

CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
December 10, 2019

Present: Commissioner Earl Jolley, Commissioner Sean Morrissey, Commissioner Michele Hollist, Commissioner Julie Holbrook, Staff Attorney Todd Sheeran, Deputy City Engineer Jeremy Nielson, City Planner Greg Schindler, Planner David Mann, Deputy Recorder Cindy Valdez

Absent: Commissioner Michael Peirce, Commissioner John Ellis

Others: See Attachment A

6:30 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Jolley welcomed everyone and noted that all Commissioners are present with the exception of Commissioners Michael Peirce, and Commissioner John Ellis. He said we have a quorum so we will begin.

B. Motion to Approve Agenda

Commissioner Holbrook made a motion to approve the December 10, 2019 Planning Commission Meeting Agenda. Commissioner Hollist seconded the motion. Vote was unanimous in favor. Commissioners Peirce and Commissioner Ellis were absent.

C. Approval of the Minutes from the Meeting held on November 12, 2019

Commissioner Morrissey made a motion to approve the November 12, 2019 Planning Commission meeting minutes with changes. Commissioner Hollist seconded the motion. Vote was unanimous in favor. Commissioners Peirce and Ellis were absent.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Staff Business

None

B. Comments from Planning Commission Members

None

III. CITIZEN COMMENT

Chairman Jolley opened the Public Comment. There were none. He closed the Public Comment.

IV. SUMMARY ACTION

None

V. ACTION

A.1 Issue: RESOLUTION R2019-54 ADOPTING THE SOUTH JORDAN GENERAL PLAN

Olivia Sivetco, Logan Simpson Consultant (Attachment B and C) – said I would like to review the process that we have gone through with the General Plan and the recent changes that have been made. On September 10, 2019, we launched the Public Draft Plan on our website and started receiving Public Comment followed by a combined work session with the City Council, and Planning Commission. We had a Planning Commission Meeting, Staff Meetings, and last week another work session with the Planning Commission, but it was cancelled, so we have been through a lot of revisions. I think that in this process we have ended up with a nice document. I hope you have reviewed the changes that I sent to you by email this morning.

The Commissioners informed the consultants that the draft General Plan links provided to them by email, as well as the appendices, could not be viewed. The City staff said they could not open the links as well. The consultant had a flash drive that included the information, so she put it up on the screens and reviewed it with them.

Commissioner Holbrook said on #7 is says, “to develop a density bonus program for inclusion of moderate income housing within a new residential development,” isn’t that interesting, because on the Future Land Use Map it shows all we have is stable neighborhoods and that we are built out. That does not seem to work for me.

Commissioner Holbrook said is there an urgency to pass this tonight. I know that we want to get it done as soon as possible, but I am feeling a little uneasy because it is about 85% done, but we are not quite there yet.

City Planner Schindler said in a way it is urgent, because it is scheduled for a Public Hearing at the City Council Meeting on Tuesday January 7, 2020. They will not be making their decision that night, but they will have the same opportunity the Planning Commission has had to review everything, and then have the consultant make any changes they may have.

Commissioner Holbrook said I really just wanted it to be more complete for us, but the consultants have done a great job putting this together with all of the feedback and the timelines.

Commissioner Hollist said you asked for some feedback on climate change initiatives incorporated in to this, when you say climate change it encompasses so many different things. I think it is just too broad of a topic to add at the last minute. I would probably decline to have it added at this time.

Chairman Jolley said I have to agree.

Commissioner Holbrook said I agree with that too. I think it is too late in the process. If we would have had it a few months ago we could address how it fits, but I agree with the other Commissioner's, it's too late. I have also expressed having a concern with the Land Use Map and saying, "stable neighborhoods," and then showing it being built-out, it just seems like a conflict.

Ms. Sivetco said this was designed to work in coordination with the Land Use Map. The stable residential area is diverse from neighborhood, to neighborhood, so the intent is to preserve the character of these neighborhoods.

Commissioner Holbrook said if I was a landowner and I saw the future land use as just stable neighborhoods, I would be concerned, because that is open for interpretation. It is not something that I could count on. This plan does not seem to clarify for me the plan for "stable neighborhoods," versus "rezones."

