CITY OF SOUTH JORDAN
PLANNING COMMISION MEETING
ELECTRONIC MEETING AGENDA
TUESDAY, DECEMBER 14, 2021
6:30 P.M.

Notice is hereby given that the South Jordan City Planning Commission will hold a Planning Commission Meeting on Tuesday, December 14, 2021, in the City Council Chambers, located at 1600 W. Towne Center Drive, South Jordan, Utah with an electronic option via Zoom phone and video conferencing. Persons with disabilities who may need assistance should contact the Planning Department staff at least 24 hours prior to this meeting.

Attendees will be allowed to join via phone or video, using Zoom phone and video conferencing. Note, attendees joining electronically may public comment with access through video conferencing, and participant must have their video on and working to speak. Attendees who wish to present photos or documents to the City Council must attend in person. Those who join via phone may listen, but not comment.

In the event the electronic portion of the meeting is disrupted in any way that the City in its sole discretion deems inappropriate, the City reserves the right to immediately remove the individual(s) from the meeting and, if needed, end the electronic portion of the meeting with or without a motion and vote. Reasons for removing an individual or ending a meeting include but are not limited to the posting of offensive pictures, remarks, or making offensive statements, disrespectful statements or actions, and other any action deemed inappropriate.

Ability to connect and comment is dependent on an individual's internet connection, not the City. To ensure comments are received regardless of technical issues, please have them submitted in writing to the City Planner, Greg Schindler, at gschindler@sjc.utah.gov by 3:00 p.m. on December 14, 2021.

Instructions on how to join the meeting electronically are below.

Join South Jordan Planning Commission Electronic Meeting December 14, 2021 at 6:30 p.m.

- Join on any device, with mobile and desktop availability
- Visit: www.sjc.utah.gov/planning-commission/
- Zoom link, Meeting ID and Meeting Password will be provided 24 hours prior to meeting start time.
- Zoom instructions are posted www.sjc.utah.gov/planning-commission/

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

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

II. MOTION TO APPROVE AGENDA

III. APPROVAL OF THE MINUTES

IV. STAFF BUSINESS – *None*

V. COMMENTS FROM PLANNING COMMISSION MEMBERS

VI. SUMMARY ACTION – *None*

VII. ACTION – *None*

VIII. ADMINISTRATIVE PUBLIC HEARINGS –

A. DAYBREAK VILLAGE 9 PLAT 2 PRELIMINARY SUBDIVISION
Location: Generally 11435 S. Silver Pond Drive & 11390 S. Watercourse Road
File No: PLPP202100191
Applicant: Larry H. Miller Real Estate

B. HIGHRIDGE COMMERCIAL SUBDIVISION AMENDED, SUBDIVISION AMENDMENT
Location: 3576 W. South Jordan Dr
File No: PLPLA202100163
Applicant: Braxton Thompson, DIA

C. ULTRADENT BUILDING 4, SITE PLAN AND CONDITIONAL USE PERMIT
Location: 10193 S. Jordan Gateway / 362 W. Ultradent Dr.
File No: PLSPR202100252, PLCUP202100254
Applicant: Matt Williams, PGAW Architects

D. WOODLAND PARK ESTATES, PRELIMINARY SUBDIVISION PLAT
Location: 3148 W. 10755 S.
File No: PLPP202100224
Applicant: David Jenkins, Ensign Engineering

E. GARDNER DENTAL PRELIMINARY SUBDIVISION
Location: 11381 S. Temple Dr.
File No: PLPP202100233
Applicant: Nate Lechtenberg

F. HIDDEN VILLAGE PHASE 3 PRELIMINARY SUBDIVISION
Location: 10291 S. 1230 W.
File No: PLPP202100248
Applicant: Trish Smith

IX. LEGISLATIVE PUBLIC HEARINGS – *None*

X. OTHER BUSINESS – *None*

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)
: §
COUNTY OF SALT LAKE)

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

Dated this 9th day of December, 2021
Cindy Valdez
South Jordan City Deputy Recorder

CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
November 9, 2021

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

Others: RJH, Mason Miles, Farnsworth, Lance Oldroyd, Taylor Kunz, Laura Miles, John Warnett, Christian Michaelson, Jason Hone, Jayna Nielson, Mirage Mohummad, Whitney Wiser, Silver Martinez, Arash and Erin, Connie Schreiner, George, Kurtis Kunz, Chris Nelson, Jake Ackerman, Gina Jensen, Benoit Miquel, Adam Lambert, Tim Nicolaysoen, David Carle, Mr. Koch, Heather Godfrey, Bob Burns, Bill Waters, Jason Burton, Trevor Hicks, Chau Winters, Ken Margots, Doug Winters, Keith Lever

6:31 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

Commissioner Gedge motioned to approve the November 9, 2021 Planning Commission Agenda as published. Chair Hollist seconded the motion, vote was unanimous in favor.

III. APPROVAL OF THE MINUTES

Commissioner Gedge motioned to approve the October 26, 2021 Planning Commission Meeting Minutes as published. Commissioner Morrissey seconded the motion, vote was unanimous in favor.

IV. STAFF BUSINESS - *None*

V. COMMENTS FROM PLANNING COMMISSION MEMBERS - *None*

VI. SUMMARY ACTION – *None*

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VII. ACTION – *None*

VIII. ADMINISTRATIVE PUBLIC HEARINGS –

A. DAYBREAK VILLAGE 9 PLAT 1 PRELIMINARY SUBDIVISION

Location: Generally 11460 South 6700 West
File No: PLPP202100162
Applicant: Larry H. Miller Real Estate

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

Chair Michele Hollist asked if Water Course Road is an actual waterway.

Planner Schindler said no, but lots 136-141 and 143-146 look like they will be waterfront properties.

John Warnick (Applicant) is the Director of Land Development for LHM Real Estate. They are excited about plat 1, the lots with the wavy lot lines are waterfront property. This is anticipated to come online probably third quarter of next year, they are already getting builders banging down his door to try and get finished lots.

Chair Michele Hollist opened the hearing for public comment, there were no comments from the public and comments were closed.

Commissioner Darby motioned to recommend approval of File No. PLPP202100162, subject to all South Jordan City requirements being met before recording the plat. Chair Hollist seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

B. DAYBREAK VILLAGE 11A PLAT 5 AMENDED SUBDIVISION AMENDMENT

Location: Lots 449 through 456
File No: PLPLA202100235
Applicant: LHM Real Estate

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

Commissioner Nathan Gedge asked to verify the number of lots.

Planner Schindler said this amendment is for eight lots.

Chair Michele Hollist opened the hearing for public comment, there were no comments from the public and comments were closed.

Commissioner Gedge motioned to recommend approval of File No. PLPLA202100235, Amended Subdivision Amendment. Chair Hollist seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

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C. CRAIG SWAPP OFFICE BUILDING SITE PLAN APPLICATION

Location: 1662 W. 11010 S.
File No: PLSPR202100189
Applicant: Adam Lambert, Rimrock Construction

Planner Ian Harris reviewed background information from the Staff Report.

Chair Michele Hollist mentioned that this doesn't create any new access to Redwood Road.

Adam Lambert (Applicant) is with Rimrock Construction, representing Craig Swapp. He didn't have anything to add and is happy to answer any questions.

Commissioner Nathan Gedge noted they currently have a building off Shields Lane near the train tracks, he asked if this will be an additional building.

Mr. Lambert said they will be moving locations to this new building.

Chair Hollist opened the hearing for public comment, there were no comments from the public and comments were closed.

Chair Hollist said she attended the Architectural Review Committee meeting, they liked the look and how it matches with what is in this area.

Commissioner Darby motioned to recommend approval of the Site Plan Application with File No. PLSPR202100189, to allow construction of a two story office building in the CC Zone. Chair Hollist seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

D. HIDDEN VILLAGE SUBDIVISION AMENDMENT

Location: 1245 W Maybe Lane
File No: PLPLA202100239
Applicant: South Jordan City

Planner David Mann reviewed background information from the Staff Report. He referenced a letter from the HOA (Attachment H).

Commissioner Nathan Gedge asked if the previous application seen earlier this year will be coming back to them at a later date.

Planner Mann said that was what actually pushed these discussions ahead, but this has been a topic of discussion with the city and HOA for a while.

Chair Michele Hollist asked if these roads are already up to city code, or will there be costs associated with bringing them up to code.

Assistant City Engineer Jeremy Nielsen said they were built to city code, and the asphalt is in relatively good condition; they will need to do a mill and overlay in a few years, which is a typical pavement preservation treatment.

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Chair Michele Hollist opened the hearing for public comment, there were no comments from the public and comments were closed.

Commissioner Gedge motioned to recommend approval of File No. PLPLA202100239, to dedicate private roads in Hidden Village to South Jordan City as presented this evening. Chair Hollist seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

E. SHIELDS LANE PRELIMINARY SUBDIVISION
Location: 9786 S. Redwood Road
File No: PLPP202100130
Applicant: Nathan Abbott

Planner David Mann reviewed background information from the Staff Report.

Christian Michaelson (Applicant) is with Callaway and Company, here representing Kum & Go for this re-plat, as well as the site plan application. He thinks everyone will see in the next presentation they are planning on building a convenience store and fueling station on the east side of the property and, consistent with the development agreement, leaving the west side of the property open for future development. They are excited to be building a store here in South Jordan.

Chair Michele Hollist opened the hearing for public comment.

Mirage Muhummad (Resident) said he has been at this particular location for about two years. It is a small village with more than 70 independent houses, and more than 70-80 condos with roughly more than 100 kids who play around the village. He personally believes having a gas station could give a chance to the kids to be exposed to another world that they mostly try to avoid, especially smoking and outside people who would come in and expose their small village. This would bring more risk to the kids who normally play outside, sometimes without adult attention, at a small park. This gas station and store would have a high chance of theft and other issues and this is the reason he is here.

Whitney Wiser (Resident) lives in Santorini Village and has lived there for about five years now. When she originally moved in they did say there was an opportunity for commercial to be built in that area. They said if it was built, there was definitely going to be some sort of cement barrier wall. She asked what sort of barrier is going to be in-between their homes and this convenience store area. She also has a concern with all the kids in the area that play. Within the first year that she lived there, because of just that grassy, big area where people can go and hide, she has had at least two instances where people tried to break in to her home because her door faces that area; those instances were reported to the city. Her concern is that this will bring more traffic in that area, where there are kids playing. She also wants to know what type of barrier is going to be built and how is this going to affect her down the road if she decides to sell her place. They do have a lot of little kids that play along that area. The two houses that are for sale right there, there were some bad things going on there and the city cleared them out really quick. Her concern is if this does happen, what kind of wall barrier will there be, how far will it go down, how will they protect all the houses near that open area. A gas station is very concerning because

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they already have theft in that area and she has been part of that, it is a concern that there will be more people in the area where children are playing. If she has her blinds open and someone is parked right in that area, they can see right up in to her window. As a single woman she is very concerned about what types of people are going to be able to see right up into her windows and that she has to have those windows closed all the time.

Silver Martinez (Resident) lives in Santorini Village as well and has a seven year old daughter. He just moved there a year ago, and just like the previous comments he thinks the biggest concern is the safety of the kids. He grew up in Southern California near gas stations and he knows what it's like to be near them. There is potential for theft, smoking and drinking; things like that they don't want their kids to be around. He is also concerned about the barrier. He is on the very corner that faces the corner that gas station is potentially going on and he wants to know how much light is going to be there because his daughter's window is right there. He works from home, his office is there; how loud is it going to be throughout the day. He does webinars all day and he is constantly on the phone and on the internet chatting with veterinarians all day, he needs to know what to expect during the construction time as well as when it's operational. He thinks the main concern is the kids as there are a ton of kids playing in that area, his daughter included.

Commissioner Steve Catmull thinks it might be helpful for the public to explain how this item and the next one are related.

Chair Hollist said this item they are discussing and voting on at the moment is just looking at the combination of parcels within this zoning. There are five parcels that they are going to let them buy potentially and divide into two. The next item specifically addresses putting a gas station on one of the parcels. However, everyone's comments are being heard, they know where they belong and they will get all those questions answered.

Chair Hollist closed the public comment on this issue, with the note that it will be open again when discussing the gas station. She then asked staff to elaborate what types of uses are allowed in the CN Zone with this type of land designation.

Planner Mann said he will be going over the entire history, as well as the zone, during the next staff report. As far as the subdivision amendment, it meets all the requirements for the legal definitions of subdividing the property and combining the parcels.

Commissioner Nathan Gedge asked to confirm that 1.8 acres is the east lot, and the remaining lot on the west side will be 2.21 acres.

Planner Mann confirmed those sizes and said Commissioner Gedge was correct.

Commissioner Gedge motioned to approve File No. PLPP202100130, to create a two lot commercial subdivision, as presented this evening to the Planning Commission. Chair Hollist seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

F. KUM & GO GAS STATION/CONVENIENCE STORE SITE PLAN AND

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CONDITIONAL USE PERMIT
Location: 9786 S. Redwood Road
File No: PLSPR202100131
Applicant: Nathan Abbott

Planner David Mann reviewed background information from the Staff Report. He has received eight emails from concerned residents on this item, and has done his best to respond those emails outlining what is in the Staff Report so they are aware of the history and where we're at now (Attachments A, B, C, D and E).

Chair Michele Hollist asked for information on lighting for the business.

Planner Mann said with site plan applications they are required to submit a photometric plan that shows where lights will be located. With the shielding that is required for commercial lighting, there is a number that is assigned to where it is in relation to points on the property so we can try to eliminate as much light pollution as possible; that was reviewed by staff and met the standard requirements as far as the light output for the location.

Chair Hollist asked for information on hours of operation and noise ordinances.

Planner Mann said the city does not have requirements as far as hours of operation, which was also not included in the development agreement. Regarding sound, that is all done at the county level. If there are sound complaints, as long as it meets the county requirements then it is okay.

Assistant City Engineer Jeremy Nielsen said noise complaints and enforcement would be handled through the local police.

Commissioner Nathan Gedge asked about people crossing from the east side, across Redwood Road, particularly from the large Merit Medical Building. Would this mean reconsidering the timers for the crosswalks and working with UDOT on traffic flow?

Assistant Engineer Nielsen said there is a pedestrian crossing marked there now, that means there is a button they can push to cross. We will have to double check it, but UDOT is pretty good about timing that to make sure people have adequate time to cross.

Commissioner Gedge asked about the cleanup of the old area to the west and future permit applications.

Planner Mann said future developers are required to apply for a site plan application just like this.

Commissioner Gedge said the development agreement looks like it was from at least two developers ago, does that not transfer with the original application and person whose name was on that.

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Assistant City Attorney Greg Simonsen said the development agreements are recorded and run with the land.

Chair Hollist asked if the six foot masonry wall would prevent access to the businesses off the north side.

Planner Mann said this was a topic of discussion during the rezone process. Staff asked whether or not the residents wanted access so they wouldn't have to go all the way around or drive to the front; they said they were not interested in that and preferred a wall, so that's what was written into the development agreement.

Commissioner Trevor Darby asked if the masonry wall would be built before construction starts or at the end.

Planner Mann said it will be done as part of the overall construction. Developers will often meet with the engineering department and Public Works to have a preconstruction meeting after the site plan is approved and plans are signed to talk about timelines. There will be a series of inspections done. As the project planner, he will do an inspection towards the end, before they get a certificate of occupancy, to make sure all the requirements from the development agreement are met.

Commissioner Darby said he was asking more in regards to construction noise, and thought if that wall was built early it could be beneficial to the residents. He also asked about the median on Shields Lane and how far west it will go.

Planner Mann said on the plans it goes into the center of the access from what he can see, he thinks the development agreement states it is to be determined by the city engineer.

Commissioner Darby wants to make sure it stretches far enough west since people tend to try and sneak around those if they don't go far enough.

Commissioner Steve Catmull asked if, given the length and number of owners of the land, the development agreement can be amended if the developer and the city agree to it.

Planner Mann said yes, the development agreement was amended by Maverick's because they were changing the orientation of the building. The original concept showed the building pushed towards the north with the pumps on the south end. Staff took that opportunity to add some clarification to one of the requirements, as well as add the requirement that the property is graded and cleaned up with the development. That change was initiated by the applicant at the time.

Christian Michaelson (Applicant) thanked the staff for their time and consideration in working on this project with them. They worked carefully with David, Shane and the city engineering group to make sure they are meeting all of the tenets of the development agreement; that has been a big focus and priority for them. They want to be good neighbors for the neighborhood. As mentioned, they will be building a six foot panel wall all along the north boundary, they are extending it all the way into the future developed section for the west lot. He hears the concerns

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from the neighbors and hopefully having that wall there will provide a bit of a barrier and separation to keep the kids contained a little bit. He has kids too and he understands what it's like to think about them while they're outside playing. He does think that will alleviate that concern, and frankly he thinks also having this development there could provide a much needed buffer from the noise of the city with that wall there. Based on some of the comments of residents, it sounds like it would be a dramatic improvement. He has been on the site, walked around to look at it while designing it, and there are definitely some hazards out there for children such as abandoned vans and equipment; he thinks stabilizing this site will be an improvement to that current situation. Regrading the lighting, they use all downcast lighting, nothing shining laterally into people's homes and windows. As mentioned, they meet the code; not just the intent of the code, but the letter of the code. Kum & Go is an operator of over 400 convenience stores and they run a first rate operation. This is not a one-off, fly by night kind of operation; these guys have a large inventory of stores that are professionally managed and they take really good care of them. Their first priority is their customer experience. They want to have a store that people can come to and feel safe, want to visit, it's their business at stake too. Because of that, he feels that the priorities of the applicant really mesh with the priorities of the community. A few clarifications, the development agreement stated that the median barrier was only necessary if it was determined to be necessary by the traffic impact study; it was not determined to be necessary by the traffic impact study. They did address that early on in considering where the accesses were being placed. They pushed the access west far enough that it satisfied the city engineer and he felt like the median barrier was not needed. The operation is 24/7, but respectfully handled. This company is a community piece, they want to mesh in to the community. They do some stuff that he hasn't seen a lot of other clients do, they donate 10% of their profits back to the communities they live in, food donation to food pantries for items that are prior to expiration date but don't meet their internal standards; he has never seen a client within this convenience store type market sector be such a conscientious member of the community. He thinks a professionally maintained, clean, safe store would be a great addition to South Jordan and they are excited to build a store here. What happens with the remainder of the site, he doesn't know, that's for whoever purchases that lot to decide. He anticipates that future buyer would be back before the commission upon sale.

