

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
January 11, 2022**

Present: Chair Michele Hollist, Commissioner Nathan Gedge, Commissioner Trevor Darby, Commissioner Steven Catmull, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, Deputy City Recorder Cindy Valdez, Assistant City Engineer Jeremy Nielson, Planner David Mann, Planner Ian Harris, IT Director Jon Day, GIS Coordinator Matt Jarman, Meeting Transcriptionist Diana Baun

Others: Bird, Nate Lechtenberg, Alan Stallings, Brittany, Reed Stallings, Nicole Stangl, David, Alan's iPad, BL ZGB, Mike Stangl, Derek & Jill Wright, Greg Rindlisbacher, Derek Rindlisbacher, Bob & Sherri Peisley, Kent & Lora Owens, Paul Stringham, Matt Jolley, Merlynn Newbold, Robin Barnhill

6:33 P.M.

REGULAR MEETING

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

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

II. MOTION TO APPROVE AGENDA

Chair Michele Hollist asked staff if it would be appropriate to hold off on electing a chair and vice chair for this year until they get their new member and have Commissioner Trevor Darby officially re-appointed by City Council.

City Planner Greg Schindler said that staff had intended to wait until the next meeting for that election.

Chair Hollist also pointed out that potential commission member Laurel Bevans and Commissioner Darby will take their oaths at the next meeting, assuming the city council approves them.

Commissioner Darby motioned to approve the January 11, 2022 Planning Commission Agenda as published and noticed. Chair Hollist seconded the motion; vote was unanimous in favor.

III. APPROVAL OF THE MINUTES

Commissioner Gedge motioned to approve the December 14, 2021 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion; vote was unanimous in favor.

IV. STAFF BUSINESS

City Planner Greg Schindler proposed holding a training session for the Planning Commission members before the next Planning Commission meeting (January 25) at 5:00 p.m. This would be an hour long and would count towards their required hours of training.

All four commissioners agreed that date and time was fine.

Chair Michele Hollist asked that they make sure Laurel Bevans attends.

Assistant City Attorney Greg Simonsen noted that the new commission member is required to have at least one hour of general powers training before she can vote in a meeting.

Chair Hollist asked if Ms. Bevans could meet with staff in the next two weeks to do that training on her own.

Attorney Simonsen said they could meet with her and do it separately, but since all of the commissioners need this training annually their goal was to train everyone at the same time.

Planner Schindler said they would schedule that training to be at 5:00 p.m. on January 25, before the regular Planning Commission meeting.

V. COMMENTS FROM PLANNING COMMISSION MEMBERS - *None*

VI. SUMMARY ACTION – *None*

VII. ACTION – *None*

VIII. ADMINISTRATIVE PUBLIC HEARINGS –

A. DAYBREAK VILLAGE 7 PLAT 4 PRELIMINARY SUBDIVISION

Location: Generally 11740 South 6120 West
File No: PLPP202100218
Applicant: Perigee Consulting

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

Tyler Heath (Applicant) works with Oakwood Homes, Perigee is their engineer. He added that there are twin homes; all 127 homes sites are single family, detached home sites. He thanked

everyone who has worked on this project, they love working in South Jordan City and are looking forward to moving on with their next phase.

Chair Hollist opened the hearing to public comment.

Matt Jolley (Resident) asked if there is any information about the size of the houses, particularly the height. He lives on Willow Walk and looks east towards the mountains, he is interested in whether those are single or two story homes and what kind of obstruction those will make to the view out of his house to the mountains.

Chair Hollist closed the public comment portion of the hearing.

Mr. Heath said the homes being built in Phase 4 are very similar to the homes already built in Phases 1 through 3. He addressed Mr. Jolley and said he had some printouts he could share with him. There are some two story plans available, but most are one story homes.

Chair Hollist asked about the maximum height of the two story homes.

Mr. Heath said he didn't have the height information on him, but he was happy to connect with Mr. Jolley afterwards and get him that information; he did note that these were normal two story homes.

Chair Hollist asked staff to confirm that Daybreak does not have the same height requirements as the rest of the city.

Planner Schindler said that no, they do not have the same requirements.

Mr. Heath did say that two stories is their maximum level on these homes.

Commissioner Gedge motioned to approve Project No. PLPP202100218, Preliminary Subdivision, subject to all South Jordan City requirements met prior to recording the plat. Chair Hollist seconded the motion. Roll Call vote was 4-0, unanimous in favor.

B. GARDNER DENTAL OFFICE BUILDING SITE PLAN

Location: 11381 S Temple Drive

File No: PLSPR202100197

Applicant: Nate Lechtenberg

Planner David Mann reviewed background information from the Staff Report.

Chair Michele Hollist gave the applicant an opportunity to come up and share additional information, they declined.

Chair Hollist opened the hearing for public comment, there was none and the public comment portion of the hearing was closed.

Commissioner Gedge motioned to approve File No. PLSPR202100197, Office Building Site Plan. Chair Hollist seconded the motion. Roll Call vote was 4-0, unanimous in favor.

**C. THE HUMAN BEAN DRIVE THROUGH SITE PLAN AND
CONDITIONAL USE PERMIT**

Location: 1463 W South Jordan Parkway
File No: PLSPR202100148
Applicant: Danny Bird

Planner David Mann reviewed background information from the Staff Report.

Chair Michele Holist asked about the flow in the drive-thru.

Planner Mann explained the entrance is on the north side of the access on 1440 West, but the customers would then turn left into the drive-thru lane heading south. There is a little bit of cross access issues, but since everyone will be going slowly through the site, staff doesn't anticipate any pileup of cars in this area.

Chair Hollist asked if there could potentially be a scenario where the loop closes and they are blocking anyone exiting.

Planner Mann said yes, if there were more than 12-13 people at a time. Since this is just drinks, with no food preparation, he would assume the speed of taking and fulfilling orders would be pretty quick.

Commissioner Nathan Gedge said that a competitor's opening had much more than 12 cars backed up. He asked if this is the first Human Bean, and if they think 12 spaces will be satisfactory. Also, with the Sodalicious traffic on the adjoining property, are we going to have too many vehicles there. He also mentioned that when utilizing the sewer with adjoining businesses there seems to be a sewer smell; he asked if there is adequate sewer access because he wants to make sure this can be handled appropriately.

Assistant City Engineer Jeremy Nielson said they have to a permit through South Valley Sewer District and the district maintains models to make sure it has the capacity to handle everything; if there is a smell, the business can contact the sewer district for assistance.

Chair Hollist said she assumes everything happening here will still allow access to all of the properties to the south, off the private lane.

Planner Mann said the property extends into that private lane. He doesn't know the history of this area with the pocket of homes, but since the property goes to the center of the road this business has the right to access the property. With this having an extensive drive-thru lane however, it is not intended for the customers to block off access to the residents.

Danny Bird (Applicant) is the contractor/builder/developer, and he is here representing the applicant who is out of town.

Commissioner Steve Catmull asked what led to the placement of everything, as it is a very interesting drive-thru configuration, and was it their preference.