Jim Carter, Logan Simpson Consultants – said the General Plan is "general" and the zoning is "zoning". It is very specific, but unfortunately, it will go back to a case, by case basis. One of the things that we saw when we started this process was the zoning applications that the City were getting, seemed to be pretty random. The intent of the Future Land Use Map is to say, "We the City support continued uses that are here to the extent that if the Future Land Map shows a change in the use, we will invite that use." We think that is appropriate, and some additional residential density is appropriate in these very limited areas in South Jordan. This creates a basis for you to say "no" to zoning, which is Legislative. It is not an administrative approval, so we are hoping the plan is useful for the City in making its determinations on those future Legislative decisions, and you won't feel like you don't have any guidance.

Chairman Jolley said I am comfortable with this because this is a General Plan, and we want a General Map. If I am a developer coming into the City and I am going to review this "General Land Use," it will give me a basis, but now I am going to go to the Zoning Map and see what the zoning is on my property so I can adapt and make changes to the adjacent areas. I am fine with the stable neighborhoods and the way they are shown on the General Plan.

Commissioner Holbrook said I also have concern on the Historic Districts, and the Agricultural Preservation.

Ms. Sivetco said we were advised by staff to change the Wheaten Farms to Agricultural Preservation, or at least to keep it consistent with the Maybe Farms.

Commissioner Holbrook said I was wondering why there are not opportunities on 11400 S and South Jordan Parkway for Economic Infill opportunities, these streets are main thoroughfares. I see that you have north south ones, but you don't have the east west ones being infill centers.

Ms. Sivetco said we did go through these parcel, by parcel, but if you think there are some parcels that would benefit down the road, just let us know.

Commissioner Holbrook said these are just concerns I have. We are too far down the road to change it now, but if the Town Center in Daybreak is downsized, or scaled down, and it doesn't happen to the intensity that we are hoping, you will need areas that are more commercial. I don't see where there is a balance between housing and business if that center doesn't happen, or it is scaled down. I am just voicing

concerns, I don't expect changes. There is another thing that the Commissioners might be concerned with and it has something to do with the Floating Zone, but I can't remember what page it is on.

Ms. Sivetco said I think you are referring to the one that says, "Create and adopt a Floating Commercial Conservation Development District in order to encourage buildings to be built closer to the street."

Commissioner Holbrook said that last phrase "buildings to be closer to the street." I have heartburn over that, because what makes South Jordan is all of our setbacks off the streets. When you start building up to the streets that is when you start to feel that crowded feeling. I think if we start putting things closer to the street, we have lost our flavor here. I was just over in Europe and one thing that South Jordan may want to consider is instead of putting bike lanes in the street, put them up on the street and make them a little wider. I think that when you put the bike lanes in the street, they are not going to be used as much because they are made of a different material and you don't walk on it. I think on Redwood Road where they were talking about super sidewalks, and they didn't know what to do with the bike lanes, that would be a great solution. It is my opinion, that people do not like to bike in the streets with cars.

Ms. Sevetco said Redwood Rd is one of the small area plans that we will be working on as well. We are still working with the stakeholders, but we would like to see wider sidewalks in that area. The transportation plan does talk about where bike lanes would be appropriate, and we do have a goal to increase the bike lanes, connectivity, and network.

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

Commissioner Hollist motioned to send a positive recommendation to the City Council to approve the General Plan. Commissioner Morrissey seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Peirce and Commissioner Ellis were absent from the vote.