Commissioner Gedge asked if this will be the first Utah location.

Mr. Michaelson said yes, this is the inaugural location with six other locations in progress in various stages throughout the state.

Commissioner Gedge said he wanted to make sure that any grand opening celebrations were planned accordingly to avoid traffic issues on the surrounding roads.

Assistant City Engineer Jeremy Nielsen said the applicant is accurate, the Engineering Department did look at that access and initially the plan is to have it as a full access. This will be something they monitor and if it becomes needed to restrict that to a right in, right out down the road then that can be done. With the setback it's about 300 feet from the intersection and they are comfortable with that being full access.

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Chair Hollist asked if there is a turn lane on that section of Shields Lane that would allow left hand turners to queue up without blocking traffic going east.

Assistant Engineer Nielsen said it's wide enough that there is enough space for at least one or two cars to get in the middle of the road and for cars to pass by on the right side.

Chair Hollist opened the hearing to public comment.

Trevor Hicks (Resident) is the HOA President for Santorini Village. This new gas station poses many health risks. A number of compounds that are injurious to human health are released from gas stations during vehicle fueling and from underground storage tanks and tank vents, specifically the compound BTEX. Benzene is the B in BTEX, it is the gasoline constituent most harmful to human health. Adverse health effects from Benzene include nausea, cancer, anemia, increased susceptibility to infections and low birth weight. According to the World Health Organization Guidelines for Indoor Air Quality there are no safe levels of Benzene. The following research has documented the extent of Benzene releases from gas stations, as well as adverse health effects. A 1993 study, published by the Canadian Petroleum Industry found an average Benzene concentrate of 146 to 461 part per billion at the gas station property boundary in summer and winter respectively. In 2001, noted median ambient Benzene levels of 1.9 parts per billion up to 328 feet from the service station. He repeated that the World Health Organization says there is no safe level of Benzene. In a 2003-2004 study conducted by France documented a significant relationship between childhood leukemia when living near gas stations. A 2010 study conducted in Spain documented an elevated air pollution within 100 meters, which is 328 feet, within gas stations. In 2012, Brazilian researchers found that air quality was significantly degraded up to 150 meters, which is 492 feet, from gas stations. As you have already heard, there are plenty of residents that fall within those guidelines. In 2005, the California Air Resources Board became the first in the US to recommend a minimum public health safety zone between new gas stations and sensitive land uses. The recommendation appeared in the Air Quality of Land Use Handbook and A Community of Health Perspective. The pre-2005 studies and other research prompted the board to recommend a minimum 300 foot separation distance between a new gas station and sensitive uses such as residences, schools, daycares, playgrounds and medical facilities. As we know, across the street kitty-corner is Merit Medical that produces medical supplies and equipment. The state of California is widely recognized as having some of the most effective air pollution quality control requirements in the nation. The United States EPA echoed the concerns with the health risks associated with gas station emissions in their school site guidelines. They recommend screening school sites for potential health hazards when located within 1000 feet of a gas station, and currently the Mother's Helper childcare is just barely outside these limits. How do these affect our property value? A convenience store and gas station could lower the value of nearby homes. Most of the plausible effect is on mortgages. The federal housing administration ensured mortgages are not available for properties within 300 feet of tanks capable of storing 1000 gallons or more of gasoline, or other flammable and explosive materials. The restrictions appear in the sections 2-2M of the HUD handbook. Most gas station storage tanks have a capacity that far exceeds this limit. An excerpt from another US Department of Housing and Urban Development document shows that while gas station fire explosions may not be common, they do occur, often enough to be a concern to nearby residents. During a five year period of 2004-2008 the National Fire

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Protective Association estimates that US fire departments responded to an average of 5,020 fires at service gas stations in the United States. Those fires caused an average of two civilian deaths, 48 civilian injuries, and $2 million in property damage value. A Georgia study noted that in general, gas stations can depress residential property value and that effect diminishes over time; however, that Georgia study examined homes located within a half mile to a mile, and has shown that the commercial uses with the gas stations found it does decrease the property value within 300 feet to 1000 feet. There are many, many homes that fall in that range including his own. He also addressed the river, lake, well water and other aquatic resource impacts. As you know, we have a purification center located on 1300 W that catches the Kennecott pollution that comes down and takes it down to 800 S. He fears this will just further contaminate the ground water to cause even more excess strain on that facility that currently exists. The crime, which has already been talked about, has been a concern. Convenience store hold-ups account for 6% of the robberies in our nation. One study noted that convenience store employees suffer from high rates of workplace homicides, second only to taxi cab drivers in the United States of America. The study in the relationship between violence and other factors found an increased trend when the number of alcohol outlets in the area rose following a principle finding from a study. A large number of alcohol outlets and a high rate of violence might be expected in poorer neighborhoods or neighborhoods with a large population of young people. Our residential area in Santorini Village has a lot of young homeowners. The research shows that when the age and ethnic background of residents are taken out of account, the high density of outlets are strongly related to violence regardless of the neighborhood's economic, ethnic or age status. As many of the residents here know, and he gets to see on a first hand basis because he can see the intersection on Redwood and 9800 S from his home, there are many car accidents that happen there, the traffic there is already pretty bad. His power has been knocked out due to accidents there at least three times in the five years he has lived there. With the higher traffic that will be happening with cars going in and out, it is going to raise the traffic level even more, especially at rush hour times. In conclusion, given the impacts and the corrective measures that he has already outlined, the optimum convenience store location would have the following characteristics:

- It is 500 feet from the nearest home
- It is buffered so that it cannot be seen or heard from the nearest home
- To preserve public health it is a minimum of 500 feet from homes and 1000 feet from schools
- It is not within view of historic resources (which as you know, across the street is historic Merit Farms)
- It is at least 500 feet from wells, springs, stream reservoirs, highly sensitive ground or surface water resources
- Convenience stores should be located at least a 10 minute walk from schools, and Jordan Ridge Elementary and Mother's Helper childcare fall within that 10 minute walk
- Located at a downtown or neighborhood commercial area
- Well lit, but not to the point of causing light trespass in nearby homes.

The proposal for this gas station does not meet any of these guidelines.

Commissioner Gedge asked for clarification on the rules regarding time limits for public comments.

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Assistant Attorney Simonsen replied that he hasn't read the specific rule, but it has always been consistently announced during both planning commission and city council meetings that there is a three minute limit for individuals. There is usually an exception for the applicants, but that's because they have more material to present.

Chair Hollist asked how they could go about timing that. She feels that the HOA rep was allowed more than three minutes as he was representing a collective group. She was given a timer and will alert commenters when they are getting close to the time limit.

Assistant Attorney Simonsen asked for Chair Hollist to clarify that she is not excluding anything that has been said.

Chair Hollist agreed, they are not excluding any comments that they have received in excess of three minutes this evening. However, for procedure and to allow everyone who wishes a chance to speak, they will impose and enforce the three minute limit from this point on; she will give a 10 second warning.

JD Borg (Resident) is a resident of Santorini Village and the back of his property faces this property being developed. He also has some questions about the wall, he heard it mentioned it will be a panel wall; he would like to see something more substantial there like a cement wall. Also, with it being a six foot wall, the current make-up of what's on that property is a pretty good buffer with mature trees and hills that prevent the sounds of Redwood coming to their property. A six foot wall would not replicate that nearly as well, nor would new trees or the building. He would like to see a more substantial delineator between their property and the development and Redwood. In regards to the right turn lane requirement on 9800 S, would that direct more traffic in to their neighborhood if cars would need to go around that by making a right turn through their neighborhood, re-accessing Redwood; he hopes that is taken into consideration on requiring that median on 9800 S.

Silver Martinez (Resident) most of his questions have been covered, but regarding the wall he can second that six feet, especially on the danger side with a thief, is not enough as they will just jump the wall and he is the first condo facing the potential gas station. He has his garage open all the time and his door unlocked because his daughter is riding her bike. He also has concerns about driving through their neighborhood to get to Redwood. There are a ton of kids riding scooters and bikes, along with himself riding a scooter, always on the road because there is very light traffic and the speed limit is pretty low. He had some questions for the applicant, they said this would help with the noise and he doesn't feel that's very accurate; he would like proof of that. He understood that there have been three attempts for a gas station in the past, he asked what happened, why weren't they approved and why would they approve now if three of them have already gone. He is also a believer of things happening for a reason, with the screens not working for the presentation he thinks that's a sign in his opinion. Regarding the 24/7 gas station, he used to live in Taylorsville prior to buying this current home and there was a place in Murray that had a gas station and kids would have their cars there and rev their engines really loud. His concern is to have a bunch of high school kids hanging out there with their cars and his daughter's window is literally right there, that would be loud obviously with kids.

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Whitney Wiser (Resident) to piggyback on the HOA president's comments, not only is there Merit Medical across the street but there is also an elementary school. Also, just right on 9800 S there is an Alzheimer's Clinic, so they are surrounded by elementary schools, homes, Merit Medical and all these medical buildings. Hearing what he had to say, as she has not done that much research, it is disturbing that there is that many medical facilities around their area that could be substantially impacted by the gases and everything else that's coming through. With that elementary school being so close, and with so many accidents at that intersection, during the day when the elementary schools are getting out is there going to be extra people helping the kids cross the street where there is going to be more traffic. When she gets home from work around 5:30-6:00pm it takes her at least five to seven minutes to even get across Redwood to even turn into her neighborhood, and if she turns down 9800 S it takes forever to even get through that intersection. Again, her electricity has been off several times because of accidents. The traffic in that area and the way that the traffic is coming through, how is that going to work, how is it going to impact the kids walking home from school and how is it going to impact them getting into their subdivisions. They don't have anything causing people to cut through with more traffic trying to get to this gas station. The mounds and hills that are in that area right now that are making it not be as loud are definitely higher than a six foot wall, so a six foot wall as far as sound or traffic isn't going to do anything more than what that mound is already doing.

Matthew Farnsworth (Resident) lives across the street, to the east, in the little neighborhood there. A couple concerns they have, as mentioned before, the congestion that would come with more traffic coming in and out of the convenience store is one of the big things that they're concerned about. In the last several months they have seen six accidents at least, just in their little intersection, so he would expect that would probably be going up just with drivers during high peak hours. Concerning the median that would be coming into Redwood Road, he's presuming there is a median there, would that restrict the access coming off of Redwood Road going east into that little neighborhood. He knows there is only two accesses to this neighborhood, if one got cut off coming east that can kind of hurt this neighborhood's flow of traffic. His concerns are congestion and the accidents that are bound to increase due to that.

Connie Schreiner (Resident) lives in the Peach Blossom subdivision, backing up against the field there by Merit Farms. She appreciates the comments and questions the commission has had, they have already answered a lot of her questions. The one comment that she wanted to add, concerning the median, someone on the panel said there is enough room for a car to pass if someone was waiting going east and waiting to turn north into the opening there. Isn't it possible to put a turn lane in there, if there is enough room it would certainly be safer to have the turn lane than just having cars pass each other.

Lance Oldroyd (Resident) is a resident of Santorini Village. Many of his concerns have already been addressed by his neighbors in regards to environmental concerns, safety concerns, traffic noise, light pollution. He wanted to ask a follow-up question to the staff, they mentioned that with this particular development a gas station is a conditional use in this commercial neighborhood zoned area. He asked for more information on what the conditions are of this use and how is it different than something like a commercial office building or other property that would not be considered a conditional use development. He also wanted to address the concerns about more traffic. As others have mentioned, the intersection of 9800 S Shields Lane and

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Redwood Road already receives a lot of traffic, especially during peak times. His concern, like others, is that the eastbound traffic, whether turning north or south on to Redwood Road or crossing Redwood Road, that eastbound traffic will back up with the additional traffic from the gas station convenience store and incentivize drivers to turn west and either make a U-turn in the neighborhood or pass through the neighborhood to return on to Redwood Road. He would like to see that addressed as well as more details about the traffic study. It was mentioned originally that there was going to be a median, but then UDOT determined that there didn't need to be, he would like to understand what the process was there and if there can be additional input there. He also wanted to follow-up on the question of the gasoline storage tanks. It was mentioned in the presentation that part of the development plan is that the tanks are set back as far as possible from the houses, which he was glad to hear. He doesn't know if "as far as possible" is an acceptable distance. He is not a planner by any means so he doesn't know what a recommended safe distance is from a residential property, but he'd like to know what is commonly seen with other gas stations, other properties, how close these tanks are to those homes and what type of potential danger that would represent.

Laura Miles (Resident) thanked the commission for the information, a lot of her questions have been answered, a lot of similar concerns. A few additional things, concerning the barrier it sounds like it is just going to be around the north side of the property, going on Emporio Drive it kind of leaves that area open. A lot of people have mentioned the school, she wants to note that her neighborhood is not in a bus zone. Kids cannot be bussed to school, they have to walk to Jordan Ridge Elementary School and there are dozens of kids walking home every day. She knows of an instance where a teen was walking along that road and a car stopped and tried to convince her to get in the car, this was recently. She is a business owner in the community, she has a business license with South Jordan City to run a music studio in her home as a piano teacher. There are kids walking from their homes to her home and again, the concern of people cutting through their neighborhood if the right-only thing exists. There are concerns about crime, safety and traffic as well which are big ones for her.

Chair Hollist closed the meeting to public comment.

Commissioner Morrissey motioned to take a short recess. Commissioner Gedge seconded the motion, vote was unanimous.

Chair Hollist asked staff to discuss traffic studies, the median, possible traffic issues and steps that could be taken.

Assistant Engineer Nielsen said there will not be a raised median on Redwood Wood; they are planning to put in what they call a "pork chop" on the access at the gas station so it will channel the cars to encourage that right-in, right-out movement on to Redwood Road from the gas station. The access will not change for those residents that live east of Redwood Road. Regarding the raised median on Shields Lane, there is no plan for a raised median right now, but if it became a safety hazard in the future with cars stacking from the intersection or anything else, a raised median could be considered. He doesn't see that happening for quite some time because there should be adequate gaps in traffic with that traffic signal right there. Regarding cut through traffic, with full access on to Shields Lane he doesn't see motivation for drivers to use

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that subdivision, Santorini Drive, as a cut through. There is a possibility that some drivers may choose to use it, but they would need to be familiar enough with the area to know that is available to them. If there is a raised median he does see potential, if drivers were very familiar with the area, they might make a right there and then a right on to Redwood Road to be able to go southbound on Redwood Road. Again, he doesn't see that being a common occurrence because the general public isn't that aware of the roads and how they're configured. If that became an issue then it's definitely something they could evaluate.

Chair Hollist asked if there had been any traffic studies done.

Assistant Engineer Nielsen said they would want to ask the applicant, as he referenced a traffic study. He spoke with the city engineer today and he was confident in saying he was okay with the full access. He believes there has been one done, but he hasn't seen it.

Chair Hollist asked for the road ratings on Shields Lane and Redwood Road in this area.

Assistant Engineer Nielsen said regarding the level of service he doesn't know off the top of his head, but he can definitely look them up; both of them are major arterial roads and as a convenience store it's not going to put more cars on the road. The access points are where there is potential conflict with vehicles.

Chair Hollist asked about a turn lane being incorporated into Shields Lane.

Assistant Engineer Nielsen said there is a center turn lane, already striped, on Shields Lane.

Commissioner Catmull asked about the familiarity of a driver that might use a shortcut. One of the trends we see is more built-in navigation and future autonomous cars that optimize routes based on whatever the traffic might be. He doesn't expect the city to do anything about that, but he thinks that's an option that might happen and it is an interesting challenge to think about the regulatory effect and any prohibited routes for route optimization. That might be something for the state or other level to think about as he is sure there will be more problems before that gets traction legislatively.

Chair Hollist asked staff to give the actual distance of the tanks from the closest homes.

Planner Mann said with a rough measurement, it looks to be about 300 feet to the corner of the closest home in Santorini Village. For clarification, regarding the median, the original site plan showed the building facing south. As was referenced, the access to the site was closer to the intersection and that was where the median discussion took place.

Chair Hollist asked about the sizes of tanks, number of tanks and their volume.

Mr. Michaelson said there are four tanks, labeled on the site plan. Those tanks will also be included in the fueling plans. The largest of the tanks is 12,000 gallons for the standard gasoline; other blends are also in smaller tanks.

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Planner Mann said the site plan does reference a 12,000 gallon diesel tank, a 12,000 gallon premium tank, and a 20,000 unleaded tank.

Mr. Michaelson said Planner Mann is correct, he misspoke regarding the sizes.

Chair Hollist asked staff regarding a conditional use; what is it, why does it apply in this case, how do we address conditional use permits.

