale Dr.</u>
<u>Jason Beckstead</u>	<u>11415 S Country Crossing RD</u>
<u>LINA FISHER</u>	<u>11354 So. 1300 W. SO JORDAN</u>
<u>Jay + Trish Carey</u>	<u>11325 S. Blue Brook CV, SoJo</u>
<u>SCOTT DRIGGS</u>	<u>11324 S RED CANYON CT SOJO</u>
<u>Marie Anne McPeyson</u>	<u>11207 So - Palisade View Dr. S.J.</u>

MAY 27, 2014

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

CHRIS LAURANT

9787 Jordan Lake Rd

KEP LAURANT

10554 Summit Creek

Jason Butcher

9385 Dutch Valley Drive

Michelle Butcher

9385 Dutch Valley Drive

Susan Egbert

11323 S. 2700 W.

Rich Busheff

10002 S Tee Shot Cir

Jenni Swan

9926 S. Tee Box Dr.

Carly Howland

7450 S. Redwood Rd.

SELVAM RAJAVELU

329 E. JUT SANDY COURT
SANDY

Sheri Mattle

1270 W Lampton Rd. South Jordan

Margaret Warner

9874 S. Spruce Grove Way S. Jordan

Katie McDermott

5027 W Burntside Ave

Balaji Subbattula

6268 W 8235 S West Jordan

MAY 27, 2014

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Jim Firth 10017 Copper King Lane

Maria Beaman 9525 Tee Box Dr.

Natalie Copey 2370 Country Bend Drive

Sarah Anderson 9373 Dutch Valley Drive.

Steve Jones 7813 Jordan Ridge Rd

Karen Jones

Andrew Galt 1369 Shoreside Way
10324 S Cree View

Ted Didas 8610 Sandy Pkwy

Chris Swensen 1026 S. main drive

James Dashner 10287 Eden Ridge Dr

Rott Meyer 10363 Canyon Crest

Rick Lambert 11208 morning TIDE

MAY 27, 2014

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Venkatesh Subramanyam

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Bob Snodgrass

4463W Amberly Lynn Way - So Jordan 84095

Michael Wright

801 N 500 W. #300 BFL 84010

Richard & Adele Davrone

11709 So Lampton Drive Dr 84093

Leslie Morton

4119 Riverboat Rd #200 SLC, UT 84109

Rhonda Williams

11162 So Heather Boulevard, 84095

Mark Watley

2244 Jordan Haven Ct. ST. 84095

Andy & Claudia Plummer

972 Shields Lane

Ken Olson

10299 Springcreek Ln. ST

Patti Anderson

9432 Dunder Cove So Jo.

Andy

9878 Spring
Cove

Sean Kim

10476 Hemisphere Ct



5-27-2014 PC mtg
Attachment B

Henry Walker Homes
An Oakwood Homes Company
500 North Marketplace Drive Ste #201
Centerville, Utah 84041

April 30th, 2014

Sarah Jane Anderson
9373 Dutch Valley Dr.
South Jordan, Utah 84088

RE: Dutch Hill In-Home Salon

Dear Sarah Jane Anderson,

Article 6.1 in the Dutch Hill CC&R's states that no business of any kind shall be conducted on or within any lot or in any other portion of the community. Henry Walker Homes, an Oakwood Homes Company (current Declarant), would allow for an exception to this rule if the homeowner receives written approval from the city of South Jordan and provides it to Henry Walker Homes.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Phil Holland', with a long horizontal line extending to the right.

Phil Holland
V.P. Land Aquisition