VI. PUBLIC HEARINGS AND POTENTIAL **ADMINISTRATIVE ACTION ITEMS

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

B.1 Issue: DAYBREAK VILLAGE 5 PLAT 5 AMENDED, SUBDIVISION AMENDMENT

Location: 10730 South 5120 West

File No: PLPLA201900524

Applicant: Daybreak Communities

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

Gary Langston, Daybreak Communities – said I think Planner Schindler did a great job with the review. We have mentioned in many Public Meetings that we would love for this to be a school site. We actually had a letter of intent with the school district to purchase it, but when the new board was elected, they opted not to continue with the transaction. We have worked with them and the City to see if that could happen, but we finally got to a place that we needed to move on. We expect to have a couple of different homebuilders in here. It will be David Weekly, and Destination Homes that will be the ones building the homes in this area. The large "P" Lot is a detention basin, and we plan to landscape it and have other elements in it and make it appealing in the area, instead of the large dirt parcel that it has been for the last few years. I am here to answer any questions you may have for me.

Commissioner Hollist said do you still have other parcels of land that are big enough for a school should the school district change their mind.

Mr. Langston said on the East side we do not.

Chairman Jolley said on the detention basin would there will be sod. Is it large enough to play soccer?

Mr. Langston said you could kick a soccer ball around there, but it wouldn't be large enough to be like a recreational size field. It will have turf and some of the native grass in the area, and will have water there at times.

Chairman Jolley opened the Public Hearing to comments. There was none. He closed the Public Hearing.

Commissioner Hollist said I know that Daybreak Communities cannot help it, and it is not our place to oversee this either. I am very disappointed that when I look at this map and I know how full the elementary schools are in the area, and the Jordan School District passed on this piece of land. I am very concerned about the density and crowding of those schools.

Chairman Jolley said I think they passed on a great opportunity here.

Commissioner Hollist said I think they are going to be facing the same situation they are on the east portion of South Jordan where my children attend school, it is landlocked and there is no land available, but the schools are passed the maximum capacity.

B.2 Potential Action Item – (See VI.A.1)

Commissioner Holbrook motioned to approve File No. PLPLA201900524 as presented. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Peirce and Commissioner Ellis were absent from the vote.

C.1 Issue: GARDEN PARK 7 CONDOMINIUMS, PRELIMINARY SUBDIVISION

Location: 11208 South Oakmond Road

File No: PLPP201900588

Applicant: Ivory Development

City Planner Greg Schindler reviewed background information on this item from the staff report. He also submitted (2) letters (Attachment D & E) from resident's that could not attend tonight's meeting.

Chairman Jolley said do you know what the overall height is.

City Planner Schindler said I don't know what the overall height is, but they are two stories.

Gary Langston, South Jordan – said we have sold this parcel to Ivory Homes, but am familiar with this project, so I could answer any questions you may have.

Chairman Jolley said do you know the height is going to be.

Mr. Langston said I don't know for sure, but I think they are about 35 to 40 feet.

Chairman Jolley opened the Public Hearing to comments.

Jody Eames, South Jordan – said I live just adjacent to this property and there are two concerns that are keeping me awake at night, potential flooding and parking being the two. I am hoping that tonight you can make me feel more comfortable as a resident. I am a single mother and I live alone with my six-year-old son. I am not a big time litigator, or a businessperson, but it is very important to me to provide stability for my son. I have personally watched how much surface water comes off these condominiums. I have lived in my home for about 4 years now, and every winter, and spring, I have witnessed the surface water that comes off these structures. I am worried about the run-off water and how it will flood my yard, and basement. I would like to know what measures have been put in place to prevent this from happening. Has there been any survey's, or studies done to prevent this. My second concern is the street parking. I am unclear about the parking arrangements. I understand that the first two units were built with available overflow parking at the clubhouse, which is directly between both of those structures. There is basically, nine cars at any given time on both sides of that clubhouse parking, even though they say there is one garage per unit, and that should be sufficient. There is always long-term parking utilizing that parking lot at any given time, has this issue been addressed and has there been any solutions made to keep our streets from being choked? I am a single mother and I do not have the money to excavate my property if it were flooded. I moved to Garden Park for the peace and tranquility it provides, and I moved there so my son could freely play. We moved here from Founders Park where it is densely populated with cars. My home is a very big piece of my retirement portfolio, and what I think is at stake is our reputation as a community. Most people come to Garden Park to retire and relax. What I would like to resolve is the affect that these condominiums are going to have on flooding the surrounding structures and properties, and the consequences of off street parking without provisions. I am not going to read all of the emails, but Mr. Ainsworth said there are (3) homes on Verona, and these homes are across from where these structures are being built, and they are situated next to the old structure. He said they were the first structure being built and his foundation sits about three feet higher than what was required for his home. His basement has flooded from surface runoff due to Ivory's construction of these condominium's. There are several of his neighbors have experienced flooding in their basements too, and every winter they have to put in sub-pumps so their basements don't flood. He said that Ivory Homes has created this problem, but they deny it, and refuse to do anything to remedy it. They have been told that they need to turn this into the claims department as a defect of their home. The letter that frustrates me the most is from Deloris Jacobson who is an 80-year-old woman and has a handicap son that lives with her. She will never be able to finish her basement, or sell her home due to water that has pooled around her foundation. Ivory Homes has put her off repeatedly. All of the residents that live on this street are out of town, or out of the Country, so I am here to represent them. I have watched them experience this, there is a constant river of water and it is a literally a river that comes down these alleyways into their homes. I have taken it upon myself to call Ivory Homes and I have made it up through the chain of command, and I made it to David Haskell who is the General, and is in charge of this project. I have also talked to Jason Wallace who is the Project Manager, and they have told me that they have taken measures to pipe the water away from the facility, which I think is great, but these structures are massive. They may be two story structures, but they are big and a lot of water comes off them. I am behind this project, but there is no grading, it is very flat and they flooding is going to come in my backyard and basement.