Assistant Attorney Simonsen referred to the last meeting with the Peterson application, with a lot of discussion on that matter; that was a rezone, so it was a legislative decision. The standard for a legislative decision on a rezone is whether it's reasonably debatable and that can include just about any evidence. Here tonight we don't have a rezone, the property has already been zoned. The zone allows a gas station as a conditional use. It is not within the commission's power to rezone the property and say "a gas station can never go in here." Someone would have to come in and apply to rezone the property into something else where gas stations were not ever allowed in order to make that kind of decision. What is before everyone tonight is a conditional use. There was a question from one of the residents about what the conditions are. There are no conditions unless there is first a detrimental effect from the use, identified by substantial evidence. He can't say specifically what that substantial evidence would be, but it's the kind of evidence you take to court and the court considers that. It would be like an expert witness, facts and quotes, etc. As a commission, they are the ones who get to weigh the evidence and then identify, based upon that evidence after hearing from everyone, whether there is a detrimental effect. Then they would have to specifically identify what that detrimental effect is. Once that has been identified, they need to conduct an analysis of whether there are conditions that can be imposed upon the applicant to mitigate the detrimental effect that has been identified. The commission would then choose the least onerous method of mitigating the detrimental effect and impose that (or those if more than one) as conditions on receiving a permit. Only if you can find no way to mitigate the detrimental effect that you have identified, can you then deny the conditional use permit.

Chair Hollist discussed concerns regarding children having to walk past this with traffic. She is very sensitive to that as she is on that school's community council. She knows that all the children that are east of Redwood Road are bussed, there will not be children that have to walk past those entrances she believes. The children who are in Santorini Village would enter before this point. If residents ever find that is otherwise, Assistant Engineer Nielsen is a great resource. She has actually had issues with a church parking lot being the most dangerous part of her children's' walk home and he was key in bringing out some surveillance to evaluate that and then work with the school to put the red curbing in around those entrances to give better visibility. It was also mentioned that if the traffic moving through the neighborhoods becomes an issue moving forward, that is something they can come out and evaluate. Even thought it's not included now, the city is responsive to issues like that. The 24/7 gas station operation was also brought up, they have heard previously from staff that there are not rules in our ordinances that prohibit operation hours. For now, she doesn't know that can be addressed, and should there be noise issues that can be addressed through police.

Planner Mann said sound is based on county standards, however it is enforced by local police.

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Chair Hollist said someone asked about the previous gas stations. There have been several gas stations approved at this location, however they were approved and then for various reasons related to them and not the city pulled out of those projects.

Planner Mann said there were two previous applications for a gas station site plan, neither of those went to a public meeting. The rezone was approved by City Council, the original developer withdrew their application before it went to Planning Commission. The second applicant also withdrew their application before it went to Planning Commission. This is the first site plan that has been brought to a public hearing.

Chair Hollist asked if this application follows the development agreement that has been developed through the process of the previous rezone.

Commissioner Gedge believes it was mentioned that on the second potential application, it was shifted facing south into it's current configuration. He asked who authorizes the change in the development agreement, is it the mayor and city council, and who signs off on the actual change to the development agreement.

Planner Mann said the reason the applicant wanted to amend the development agreement was because staff said the site plan submitted did not meet the concept plan that was in the original development agreement; it had to be amended so a new concept could be attached. Staff took that opportunity to open up the development agreement, clarify some things and add another requirement, then that was agreed upon by the second applicant, the mayor and city council.

Chair Hollist asked if the panel wall is part of the development agreement.

Planner Mann said yes, that is correct.

Commissioner Gedge asked if the federal standards for a gas station have changed since the development agreement was created. If a federal standard is more stringent than what's in the development agreement what takes precedence.

Planner Schindler said he isn't sure, but if there is a federal standard that now exceeds what the development agreement required, obviously that would take precedence over the development agreement. We don't regulate federal standards, however he's sure they have to have inspections done on their tanks, their locations, etc. He doesn't know of any state laws that need to be followed. There are alcohol distance requirements and limitations that they have to follow when it comes to selling beer out of the convenience store, but the city doesn't regulate that either as the license for selling alcohol is regulated by the state. A lot of things we don't get to regulate so even if this is approved, if anything is in violation of federal law, it will be found out by whoever inspects it. He's sure they've done their homework and aren't going to build gas stations that are against any laws from what he has seen. What we are concerned with is the conditional use permit, and that's something they have to get before construction.

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Commissioner Gedge asked if someone came in to inspect things and said they had to move the gas tanks further away, would we see an amended site plan because they would be located differently than what has been presented to us, or would that just be an administrative change.

Planner Schindler said it would be such a minor amendment that it would probably be done through staff and wouldn't make it to the planning commission.

Assistant Attorney Simonsen discussed Utah's Underground Storage Tank Act, the law that primarily deals with migration of leaking gasoline. The tanks are required to be double walled, there are lots of pages of special standards that go into the tanks. The operator is required to place leak detectors in the gas station. He is also required to go out there with the dipstick on a daily basis and measure how much gasoline has disappeared out of the tank in comparison to their sales.

Commissioner Sean Morrissey asked if the commission sees any substantial evidence regarding a detrimental effect on this issue. Since that's the standard of review for this item, he wants to clarify that before they move on to anything else.

Commissioner Catmull asked to address the crime concern.

Commissioner Morrissey said we need to take into account testimonies and evidence given, and whether any of their concerns create a detrimental effect. The testimonies given discussed crime that is there already, and we need to decide whether building this convenience store will make an impact that constitutes a detrimental effect.

Chair Hollist asked what evidence is needed to be considered substantial evidence.

Assistant Attorney Simonsen said he can tell us the laws, but it's up to the commission to decide based on what they've heard.

Commissioner Gedge said the concerns raised by the residents were sound, crime, safety and traffic. Based on the site plan, what has been proposed and with city ordinances, there is nothing that would be violated and nothing that would cause a true detriment that we can prove this evening. In his opinion, there are no detriments to impose a condition on. Everything presented seems to be agreeable to the development agreement, which was agreed to between the original developer and the city. We are approving a gas station, so no other business could come in under that conditional use; hopefully it's Kum & Go for years, but it could be a different chain in the future. At that point, they could go through the city process of revoking the conditional use permit if there is evidence to warrant that.

Commissioner Catmull looked at the categories for the feedback and the topics discussed today, he thought about each one and tried to decide if they could be easily mitigated or mitigated through design or enforcement. He believes there is a limit to which topics they can and can't consider as detrimental impacts, things like exposure to seeing someone use drugs isn't something he believes they are empowered to address. In regards to health, the Utah Department of Environmental Quality who runs the underground storage tank branch has a way to report a

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spill. If residents see spills or surface contamination that can be reported. With all that, he is likewise under the constraint of what they can do today; given the development plan and action before us, he feels satisfied.

Chair Hollist said she does have concerns regarding health impacts, and she thinks Assistant Attorney Simonsen was correct that there are regulations that hopefully oversee this kind of a product. If the applicant is amenable, she would like to have him come forward and share what types of measures are in place to monitor spills and leaks, and what types of exposure they would anticipate.

Mr. Michaelson said, regarding the fueling systems, Kum & Go only builds state of the art fueling systems. They are constructed and maintained by Seneca, who does this nationwide. They employ what's called a Stage 1 vapor recovery system. As fuel is pumped out of the system, air is drawn into the system, so there isn't a bunch of off-gassing and vapor coming off those systems; this is required by the federal guidelines. It is a fully monitored, state of the art, leak detection system. Underground storage tanks are dual wall storage tanks, and any time there is a leak in those tanks there is a detector between the first and second walls that is going to tell you immediately that you have a leak; these are not the tanks of 30 years ago. They have continuous electronic pressure leak detection that has positive shutdown if a leak is detected, that shutdown is immediate. These couldn't be more safe given the technology available to us. In some gas stations, you'll see the vents are off to the side. Kum & Go takes an extra step to vent tanks through the canopy. It looks better, functions better, and really is a state of the art system. As far as leak detection accuracy, 0.1 gallon per day accuracy is what the fuel system is capable of. Essentially, if you are losing 0.1 gallon per day it will alert you that there is a problem. Regarding the noise, his assertion there is based upon the UDOT requirements; they build sound walls all over the place and they are shown to be an effective method for controlling that sound. In addition to the wall, they will have the required planting in the development agreement; that will grow and organic material tends to absorb sound waves. Plus, they'll have the building there obviously absorbing sound as well.

Commissioner Morrissey asked if the applicant is amenable to making any additional updates to mitigate more sound from penetrating this area.

Mr. Michaelson said yes, Kum & Go wants to be a good neighbor, they want to work with this neighborhood and the city. His client has actually indicated to him that they are willing to build a taller wall, up to eight feet, if that is something that would help the neighbors feel more safe and secure.

Commissioner Morrissey said that is something that would be a good measure as a new neighbor in that area, and he saw some people nodding in agreement. It would help the neighbors feel more safe knowing that people can't just hop a six foot fence. Also, from a noise standpoint it will help mitigate that concern just a little more.

Mr. Michaelson said he did want to point out that there is no wall there currently.

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Commissioner Morrissey said he was going to bring up the same thing, that having a wall there will definitely help with safety; however, an eight foot wall would bring even more peace of mind to those residents.

Commissioner Darby appreciated everyone coming tonight and the concerns shared. After hearing everything, he is not seeing any detrimental effects that are based on substantial evidence that aren't mitigated as best as possible. He can't see any extra mitigation that they would need to impose. He is inclined to approve it as it stands.

Commissioner Morrissey doesn't have any additional insight above what has been spoken already, he is in agreement with the other commissioners.

Chair Hollist asked staff if they were to incorporate in a motion the inclusion of an eight foot wall, would that be sufficient moving forward to have that implemented as part of the development agreement and/or the conditional use permit.

Planner Mann said our code currently doesn't allow an eight foot tall fence in the city.

Chair Hollist said there is an eight foot wall for sound along her neighborhood on 9800 S that the city put in.

Planner Mann asked how long ago that was installed.

Chair Hollist said it was about 15 years ago.

Planner Mann said there were provisions for an eight foot tall fence up until a few years ago, but that was removed, as well as the option to go to City Council to petition for an eight foot tall fence. Unless something like this was put into the development agreement during that rezone stage, especially for a floating zone where there is a lot more flexibility as far as creating a custom requirement for a specific development.

Planner Schindler explained that it says fences can't go over six feet tall, but it doesn't say an eight foot fence isn't allowed. He thought there was a section in the code that gave the commission some leeway that they can require a fence outside of current code.

Commissioner Catmull mentioned that he thought this might have been done recently, possibly with Lamborghini where they were allowed a taller wall than current code allows.

Planner Schindler said Planner Damir Drozdek has already looked this up, and the code currently states that there is a minimum six foot fence required between incompatible zones; that appears to leave it open in the case of a divider between incompatible zones. It still says, in Title 17, that between residential uses the maximum is six feet; that essentially applies to fences between yards in a residential area.

Planner Drozdek said this in Title 16, part of the Development Code, he doesn't have the exact code.

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Commissioner Gedge suggested, if the applicant is amenable to working with residents regarding up to an eight foot fence, maybe we make the motion encouraging staff and the applicant to work together to address the fence height.

Planner Schindler said they would also want to mention in their motion that the applicant has agreed to the condition.

Commissioner Gedge motioned to approve File No. PLSPR202100131, for the construction of a gas station convenience store as presented this evening with the following condition:

- **That the project meet all the requirements of the recorded development agreement, and as agreed to by the applicant that the north fence line be increased from six feet to eight feet.**

Commissioner Morrissey seconded the motion.

Commissioner Catmull said he believes the motion is fine, however, based on Commissioner Gedge's discussion previously he thought they were planning to instruct staff and the applicant to work together versus actually putting it as a condition.

Commissioner Morrissey said the applicant has already agreed to the higher fence.

Roll Call Vote 5-0, unanimous in favor.

G. ZIPLINE TEMPORARY USE CONDITIONAL USE PERMIT
Location: 10473 S. Bacchus Highway
File No: PLSPR202100171
Applicant: Benoit Miquel

Planner David Mann reviewed background information from the Staff Report.

Chair Michele Hollist asked about time limits on conditional use permits.

Planner Mann said we do our best to anticipate and try to correct issues, but if there are problems, we react with laws and other things to address those concerns once they are happening. We also have the revocation process with conditional uses if there are issues that come up. It is listed in the standards for approval, so that if there are issues the conditional use can be revoked.

Chair Hollist asked about who was noticed for this, is there anyone that resides close enough.

Planner Mann said he searched 300 feet and came up with five addresses. He did get one response from a property management company that was just curious about what this was; he provided them with some information.

Chair Hollist asked if this would include residential deliveries.

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Planner Mann said the applicant could address that, he believes they are working with Intermountain Healthcare at this location.

Commissioner Nathan Gedge asked about the height of the flights, whether the FAA had to get involved regarding clearance because it's in the flight path.

Planner Mann said the applicant clearly expressed that they are working in conjunction with all air restrictions, flight patterns, etc.

Commissioner Steve Catmull asked about the temporary use/conditional use permit, who initiated that.

Planner Mann said typically, in another circumstance, if someone wanted to operate a temporary use for longer than 60 days they would apply for a conditional use. Since we already had a site plan application that had been submitted, and there had already been a lot of reviews, the fees that they had paid for the site plan covered the time staff had already taken, in addition to the time that it has taken to review it as a temporary use. In this case, we converted the site plan application to a conditional use application; typically someone would apply for it.

Commissioner Sean Morrissey asked staff about noticing and whether or not it was easily foreseeable that the land uses around this area would change and become residential.

Planner Mann said the closest properties within Daybreak are designated for more industrial uses, but he will have City Planner Greg Schindler answer that for more clarity.

City Planner Greg Schindler said the closest possible residential area is 1300 feet (one-quarter mile) away from this site; that are will not be developed until long after the three year term is up. Regarding flight height, once the drones are at their flying height he doesn't believe they will be heard on the ground at all. As mentioned, the take-off is the most noisy part of the process.

Benoit Miquel (Applicant) leads the New Deployments Team at Zipline. He appreciates David's presentation on the company, as well as the Planning Department staff's help in structuring this unique project. This will be their third commercial site in the US. They did their first site in partnership with Novant Health in North Carolina back in 2020 with deliveries there. Next was in Arkansas, in the town of Pea Ridge, in partnership with Walmart. This current project here will be in partnership with Intermountain Healthcare to serve the Salt Lake City Metro area. He knows this is a unique facility and use case, he is sure there are many questions on the airspace regulatory side, as well as on how operations work. He has additional material if there is time and if needed, but he is happy to answer any questions.

Chair Hollist asked if these would be residential deliveries.

Mr. Miquel said there would be a mix initially between Intermountain Healthcare deliveries to Intermountain Health Care Facilities, and eventually they will move to residential deliveries. Any flight routes that they create will be reviewed by the FAA, so throughout the process the FAA is their safety partner and will be regulating them as essentially a carrier. From a regulatory

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perspective, he likes to think about it as Zipline being a manufacturer like Boeing that has to apply and conform to all the same types of certification that Boeing would have to comply with to manufacture equipment and aircrafts. At the same time, they have to comply with the carrier side, like United, to allow them to operate as a carrier and perform deliveries or transfer cargo. The FAA is keeping a very close eye on them. This is a partnership because this is all very new to everyone, and they are taking the approach of "crawl, walk, run." The initial volumes will be very low. As there are more test flights and more volume, the restrictions will change and the FAA will work with them to allow them to operate more broadly. Zipline has been operating since 2016, and to date they have done 125,000 commercial deliveries across the world; mainly in developing countries, but this is the data and number of flight hours that allowed them to start this conversation with the FAA.

Commissioner Morrissey asked to have Mr. Miquel take them through their plan in regards to the "crawl, walk, run" methodology, specifically with the number of flights.

Mr. Miquel said a lot of this would depend on how the regulatory landscape evolves in the next year, but with the plans that they have with both Intermountain Healthcare and Trans Jordan they are looking at starting operations early next year. Essentially, over the first year they would ramp up to about 10-15 flights a day, maximum. Beyond that, their facilities in developing countries are able to handle 150 flights a day. Will they get there in the next three years with the regulatory framework that's in place? Probably not. They will shoot for it, but they understand that how they operate here in the US will be very different from developing countries. The population density is very different, the airspace congestion is much different. It will take a long time, but they will work very closely with the FAA, with the community and the city of South Jordan to dial up that volume when they are able to.

Chair Hollist asked if the FAA is the regulating body for all drone flights.

Mr. Miquel confirmed that yes, she is correct.

Chair Hollist asked what benefit his company offers, what they will be delivering that requires this method of delivery.

Mr. Miquel said the long-term plan in the US has a different business model than developing countries. In developing countries, they are there to complement poor infrastructure. Their facilities deliver things like blood, medicine and vaccines to other hospitals, clinics, mother's rooms, etc., on an as-needed basis and they manage their own inventory. In the US, they are more focused on the client, and essentially the patient's own experience. Someone who receives cancer medicine on a daily or weekly basis currently has to use the standard logistics system that can be a big pain and a big weight on their personal life. At this point, we are "Uberizing" the concept of medication delivery, where the patient is able to order the medication's delivery on the spot and know it's arriving in five minutes; they do not need to be blocked out for five hours of time when they have other obligations in their private life. It's more about the customer delivery experience, it's the future of instant logistics and the healthcare space is the right way to start to tackle this.

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Commissioner Gedge said that as someone who works professionally in the pharmacy world he applauds them for all of this, however out of their 125,000 flights since 2016, have there been any unexpected drone-to-ground incidents (crashes).

Mr. Miquel said they have many safety measures aboard their aircrafts. One of the main features that allowed them to accelerate their conversations with the FAA is that in the event of a serious failure or emergency they have a parachute onboard. The parachute would deploy and the "Zip" or drone would land softly on the ground. These types of events have happened, many times these events were the result of when the airspace regulator required them to abort a mission. For example, there is a high profile flight, operation or military exercise in the area with visibility into where their drones are and they required them to abort their mission right away. In those circumstances, they are able to abort the mission and para-land at that spot.

Commissioner Gedge asked if they have protection built in for the packages against damage to the product or anything leaking out, from a safety perspective, in case they drop from the air.

Mr. Miquel said the speed at which the aircraft hits the ground is actually lower than a regular package hitting the ground, so that's mitigation right there. They deliver all of their packages through a small parachute. He offered some videos to show how everything works.