Mr. Bird said they hired a civil engineer, Matt Brown, and he worked extensively with staff to configure the layout that would be the most amenable to meet all the concerns and needs; he wasn't involved in that during the initial stages with the client. They went through a few different drafts on how to best make that accessible.

Chair Hollist opened the hearing to public comment.

Merlynn Newbold (Resident) explained the history of this property. There used to be a home and business located on this property, when the road was widened in early 2000 the state purchased the property and eventually sold it back, but without access off of 10400 South. The property originally had two accesses, one for the business and one for the home. This now required that any ingress or egress be done off 1440 West. When they learned about the business being proposed at 1463 West, as neighbors they had four main concerns. The first concern is snow removal. Currently the property directly east of this, the other business, plows their snow on to this vacant property. Their concerns as neighbors would be that there is adequate space on the property that they can clear their portion of the street, as well as their drive-thru, and contain it all on their property so it's not left out in the street and prohibiting the neighbors from entering or exiting their homes. She has talked with Planner Mann, he assured her that they should have enough access if they choose to use it. Their second concern is water drainage. When the properties were approved many years ago the county was in charge of the approval process and they all drain to the south naturally, they do not have curb and gutter. Water just runs down their road and reaches an irrigation ditch, they want to make sure this property drains all of its excess water towards 10400 South and doesn't increase the amount of water that they have coming down the street. Planner Mann thought they would be able to self-contain the water, then eventually release it on to 10400 South; they want to make sure it isn't coming down their street. The third concern is having adequate buffering between the business and residential properties. The current site shows a six foot masonry fence, which they appreciate, with plantings that separate and buffer the residential area. The landscape plan was hard to read, but it did appear that a lot of the plants being used on this property are deciduous, rather than evergreen or coniferous; they would like to request for noise purposes and pollution purposes that the landscape plan be redesigned or re-looked at to include more evergreen shrubs to provide a barrier year round. Their fourth concern as neighbors, and their greatest concern with this development, is the traffic. The ingress and egress to this business needs to be done entirely off 1440 West, which is a residential street; it is not an arterial or collector street, it is residential. Their street is a dead end, and it's the only way they have in and out. As she looked around the city while driving around this last week and a half, she wasn't able to find any other drive-thru business that is required to have access off of a residential street. All the others she saw were off a larger street, meant to handle that type of traffic. They currently already have a business with a drive-thru location on the east side of the street, which has proven problematic over the years. It generates approximately 200 cars per day during the winter, during the other months it is 400 cars per day; this count does not include the number of other customers that are heading towards the gymnastics studio, which has inadequate parking. The parents come in their street, go

through Sodalicious, go behind the Chinese restaurant and pool in that area staying in their cars so they can drop off and pick up their children because it is so congested in that area. Right now, when the customers come in to Sodalicious they seem to be rather intent on getting their food and getting out, they will turn off 10400 South without slowing down, and run diagonally into the Sodalicious driveway without looking to see if there is anyone coming from the homes on the south. When they leave, it's the same process. It's not so much the stacking on the property with these businesses, it's that they've all driven down 10400 South and we know there are certain times you can't get out onto 10400 South and you just have to sit and wait because of the large amounts of traffic that come down that road. These cars stack up on 1440 West and the neighbors have often had to wait behind cars coming out of Sodalicious to get out on to 10400 South and to get in on 1440 West. The customers are really quite oblivious to them, and the neighbors are defensive driving right now to make sure the customers don't wipe them out because they don't really seem to notice they are there. An approval of an additional business with a drive-thru window would more than likely double the amount of cars they have on that small section of road. In speaking with the new manager of the Starbucks on 11400 South, they generally do about 500 customers per day; they would be putting another 500 cars, in addition to about the 400 that they already have, plus the gymnastics people. The Starbucks manager also indicated that some of the more established and busier locations will serve up to 1200 cars per day, this gives you an idea of the kind of traffic that it is necessary to generate so these businesses are profitable and stay in business. The driveway entrances to both of these businesses would be located approximately 44 feet from 10400 South and they will be crisscrossing each other to get to the businesses. As people come in to get to Sodalicious, they are going to have to be crisscrossing people trying to make it out of the coffee shop, and vice versa. As the commissioner pointed out, when you get on the property for the coffee shop, they are crisscrossing in their own driveway to get over to the other direction. Their concern is that they will not be able to access their homes, to get in and out to go to work, get the kids to school, anywhere else; if they have an accident, which looking at those traffic patterns makes it seem more than likely, they would be unable to get to their homes. Also, if they needed medical or emergency personnel they would be unable to get down to their homes because it's a dead end street with no other way in or out. They feel that a business with a drive-thru window really isn't compatible to this site because of the ingress and egress off of a residential street. The significant number of cars it will generate, and the burden placed on the existing residents, is why they ask that it not be approved.

Bob Peisley (Resident) said Ms. Newbold did a wonderful job explaining their plight. The one thing she didn't mention is that this is a private lane beyond the new state owned access to the Sodalicious and the new business trying to come in. The state wouldn't give them an easement onto 10400 South, so the state made someone give them the easement out onto their private lane. Beyond the two entrances to the Sodalicious and the new property is a private lane, not just an access to their neighborhood; it has been this way for many years before this. Yes, there are only six homes, but those six homes have been there for well over 45 years; this is their concern with the traffic going in and out. He wants everyone to succeed, this is America and everyone deserves a right to be successful, but they also deserve the right to their homes and freedoms and everything else; they don't feel this should be approved as it is proposed at this time.

Chair Hollist closed the public comment portion of the hearing. She asked staff to address resident concerns like snow removal, and what recourse the residents would have if the snow were blocking their access.

Planner Mann said the challenge is that this is a private road, which works similarly to commercial properties as far as garbage pickup and snow clearance; it is all handled privately. There is nothing specific regarding how the city would handle a situation like this, other than just making sure if there are complaints someone from the city can work with the business to address the situation as quickly as possible.

Chair Hollist asked if a portion of this road is public.

Planner Mann said no, the whole road is private.

Engineer Nielson said it would be a private issue. We may convey information to the business, but there isn't anything we can regulate in that respect.

Commissioner Steve Catmull asked if it's a private road, is there an easement to allow this access.

Engineer Nielson said he isn't sure if there's an easement there, but UDOT is allowing an access there; when they reconstructed the road, they reestablished that access. Since UDOT did own that remnant parcel, it sounds like they are no longer allowing the access along South Jordan Parkway.

Commissioner Catmull asked if a private road has to allow access without an easement.

City Planner Greg Schindler said this property has just as much right to that private road as everyone else, as they own to the center of the road. Regarding snow removal, there is nothing in our code to prohibit them from taking the snow and putting it in the middle of the road, as it's a private matter. He doubts they would do that because it would hinder their own customers' access. He is not sure where their detention basin is, but his understanding is that any drainage will go there.

Engineer Neilson said they have a small retention pond on the southeast corner to capture runoff from 1440 west, then a detention pond on the northwest corner to capture parking lot runoff and slowly release that water into the storm drain system on South Jordan Parkway. From an engineering perspective, they had no concerns with their management of the storm water.

Chair Hollist asked regarding the snow removal and this being a conditional use permit, can they identify this as a potential issue that needs to be mitigated.