Chairman Jolley closed the Public Hearing.

Chairman Jolley said Mr. Langston do you have any insight for the developer regarding some of the concerns the residents have regarding flooding and parking.

Mr. Langston said I could answer the questions about the general development, and the general practices, but the complaints about flooding would need to be answered by Ivory Homes. I am one of the Board Members

for the Garden Park Association, so if that is helpful I can answer questions as a Board Member. In regards to flooding, when we design the development we assume a runoff rate from each of the lots, so we take an average run off rate for the entire development. In Garden Park, there are a series of underground galleries that take the water from the roads in the Garden Park Development, whether it is a Home/Condo/Townhome, all of that is factored into our storm water design system. We also have a drain to the bathtub called “dry wells” to each of those systems. As it relates to the building itself, I know for a fact that Ivory Homes is planning to put in roof drains, down spouts, and they will have the required rain gutters to minimize the water. The water will then be directed to the public rights of way, and into the storm drain system that we have built. The City requires a grading plan to be submitted, and in the grading plan it shows how they purpose to handle the run off from the site, and where the drains, and roof spouts are located. The building code states that you cannot drain your water on to the neighbor’s property, unless there is an easement along the property line. In this development, there are drainage easements, so Ivory could take water to the property lines. The City also requires them to do a grading certification that proves that the outside of the building was constructed according to the plan that was submitted by the homebuilder, and an engineer certifies that plan. I think there is always the potential that flooding can occur, but they have met all of the codes and requirement, and have made sure that they do everything to meet the plan they submitted to the City.

Chairman Jolley said as a board member of Garden Park, do you recognize the drainage issues to the east of the clubhouse. Have you discussed that at all?

Mr. Langston said I personally have never heard anything about a drainage issue there, but that doesn’t mean that they didn’t discuss it at a meeting that I did not attend.

Chairman Jolley said could you address the nine parking stalls that the condominiums are using as overflow parking.

Mr. Langston said we don’t police it in such a way that we don’t allow people to park there. I regularly go to the clubhouse to attend meetings and I have seen times where that parking lot is full on both sides, and I have seen it more often than not that there is only a handful of cars there. As a board, we are fine with people parking there as long as it doesn’t have an impact on people using the facility, so that is something that we will continue to monitor through the HOA. We do encourage on street parking. There was a woman that spoke previously about the choking of the streets. We want that to happen, because it will slow people down, and that is part of the plan we have proposed. We believe that there is adequate parking for the building. As a board, we have not heard complaints about the parking at the condominiums. We do sometimes have someone who chooses to park in the lane and we have to have their car towed, but that is consistent in all of Daybreak.