Commissioner Trever Darby asked about current average flight altitude in North Carolina.

Mr. Miquel said they are limited to a 400 foot ceiling, so they average between 300 and 400 feet depending on the terrain underneath. Mr. Miquel showed a video that explains more of what they do (Attachment N)**.** They have two research facilities in California where they do high volume testing. The video was of their North Carolina facility and showed one of their "Zips" taking off. Each aircraft has one body and one wing, they plug in a battery so it's a total of three pieces. Everything is manufactured and engineered in-house. As soon as the aircraft is on the launcher, they do their pre-flight checks and then the aircraft is accelerated from zero to 70 mph. The video showed one of their recoveries where the aircraft comes back to the base and is captured.

Chair Hollist asked if the body was Styrofoam.

Mr. Miquel said the sides are Styrofoam, however it has a carbon frame. Once it returns, the operator takes out the batteries. Regarding accuracy, they say they can typically deliver within two parking spaces. For facilities, it's pretty easy. For hospitals and facilities, there is usually plenty of space. For residential, initially they will need bigger backyards and front yards, but once they start developing routes to those residential drop off points it is coordinated with the FAA. They will look at population density, existing traffic flow, and many different safety factors. He noted that all these planes are flown autonomously. They take a facility and draw a highway or sky map that the "Zip" will follow to its destination. A controller talks with the local air traffic control back at the facility that is able to return the "Zip" back to the facility or abort the mission if necessary, and essentially have a direct link with air traffic control.

Commissioner Gedge asked if nearby cities would need to do anything to be able to accept these deliveries.

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Mr. Miquel said he doesn't know if he has an answer to that right now. They have a very strong community outreach program at all levels to provide education and prepare the communities to be ready for this type of service.

Chair Hollist asked about anti-collision technology.

Mr. Miquel said they are working with the FAA on technology that will allow them to get closer to denser air space. Right now, with the existing restrictions, this site is perfect because it is away from high-density air space. As they get closer to high-density air space and continue to reach new facilities and customers, they are closer to the SLC Airport and they need to work closely with the FAA there to develop those anti-collision technologies that they can have onboard. It is a process to get closer to their customers.

Chair Hollist asked about amateur drone pilots who might get in the way and not be communicating with the FAA.

Mr. Miquel said part of their research program is getting in touch with those groups to make them aware of their service and coordinate closely when they have an activity, so they can stay outside of those areas. One of the main reasons why they didn't put their center down near the point of the mountain was because of all the paragliding off I-15. Same thing when they were looking about 30 miles south of our city, there were a lot of RC plane clubs in that area.

Commissioner Catmull asked about inventory and the storage of those medicines.

Mr. Miquel said there are two regulatory environments they are tackling; the airspace regulatory environment is being tackled first, then the fulfillment regulatory environment. Regarding prescription drugs, they will start working with the regulators on what is easier to first tackle, which is the airspace regulatory component. Then, they will add the complexity of the fulfillment regulatory side. Ideally, for the testing and proof of concept, it will be over the counter products. Eventually, to be a meaningful service they want to move there.

Commissioner Gedge said the temporary permit length is initially for three years, and then they can come back to us and extend that. He asked what their long-term plan is, are they planning to move on at six years. He would hate them to go through all this expense, they approve it for the six years, and then they're done at the six years.

Mr. Miquel said this will be an ongoing conversation with Intermountain Healthcare, he believes there is definitely a strategic conversation to have there. In addition, there will be conversations with their regulators. Based on what they know right now, they are in a space that changes rapidly so it's hard to project themselves in the future. What they have right now is a three year lease agreement with Trans-Jordan, with an option to renew for two years. They are using this site to create trust in the system, understanding, and compatibility with Intermountain Healthcare's operations and where they can drive the most value. If we are able to drive the most value from this site at Trans Jordan Landfill, and they can still drive a significant amount of value from that site in the future, he doesn't want to close any doors. He definitely wants to be

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honest and say that if they are able to stay there, and bring significant value to their customers, they will keep that option on the table. This initial phase is more a proof of concept and technology, how they integrate with Intermountain Healthcare's system and how to best get closer to the customers. He knows that was a broad answer, but that's because it's tough to project themselves in five years.

Chair Hollist asked, out of curiosity, what a standard delivery fee for this service would be.

Mr. Miquel said he honestly doesn't know, he doesn't know what's in their agreement with Intermountain Healthcare. He will say that the reason they exist is that they believe they are more cost efficient than the standard delivery/logistic system.

Commissioner Gedge asked about possible discussions with other healthcare providers in the area if this is successful with Intermountain, do they have plans to expand with increased volume of flights.

Mr. Miquel said that might be a consideration, but he is not exactly sure what strategically they've decided; he's usually involved very early on to build it and make it fly.

Chair Hollist opened the hearing for public comment, there were no comments from the public and comments were closed.

Commissioner Gedge said he knows for pharmaceuticals there are state and federal regulatory agencies, but with this permit who would take on that role. Does South Jordan Public Safety enforce what we're considering. He is wondering if this has been considered; if a citizen complains, who would investigate and look into it.

Planner Mann said generally, issues with a conditional use are likely to come from nuisance complaints, which would be handled by the police. There could be other avenues if it is code enforcement or something else, depending on what the use is. To clarify, when they were looking at the temporary use route, they also were considering updating and making changes to specifically the requirements in this zone. There really isn't much with this zoning designation, it is basically the landfill and then water treatment. The architectural requirements were for things like brick buildings, so it wasn't really compatible with the existing state of properties in this zoning designation. They were looking to do a text amendment in the future, but they didn't want to have that derail their plans to operate here. He believes that three years will also provide staff an opportunity to look at that.

Commissioner Gedge asked if while they are looking at that, will the Planning Department be preparing a report so that if this comes back in three years the commission at the time will have plenty of information, including data that has been compiled.

Planner Mann said either the three years will come up and they can apply to extend through the conditional use permit, or if they are looking to locate here on a more permanent basis, hopefully at that time we will have amended our zoning requirements where they can apply for the actual full site plan and be able to meet all those requirements at this site.

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City Planner Schindler asked if when they originally talked to them and had the use as warehouse and delivery (or whatever it was at the time), was that a permitted use in the zone? If it was listed as a permitted use, it will not matter if we change the code and update it architecturally. If they don't have to worry about the architecture they won't need a conditional use permit anymore since it will be permitted and they will have to meet all the site plan requirements; that would include things like more permanent access, utilities to the site, etc., which they cannot provide.

Planner Mann said wholesale and warehouse are listed as permitted uses in the CI Zone.

City Planner Schindler said it would be permitted at that time, if they are able to put it in this site permanently then they would have to go through the site plan but it doesn't sound like that will be an option. They would have to renew it as a conditional use through the temporary use and continue to extend that if they want to stay there. He doesn't know how they will look at that in the future. If there have been no issues, he doesn't know why we wouldn't consider it then.

Commissioner Gedge said, regarding a conditional use, detriments and how to mitigate that, the only potential detriment might be public safety because of flying, crashing and delivery with the item. He asked if it would be acceptable to have a condition added to the recommendation that this is subject to all federal and state regulatory agencies. He assumes it's inferred, but he would feel more comfortable if we cited that in this temporary conditional use permit to make sure the FAA clearances are given, any state department of professional licensing for pharmacy or other biological products is granted as well with the FDA. He could see that as a potential detriment, but that could be mitigated through the addition of a condition. He is assuming before they could take off they would have to have that, but he wants to make sure we don't grant this tonight and then they build a facility and the drones launch, but they don't truly have the FAA clearance or DOPL licensure for delivering pharmaceutical products. He is just asking if that would be applicable or appropriate to include as a condition.

Assistant Attorney Simonsen said although this is very unique in many ways, he doesn't view it that different from a truck terminal. We are regulating the site, but we are not regulating the trucks out on the road. Every business needs to operate within the law of their regulatory sphere. He doesn't see any detrimental effects that have been identified, but the commission may; he never wants to try and substitute his judgment for the commission's.

Chair Hollist wouldn't be opposed to making sure they inform the city of incidents or making reports made to their regulatory body available to the city.

Commissioner Catmull asked when the three year period clock starts for the permit.

Planner Mann said he believes with the approval of the conditional use permit.

Commissioner Catmull would prefer to leave out a condition of reporting incidents. Based on what he heard, if there are nuisances they can go to the city council with those reports and complaints and seek to have the conditional use permit revoked; he is trying to keep things as

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simple and clean as possible. If they were to put a condition like that, he would prefer something around reasonable regulatory compliance, such that if there were numerous incidents that would cover it. It's about what could happen, not what will happen.

Planner Mann said he thinks it would only take one drone landing in someone's backyard for there to be a complaint to the city council; it wouldn't take much to start that discussion if there were some catastrophic events.

City Planner Schindler said that if this was being processed as a permitted use, you wouldn't be able to put any conditions on it like that. Using drones is not why this is being processed as a conditional use, it's because they can't meet the requirements of architecture. He doesn't know what detrimental effect they can find in relation to the architecture requirements not being met. If they come back to renew in three years we could probably ask them for data of how things went, lists of times that they had to abort as the result of faulty equipment versus being asked to by the FAA.

Commissioner Trevor Darby thinks City Planner Schindler clarified it quite well with the fact that it's conditional based on the architecture.

Commissioner Darby motioned to approve File No. PLSPR202100171, for the temporary use of a drone delivery facility, as presented to the Planning Commission with the following conditions:

- **The use shall only be allowed for a period of three years. The Planning Commission may grant an extension for up to three additional years with approval of another Conditional Use Permit (CUP) application.**

Chair Hollist seconded the motion.

Commissioner Catmull asked if Commissioner Darby would amend his motion to clarify that CUP refers to a Conditional Use Permit.

Commissioner Darby amended his motion, clarifying that CUP refers to Conditional Use Permit. Chair Hollist seconded the amended motion. Roll Call Vote was 5-0, unanimous in favor.

IX. LEGISLATIVE PUBLIC HEARINGS –

A. RIVERPARK RET9 REZONE Rezone from P-O (Professional - Office) to C-C (Commercial - Community) Zone

Location: 10620 S. River Front Parkway
File No: PLZBA202100246
Applicant: Gina Jensen, RiverPark Group

Planner Damir Drozdek reviewed background information from the Staff Report.

Gina Jensen (Applicant) said she didn't have anything to add. Planner Drozdek has been very helpful with helping them to get this; it is the very last parcel to develop in RiverPark so they are

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excited to have finally come up with a plan to get that going and feel like it will be successful for the city and the park.

Chair Michele Hollist asked how the two drive-thrus work.

Ms. Jensen referred to the images from the Staff Report and pointed out that one of the lanes is adjacent to the building, the other is not. She explained that there are arrows on both lanes in the paperwork, but they are different colors to indicate which drive-thru they belong to. They anticipate that section having a lot of directionals where there is an overlap and they are hoping, with the directional and arrows, to keep that flow.

Commissioner Nathan Gedge asked if this was currently a parking lot.

Ms. Jensen said no, this space is currently dirt.

Commissioner Gedge asked about a busy Friday or Saturday night with all the other establishments there, do they feel there will be enough traffic flow to get everybody in and out of JCWs, Market Street, etc., so there won't be anyone backing up on to Riverfront Parkway.

Ms. Jensen said they feel like it's a sufficient distance away, and with the size of these spaces being pretty small retail, they aren't going to do a drink shop or something that has a long queue line. They're guessing that with the size of the tenant spaces, and the tenants that they have interested in them, the queue lines won't be anything long. They don't think the interest will be excessive, but they are confident they will have some interest.

Chair Hollist asked staff if the queue spots available meet the standards for a drive-thru.

Planner Drozdek said it appears to meet the standards, but it is not a site plan yet. They will look at it in more detail when the site plan application comes in.

Chair Michele Hollist opened the hearing for public comment, there were no comments from the public and comments were closed.

Commissioner Gedge motioned to recommend to the City Council approval of the rezone of Ordinance No. 2021-11-Z, as presented this evening. Chair Hollist seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

B. SOJO TOWNHOMES AT 114TH LAND USE AMENDMENT AND REZONE Land use amendment from SN (Stable Neighborhood) and EC (Economic Center)to RDO (Residential Development Opportunity), and a rezone from A-5 (Agricultural, min. 5 acre lot), R-1.8 (Single-Family Residential, 1.8 lots per acre) and R-2.5 (Single-Family Residential, 2.5 lots per acre) Zone to R-M-PD (Residential-Multiple-Planned Development Floating Zone) Zone
Location: Approximately 1500 W. 11400 S.
File No: PLZBA202100089
Applicant: Jake Ackerman

Planner Damir Drozdek reviewed background information from the Staff Report. Staff received

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comments from the public before the meeting (Attachments F, G, H).

Chair Michele Hollist asked about the density of the project.

Planner Drozdek said it works out to just over 8.4 units per acre.

Chair Hollist said she saw the acreage was 3.5 acres, and there are 30 units.

Planner Drozdek said the total acreage from what he is seeing is 3.59, and with 30 units that works out to 8.5 units per acre.

Chair Hollist said with Bingham Court, which was brought up, there had been extensive discussion with City Council before that came here. She asked if this had been through the same process, and if this something that will be an RDA fund.

Planner Drozdek said that this was discussed in two study sessions with the city council. At the second study session, what he heard was that the city council was generally happy with this proposal, and that's why it was taken forward to Planning Commission and eventually City Council. A couple of council members, from what he remembers, floated an idea to use RDA funds for some of the affordable housing. The applicant has had some discussion with, he believes, our Economic Development Director.

Commissioner Nathan Gedge asked about the density at Bingham Court in comparison.

Planner Drozdek said it was not as high as this project, but it was very close to eight.

Commissioner Steve Catmull asked about previous discussions not allowing the density over eight, and if there are specific reasons for that.

Planner Drozdek said some of the differences might be that eight is a good starting point, then we look at what the city has to gain from the project. In this case, there are certain things that the applicant is willing to provide that the city feels we are benefitting from somehow. With regards to some of the projects in the past where they have gone over eight units to the acre, the city hasn't seen enough benefit to warrant that increase in density.

Jake Ackerman (Applicant) is a lifelong resident, graduated from Bingham High School and lives a couple of blocks from the location. He believes there are currently six entrances from this property to 11400 South, and they proposed several different variations of this before City Council and to staff; it would keep three entrances from 11400 S in to the property. One of the proposals that they gained traction with was a proposal to put a culvert over the canal, then line up a single mid-block four way stop with the property across the way that used to be the Stallings Property. One Hundred Fourteenth South is going to get that mid-block traffic light whether he does anything or not, but the idea that they could eliminate all the other entrances to 11400 S was well received. They sat in during presentations of some of the traffic studies, and learned just how much traffic there is. One of the benefits they discussed was the idea of having a single traffic signal. The challenge is that piping a large canal is very expensive, adding a traffic signal is very expensive, along with everything else that is required. Originally, they had asked for a lot more density and there have been negotiations, ranging from affordable housing units in the area all the way to coming together on a plan that he thinks will clean up that whole area. It flows from the Ivory subdivision. He pointed out, while speaking with City Council, that if Ivory had built office buildings this project probably would have needed to be office buildings; if Ivory had

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built a Tunex or Jiffy Lube on the land next to him, then they probably wouldn't be proposing townhomes and single family. In a way, having a project that has continuity with what Ivory already did, made sense. They also feel it is a benefit to the community to have all four pieces, and the canal, be tied together; rather than two pieces that are immediately adjacent to Ivory with two houses that are west of the canal but east of the church that don't go together. He has spoken to a couple of the neighbors and explained some of the thinking of how they got to where they are, and he is excited to work with people to make sure it's a great project.

Commissioner Sean Morrissey asked for more information about the density that was originally proposed.

Mr. Ackerman said that originally they talked about an apartment project, trying to do smaller footprints starting at something like 16 units per acre. What was made clear was that density wouldn't work, and the concession of slightly more than eight units per acre, in many ways, was based upon the reality that there are a lot of costs associated with this project. There are four homes, probably five or six other buildings there. He has owned a few of those properties since 2004, but he didn't build any buildings, they have all been there. There is also the canal culvert and different drainage constraints. They have gone many rounds to get to a project that City Council was amenable to, even the extra three units that might get it to just over eight units per acre are being done as affordable housing units; they indicated they would support those affordable housing units with the RDA. There is probably close to $1 million in expenses to get all of that other stuff cleaned up and get the canal culvert piped, the traffic signal lined up with the road across the street, the fourth leg of the traffic signal and everything else.

Commissioner Gedge asked about the culvert and canal, if they had an idea of how long that might take.

Mr. Ackerman said the canal company made it clear that when they install it, it has to be when the canal water is not flowing. Depending on the progress of this meeting and other meetings with City Council, there is a small chance it could be this winter; it's most likely the culvert will be installed during winter months when the water in the canal is not flowing. Those are most often pre-cast systems that are trucked in, so they would be built and ordered long enough in advance that the installation itself doesn't take a ton of time. Everything has to be made; they bring it in and excavate what's there to install it.

Commissioner Gedge said he knows the canal goes under 11400 S, he's assuming that this project with the culvert and canal will have to abut what is already underground with a formal process to line those up.

Assistant City Engineer Jeremy Nielsen said they will need to get a permit from the canal, there is a lot of negotiation they will be doing with the canal. They will verify that everything is engineered appropriately. It is common, but very expensive, to do these kinds of things.

Commissioner Gedge said the concept plan shows some parking over the culvert, he asked if this is normal to have actual parking stalls there.

Assistant Engineer Nielsen said this is common, and that they are designed for that kind of load.

Chair Hollist opened the hearing to public comment.