Assistant City Attorney Greg Simonsen said that is ultimately the commission's judgment. He referenced what our rules say about identifying detrimental issues, and indicated that it's up to the commission to evaluate the evidence that has come before them, along with the concerns, and

identify whether there is a condition that can be placed upon the approval to mitigate their concern(s).

Chair Hollist asked about the neighbors' third request regarding buffering, what is required.

Planner Mann said they are required to have a 30 foot setback to the building, with 10 feet of that being landscaped adjacent to the residential property, along with a six foot tall masonry wall. As it is landscaped, the city encourages builders to show trees along that landscaped portion to try and buffer the commercial use from the residential use; there is no specific requirement as far as types of trees that have to be located there. Since this is a conditional use, if the drive-thru is what requires mitigation as far as buffering with additional landscaping that could be something that is considered as part of the approval.

Chair Hollist mentioned the concerns regarding traffic. She shares the concern that they could have a situation like they had with other drive-thrus, where it ends up being very popular. Back to identifying and mitigating possible issues, she asked if it would be reasonable to indicate if their queuing is off their property and onto the private lane that they'd have to address it.

Attorney Simonsen said that if the commission believes, based on what has been presented, that there may be a blockage on that private road they can think of conditions to impose. He gave options like limiting the number of customers on the property at a time, and he doesn't know if that is reasonable or not; he is not trying to push everyone in a certain direction. If you believe that substantial evidence has been identified and there is a detrimental effect, they would have to write to impose a condition that would be the least restrictive method to mitigate that detrimental effect.

Commissioner Gedge asked about the property to the east, which has an access to the beverage company, a restaurant and the gymnastics location; is that property under a conditional use permit for its drive thru at Sodalicious.

Planner Schindler said he thinks it is, as it used to be Wienerschnitzel when it was first occupied, and they would have had to have a conditional use permit for the drive thru at that point as well; same with the Arctic Circle to the east.

Commissioner Gedge asked if whether any conditions had been placed on that property. It seems like one of the traffic concerns is people accessing it to get to the gymnastics location, and he wonders if there is any way to mitigate the concerns of traffic with this new proposal under consideration this evening. Could we propose that they basically close the through street between the Sodalicious and the chinese restaurant to stop people from driving through and block that conflict point; or is that something we can't consider, and we are left with putting a restriction on this current property.

Chair Hollist asked if the same person owned both properties.

Planner Schindler said no, the Arctic Circle and Sodalicious have different owners. This current property isn't connected to those other properties, and it has a different owner as well. Regarding

closing the pass through, the only way to possibly make the other property owners close up that route is if they were to bring back the property owners and tell them we are going to take away their conditional use permit unless they close it up. This applicant isn't responsible for that, and we would have to have a public hearing to discuss that, provide evidence that this is an issue, etc. Anyone who wanted to bring that issue forward could, but the city isn't responsible for proving it. He's not sure why they haven't closed it off, as it's probably an issue for them to have people driving through and he doesn't remember why it was left open in the first place.

Attorney Simonsen said it would not be legal to impose restrictions on the neighboring property, who has vested rights. This is a private road, and to a certain extent it will have to be the property owners who work things out on that road. The commission has a legitimate consideration in front of them, but it can't involve the neighboring property.

Commissioner Catmull mentioned that in the recent past there was a situation on 3600 West with the swim school that got approved. This is a little different, but it's close when they come in and immediately cut over. This was one of the problems they were trying to solve in the swim school application to avoid the confusion. He wondered what staff thought, and if they felt this was similar.

Planner Mann said initial site discussions were with Brad Sanderson, who formerly worked for the city. They came before the city departments through the development review committee process, and have been working on the design over time. Once they submitted their application, that's when he was assigned the review. He is guessing the location of the access is why they only want one, and that there is an existing landscape median on the southern end of the two lots on the private road. He thinks they may have wanted to avoid that as an obstacle by placing the access where it is. Also, this lines up the existing access with Sodalicious. He is not sure why they developed it this way, but it is the way it was shown and it meets all the city requirements.

Planner Schindler said this is the only place an access could be placed. There may have been another way to work this out with the building closer to the residents, still being 30 feet away, but he thinks they tried to put it as far away as possible for the residents' benefit. Regarding the situation at the dance studio, it is a little different and has them driving on the left side of the road instead of the right; this was all done before the swim school was constructed so they didn't know how it would work. They have issues between the two properties with the access and the width, and they haven't worked it out between themselves; this is why the dance studio hasn't been constructed yet.

Commissioner Catmull noted the confusion for those entering the swim school parking lot with the signage not doing what it should, and their customer base constantly changing. In this situation with the coffee shop, they will probably have a more loyal customer base along with the new customers coming in over time.

Chair Hollist noted there are a few items that need to be discussed and possibly mitigated. She has concerns about the car stacking; they have room for 12 cars, but what happens if they exceed that. It might not be an issue, but if it does happen she thinks they should have a plan in place so they are not queuing on to that private lane. She would also like to discuss what the buffering is

between this property and the next. There was concern about the types of plants, and they can ask the applicant what their plans are. She also believes the six foot masonry wall is the maximum height allowed.

Planner Mann said the height depends, the minimum of six feet is intended for when a project is adjacent to a canal, ditches or something like that; it is not intended for separating commercial and residential uses as six feet is the standard for those situations.

Chair Hollist mentioned snow removal. It may never be an issue, but just in case, she feels they should have a plan to avoid that snow being pushed onto the road.

Commissioner Trevor Darby thinks the traffic concerns are valid, especially if there are more than 12 cars. However, he doesn't understand how we can expect the restaurant owner to properly and safely manage traffic. He is not sure how they can create a condition that expects the business owner to come out and begin waiting on customers. If they can come up with something, that would be great, but he doesn't see how that would work.

Attorney Simonsen suggested speaking with the applicant before spending too much time on these issues.

Mr. Bird said regarding snow removal, he is only the developer/builder, but is here speaking on behalf of the owner, he believes that they will not be changing how they do the snow removal. If they are currently doing a good job keeping everything clear, then they will continue to do their part in ensuring it is well maintained. Their intent is not to own or run a business that would have complications because of snow blocking customers and neighbors from getting access. He believes whatever these residents have experienced over the last 45 years living on that private lane will continue to be the standard, if not better, as this is a new business and they will want to make sure they have adequate access.

Chair Hollist asked about buffering and what kinds of plants they are planning on using.

Mr. Bird said he is willing to talk with the owner and talk about the selection of the plants. As staff has reported, they have put everything in as per the City Code and guidelines as far as quantity and types. If there is a concern that the residents would like more of the evergreen, not that they have the right to dictate what the business does, the business would be happy to entertain those thoughts when they go through the landscaping process; they will be conscious of that desire and see if they can work with the owner to select some things that would be appreciative of the neighbors nearby and attempt to consider their requests in their landscaping.

Chair Hollist asked about queuing cars and ensuring they are not blocking the private lane.