Commissioner Hollist said what kind of recourse do the residents have regarding flooding, and whom would you refer them to so they can address this issue?

Mr. Langston said I would go to the homebuilder first. We understand that you cannot always provide a solution to every situation that may occur, when you buy a home it is not a risk free investment. We are aware of a handful of homes in Daybreak that have had water around their foundations; we are not sure why that occurs, but we don’t think it is drainage related. I would also encourage you to work with Ivory Homes to find a solution. They are very responsive and have done a great job working with the homeowners to help them regulate the problems. There have been times that they cannot meet on common ground, and come up with a solution that the homeowner is happy with, but they will try.

Commissioner Morrissey said is it my understanding that City Staff doesn’t feel that there is a concern for potential flooding, is that correct?

Deputy City Engineer Jeremy Nielson said I am not concerned about this. I think we need to see the site plan, but as Mr. Langston mentioned, this system has been sized to accommodate this water.

Commissioner Morrissey said have all City Ordinances been met on this application?

City Planner Schindler said for the subdivision application it does.

Chairman Jolley said is there an approved site plan on the property to the east.

City Planner Schindler said it should have come with the building permit.

Mr. Langston said they have been issued a building permit, the foundation is in, and it has been framed, so we are half way done with the building.

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

Commissioner Hollist motioned to approve File No. PLPP201900588 with the following:

- 1. That all South Jordan City requirements are met prior to recording the plat.**

Commissioner Holbrook seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Peirce and Commissioner Ellis were absent from the vote.

D.1 Issue: RIVER HEIGHTS MEDICAL CONDO, PRELIMINARY SUBDIVISION

Location: 10654 South River Heights Dr.
File No: PLPP201900627
Applicant: Greg Goffin, Thrive Development

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

Commissioner Hollist said does this change the parking requirements at all.

City Planner Schindler said no it doesn't change anything because the parking is figured by the square footage.

Chairman Jolley opened the Public Hearing to comments. There was none. He closed the Public Hearing.

Chairman Jolley said does this building currently exist.

Greg Goffin, (Thrive Development) – said the building is currently being framed. There are four owners and two tenants; right now, they own the building on 10600 S. Bangarter Highway. They are going to tear it down when they start to put up the overpass on Bangarter. They have bought this property, so right now, it has one owner, and the others will buy their individual units. They are not going to lease these units out they are going to sell them all, so it will be considered a condominium.

Commissioner Holbrook said who would have the overall responsibility of the entire building. Would there be an HOA?

Mr. Goffin said there is going to be an HOA.

D.2 Potential Action Item – (See VI.C.1)

Commissioner Hollist motioned to approve preliminary subdivision plat, File No. PLPP201900627. Commissioner Morrissey seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Peirce and Commissioner Ellis were absent from the vote.

E.1 Issue: JORDAN CREDIT UNION, SITE PLAN

Location: 1750 West 11400 South
File No: PLSPR201900573
Applicant: Gus Pacheo

Planner David Mann reviewed background information on this item from the staff report.

Commissioner Hollist asked if this is going to be completely an office building, not a drive thru, or service center.

Planner Mann said that is correct.

Commissioner Morrissey said could you explain why this is being considered a Conditional Use Permit.

Planner Mann said when this was originally being reviewed it was under the impression that “office” was a permitted use, and under this zone it does say that “office service” is a permitted use, which requires customers to come to the property. This will be a standard office, so that is why it becomes a conditional use. It is technically a conditional use, but since there were no detrimental impacts identified, it was taken care of with this proposal.

Chairman Jolley opened the Public Hearing.

Michael Bobo, South Jordan – said I am part of the franchise for 7-11 on the corner. We have been excited about this new buildings going in, and we are thankful that there is going to be something more than a field there. We know that a lot of businesses don’t like traffic going through their parking lot, but for a 7-11, we welcome the traffic to bring in business. We would like the Planning Commission to know that we love thorough fares, and we would love to see this be open for everyone. It is great for our kind of business.