Chris Nelson (Resident) said his property is directly to the north of this particular proposal. He

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asked to share his screen in the meeting with some pictures as evidence (Attachments I, J, K, L and M). There are seven things he and his neighbors want to discuss today. He would like to talk about setbacks specifically because it affects his property, traffic light concerns, high density and rental property concerns, loss of property value, height of wall, and some dependability issues regarding Mr. Ackerman as a contractor. Regarding setbacks, privacy is important to all of us. He is very concerned that the current proposal puts a two-story house right up against his property line, literally less than five feet as far as he can tell. He referenced some of the photos mentioned above as attachments and questioned the distance of the landscape buffer area. He also referenced Attachment J, which is outside his patio, that shows what it would look like with a two-story townhome right against his property line. He is not very pleased about this and wants to know what can be done to rectify that particular problem with privacy. There is no green space along half of his backyard and he doesn't know why, that seems a little off as well. He has questions about minimums and maximums for setbacks, he is not sure what those look like but he would like to know what those standards are. He also asked if there is a possibility of making this a single story and not a multi-story building. He is fine with a building there, he just doesn't want it looming over his backyard.

Jason Burton (Resident) said he was heavily involved with the Ivory Development, also known as Bingham Court. He is surprised that they are at this point without neighbor involvement; they were very involved with the Ivory Development and Ivory brought them along the whole way. It is very disappointing that they are here before the commission and really this is the first time they are hearing about this. He is also surprised that they got to this point with a density of 8.4 units per acre. When they worked with Ivory on the density of their subdivision, council wasn't willing to touch anything close to eight. The only reason they got to 7.96 was because of a compromise on everyone's part and they all felt good about that, but that was beyond what they were comfortable with to begin with.

Commissioner Morrissey asked what the compromise was.

Mr. Burton said the compromise was going to 50% single-family homes and 50% townhomes. This current project is an 80/20 mix of townhomes and single-family homes. At the time that was approved, which was about two years ago, this was the densest subdivision ever approved in South Jordan; he believes it still probably is. While it feels like a small compromise from 7.96 to 8.4, it is quite a leap from where we were two years ago. He is not directly impacted by this because he is not adjacent to it like he was with Ivory, but he thinks a couple of things need to be brought up. They agreed with Ivory that they would not make any of these rental properties; that was changed and the majority of the townhomes are now rentals by Ivory. He doesn't know how they prevent that in this subdivision when they are suggesting 24 townhomes, but a transient housing environment is not desirable. He was also surprised by Mr. Ackerman's statement that this would tie in to Ivory. He knows for a fact that Ivory worked very closely and tried to purchase this project to make it all one, because it would work better, and he knows they are still interested in purchasing the project because it just works better. Now they have two subdivisions that are not going to be tied together, and it just depreciates the home value as you break this thing up more. The last thing is the traffic light. He drives this several times a day, several times a week. Even with the five or six entrances out of those facilities, he has never seen a car pull out of there. He doesn't know how going from three or four homes to 30 homes with one entrance helps traffic safety, he thinks it's a traffic problem. To put a traffic light there, when they are already putting a traffic light on 1300 W in front of South Jordan Elementary, is just going make that area for those who live around there a zoo to get in and out of when it is really a residential area. They are putting all these traffic lights in and it is going to feel like The District area where they have four or five traffic lights to go a half a mile. It is disappointing that they are at this

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point and the city or the developer hasn't involved them as neighbors.

Doug Winters (Resident) said he wanted to talk about things like the height of the wall. His property is directly adjacent to this and due to the elevation changes that occur, what would be a six foot wall from their perspective would be at most approximately one foot from his perspective; six feet is nowhere near sufficient for separating properties. He is also deeply concerned about the additional traffic that is going to be brought, particularly as they add that many houses. The traffic going from I-15 westbound during rush hour in the evenings is already atrocious, to the point where it can take inordinate amounts of time to get up this far and it will only be worse if they add more traffic lights and another 30 units. There is also the crime increase that often accompanies rentals, which is a significant concern; from the sounds of it, this would have plenty of rentals. There have been issues relating to rentals that already exist in that particular area. There was a fatal shooting not too long ago. They are also concerned about the height of these two story houses. The Ivory Development has already put many two story houses directly adjacent to their properties that feel more like three story just due to the vantage point that occurs because of the elevation. This would essentially surround them with two story houses that feel significantly taller than two stories.

Ken Margots (Resident) said he is here in solidarity, like Mr. Burton who spoke before. He was part of the Ivory Development, his home is adjacent to the Ivory Development, and he wanted to compliment Ivory on the way they managed that development. From the very start, they included the neighbors and listened to them, came to their homes, heard their concerns and were very thoughtful about things like setbacks. Those who participated in the process were able to reach compromises that they were comfortable with, like having ramblers adjacent to their properties. They also agreed to put an eight foot fence, and it makes all the difference. All you have to do is visit the site and you can see that extra two feet might not sound like much, but where the elevation of that property had to be built up pretty significantly even a rambler has a pretty significant height advantage over where his property is. Landscaping has been mentioned, that was a big issue in regards to the buffer and the setback. They were able to negotiate setback issues because Ivory was willing to put ramblers right next to their property line. He just thinks there are a lot of issues here to be considered that impact the existing homeowners. Traffic, as has been mentioned, is a big concern; putting a mid-block light is going to significantly affect traffic. If you have been on 11400 S during rush hour, it is backed up almost light-to-light, and he can't imagine what it's going to be like with a mid-block light as well. He wishes there had been more involvement with the neighbors to make this a workable solution. To echo again what Mr. Burton said about the density, there were significant compromises and the spacing of the homes, the way Ivory put in the single family homes, was very well planned and thought out; the density doesn't feel like 7.96 density because of the placement of the single family homes. In looking at the site plan for this development, it is just a completely different feel, and you get the sense that the density feels every bit like 8.4 looking at this site plan.

Chau Winters (Resident) said they just bought this house a few months ago, they haven't even moved in yet and they had to be here for this hearing. When they bought the house they did not hear anything about this being an issue. They got the house because Ivory was only in the process of being built and the view looked good. All of a sudden, everybody else that was adjacent to Ivory got the eight foot tall fence, she had the six foot fence with the two story next to it. Because of the land height difference, that two story house looks like three stories and looks into her yard; they cannot imagine getting out and using the yard. They already have two houses in their backyard from Ivory, now imagine a third house that's two story on their south side They are boxed in with homes and will have no view. Currently with the Ivory homes, when she stands outside looking to the east she sees two houses blocking all the view; they all look into her

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yard, they can see her and she can see them because they are so high from the view. She referenced the pictures from Attachments I, J, K, L and M. Their fence does not look six feet tall, it looks more like two or three feet tall from her side. She cannot imagine when they put in another two story on the south side, they will be boxed in and cannot even go out and use their yard because everyone can look into their yard. Before they even moved in they heard about this, and a month later they hear about the shooting at a house close by; it was a fatal shootout with a teenager dying. She has children and this really concerns her, she doesn't dare let them go out, she feels there is no wall protecting them and there is no privacy. She is afraid of her house losing value. They haven't moved in yet, but she can already see the value going down. She said there is already proof of crime increasing as well.

Keith Lever (Resident) said he would like to clarify a little bit about how the Ivory Development went in, and about how all but this one unfortunate homeowner had the concessions of the eight foot fence and rambler homes versus the two story home with the six foot fence. This happened because the previous homeowner didn't want to work with Ivory. Ivory was so good about working with all the homeowners to try and come up with what was going to work for both. He thinks that homeowner felt like they were on their way out and just didn't do it. That's what happens when a developer isn't willing to work with neighbors and they are more worried about costs and money. They all have to live together and if they don't work together, this is what happens; these people have bought this home that has the six foot fence that looks like a one foot fence because of the elevation and two story houses. It would be so unfair to do that to them on the other side of their home. He hopes they can all work together and include the neighbors instead of just throwing it in based on costs.

Heather Godfrey (Resident) said they moved here 20 years ago and they had put a fairly large deposit with a small builder, the day after their deposit cleared he declared bankruptcy. It took them another two years to come up with the deposit money, and during that timeframe she investigated a lot of builders, that's why they chose to build with Ivory. They had a very good experience working with them, they had probably more changes in their house than most people would. When they decided to build Bingham Court she knew it would be a really good experience because of previous experience working with them. Unfortunately, she doesn't know anything about Mr. Ackerman. She did do a number of searches online today, he doesn't have a stellar track record for previous businesses which concerns her because she doesn't want this project to go part way through and then there are no funds left to complete it. She knows that Ivory approached him to sell those other two houses by the canal, and she thinks it would have been a very good opportunity to have one complete Ivory subdivision. She would like to know who is doing the building for Mr. Ackerman.

Chair Hollist closed the hearing to public comments.

Chair Hollist asked staff to go over height and setback requirements in residential areas.

Planner Drozdek said their concerns were along the north boundary. The information is in the agreement, it specifies a 12 foot setback from the north boundary. There are two lots that would have a 12 foot setback. Typical setbacks in the RN zone would be eight feet in the side yard, so the north boundary of some of the lots would be considered their side yard and they are getting a 12 foot setback instead of the typical eight foot because of the agreement.

Chair Hollist asked why there is a landscape buffer on the north side by the single-family homes, but not in other areas.

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Planner Drozdek said he is not sure why the concept plan shows that. In the agreement, it does talk about providing landscaping along the north boundary and working with property owners to have some landscaping put in that will make sense for both parties.

Mr. Ackerman said the concept plan is just what the engineering company created, but in the back and forth with the city they based the development agreement for this project on the Ivory Homes development agreement with the homeowners. They made very few changes, if any. In the concept plan it describes the north boundary between the homeowners as having planting requirements, and instructs him to work with the homeowners to establish those planting requirements. He does acknowledge it shows the trees, which he thinks the person developing the site plan used to try and balance the lots. The development agreement does specify the setbacks on the single-family homes along the north boundary, along with stating that he will work with the neighbors to get plantings to give the landscaping buffer between the properties.

Chair Hollist asked about the height of the homes in the adjacent neighborhood.

Mr. Ackerman said he doesn't have the development agreement in front of him. The lots in the Ivory Development were significantly deeper, there are six single family lots. He thinks the intent is to mirror the Ivory subdivisions, and they are smaller homes. The elevations that they have shown have been two story elevations, so he would say that's what the concept plan entails.

Commissioner Sean Morrissey asked about the setbacks in the Ivory Development on the north border for the neighbors.

Planner Drozdek said they all have a 16 foot setback, so it is a difference of four feet. To outline the differences between the two projects, the setback difference is four feet (16 versus 12 feet), the homes along the north boundary in the Ivory subdivision are ramblers (single story) with an eight foot wall.

Chair Hollist asked if we could even require an eight foot wall since this is a residential zone and the fences are between the homes.

City Planner Schindler said they could recommend anything in the development agreement.

Commissioner Steve Catmull said both rows of larger units, about 4000 square feet each, appear to be all single-family; he doesn't see a landscape barrier there.

Mr. Ackerman said this concept plan was presented, but the landscape barrier is in the development agreement; that wasn't even part of the conversation when this concept plan was finished.

Commissioner Catmull asked if lots and homes would be adjusted in size to make all the constraints work.

Mr. Ackerman said yes. There is really no differentiation in the development agreement between how they treat the northeast most lot and the buffer, and the lot that is just immediately west of that lot and the buffer. The development agreement specifies that both of those be treated the same.

Commissioner Darby asked to clarify that they both have the 12 foot setbacks and landscaping.

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Mr. Ackerman said yes.

Chair Hollist said most of the concerns were comparing Ivory's Development to this proposed development. She does remember hearing that argument and she believes Commissioner Morrissey was there also. She agrees with what was said, eight was a high number and it was a concession to the fact that South Jordan wanted to try these deed restricted parcels, potentially for city employees, first responders, teachers, etc. It also seemed like Ivory had worked with the neighbors so she does have a bit of concern that they have a development agreement that talks about landscaping, as agreed between the neighbors, but that doesn't seem to have happened. She has some of the same concerns the residents do. Her understanding was that Ivory got the density they did because of the concessions they made having single story homes where they were adjacent to the neighborhood and having those deed restricted lots.

Commissioner Morrissey shares the same concerns. He has made it well known he is not a fan of high density. He was not a fan of the Ivory Development, but with the concessions made to city employees and others he was willing to agree. He does agree with Mr. Ackerman as well as the continuity, that's why he was really frustrated with the Ivory Development because they knew once that development was passed, logically this piece of land was going to be subject to something similar looking as far as density goes. That doesn't mean they have to pass it, and he thinks there is some opportunity here for Mr. Ackerman and the neighbors to work out some of the issues that have been pointed out.

Commissioner Darby said his biggest concerns are the 12 foot setbacks and the height of the wall. He would like to see an agreement between the developer and neighbors on those topics. It seems like the neighbors were mostly amenable to an eight foot wall and a 16 foot setback; they run into the difference between a rambler and a two story as part of that. Most of the other issues, he thinks, are just issues of living in a growing city. Regarding the traffic lights on 11400 S, that is just a busy road, and it's not going to go away.

Assistant Engineer Nielsen said the light would be going in regardless of whether or not this development goes in. It was required as a part of the Ridge Point development to the south.

Commissioner Darby said, although the light is a real concern for the neighbors, he doesn't think it is part of this discussion because it is happening one way or the other.

Commissioner Catmull asked staff about the Economic Center Land Use, what the standard minimum setbacks and heights are.

Planner Drozdek said that correlates to any of the commercial zones, or even an office zone. Setbacks on the majority of commercial zones are 10 feet to residential of landscaping, and then 30 feet for structures. The impacts are much bigger as well in that type of area in terms of traffic, noise and things like that. With office buildings you can go up to 75 feet in height, it would just have to be set back more, but they would tower over the residences if it was an office zone.

Commissioner Catmull asked the applicant if he did in fact have an invitation from Ivory to sell this land.

Mr. Ackerman said he got one call from Ivory. The nature of that call was "we don't need you, but if you're willing to do it, the price is what everybody else is selling for." He asked them to send him a written offer. You could subpoena him, you could subpoena Ivory; he never received a written offer from Ivory Homes, and that's a fact. We could have Ivory provide the written

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offer that they provided to him, in his entire life he has never received a written offer by Ivory Homes to purchase anything that he owns, any property that he owns. They did call him and they said they "probably weren't that interested" and "didn't need him, but if you sell for the same price as everyone else." His exact words were "if it works, I'm very interested in listening to what you have to say, but I'm not interested in a 'would you take,' please send a written offer." He never received an offer from Ivory Homes.

Commissioner Catmull said he doesn't feel comfortable recommending approval. He could be more comfortable with tabling it, or in his case recommending to deny. Some of the positives: He likes how it aligns with and invests in infrastructure, aligns with the mid-block light which provides some nice benefits there, he likes how it cleans up the economic center island that is sitting there on our future land use. Causing problems for him, just like they talked about density being an issue, he really tries to be sensitive to those future land uses, especially the stable neighborhood that this would go around. Particularly neighbors who have bought homes recently, expecting those stable neighborhood areas to be there and it also has the land that hooks around and connects to more stable neighborhood that we didn't talk about tonight. Some of the challenges he has is around the density, it's high and he's trying to be consistent in how he has interpreted the general plan, some of the guidance they have and those LIVE goals. He looks at his other area of concern, the developer outreach comments that were made, and being able to have more engagement with the adjoining neighbors.

Commissioner Gedge asked when this is tentatively scheduled to appear on the city council agenda.

Planner Drozdek responded on December 7th, the first Tuesday in December.

Commissioner Gedge said this is infill, so there will be something there eventually. This is closer to the Bingham Court than probably anything else is. There can be some tweaks. He asked when this was appearing before City Council because it looks like there are some discussions that could be had between now and the first Tuesday in December between the developer, the neighbors, and of course the city council. They are close to the neighboring density, one or two units would get them right in-line with the neighboring property. The developer is covering that culvert of the canal, so there are a few concessions there. There is going to be a traffic light going in there, so he thinks there can be some tweaks made to the development agreement between now and then that City Council can consider. Eventually something is definitely going to go in there, this is definitely better than what is there today. Cognizant of what the neighbors to the north are concerned about, he thinks this fills a need with the housing crisis and shortage, using RDA funds and a traffic light going in there. That culvert needs to be covered and the developer is willing to do that as well, that needs to be rewarded and that could be giving him an extra unit or two to slightly exceed eight units per acre. He knows that is the previous City Council's direction, the six to eight units per acre, so he is comfortable forwarding the recommendation to approve this and let the city council have further discussion in their meeting in three weeks.

Chair Hollist reminded everyone they are only a recommending body; they are forwarding the city council a recommendation. The final decision on these action items will be made by the city council.

Commissioner Gedge motioned to recommend approval of the following three things:

- **Resolution R2021-34, Authorizing the Mayor to Sign the Development Agreement**

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- **Resolution R2021-33, Approving the Land Use Amendment**
- **Ordinance 2021-10-Z, Approving the Zone Change as presented**

Chair Hollist agrees with the positives shared, she likes to see thought going into these infill pieces of land. However, for this evening, and for what they will forward to the city council, she is not ready to give this a positive recommendation. She would like to see additional work done between the developer and neighbors to see if an agreement can be reached on that buffer in advance, instead of having the directive to work with the neighbors on that buffer/setback later. She thinks this is close, but a little more discussion needs to happen about what that boundary looks like between the neighborhood to the north, as well as the density. She still feels like Ivory Homes got the density they did because they worked closely with the city to get it there; even then, it was agreed to barely go up to eight because of various factors.

Commissioner Catmull said he would vote no on the current motion. He would be supportive of recommending approval of the zone change and the ability for the mayor to sign the agreement; that is not what this motion is saying, it is saying the development agreement "as specified." He is only in favor of the zone change at this moment.

Commissioner Morrissey said he is more in agreement with Chair Hollist's stance. He suggests we table the decision, with the recommendation to the developer that he works with the owners that surround the property, like Ivory did, to come up with a resolution that we can then use to forward a positive recommendation.

Chair Hollist asked if they are comfortable letting the applicant make that decision.