Mr. Bird said he has been to a few of the same types of establishments, where you come in and have to make an awkward turn. This is a national chain, this is not their first location nationwide but it might be the first in Utah; he is sure corporate will have adequate signage that will be utilized for them to direct traffic towards the drive-in area and follow the flow of traffic. If there is some concern as a result of this layout, he is sure the building owner will take adequate

measures to correct that. It is hard to do that based on speculation of what-if, but he is sure they will make sure it is clear which direction everyone should be going using corporate signage and directional markings.

Chair Hollist asked what will happen if they find they are queuing more than the 12 cars that the property can hold at one time.

Mr. Bird said he would tell the owner to become like Chick-fil-A and figure out how to maintain thousands of people wanting to use their service through their drive thru and be very efficient at getting them organized. That could include having staff going out and providing information, taking orders and trying to direct customers. Businesses have many different ways they handle congested parking based on usage, but he doesn't think that a probability of what-if should be used to deny approval. He thinks that if an owner is responsible they will take a look at that concern, if it arises, and have a mitigation plan to allow for safe traffic on a private road. He asked if Sodalicious is doing something to mitigate traffic on the neighboring street; what did the commission give them as far as a condition on their permit.

Chair Hollist said she believes the soda shop has been there longer than this commission, so she doesn't know if staff knows the answer to that. She agrees with Mr. Bird that should a condition arise where there are more cars, it is in the owner's interest to get out there and take care of it, but she is still concerned that the car stacking is something they should try to mitigate. There is a particular business in Draper where they don't want you to turn right because you then block their drive thru, so they have someone who stands there and forces you to turn left and exit out the way that's not natural. She doesn't think it would be too onerous to say they need a person standing on the corner, waving people past, if they are blocking anything.

Commissioner Catmull asked about placement and moving the building back.

Chair Hollist pointed out an island in the road.

Mr. Bird said they worked with staff and their engineer on multiple different layouts, this was the best option to meet all the conditions to allow them to get to this point. He thinks they have been trying to meet every requirement suggested because they want to make sure they are doing everything the right way; this is the best scenario combined with this location.

Chair Hollist said she is more concerned about them exceeding the 12 cars than she is about confusion once in the parking lot, although that could contribute to creating a blockage.

Commissioner Catmull said he can imagine someone coming in, during a slow time, and not knowing to take an immediate left while other cars are moving and trying to turn around in the small lot. He believes that in the past they have said as long as it doesn't spill into a public street it is up to the private owners to sort out the queuing and stacking.

Chair Hollist said she believes this is unique because it is residential access.

Commissioner Gedge thinks they will be very successful, so he is a little leery after previous experiences with new openings of popular chains. He asked who enforces cars spilling out on to 10400 South. It is a UDOT road, but it would be South Jordan Police and Public Safety making sure this doesn't block traffic on a 45 mile per hour road. His concern is just the traffic flow and how we mitigate that, but he doesn't know if that can be done because they aren't accessing directly off 10400 South. Regarding snow removal and water, it looks like they have a plan. He also worries about conflicts with traffic coming westbound into the property, but how do they mitigate a what-if and put that in place.

Chair Hollist asked about a condition requiring a plan in place to prevent 1440 West from being blocked that would be presented to city staff, and should the road be regularly blocked the neighbors can come to the council.

Commissioner Gedge said this would be particularly important during peak times, and the grand opening.

Attorney Simonsen said this is up to the commission, they need to evaluate it. They have the right to impose any reasonable condition, and if they don't think there is a condition to mitigate a detriment they have the right to deny the conditional use permit. He thinks this is a difficult task as the applicant is not giving them any indication as to what an opening at a Human Bean is like, and they are left to speculate a little bit.

Chair Hollist asked if it is reasonable to require a plan, and if it's not needed, the plan doesn't need to be implemented.

Attorney Simonsen believes that is reasonable.

Chair Hollist said the stacking on 10400 South would be an issue because of the speeds, but she is more worried about blocking access to the homes.

Commissioner Catmull asked if we can separate the two issues, is the application for both the conditional use permit and the site plan.

Planner Mann said they are approving both, but if they deny the conditional use, they wouldn't be able to approve the site plan since the use wouldn't be allowed.

Commissioner Catmull said he's more open to a drive-thru as conditional use, he is not crazy about the design of the site. He feels like when it is a private lane with private citizens, things like snow removal and water drainage are issues that need to be handled amongst the private owners.

Attorney Simonsen said they also need to consider if it is blocked and one of the houses down the lane catches fire.

Chair Hollist said she agrees that generally with private HOAs and private lanes this is usually left to them to handle, but they have residents here tonight concerned with this use based on

everything else already on the lane. We want a private landowner to be able to use their land and make a profit, but we also have another land use (the private lane) that may not be seen as compatible.

Commissioner Catmull noted the zone is already in place, and a walk up portion is already compatible with the zone.

Commissioner Darby said he is inclined to agree that most of the issues are things the city would typically address, but since this is private property we probably wouldn't get involved. For him, the real issue becomes potential traffic but he worries about diving too much into the what-if. He can't envision a plan requiring them to manage traffic on a city road. As a business owner, if someone told him he had to start managing city traffic he would be concerned about the legal repercussions of sending out employees to manage said traffic; especially if they caused an accident because they don't know how to manage traffic.

Commissioner Gedge said his biggest concern, other than the six homes accessing the property and fire and other public safety access if this is blocked, is trying to come up with a way to mitigate this. Do they come up with a threshold that says if the average stacking is greater than 12, over a period of time, then the property owner will present a traffic mitigation plan. There is already a similar business next to it, so he doesn't believe we can defer this application from going in there off the access. It would have been ideal if the property to the west had access, as there is plenty of stacking room in the LDS church lot there. He suggested possibly tabling this issue to solve the potential stacking issue, but there have also been multiple beverage use permits in the last six months and they approved all of them as a commission. He sympathizes with the neighbors regarding the potential stacking issues, but how do they mitigate this is the question.

Chair Hollist said tabling it would give the applicant time to speak with staff and potentially present some options.

Commissioner Gedge said he's sure they will be successful, and it has a great location; he thinks there will be more than 12 vehicles stacked, so they need a plan to be prepared and avoid the neighbors coming back to us. If it does back up, they need to decide who is paying for it because it is a public safety issue.

Commissioner Catmull mentioned a circulation plan, and asked if that would be sufficient.

Engineer Neilson said this is a tricky issue, he can see both sides. It is a residential lane with homes that have been there for decades, on a quiet street; now we are considering putting two drive thrus there. It seems reasonable to him to have a temporary traffic control plan prepared, staff could review that and see how cars would be stacked and how signage would be displayed to make sure vehicles are organized. This was some of the struggle with Raising Canes, that initially police went out and took care of the traffic control for the restaurant. After a week or so, it wasn't dying down and our police couldn't continue to manage this; they spoke with the restaurant about taking care of the traffic control, and the restaurant didn't have the expertise to do that. It makes sense to him that they take the time to prepare a temporary traffic control plan,

just in case that stacking does go out on to 1440 West, so it maintains access for those residential homes.

Commissioner Gedge motioned to table File No. PLSPR202100148, The Human Bean drive thru site plan and conditional use permit, to a future date, uncertain, so a temporary traffic control plan can be created and reviewed by city staff.