Commissioner Hollist said I see that there is connectivity between this and the retirement unit, but is there connectivity between 7-11 and the retirement parking lot.

Planner Mann said that was brought up before they even submitted an application as a possibility. A sidewalk is required by ADA. It is on the west side of the building, and it can be used to access the 7-11. There wasn’t any designation for a defined path on the east side of the building, so it is up to the developer.

Chairman Jolley closed the Public Hearing.

Benjamin Wheat, (Applicant) – said we are the developer developing this for Jordan Credit Union.

Chairman Jolley said is this going to be the headquarters for the Jordan Credit Union.

Mr. Wheat said yes. They are currently located in Sandy, but they have outgrown that facility, so they are relocating their headquarters to South Jordan.

Chairman Jolley said it looks like a good use for this property, and it is a nice building.

E.2 Potential Action Item – (See VII.D.1)

Commissioner Holbrook motioned to approve File No. PLSPR201900573 for the construction of an office building located at 1750 West 11400 South as presented to the Planning Commission. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Peirce and Commissioner Ellis were absent from the vote.

VII. PUBLIC HEARINGS AND POTENTIAL **LEGISLATIVE ACTION ITEMS

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

F.1 Issue: FLAG LOT TEXT AMENDMENT (16.04.160), ZONE TEXT AMENDMENT

Location:

File No: PLZTA201900519

Applicant: Cody Pearson

Planner David Mann reviewed background information on this item from the staff report.

Commissioner Hollist said do you consider all of these flag lots like the property on 3200 W. that they have divided into 3 lots. They all have frontage, so are they all flag lots because they don't have the right amount of frontage?

Planner Mann said all of the ones that have the orange border on the map have the necessary 90feet of frontage that is required, allowing flag lots would open up the rest of the lots to be developed.

Cody Pearson, (Applicant) – said the delay was partly because we were selling our home. I think one of our neighbors is behind the change. We don't have any hard feelings, he was just doing what he thought was best for him, and I am here tonight to do what is best for me. We owned a property with a flag lot in West Jordan and my parents moved after 45 years of living there. We understand the value of farmland and that is why we moved here.

Commissioner Morrissey said when did you move there?

Nicky Pearson, South Jordan - said that lot was purchased by his parents about 3 years ago. We moved in with them about a year and half ago, and all of our equity is in this house. We moved in with them, because we were going to build in the back. The owner was a truck driver and he had a U-shaped driveway, and we thought it was a perfect setup. Our concern in going from a wide open door, to a slammed shut door, and nothing in between. That is why we are attempting to change the language to see if maybe we can crack that a door will open. We understand that you want to maintain the character of the neighborhood, but when we see massive houses going in on a street of modest ramblers, that is not maintaining the character either. I think there are still ways to do what they told us we could do.

Commissioner Hollist said doesn't the secondary dwelling unit meet your needs.

Ms. Pearson said we have five children and we are not going to fit in a 1,100sq.ft. Dwelling. That would also leave us with no ownership of the home. We sold our home so his parents could start over, because they don't have the years that we do. We don't have any equity, it is tied up in the arrangement that we made to purchase it from them. We did our research on our proposed amendment change, and it is currently zoned R-1.8, which allows for a 1/3 acre lot, and to make it 125% would limit the ability to do it twice.

Mr. Pearson said it is a hard thing when you own your land, but you are told you can't build a certain thing on it, but your neighbor can. It is really a tough pill to swallow, it really is.

Chairman Jolley said the other neighbors have the frontage, right?

Ms. Pearson said yes they do. We understand that it is different, but my understanding of a flag lot is if there is no other way to develop the property, that is the purpose of a flag lot all together, you don't have them because they look pretty.

Commissioner Holbrook said is there an option to remodel or live in the main home.

Mr. Pearson said I have six brothers and sisters and it is not going to go well if we live in the main home.

Ms. Pearson said I don't need a 5,000sq.ft. Home, but a 1,100sq.ft. Home with five kids is not going to work.

Chairman Jolley opened the Public Hearing to comments. There was none. He closed the Public Hearing.