Commissioner Gedge asked if the city council, based on our recommendation, choose to ignore what they've forwarded.

Chair Hollist said it would be more timely for the applicant to forward their negative recommendation if he feels like the city council will be amenable to his current plan, or if he feels that he can make changes between now and then.

Commissioner Morrissey isn't as concerned about the timing issue, that's what is present before us and that's his recommendation, to table the decision.

Chair Hollist said that if no one is opposed, she is okay asking the applicant what he'd like to do. She can't promise they'll do what he says, but they would like to get his opinion.

Commissioner Gedge's motion failed due to lack of second.

Mr. Ackerman said he doesn't know that there has been any discussion regarding an eight foot wall, but he is certainly happy to put in an eight foot wall. They have had discussions about two story homes, he is happy to do only ramblers on those north lots. The only reason that ever came up was because they had presented at an architectural review. Previously he was a builder, when the housing crashed times were tough. He has had two failed businesses, he has started about 30 businesses and sold a few successfully; he still owns and operates a business here locally with 100 employees. He cares deeply about doing the right thing. He doesn't have a full time staff of people who do neighbor outreach, but he did go talk to the neighbors and said he lives here too and wants this to be a good community. He can look any resident in the eye and say this plan is better for South Jordan than putting a Tunex next door or in someone's backyard. He is happy to

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change the development agreement to have ramblers on the side and an eight foot wall, make sure the neighbors are happy with the planting plan. He did go engage with the two neighbors adjacent to the property, he doesn't have a staff and he doesn't know what the rules and regulations are as far as engaging all of the neighbors. If they feel like he was trying to push something in, his thinking was that they had already worked with Ivory and they approved whatever Ivory did; they are doing something that matches with what Ivory did and will tie it all together. It's not that they're trying to sneak anything past anyone, or don't care about feedback. The eight foot wall concept never came up on his end. Ivory did put a wall adjacent to one of these properties and they never asked him about an eight foot wall, so they installed a six foot wall on his property next to the Ivory development. He thinks Ivory has been built up to be some stand-up people, and they certainly didn't go out of business in 2007. His intent in this project is as a developer, not as a general contractor; he doesn't intend to build these properties, but he intends to be the person overseeing the development of the project. He doesn't know if this will speed it along, but they are also happy to wait. They can do an eight foot wall and do non-two story houses on those two north lots.

Chair Hollist said she think for this to work, they would need an updated development agreement to vote on. He has an option to table this until December, at that time, if he's able to work with the city to make some adjustments, they could revisit this. They would not do another public hearing as they have satisfied that agreement on this issue.

Commissioner Morrissey asked if that would satisfy Chair Hollist's concerns as far as neighbor concerns that have been brought up today, making the developer's concessions part of the motion as a positive recommendation. For him, it does on the points that they discussed previously, also on the point that this does complete the project from east to west. He shares concerns with density, but he doesn't feel like it has any impact on the neighbors like it truly would if there was some connectivity, like a road or a passageway.

Chair Hollist asked if they felt they could make a motion, assuming the development agreement contains these changes, and take a vote tonight.

Commissioner Catmull's concern with that is not being able to hear the citizen's responses to the offer. He would like to be able to expedite the process, but at the same time he doesn't know if he wants to do all the negotiating.

Commissioner Morrisssey said they will have a chance to speak at the city council meeting when this is addressed.

Planner Schindler said the city council makes the decision on the development agreement as well, so the commission can recommend those things be placed in the development agreement, but it still takes the city council to agree that's good enough. The residents will have an opportunity to speak, the same way they did tonight, at the city council meeting on December 7. They can also recommend denial, but it will still be up to the city council to determine. It's probably better for the developer that if the concessions made make the commission feel more comfortable if added to the development agreement, that they pass on a positive recommendation with a note that their recommendation is subject to the new development agreement. He doesn't think the city council has seen this development agreement either, so they aren't expecting this one as it's based on former discussions at the study sessions but they haven't seen the written development agreement yet.

Commissioner Darby is inclined to forward a recommendation to approve with those

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concessions, the eight foot wall and one story homes on the north border.

Commissioner Catmull is mostly concerned around the northern boundary. If the density was reduced, that might be one way to give more. An eight foot fence and the one story homes would be another way to mitigate that, and he could be open to that as well.

Commissioner Gedge asked if he specifies "single story," does that still allow a basement.

Planner Schindler clarified about rambler versus single story, single story refers to the floors above ground. He asked if the applicant would be amenable to these suggestions. It would still go to City Council for discussion.

Commissioner Gedge motioned to recommend approval of the following:

- **Resolution R2021-34, Authorizing the Mayor to sign the development agreement, modified with the northeast wall changed from six feet to eight feet, and the single family homes on the northeast section from two story to single story/rambler.**
- **Resolution R2021-33, Approving the land use amendment.**
- **Ordinance 2021-10-Z, Approving the zone change as presented this evening.**

Chair Hollist asked to clarify which sections would have the eight foot walls.

Commissioner Gedge amended his motion to recommend approval of the following:

- **Resolution R2021-34, Authorizing the Mayor to sign the development agreement, amending the height of the wall, from Lots 3 and 4 extending to the canal, from six feet to eight feet; also, amending Lots 3 and 4 from two story plans to single story/ramblers.**

Chair Hollist seconded the motion. Roll Call Vote was 4-1, majority in favor; Chair Hollist voted no.

X. OTHER BUSINESS

Chair Michele Hollist congratulated Planner Damir Drozdek on 15 years of service to the city.

City Planner Greg Schindler reminded everyone the next planning commission meeting isn't until December 14, 2021.

ADJOURNMENT

Chair Hollist motioned to adjourn the November 9, 2021 Planning Commission meeting. Commissioner Catmull seconded the motion, vote was unanimous in favor.

The November 9, 2021 Planning Commission Meeting adjourned at 11:00 p.m.

Meeting minutes were prepared by Deputy Recorder Cindy Valdez

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SOUTH JORDAN CITY
PLANNING COMMISSION REPORT Meeting Date: 12-14-2021

Issue: DAYBREAK VILLAGE 9 PLAT 2
PRELIMINARY SUBDIVISION
Location: Generally 11435 S. Silver Pond Drive & 11390 S. Watercourse Road
Project No: PLPP202100191
Applicant: Larry H. Miller Real Estate
Submitted By: Greg Schindler, City Planner
Chris Clinger, Senior Engineer

Staff Recommendation (Motion Ready): Approve Project No. PLPP202100191 subject to the following:

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

STANDARDS FOR SUBDIVISION REVIEW

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

BACKGROUND

ACREAGE	9.173 Acres
CURRENT LU DESIGNATION	Residential Development Opportunity (RDO)
CURRENT ZONING	PC
CURRENT USE	Vacant
NEIGHBORING LU DESIGNATIONS, (ZONING)/USES	North - RDO, (P-C)/Vacant South- RDO, (P-C)/Residential Development East - RDO, (P-C)/Vacant West - RDO, (P-C)/Vacant

LHM Real Estate has filed an application for preliminary plat review and approval of the Daybreak Village 9 Plat 2 subdivision. The proposed subdivision will divide the property into 63 residential lots, 2 park lots (P-lots) and associated public and private rights-of-way.

The residential density of this proposal is 6.8 units per acre (gross density) and 9.9 units per acre (net density), which is consistent with the P-C zone and adopted Community Structure Plan for Daybreak. The proposed lot sizes range from 1,833 sq. ft. to 9,883 sq. ft. with an average lot size of 4,383 sq. ft.

The PC zone provides for the approval of design guidelines developed for a specific subdivision or site plan. The design guidelines, specific to this subdivision will be the same as those approved for the Daybreak Village 9 Plat 1 subdivision.

The residential lots include 10 townhome lots, 14 twin home lots and 39 single family detached lot. The two park lots will both be part of the future Watercourse open space area.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- The Daybreak Community Structure Plan designates this area as Village.
- Section 17.72.020 describes the Village Land Use Designation as follows: "This category is designed for medium density mixed use development that includes residential (single and multi-family), office, commercial, industrial, public/semipublic and recreation/open space uses, without a predetermined emphasis on any single use. This category may accommodate gross residential density of twenty five (25) units per acre."
- All PC zone and Kennecott Master Subdivision requirements will be met regarding the preliminary subdivision plat.
- All State and Local subdivision review requirements have been followed.
- The proposal meets all City ordinances
- All lots in the proposed subdivision will have culinary water (South Jordan City) and sanitary sewer available (South Valley Sewer District).

Conclusions:

- The proposed subdivision is consistent with the Community Structure Plan and meets the standards of review for subdivisions in the P-C zone.

Recommendation:

- Based on the Findings and Conclusion listed above, Staff recommends that the Planning Commission take comments at the public hearing and approve the Subdivision, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by staff.

FISCAL IMPACT:

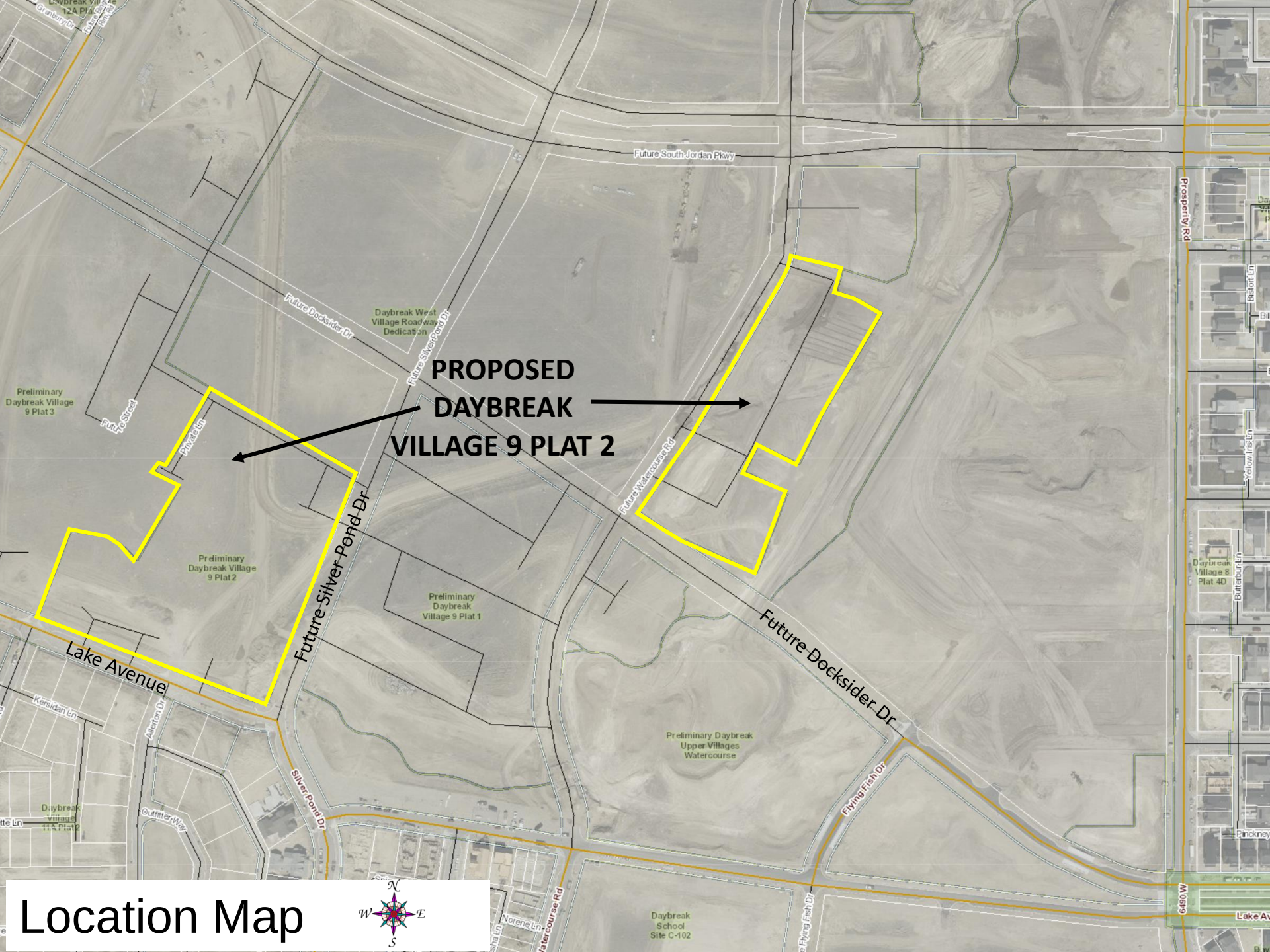
- Minimal.

ALTERNATIVES:

- Approve the preliminary subdivision.
- Deny the preliminary subdivision.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Map
- Proposed Subdivision Plat



Location Map



PROPERTY CORNERS

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

PERIGEE CONSULTING
CIVIL • STRUCTURAL • SURVEY
9089 SOUTH 1300 WEST, SUITE 160, WEST JORDAN, UT 84088
801.628.6024 TEL 801.590.6611 FAX WWW.PERIGEECIVIL.COM

DAYBREAK VILLAGE 9 PLAT 2
AMENDING LOT 2101 OF THE VP DAYBREAK OPERATIONS-INVESTMENTS PLAT 1

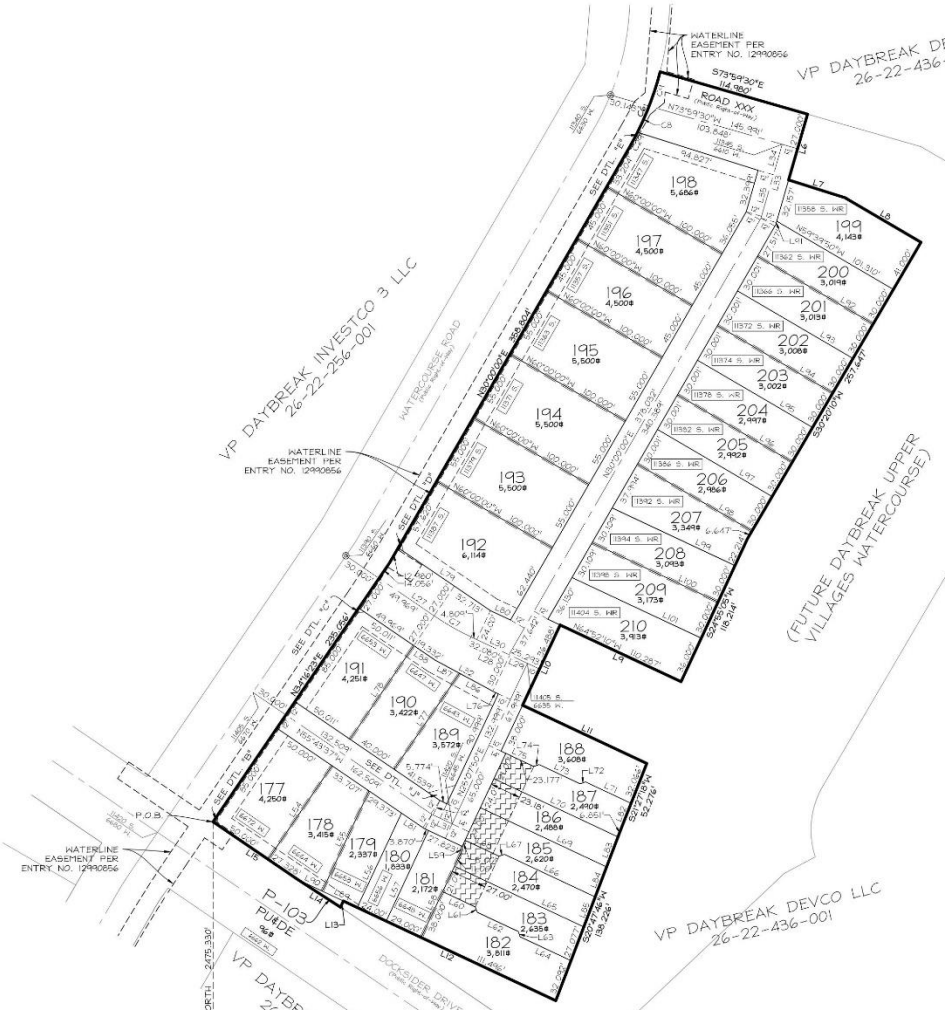
Located in Section 22, T3S, R2W, Salt Lake Base and Meridian

RECORDED #

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

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

FEE $ _____ SALT LAKE COUNTY RECORDER



LEGEND

- FOUND SALT LAKE COUNTY SECTION CORNER
- PROPOSED STREET MONUMENT
- EXISTING STREET MONUMENT
- 5/16 DA — ADDRESS WITH ABBREVIATION OF STREET OR LANE
- 1' DRAINAGE EASEMENT PARALLEL TO LOT LINE (UNLESS NOTED OTHERWISE)
- PUBLIC RIGHT-OF-WAY; SOUTH JORDAN CITY WILL NOT PROVIDE SNOW REMOVAL, STREET SWEEPING OR GARBAGE COLLECTION IN THESE AREAS. SNOW REMOVAL AND STREET SWEEPING ARE THE RESPONSIBILITY OF THE ADJACENT LOT OWNERS. GARBAGE CANS MUST BE PLACED ON THE THROUGH PORTION OF THE ADJACENT LANE OR STREET.
- PRIVATE RIGHT-OF-WAY
- VEHICULAR INGRESS/EGRESS AND DRAINAGE EASEMENT

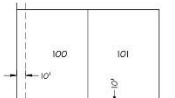
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801.628.6024 TEL 801.590.6611 FAX WWW.PERIGEECIVIL.COM

LOT TABLE	
LOT	ADDRESS
182	11436 S. WATERCOURSE ROAD
183	11456 S. WATERCOURSE ROAD
184	11492 S. WATERCOURSE ROAD
185	11428 S. WATERCOURSE ROAD
186	11425 S. WATERCOURSE ROAD
187	11422 S. WATERCOURSE ROAD
188	11418 S. WATERCOURSE ROAD

GRAPHIC SCALE
-40 0 20 40 80
(IN FEET)
1 inch = 40 ft.