Planner Schindler said no further public hearing is required, this is being tabled based on those comments. He advised residents to check the City Website every other Friday to see if it is on the agenda for the following Tuesday.

Commissioner Catmull asked about the island on 1440 West, does it have to stay there and what is the function?

Planner Schindler said it's on a private road, they can't force them to take it out.

Planner Mann said he feels that this is being discussed as if 1440 West were a public street, where the city has the authority to dictate access. It is the job of the residents here to maintain it and own it as it is their road. This property has a right to access it because the property line does go into the middle of the road. For reference, drive thru restaurants are only required by our code to have room for five cars in the stacking lane, so this has more than twice that. They review a lot of drive thrus, so it is concerning to single out this as one where we are concerned about more than 12 cars coming when we have approved more than a dozen last year and had no concerns with less stacking with those.

Commissioner Gedge mentioned Raising Canes, that incident has made them question things like this.

Planner Mann said they paid the price for that traffic control, but that was very unique because it was the first location within hundreds of miles. The Human Bean is creating as much parking as they possibly can with a very small building, and if they are going to table this with instructions for the staff to work with the applicant for a traffic mitigation plan they will need more direction to know what they are discussing; how they will be able handle it besides keeping the cars on site and doing their best to keep the passageway clear. Again, this is a private road so that's between the neighbors to work out.

Commissioner Catmull said, going back to the island, he realizes this is a private road and it seems like that was part of a constraint for the design. In that process, did they consider if the owners of the road took out the island, would that open up any options in the design of the site.

Planner Mann said that would be up to the property owners to decide that. They could discuss that after this hearing and work out some other agreement, but he is not sure what the city's ability is with the city requirements to be able to address items on private property.

Engineer Neilson said the city probably encouraged them to line up their access with the Sodalicious access, as that's the safest configuration for those accesses in terms of visibility and

conflict. Also, he realizes the turn is not ideal but there is a lot of marking and striping that can be done on the pavement to make that turn very clear; they can also put DO NOT BLOCK on the pavement to try and encourage and prevent a blockage. The way it wraps around does allow for more stacking.

Planner Schindler said the property immediately to the south has a driveway right on the property line. Putting access closer to their driveway would probably be a little more dangerous, so access from the north is probably the safest.

Commissioner Gedge noted the motion has failed due to lack of a second.

Chair Hollist would like to see the applicant work with staff to come up with a plan that will put everyone's minds at ease, that something has been thought through to prevent access from being blocked into this area or queuing up on 10400 South. She doesn't know what that will look like, it might look like directing people into some of the parking spots, queuing them up double wide next to the building; she is hoping the plan will alleviate some of the concerns they have. She has heard the complaints that staff doesn't like it when the commission sends things back without clear direction, she wants to make sure the direction they have tonight is clear.

Commissioner Darby is inclined to approve the conditional use after listening to Planner Mann's comments.

Commissioner Catmull asked if Chair Hollist's concerns are for chronic issues, or just for the grand opening.

Chair Hollist noted that for the person causing the blockage it's just this one time, no big deal and only 30 seconds. However, when it happens every single day and every single time you try to get through, it can be very frustrating for the residents.

Commissioner Catmull said they also haven't talked about pedestrian access within the space. He is inclined to approve, but he wants to think about what they will do if there is a chronic situation with queuing; what will they do if it continues to happen. This may be a reason to table this, to come back with a clear definition of the conditions being placed and what happens if there is a chronic issue with stacking. If the stacking chronically happens, then it doesn't make sense for this drive thru to exist. This gives the business owner an opportunity to own their own destiny and manage it like they have a vested interest. As Planner Mann mentioned, 12 cars is a deep queue once you get going; if they are wildly successful it is likely to spin off other locations which will alleviate the load over time. There will also be another coffee shop down the road. While he is sensitive to the citizens and their situation, he is also very constrained by there being a lot of private land and the constraints we have for the review and conditions. All of this is what is leading him towards approval tonight.

Commissioner Gedge is still concerned about public safety, emergency access to the homes with no mitigation plan, and stacking on to 10400 South. In a previous appointment he served in a different municipality, that was something they couldn't deny a conditional use permit for. If

there was a motion to approve this, he would vote no for that motion. He would vote to table it, as was his earlier motion, to give time to alleviate the concerns.

Chair Hollist said it looks like this would be a 2-2 vote, and it takes three votes to pass. With that in mind, she thinks that she and Commissioner Gedge could get on board with a plan that assures them these concerns have been met.

Commissioner Catmull is also concerned with chronic traffic problems, but he is under the assumption that it will work itself out over time. If it is a chronic problem, he wants to ensure there is a way for the neighbors to address it.

Commissioner Gedge motioned to table File No. PLSPR202100148, for The Human Bean drive thru site plan and conditional use permit to a date uncertain, directing staff to work with the applicant to develop a traffic mitigation plan in the event there are traffic concerns along 1440 West and/or 10400 South that may pose an imminent public safety issue.

Chair Hollist asked if that was enough direction for staff.

Planner Schindler said yes, as he understands they want to avoid queuing in the road as it poses a danger to the residents and others on the street. He said when it comes back they could recommend an approval, conditional upon there being no queuing in the road, and if they have chronic queuing in the road they would lose their conditional use permit; let them figure out how they will stop or prevent that. It's not fair to apply this to the grand opening, as we don't know what will happen. Regardless of the traffic plan brought back, that might be a condition they want to place because their plan may not work. Either way, the applicant will need to come up with this plan, staff cannot come up with it for them. If needed, they could hire a traffic engineer and present something to us.

Commissioner Gedge amended his motion to say that staff will receive from the applicant a traffic mitigation plan.

Commissioner Darby asked about voting no on this motion, if it would still pass with his no vote.

Chair Hollist said yes, it would still pass. She asked if there was something that would cause him to change his vote.

Commissioner Darby said he would prefer to see it pass, tabling it would be his second option.

Chair Hollist seconded the motion. Vote was 3-1 in favor, Commissioner Darby was a no vote.

Commissioner Gedge noted that he is in favor of this once the plan gets put in place.

Commissioner Gedge motioned to allow the applicant to speak since they did not take action this evening. Chair Hollist seconded the motion; vote was unanimous in favor.

Mr. Bird appreciates the commission's time and consideration. He feels the commission is being a little more heavy handed with this application as they have been on previous ones, as has been discussed by the staff. He feels like they don't understand the costs he has incurred throughout this process, along with the time essence of land leases with the client putting this in place due to the city's Covid restrictions and limitations on the Planning Commission. They have been bumped two months in a row, trying to get everything into place where staff has approved this to be looked at tonight. He understands they are being asked for mitigation information, but it is all based on hyperbole and what-ifs, and he believes they are stepping outside of where things should be; they have met all the needs as staff has required for months. Just because there are concerns of what-if, he feels like there are other businesses in the city currently that have seen those what-ifs become reality; as far as he knows they haven't been conditioned or throttled from running their businesses. Now, he is the one paying the brunt of someone else's business and how their practices are happening in the city. He feels like the commission is unjustly putting some conditions that are not rightfully so on a theory that they are going to come and work with staff, and that may or may not mitigate their concerns. He feels like the commission has gone beyond the overall scope of what they have presented tonight and are placing some pretty unique circumstances that don't really provide the answers they want, but as far as what he has presented tonight he feels they did not base their vote on the fact that the business has met all the requirements. He just feels like they are being slapped a little bit because they are the first, and they have had other businesses in the area that were also the first who have created some issues. He believes the proof is for the commission to show, not for him to provide what that proof might look like. He is asking them to consider again approving this. Obviously there are some issues, they will work that out with the neighbors and talk with them regarding disputes. They want to mitigate concerns, but he believes they are putting a little too much of that pressure towards the business, when it shouldn't be their burden as they have met all the conditions as reported by staff tonight.