Chairman Jolley said this is a very unfortunate situation and we realize that. There have been changes recently with our flags lots, because the City Council does not like them. This does put the Pearson's in a very difficult situation, I do understand that, and I do feel for them.

Planner Mann said I was reading through the minutes from the City Council when this was approved and with the changes there are still about 118 properties that can have flag lots. If we add this one, it will just add more than that to the City.

Commissioner Holbrook said you could tell by looking at the map that if we change it for this one, it changes it for all of them, and then we will have bigger problems. I really do feel for the applicants. I think they have a couple of options, they could take a loan out against this property and do something else, or put an accessory living unit on the property, is that right?

City Planner Schindler said they could put a guest home on the property because it is the correct zone, but again, it would be limited in size.

Commissioner Holbrook said I think it would be detrimental to change the ordinance at this point, simply because of all the surrounding properties.

Chairman Jolley said not just this neighborhood, but also the surrounding neighborhoods.

F.2 Potential Action Item – (See VII.D.1)

Commissioner Hollist motioned to recommend to the City Council that it deny Ordinance 2020-03. Commissioner Morrissey seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Peirce and Commissioner Ellis were absent from the vote.

G.1 Issue: ORDINANCE 2019-16, TITLE 17.16.010 PLANNING COMMISSION RESIDENCY REQUIREMENTS

Staff Attorney Todd Sheeran reviewed background information on this item from the staff report.

Chairman Jolley opened the Public Hearing.

Allen, South Jordan – said I agree with this change and it is consistent with the State of Utah.

Commissioner Holbrook said I agree that when you appoint someone they should live in your district. However, three of us Commissioner's moved. I know that Chairman Jolley lived in his district for over twenty years, so he is familiar with that district. I had lived eight years in the district that I was in, so I think it should be up to the City Council Member to make that decision. It is up to that Council Member to represent their district, and I think they are the best authority to make that decision.

Commissioner Hollist said are City Council Members required to resign immediately when they move out of their district, or would they be allowed to finish their term.

Chairman Jolley said I agree that you should be allowed to finish out your term.

Commissioner Holbrook said I think the underlying issue would be is the district being represented well.

Commissioner Morrissey said the Council Members appoints the Planning Commissioner's, so it should be at their discretion. They should have the discretion to choose someone that best fits the needs of the district whether they live there or not.

Commissioner Holbrook said as I understand it, I thought you had to live in the district that you were appointed to.

Commissioner Morrissey said it is proposed that way but that is not what the verbiage states at this time.

Commissioner Hollist said I think it should be like the City Council and you should reside in your district for a certain time.

Commissioner Morrissey said that is true, but the underlying policy is that you want to have good representation in your district. That would be like saying that the City Council that chooses someone to represent his or her district isn't good enough. I am not saying what is right, or wrong, I am just throwing out options that meet the policy. We want to have qualified people representing each district.

Staff Attorney Todd Sheeran said I can't find anything in the code that says how long the City Council has to live in their district once they are elected. I will continue looking and when I find it, I will send an email out to each of you.

G.2 Potential Action Item – (See VII.D.1)

Commissioner Holbrook motioned to approve Ordinance 2019-16. Title 17.16.010 Planning Commission Residency Requirements, and live in the district 1 year before being appointed by the Council Member. If they move from the district they were appointed to, it will be up to the Council Members discretion whether to re-appoint, or let the Planning Commissioner finish their term. Commissioner Hollist seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Peirce and Commissioner Ellis were absent from the vote.

VIII. OTHER BUSINESS

None

ADJOURNMENT

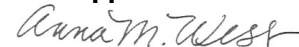
ADJOURNMENT

Commissioner Holbrook motioned to adjourn the December 10, 2019 Planning Commission meeting. Commissioner Morrissey seconded the motion. Vote was unanimous in favor. Commissioners Peirce and Commissioner Ellis were absent.

The December 10, 2019 Planning Commission Meeting adjourned at 9:20 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez

This is a true and correct copy of the December 10, 2019 Planning Commission minutes, which were approved on January 14, 2020.


South Jordan City Recorder