PUBLIC UTILITY EASEMENTS TYPICAL (UNLESS OTHERWISE NOTED)

DAYBREAK VILLAGE 9 PLAT 2
AMENDING LOT 2101 OF THE VP DAYBREAK OPERATIONS-INVESTMENTS PLAT 1

Located in Section 22, T3S, R2W, Salt Lake Base and Meridian

RECORDED #

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

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

FEE $ _____ SALT LAKE COUNTY RECORDER

SOUTH JORDAN CITY
PLANNING COMMISSION REPORT

Meeting Date: 12/14/2021

Issue: **HIGHRIDGE COMMERCIAL SUBDIVISION AMENDED SUBDIVISION AMENDMENT**
Address: 3576 W. Sojo Dr.
File No: **PLPLA202100163**
Applicant: Braxton Thompson, DAI

Submitted by: Damir Drozdek, Planner III
Shane Greenwood, Supervising Senior Engineer

Staff Recommendation (Motion Ready):

- I move that the Planning Commission **approve** the Highridge Commercial Subdivision Amended plat amendment, File No. PLPLA202100163.

ACREAGE:	Approximately 1 acre
CURRENT ZONE:	MU-V (Mixed Use - Village)
CURRENT USE:	Undeveloped and raw land
FUTURE LAND USE PLAN:	EC (Economic Center)
NEIGHBORING ZONES/USES:	North – MU-V / Commercial retail South – MU-V / Sojo Dr. street West – BH-MU / 3600 West street East – MU-V / Vacant and unimproved lot

STANDARDS FOR SUBDIVISION AMENDMENT REVIEW

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision amendment. The Planning Commission may approve the amendment if it finds good cause to amend the subdivision, and the amendment complies with City Code Chapter 16.14, other City ordinances, and sanitary sewer and culinary water requirements. The Planning Commission may only deny the amendment if there is no good cause for amending the subdivision and the proposed amendment does not meet all provisions of City Code Chapter 16.14, other City ordinances, and sanitary sewer and culinary water requirements.

BACKGROUND:

The applicant is requesting that the Planning Commission approve a proposed subdivision plat amendment on property generally located at the northeast corner of Sojo Dr. and 3600 West. It is located directly behind the Harmon's grocery store at the District.

A few years back the property was platted as a lot in a commercial subdivision. It is approximately 1 acre. The current subdivision plat amendment application seeks to split the lot in two lots with each lot being roughly ½ acre in size. It is planned for one ½ acre lot to be developed as a fitness studio center while the other ½ acre lot will be sold to a future developer. The more detailed development plans will come with future site plan applications concerning these two lots.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The proposed subdivision amendment plat meets all of the Planning and Zoning Code requirements.
- It meets the terms and requirements as set forth in the original Development Agreement (DA) recorded in 2014, and the subsequent First Amendment to the DA from 2015.
- The current applications seeks to split lot 103 from the original Highridge Commercial Subdivision plat into two lots with the new and an amended subdivision plat. No development will take place with this application.
- There is good cause to approve the proposed subdivision amendment because the subject property is underutilized as configured. Currently there is no use or business that has expressed any interest in this property being as large as it is. With the subdivision plat amendment approval, two smaller lots will be created and that will allow for immediate construction and development on one of them.

Conclusion:

- The subdivision amendment application meets all of the Municipal Code requirements and thus should be approved.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** the Application, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

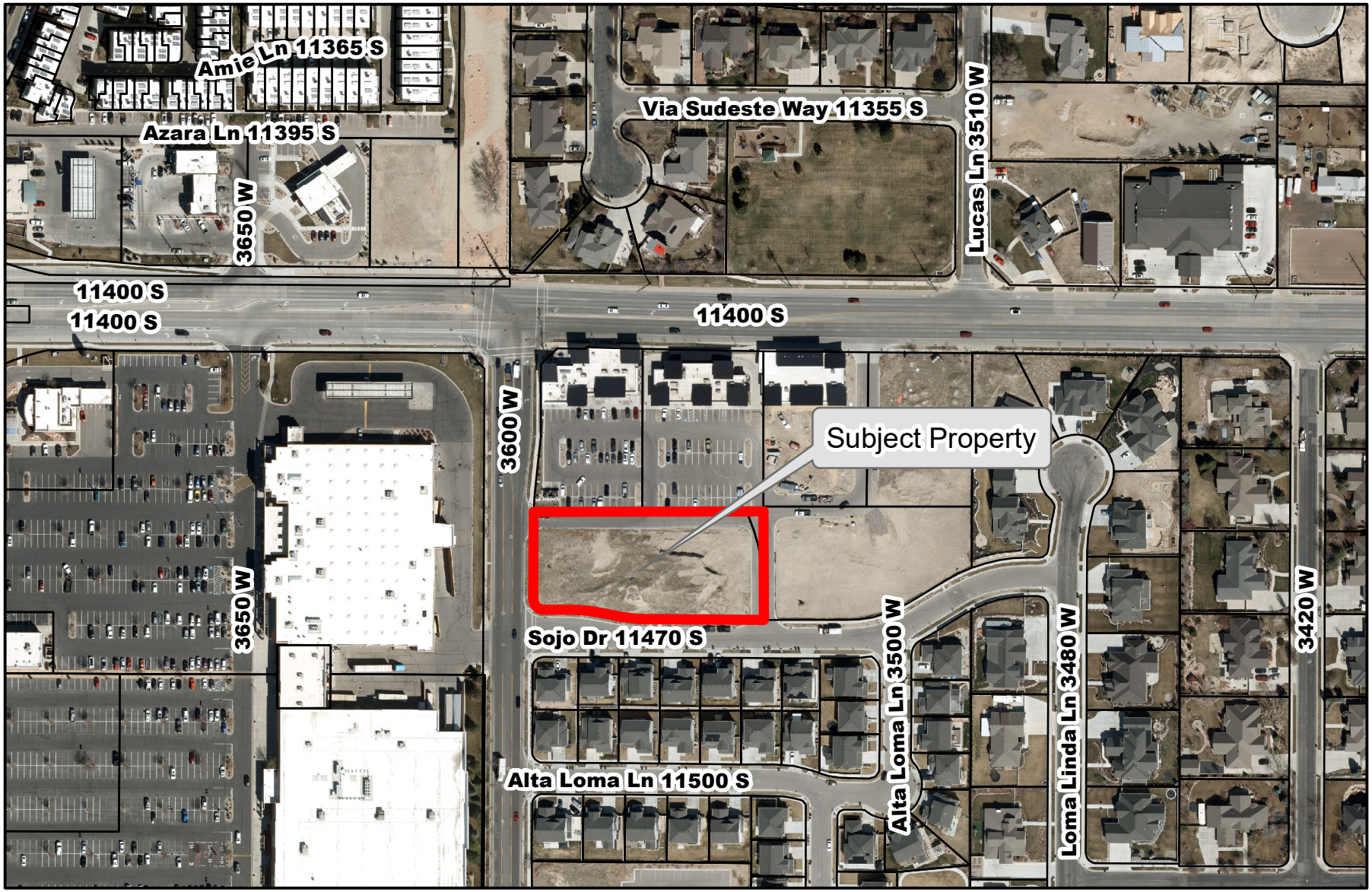
- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Map
- Zoning Map
- Highridge Commercial Subdivision (existing plat)
- Highridge Commercial Subdivision Amended (new plat)



Damir Drozdek, AICP
Planner III, Planning Department



Legend

STREETS

PARCELS

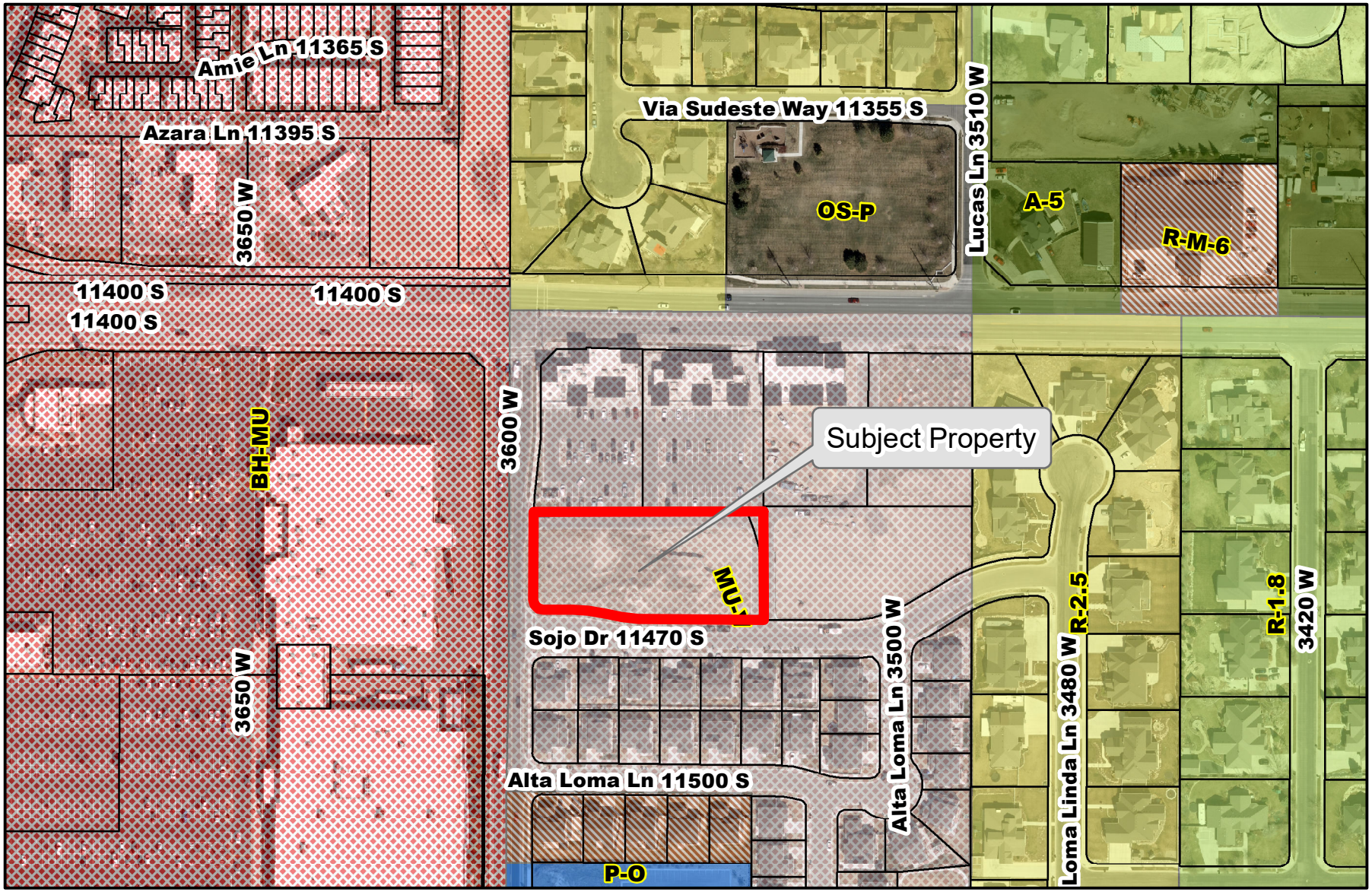
Aerial Map

City of South Jordan

0 65 130 260 390 520 Feet

Aerial Imagery
2021

ESRI



Legend

STREETS

PARCELS

Zoning Map

City of South Jordan

0 65 130 260 390 520 Feet

Aerial Imagery
2021

ESRI

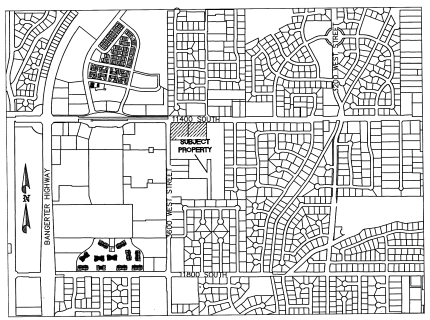
HIGHRIDGE COMMERCIAL SUBDIVISION

AMENDING LOTS 1-3 OF HIGHRIDGE ESTATES PHASE 2 SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH,
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN, SALT LAKE COUNTY, UTAH
TAX ID NUMBER: 27-20-401-029
SHEET 1 OF 2

GENERAL NOTES:

1. REFER TO THE RECORD OF SURVEY ON FILE WITH THE SALT LAKE COUNTY SURVEYORS OFFICE.
2. RIVETS WILL BE SET IN TBC AS EXTENSIONS OF LOT LINES FOR FRONT PROPERTY CORNERS. 5/8" REBAR W/ WILDING ENGINEER CAP WILL BE SET AT REAR PROPERTY CORNERS.
3. MANY AREAS IN SOUTH JORDAN CITY HAVE GROUND WATER PROBLEMS DUE TO HIGH FLUCTUATING WATER TABLE. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUNDWATER PROBLEMS, IF ANY.
4. POTENTIAL PURCHASERS OF PROPERTY LEGALLY DESCRIBED BY THIS PLAT ARE ADVISED TO FAMILIARIZE THEMSELVES WITH ALL NOTES, LOT INFORMATION, EASEMENTS AND OTHER PERTINENT INFORMATION CONTAINED WITH THIS PLAT AND ALSO WITH ANY CONDITIONS, COVENANTS AND RESTRICTIONS (CC&R) DOCUMENTS RECORDED AGAINST LAND LEGALLY DESCRIBED BY THIS PLAT. FAILURE TO ADHERE TO THESE NOTES, EASEMENTS CC&R'S OR OTHER DOCUMENTS RECORDED AGAINST THE LAND COULD RESULT IN FINANCIAL LOSSES TO OR CHANGES IN EXPECTED PROPERTY USE OF THE PROPERTY OWNER. PROPERTY OWNERS AND PURCHASERS ARE RESPONSIBLE TO REVIEW AND TO BE IN COMPLIANCE WITH ALL NOTES, EASEMENTS, CC&R'S, AND OTHER RECORDED DOCUMENTS RELATED TO THIS PLAT, AS CURRENTLY EXISTING OR AS MAY FROM TIME TO TIME BE CHANGED AND/OR AMENDED.
5. "SURVEYOR AND OR ENGINEER, CERTIFIES THAT ALL KNOWN OR RECORDED EASEMENTS, CLAIMS OF EASEMENTS OR ENCUMBRANCES LISTED IN THE TITLE REPORT DATED ~~JUNE~~ SEPT. 21ST 2017 PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, ARE SHOWN ON THIS PLAT AND FURTHER CERTIFIES THAT THE LEGAL DESCRIPTION OF THE PROPERTY REFERENCED IN THE TITLE REPORT MATCHES THE DESCRIPTION SHOWN ON THIS PLAT."
6. THE PLAT IS SUBJECT TO THOSE TERMS AND CONDITIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SOUTH JORDAN AND FREISS DEVELOPMENT GROUP, RECORDED MAY 15, 2014, AS ENTRY NO. 11871442 IN BOOK 10240, PAGE 8048–8115, OF SALT LAKE COUNTY RECORDERS OFFICE OFFICIAL RECORDS.
7. THE SIGNATURE OF SOUTH VALLEY SEWER DISTRICT ON THIS PLAT DOES NOT CONSTITUTE ANY GUARANTEE OF AVAILABILITY OF SANITARY SEWER SERVICE TO THE PROPERTY OR ANY APPROVAL OF SEWER LINES OR FACILITIES. THE OWNER(S) OF THE PROPERTY MUST PROVIDE SATISFACTORY PLANS TO THE SEWER DISTRICT FOR REVIEW AND APPROVAL BEFORE CONNECTING TO THE DISTRICT'S SEWER SYSTEM AND WILL BE REQUIRED TO COMPLY WITH THE DISTRICT'S RULES AND REGULATIONS.
8. SHALLOW SEWER DEPTHS/ CONTRACTOR SHALL VERIFY SEWER LATERAL DEPTH AND SET FOUNDATION ELEVATION TO PROVIDE ADEQUATE FALL INTO SEWER LATERAL. BUILDINGS WITH A BASEMENT MAY NOT HAVE SEWER SERVICE AVAILABLE FOR BASEMENT.
9. THE PLAT IS SUBJECT TO THOSE TERMS AND CONDITIONS OF THAT CERTAIN STORM WATER MAINTENANCE AGREEMENT BETWEEN THE CITY OF SOUTH JORDAN AND FREISS DEVELOPMENT GROUP, RECORDED MAY 24, 2017, AS ENTRY NO. 12541611, IN BOOK 10560, PAGES 5753–5761, OF THE SALT LAKE COUNTY RECORDERS OFFICE OFFICIAL RECORDS.