Chair Hollist said it's the residential component here that's her issue and makes it unique, compared to all the other applications they tend to look at with conditional use permits.

Commissioner Gedge said this was created as a solution to get this to pass, because if this wasn't tabled, and there wasn't a three vote majority to pass it, this motion would have failed. This might be burdensome to the applicant, but this is the city they live in and they want to protect it. They haven't imposed any restrictions or conditions, they just want to make sure that if there is a chronic traffic problem it is mitigated. This decision was made based on public testimony received and experiences they've had. If they hadn't motioned to table this they would have voted 2-2, and based on their rules the motion would have failed.

Chair Hollist asked if the next meeting is in two weeks, and if this could possibly be back on the agenda in two weeks.

Planner Schindler said yes, this could possibly be brought back in two weeks.

Chair Hollist apologized to Mr. Bird for his frustration, but she agreed with Commissioner Gedge's comments that they just want to see the concerns alleviated regarding traffic. They want

to encourage the business to be here, and they just need that concern alleviated so they can feel good with moving forward.

**D. PARK PLACE PHASE 3 – GATE ADDITION SUBDIVISION
AMENDMENT**

Location: Jordan River Dr. and New Liberty Ct.
File No: PLPLA202100276
Applicant: Brandon Ames, Bach Homes

City Planner Schindler reviewed background information from the Staff Report.

Commissioner Nathan Gedge asked if staff had a record of how often private roads and gates are turned over to the city, and the costs for the city to remove the gates or make them inoperable.

Planner Schindler said that when this happens the city won't take the road or the gate back until the gate is removed at the residents' cost, and the roads have been fixed and made basically new; this doesn't happen very often. There was a situation where a gate was placed across a public street, separating two subdivisions; it was a mess and the property owners had to pay for the gate. Once the property owners realized they were paying monthly for this gate and the maintenance they decided to take the gate down.

Commissioner Gedge just wanted to understand the process; he doesn't believe the current owners would want that to happen any time soon.

Planner Schindler said it's usually years down the road when the residents can no longer afford the upkeep on the street or gate. There is a process in place that doesn't burden the city.

Commissioner Gedge said he is assuming that if emergency crews have to damage the gate for access, the city is not responsible.

Planner Schindler said that our fire department has made it clear they will not run their \$250,000 fire truck through a gate; if it's not open, there is nothing they can do.

Derek Wright (Applicant/Resident) is one of the two original developers, Greg Rindlisbacher is also here with him. They are also here as property owners because they own two of the lots in this Phase 3 of Park Place. They are here tonight asking for the commission's approval, and they also have a few individuals here including Derek Rindlisbacher from Greg's office who was at a lot of the staff meetings onsite where they met Public Safety Representatives from the city; Derek is here if the commission needs additional questions answered. They also have two representatives from Western Fence, who they have commissioned to build the gate in the instance they are able to get approval tonight. He appreciates staff's report, he thought it was thorough; they just want to point out that the street is private and recorded. The street was built to city specs at the onset, and they actually built the street to accommodate a gate in the event they were able to get approval for it.

Chair Michele Hollist asked why they want the gate.

Mr. Wright said he wants to be careful how he answers this, he doesn't want to sound elitist as that is not the intended purpose. These are larger homes with larger than normal lots. At the onset of construction, they experienced a fair amount of theft and South Jordan Police were actually able to apprehend an individual that stole from the property in the early stages. Staff was very accommodating to them when they started experiencing this and allowed them to put up a construction gate; that gate has been there for the better part of a year and they have eliminated the theft that they could potentially see, or saw before. The only theft they have experienced since having the construction gate up has been on an evening or two when the gate was accidentally left open, and they have film footage of people going in and attempting to steal stuff; this happened a few weeks ago on one of the properties. As a result, there is a little bit of a concern these homes could be a target, as they have experienced it. The gate has worked to this point and for that reason they would like to make it permanent.

Commissioner Steve Catmull asked what kind of theft was happening, was it packages being stolen from someone's doorstep, were they taking large equipment that could have only been taken without a gate blocking the way.

Mr. Wright said at the beginning, before the gate, it was during construction. The person that was apprehended was stealing lumber. The attempted theft a few weeks ago was trying to steal painting equipment and tried to break into a detached garage that was housing a large number of expensive appliances being stored. They don't know if they were workers, people that have stocked the site, etc. They just know they haven't experienced near the amount of issues before the gates went up.

Commissioner Catmull asked how long have the homes been finished.

Mr. Wright said one has been finished for four or five months, there are two more that will be finished within the next three to four months, another three will be finished soon after that.

Chair Hollist opened the hearing to public comment. There were no comments, the hearing was closed. She noted there were some emails received before the meeting (Attachments A and B). The staff report was very clear that the residents are aware of the risks associated with having a gate, and that they have done what they can to mitigate those risks so that emergency vehicles can get in.

Commissioner Gedge motioned to approve File No. PLPLA202100276, Gate Addition at Park Place Phase 3 Subdivision. Chair Hollist seconded the motion. Roll Call vote was 4-0, unanimous in favor.

E. 2511 W 10950 S ACCESSORY BUILDING CONDITIONAL USE PERMIT

Location: 2511 W 10950 S

File No: PLCUP202100261

Applicant: G&G Contracting, Greg and Elizabeth Mason

Planner Ian Harris reviewed background information from the Staff Report.

Chair Michele Hollist asked if living in this building would be allowed.

Planner Harris said no, it would not be allowed.

Chair Hollist asked if there are any requirements on the materials the building is made from, in some zones we require the materials be similar to the primary structure.

Planner Harris said he believes the only requirements are that it be made of durable, long lasting materials.

City Planner Greg Schindler confirmed that the requirement is durable, low maintenance materials.

Chair Hollist asked when it would be required for the materials to match the primary residence.

Planner Schindler said that's when it's an ADU or guest house, which is allowed in this zone.

Chair Hollist asked to confirm this is not a guest house.

Planner Schindler said as far as he's aware, this is not a guest house; there is no kitchen proposed or anything like that inside of it.

Planner Harris said he doesn't know what the exact planned use is, but it seems agricultural in character to him.

Commissioner Nathan Gedge would like to ask the applicant what the intended use is. Last year they had a similar large building that was intended for business use, and the neighbors were concerned about that.

Chair Hollist asked if the applicant was present, however they did not appear to be here in person or online.

Commissioner Gedge asked if we could check for a business license on this address.

Chair Hollist opened the hearing for public comment. She asked if this was noticed properly with the neighbors, staff acknowledged it was. There were no comments, the hearing was closed. She asked about neighboring accessory structures, how many there are and if they are similar to this proposed building.

Planner Harris brought up satellite images from the Staff Report and it appears to be consistent with the area. There are several parcels with many accessory buildings on them in this area.

Commissioner Gedge noted that this is a familiar area for him, he is pretty sure the use will be agricultural or storage. His main concern is someone operating a construction or trucking

company out of this unit, something that would create traffic issues for the area. He's not sure if this is enough of a concern to warrant discussing conditional use, it is also much larger than the primary dwelling but it matches buildings on the surrounding properties. That being said, he doesn't think that is significant enough to issue a mitigating condition, so he is in favor of it at this point.

Chair Hollist said Commissioner Trevor Darby was able to search and find a business license for M&M Aviation.

Planner Schindler said his assumption would be that since everyone within 300 feet was noticed, and there is no one here to speak on it, they either know what's going to be done with it or they don't care. Many of the neighbors on this street have lived there for a long time, and they probably know what they can and can't do.

Chair Hollist suggested amending the recommendation to be very clear that this is limited to the dimensions presented tonight, and asked if that would even be necessary.

Planner Schindler said they are only approving whatever is in the application.

Planner Harris said the applicant would have to follow the plans that were given for the conditional use permit.

Planner Schindler said we have software that can determine what the measurements are from the plans pretty accurately. They are confident that if it states 18.5 feet or less, that is what it will be. If they end up building something that's 20 feet tall, the city could go back and say that's not what was submitted. This was submitted for a building permit, so if this is approved here it will be approved for the building permit as well; the final inspections will make sure the size matches the application.

Chair Hollist asked about setbacks.

Planner Harris said that based on their site plan, everything was up to code with the exception of the height.

Commissioner Gedge motioned to approve File No. PLCUP202100261, Conditional Use Permit Application for an accessory building. Chair Hollist seconded the motion. Roll Call vote was 4-0, unanimous in favor.

**F. RIDGEPOINT MASTER PLAT AMENDED – AMENDING PARCEL
F SUBDIVISION AMENDMENT**

Location: 1553 W 11400 S
File No: PLPLA202100240
Applicant: Reed Stallings

Planner Ian Harris reviewed background information from the Staff Report.

Chair Michele Hollist asked about the UDOT approved access to the west.

City Planner Greg Schindler said there are access points off of each of the roads east and west of this, he doesn't believe there is direct access off of 11400 South.

Reed Stallings (Applicant) said there are two buildings currently onsite, Pad B and Pad C are in place. They are ready to submit on Pads D and E probably within a few weeks, they are just finishing the plans. On Pad B it is a standalone Starbucks building with one drive thru. Pad C has three tenants in it with one drive thru on the west side. Basically, they are keeping the existing approved site plan, but separating it for tax purposes into five separate lots. The Planning Department and others originally suggested this, but because of the long process to do that, it didn't make sense to do it at the time; they are now cleaning this up for tax purposes.

Chair Hollist opened the hearing for public comment.

Robin Barnhill (Resident) has a few concerns with this development. One of those concerns is that there is a Swig drive-thru there, and it appears to just empty out into the parking lot. It doesn't make any sense and she doesn't know who designed it, but there is nowhere for the people to go. It hasn't been a real problem, and if anybody ever parked there it would be a problem, but nobody has so far so they just line up wherever they can and it makes sense because everyone who drives makes sense of it. She is curious about other drive thrus going in, is there going to be a plan to make them make more sense than just going through parking stalls; maybe it's way too early to even talk about that part. Her second concern is coming from 10400 South onto Andover Road has been a problem, is there a plan to put a traffic light there? She knows there was a call for a meeting last year around February, and she is wondering if there will be one there. Getting out of her neighborhood, trying to go left onto 11400 South at high traffic times of day is not possible, they go out to Redwood and make their right turn from there to turn right again onto 11400 South, which is ridiculous.

Chair Hollist closed the public comment.

Assistant City Engineer Jeremy Neilson said yes, there is a traffic light coming to that intersection. The installation has been delayed because of a new development going to the north that has now made it a four part intersection.

Chair Hollist said, regarding the drive-thrus and how they queue up, that is not being discussed or considered tonight. That is something that has to be brought to the commission as a conditional use permit, and she thinks that has already been granted based on one already operating. Tonight we are only looking at letting them divide up this parcel into the individual pieces.

Mr. Stallings said if they look at the approved site plan, when the next two buildings go in that will relieve the problem. There are additional drives that will be put in, they are hoping to have them in by mid-summer and that will help that problem as it completes the whole parking lot.

Commissioner Catmull motioned to approve File No. PLPLA202100240, Subdivision Amendment Application. Chair Hollist seconded the motion. Roll Call vote was 4-0, unanimous in favor.

**G. HARVEST VILLAGE AT SOUTH JORDAN SUBDIVISION PHASE 1
– LOT 5 AMENDED SUBDIVISION AMENDMENT**

Location: 10534 S River Heights Drive
File No: PLPLA202100274
Applicant: Colby Anderson – Anderson Wahlen & Associates

Planner Ian Harris reviewed background information from the Staff Report.

Commissioner Nathan Gedge asked if the site plan needs to be considered at a separate meeting, or if these could have been done together.

Planner Harris said they could have been together, however there were still some things missing from their site plan. The subdivision amendment does have to be done before the site plan.

Paul Stringham (Applicant) is with Peterson Development, and he really doesn't have anything else to offer. This is a piece of property that they are very familiar with as they are the master developer of the Costco Center. This property has been here for 15 years and it's time to develop it. They have made earnest efforts in the past to find the appropriate use, and they believe they have that now. Whether this use goes in or not, they believe this is the appropriate subdivision they would like to amend as it makes sense. The two lots to the north would be approximately one acre lots, the larger one is 4.3 acres. He believes this is a pretty clean amendment to the subdivision and they would like the commission to consider consent.

Chair Hollist asked if they had any idea what will go on the other properties yet.

Mr. Stringham said no, however there is interest. Cypress Credit Union was displaced across the street in their center over there, they have had some interest and there is still some discussion with them. They know that ground is scarce and they believe they will have those viable uses in the near future.

Chair Hollist opened the hearing to public comment, there were no comments so that portion of the hearing was closed.

Commissioner Gedge motioned to approve File No. PLPLA202100274, Amended Subdivision Amendment. Chair Hollist seconded the motion. Roll Call vote was 4-0, unanimous in favor.

H. LEGISLATIVE PUBLIC HEARINGS – None

I. OTHER BUSINESS

City Planner Greg Schindler said he will let everyone know about the timing on the training next week before the regular meeting. The newly appointed commissioners will also take their oaths of office during the normal meeting.

Chair Michele Hollist said they will have their election for Chair/Vice Chair and they can discuss if anyone is interested in joining the Architectural Review Committee.

ADJOURNMENT

Chair Hollist motioned to adjourn the January 11, 2022 Planning Commission meeting. Commissioner Gedge seconded the motion; vote was unanimous in favor.

The January 11, 2022 Planning Commission Meeting adjourned at 9:04 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez

This is a true and correct copy of the January 11, 2022 Planning Commission minutes, which were approved on January 25, 2022.

**Cindy Valdez
Deputy Recorder**

From: [Damir Drozdek](#)
To: [Anna Crookston](#); [Cindy Valdez](#); [PLANNING COMMISSION](#); [Michele Hollist](#); [Michael Peirce](#)
Subject: FW: South Jordan Gate
Date: Wednesday, January 5, 2022 8:22:41 AM
Attachments: [Scan.pdf](#)

Thank you.

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

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

O: 801.253.5203 Ext. 1290 | C: 801.946.4377



From: Brooke Gibbons <brookegibbons3@gmail.com>
Sent: Tuesday, January 4, 2022 4:36 PM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Subject: South Jordan Gate

Hello,

My name is Brooke Gibbons. I am the owner of lot 305 with the address of [11143 New Liberty Court, South Jordan, Utah 84095](#).

I read the attached letter from Damir Drozdek regarding a subdivision plat amendment that would add a gate and create controlled access to New Liberty Court.

I would like the South Jordan Planning Commission to know that I support the proposed amendment. I am in complete agreement with adding a gate and controlled access point.

Sincerely,

Brooke Gibbons
BGSD Holdings

Lot 305
11143 New Liberty Court
South Jordan Utah

Dawn R. Ramsey, *Mayor*
Patrick Harris, *Council Member*
Bradley G. Marlor, *Council Member*
Donald J. Shelton, *Council Member*
Tamara Zander, *Council Member*
Jason T. McGuire, *Council Member*



PH: 801.446-HELP @SouthJordanUT

NOTICE OF PUBLIC HEARING

December 20, 2021

Brandon Ames with Bach Homes has filed an application for approval of a subdivision plat amendment. The applicant is requesting that the South Jordan Planning Commission review and approve a proposed gate across New Liberty Court street. The gate will create a controlled access to the cul-de-sac. It is proposed to be located immediately to the south of the Jordan River and New Liberty Ct. street intersection.

You are receiving this notice because Salt Lake County records indicate that you own property within the subdivision boundaries or your agency may be affected by the proposal.

The South Jordan Planning Commission will hold an **in-person meeting** concerning this application to receive public comment **Tuesday, January 11, 2022** beginning at 6:30 PM in the South Jordan City Council Chambers located at 1600 W Towne Center Drive, South Jordan, Utah.

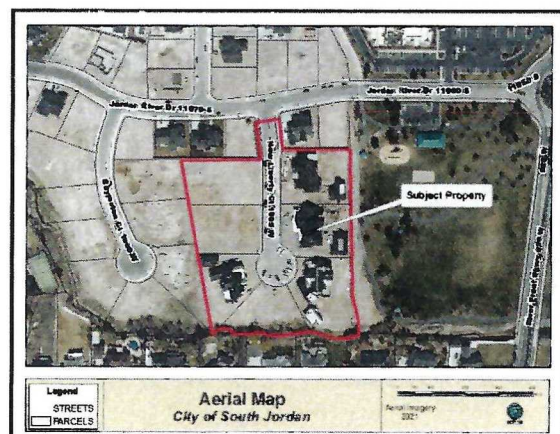
You may also join this meeting virtually via Zoom.us phone and video conferencing. All those who desire to attend the meeting via Zoom, please visit <https://www.sjc.utah.gov/planning-commission/> for further instructions on the day of the meeting. Ability to connect and comment is dependent on an individual's internet connection, not the City.

To assure your comments are reviewed and included in the record, written comments may be submitted in advance of the meeting by emailing Damir Drozdek at ddrozdek@sjc.utah.gov, by 5:00 p.m. on January 10, 2022.

Please call the South Jordan Planning Department during regular business hours at 801-446-4357 or email City staff at the address above for additional information about this proposed development.

Sincerely,
CITY OF SOUTH JORDAN

Damir Drozdek, AICP
Planner III



From: [Damir Drozdek](#)
To: [Steven Schaefermeyer](#); [Gregory Simonsen](#); [Anna Crookston](#); [Cindy Valdez](#); [PLANNING COMMISSION](#); [Michele Hollist](#); [Michael Peirce](#)
Subject: FW: Subdivision Plat Amendment - New Liberty Court
Date: Friday, January 7, 2022 12:03:11 PM
Attachments: [Scan.pdf](#)

Thanks,

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

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

O: 801.253.5203 Ext. 1290 | C: 801.946.4377



From: Al Yost <alyost84@gmail.com>
Sent: Friday, January 7, 2022 11:55 AM
To: Damir Drozdek <DDrozdek@sjc.utah.gov>
Subject: Subdivision Plat Amendment - New Liberty Court

Dear Mr. Drozdek,

We are in receipt of a Notice of Public Hearing from the City of South Jordan and wish to respond directly to you regarding this matter.

Subject property: 11140 New Liberty Court, South Jordan, UT, 84095 (lot #303)
Ownership: Yost Properties LLC - controlled and managed by Al & Stacey Yost of Logan, UT.

We are in full agreement of the requested amendment that would add a gate and create controlled access to New Liberty Court.

We respectfully request that the Planning Commission be informed as to our full knowledge of the requested amendment and of our absolute support for this matter - we respectfully request the Commission to approve this amendment.

Respectfully,
Al & Stacey Yost
509-990-3337

Dawn R. Ramsey, *Mayor*
Patrick Harris, *Council Member*
Bradley G. Marlor, *Council Member*
Donald J. Shelton, *Council Member*
Tamara Zander, *Council Member*
Jason T. McGuire, *Council Member*



PH: 801.446-HELP @SouthJordanUT

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Brandon Ames with Bach Homes has filed an application for approval of a subdivision plat amendment. The applicant is requesting that the South Jordan Planning Commission review and approve a proposed gate across New Liberty Court street. The gate will create a controlled access to the cul-de-sac. It is proposed to be located immediately to the south of the Jordan River and New Liberty Ct. street intersection.

You are receiving this notice because Salt Lake County records indicate that you own property within the subdivision boundaries or your agency may be affected by the proposal.

The South Jordan Planning Commission will hold an **in-person meeting** concerning this application to receive public comment **Tuesday, January 11, 2022** beginning at 6:30 PM in the South Jordan City Council Chambers located at 1600 W Towne Center Drive, South Jordan, Utah.

You may also join this meeting virtually via Zoom.us phone and video conferencing. All those who desire to attend the meeting via Zoom, please visit <https://www.sjc.utah.gov/planning-commission/> for further instructions on the day of the meeting. Ability to connect and comment is dependent on an individual's internet connection, not the City.

To assure your comments are reviewed and included in the record, written comments may be submitted in advance of the meeting by emailing Damir Drozdek at ddrozdek@sjc.utah.gov, by 5:00 p.m. on January 10, 2022.

Please call the South Jordan Planning Department during regular business hours at 801-446-4357 or email City staff at the address above for additional information about this proposed development.

Sincerely,
CITY OF SOUTH JORDAN

Damir Drozdek, AICP
Planner III