VICINITY MAP
SOUTH JORDAN CITY
SCALE: 1" = 1000'

LOT OWNERS ARE SUBJECT TO THE FOLLOWING:

DEVELOPMENT AGREEMENT BY AND BETWEEN FREISS DEVELOPMENT GROUP, LLC AND THE CITY OF SOUTH JORDAN
AND THE TERMS, CONDITIONS, RESTRICTIONS AND LIMITATIONS CONTAINED THEREIN:
RECORDED: JUNE 25, 2014
ENTRY NO: 11871442
BOOK : 10240
PAGE: 8048, OF THE OFFICIAL RECORDS

RESOLUTION/ORDINANCE NO. R2015-73, AND THE TERMS, CONDITIONS AND LIMITATIONS CONTAINED THEREIN:
PURPOSE: AMENDING THE HIGHRIDGE ESTATES PHASE II DEVELOPMENT AGREEMENT, FIRST AMENDMENT.
RECORDED: DECEMBER 10, 2015
ENTRY NO.: 12185687
BOOK: 10366
PAGE: 4345, OF THE OFFICIAL RECORDS

COVENANTS, CONDITIONS AND/OR RESTRICTION, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS CONTAINED WITHIN THOSE CERTAIN DECLARATIONS AND ANY AMENDMENTS THERETO, FILED OF RECORD FOR SAID SUBDIVISION, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING, BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.
RECORDED: SEPTEMBER 8, 2015
ENTRY NO: 12128915
BOOK: 10359
PAGE: 9401, OF THE OFFICIAL RECORDS

SURVEYOR'S CERTIFICATE:

I, SCOTT W. DERBY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 186126 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY THE AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND THAT I HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

HIGHRIDGE COMMERCIAL SUBDIVISION
AMENDING LOTS 1-3 OF HIGHRIDGE ESTATES PHASE 2 SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

July 18th 2017
DATE

SIGNATURE

SCOTT W. DERBY 7-13-17 — PROFESSIONAL LAND SURVEYOR — STATE OF UTAH

BOUNDARY DESCRIPTION:

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 11400 SOUTH STREET, SAID POINT BEING SOUTH 89°32'56" EAST, ALONG THE SECTION LINE, 68.13 FEET AND SOUTH 00°27'04" WEST 55.69 FEET FROM THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES: 1) SOUTH 89°17'33" EAST 41.62 FEET; 2) NORTH 00°28'36" EAST 2.80 FEET; 3) SOUTH 87°50'59" EAST 7.10 FEET; 4) 209.51 FEET ALONG THE ARC OF A 8049.00 FOOT TANGENT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 88°35'43" EAST 209.50 FEET); 5) SOUTH 89°20'29" EAST 334.88 FEET TO THE WEST LINE OF LOT 211 OF HIGHRIDGE ESTATES PHASE 2 SUBDIVISION, RECORDED AS ENTRY #12031113 IN BOOK 2015P AT PAGE 94; THENCE SOUTH 0°15'10" WEST, ALONG SAID SUBDIVISION LINE, 306.12 FEET TO THE NORTH LINE OF SOJO DRIVE; THENCE ALONG SAID NORTH LINE THE FOLLOWING NINE (9) COURSES: 1) 42.31 FEET ALONG THE ARC OF A 227.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 84°03'43" WEST 42.24 FEET) 2) SOUTH 58°44'07" WEST 59.47 FEET; 3) 94.90 FEET ALONG THE ARC OF A 172.50 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 74°29'42" WEST 93.71 FEET); 4) THENCE NORTH 89°44'40" WEST 286.01 FEET; 5) 34.06 FEET ALONG THE ARC OF A 187.81 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 84°32'55" WEST 34.02 FEET); 6) NORTH 79°23'07" WEST 38.82 FEET; 7) 38.15 FEET ALONG THE ARC OF A 211.00 FOOT TANGENT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 84°33'53" WEST 38.10 FEET); 8) NORTH 89°44'40" WEST 35.73 FEET; 9) 23.56 FEET ALONG THE ARC OF A 15.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 44°44'29" WEST 21.21 FEET) TO A POINT ON THE EAST RIGHT OF WAY LINE OF 3600 WEST STREET; THENCE ALONG SAID EAST LINE THE FOLLOWING FIVE (5) COURSES:1) NORTH 00°15'42" EAST 111.02 FEET; 2) 44.84 FEET ALONG THE ARC OF A 450.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 03°06'56" EAST 44.91 FEET); 3) NORTH 05°58'33" EAST 77.30 FEET; 4) NORTH 00°17'27" EAST 101.94 FEET; 5) NORTH 45°16'56" EAST 31.70 FEET TO THE POINT OF BEGINNING

CONTAINS 231,282 SF OR 5.31 ACRES MORE OR LESS. CONTAINS 6 LOTS.

BASIS OF BEARING:

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°32'56" EAST FROM THE FOUND MONUMENT MARKING THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN TO THE FOUND MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 20.

OWNER'S DEDICATION

KNOWN ALL BY THESE PRESENTS THAT WE/I THE UNDERSIGNED OWNER(S) OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSE THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS:

HIGHRIDGE COMMERCIAL SUBDIVISION
AMENDING LOTS 1-3 OF HIGHRIDGE ESTATES PHASE 2 SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES. IN WITNESS WHEREOF, WE HAVE HEREUNTO SET ASIDE OUR HANDS THIS 2nd DAY OF August A.D. 20 17.

Dran E Dockstader — Ann M Dockstader

David Y. Freiss

INDIVIDUAL ACKNOWLEDGMENT:

STATE OF UTAH
COUNTY OF Utah

ON THIS 2 DAY OF Aug 2017, PERSONALLY APPEARED BEFORE ME Dran Dockstader WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE IS THE SIGNER OF THE WITHIN OWNER'S DEDICATION AND THAT SAID DEDICATION WAS SIGNED BY HER FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN STATED.

NOTARY PUBLIC
MY COMMISSION EXPIRES: 4-17-18

GREGORY D. WILDING — Notary Public State of Utah — My Commission Expires on: April 17, 2018 — Comm. Number: 675559

INDIVIDUAL ACKNOWLEDGMENT:

STATE OF UTAH
COUNTY OF Utah

ON THIS 2 DAY OF Aug 2017, PERSONALLY APPEARED BEFORE ME Ann Dockstader, WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE IS THE SIGNER OF THE WITHIN OWNER'S DEDICATION AND THAT SAID DEDICATION WAS SIGNED BY HER FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN STATED.

NOTARY PUBLIC
MY COMMISSION EXPIRES: 4-17-18

GREGORY D. WILDING — Notary Public State of Utah — My Commission Expires on: April 17, 2018 — Comm. Number: 675559

CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT REP BRIDGE CAPITAL II, LLC AS CLAIMANT WITH RESPECT TO THE ABOVE TITLED SUBDIVISION, DO HEREBY CONSENT TO THE RECORDATION OF THIS SUBDIVISION PLAT BY THE OWNER(S) OF SAID SUBDIVISION AND DO HEREBY SUBORDINATE INTEREST IN AND TO THE LAND INCLUDED WITHIN EASEMENTS AND RIGHT OF WAYS TO THE PUBLIC USE FOREVER.

FOR: REP BRIDGE CAPITAL II, LLC

BY: _____ TITLE: MANAGER

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF Salt Lake

ON THIS 31 DAY OF July 2017, PERSONALLY APPEARED BEFORE ME, J. Blair Jenkins WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT THEY ARE THE manager OF Rep Bridge Capital LLC, AND THAT THE WITHIN CONSENT TO RECORD WAS SIGNED BY THEM IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: 08/01/20

JAYCIE BAIRD — NOTARY PUBLIC-STATE OF UTAH — My Comm. Exp 08/01/2020 — Commission # 690148

LLC ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF Utah

ON THIS 2 DAY OF Aug 2017, PERSONALLY APPEARED BEFORE ME DAVID Y. FREISS (ONE OF OWNERS), WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE IS THE MANAGER (ONE OF MGRS) OF FREISS DEVELOPMENT GROUP, LLC (NAME OF LLC) AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY HIM/HER IN BEHALF OF SAID LLC BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: 4-17-18

GREGORY D. WILDING — Notary Public State of Utah — My Commission Expires on: April 17, 2018 — Comm. Number: 675559

COMCAST		7-27-17 DATE
ROCKY MOUNTAIN POWER	Aubrey Rasmussen	7/27/17 DATE
CENTURY LINK		7/26/17 DATE
QUESTAR		7/27/17 DATE

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS 27 DAY OF JULY, 20 17

QUESTAR GAS COMPANY
BY: Jason Sanderson
TITLE: Pre-Construction Rep.

SOUTH VALLEY SEWER

APPROVED THIS 18 DAY OF Sept
A.D., 2017 BY SOUTH VALLEY SEWER

SOUTH VALLEY SEWER

BOARD OF HEALTH

APPROVED THIS 18 DAY OF Sept
A.D., 20 17

Rick Galbraith
REPRESENTATIVE

CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

9/26/17
SOUTH JORDAN CITY ENGINEER

CITY PLANNING

APPROVED AS TO FORM THIS 28TH DAY OF September A.D., 2017

SOUTH JORDAN CITY PLANNER

OFFICE OF THE CITY ATTORNEY

APPROVED AS TO FORM THIS 24TH DAY OF SEPTEMBER A.D., 20 17

ATTORNEY FOR SOUTH JORDAN CITY

SOUTH JORDAN CITY MAYOR

PRESENTED TO SOUTH JORDAN CITY MAYOR THIS 19 DAY OF Sept A.D., 2017 AT WHICH TIME THIS PLAT WAS ACCEPTED.

ATTEST: CITY CLERK — CITY MAYOR

City of South Jordan — Corporate Seal — State of Utah

WILDING ENGINEERING
14721 South Heritage Crest Way
Bluffdale, Utah 84065
801.553.8112
www.wildingengineering.com

27-20-401-029, 030, 031

27-20-402-008, 009, 020

HIGHRIDGE COMMERCIAL SUBDIVISION

AMENDING LOTS 1-3 OF HIGHRIDGE ESTATES PHASE 2 SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20,
TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN, SALT LAKE COUNTY, UTAH
SHEET 1 OF 2

SALT LAKE COUNTY RECORDER

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF David Freiss
DATE 9-29-2017 ENTRY 12666362 BOOK 2017P PAGE 286

$66.00
FEE

$66.00

SALT LAKE COUNTY RECORDER

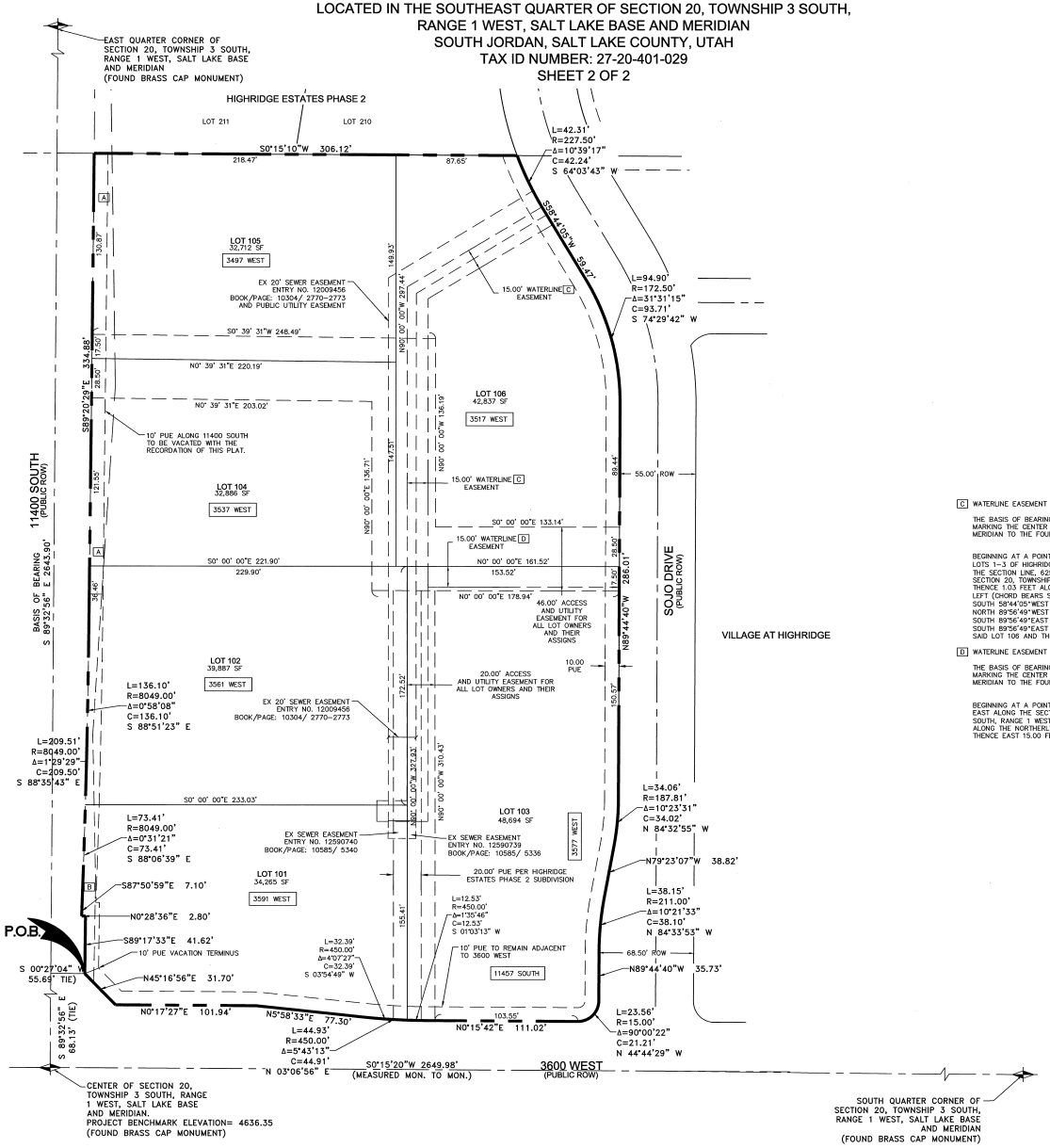
2017P-286

HIGHRIDGE COMMERCIAL SUBDIVISION

AMENDING LOTS 1-3 OF HIGHRIDGE ESTATES PHASE 2 SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH,
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN, SALT LAKE COUNTY, UTAH
TAX ID NUMBER: 27-20-401-029
SHEET 2 OF 2

SCALE 1" = 40'



LEGEND

- SECTION LINE
- Found Section Corner
- EXISTING ROW CENTERLINE
- Set 5/8 rebar & cap (Wilding Engineering)
- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINE
- POB POINT OF BEGINNING
- ROW RIGHT OF WAY
- XXXX WEST LOT ADDRESS
- PUBLIC UTILITY EASEMENT (PUE)

A UTAH DEPARTMENT OF TRANSPORTATION EASEMENT ENTRY NO. 10815294 BOOK/PAGE: 9770/ 1613-1617

B UTAH DEPARTMENT OF TRANSPORTATION EASEMENT ENTRY NO. 10815298 BOOK/PAGE: 9770/ 1633-1637

C WATERLINE EASEMENT DESCRIPTION:

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°32'56" EAST FROM THE FOUND MONUMENT MARKING THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN TO THE FOUND MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 20.

BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 106, HIGHRIDGE COMMERCIAL SUBDIVISION AMENDING LOTS 1-3 OF HIGHRIDGE ESTATES PHASE 2 SUBDIVISION, SAID POINT BEING SOUTH 89°32'56"EAST, ALONG THE SECTION LINE, 625.30 FEET AND SOUTH 00°27'04"WEST 382.34 FEET FROM THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE 1.03 FEET ALONG THE ARC OF A 227.50 FOOT RADIUS NON- TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 58°51'52"WEST 1.03 FEET); THENCE SOUTH 58°44'05"WEST 13.97 FEET; THENCE NORTH 30°40'28"WEST 104.96 FEET; THENCE NORTH 89°56'49"WEST 377.89 FEET; THENCE NORTH 00°03'11"EAST 36.78 FEET; THENCE SOUTH 89°56'49"EAST 15.00 FEET; THENCE SOUTH 00°03'11"WEST 21.78 FEET; THENCE SOUTH 89°56'49"EAST 371.43 FEET; THENCE SOUTH 30°40'28"EAST 113.35 FEET TO THE SOUTH LINE OF SAID LOT 106 AND THE POINT OF BEGINNING.

D WATERLINE EASEMENT DESCRIPTION:

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°32'56" EAST FROM THE FOUND MONUMENT MARKING THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN TO THE FOUND MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 20.

BEGINNING AT A POINT ON THE NORTH LINE OF SOJO DRIVE, SAID POINT ALSO BEING SOUTH 89°32'56" EAST ALONG THE SECTION LINE AND SOUTH 440.32 FEET FROM THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°44'40" WEST ALONG THE NORTHERLY LINE OF SOJO DRIVE A DISTANCE OF 15.00 FEET; THENCE NORTH 138.53 FEET; THENCE EAST 15.00 FEET; THENCE SOUTH 138.59 FEET TO THE POINT OF BEGINNING.

WILDING ENGINEERING
14721 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84065
801.553.8112
WWW.WILDINGENGINEERING.COM

SALT LAKE COUNTY RECORDER

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF David Friess
DATE 7-24-2017 ENTRY 12676362 BOOK 2017 PAGE 266
$36.00 FEE
SALT LAKE COUNTY RECORDER

HIGHRIDGE COMMERCIAL SUBDIVISION AMENDED

AMENDING LOT 103 OF HIGHRIDGE COMMERCIAL SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH,
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN, SALT LAKE COUNTY, UTAH
TAX ID NUMBER: 27-20-402-026
SHEET 1 OF 2

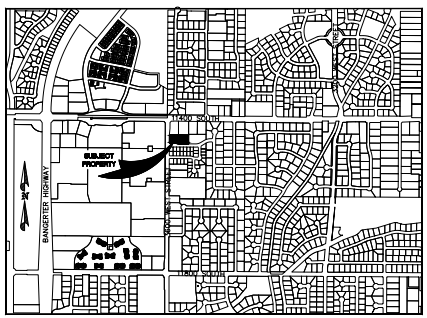
GENERAL NOTES:

1. REFER TO THE RECORD OF SURVEY ON FILE WITH THE SALT LAKE COUNTY SURVEYORS OFFICE.
2. RIVETS WILL BE SET IN TBC AS EXTENSIONS OF LOT LINES FOR FRONT PROPERTY CORNERS. 5/8" REBAR W/ WILDING ENGINEER CAP WILL BE SET AT REAR PROPERTY CORNERS.
3. MANY AREAS IN THE CITY OF SOUTH JORDAN HAVE GROUNDWATER PROBLEMS DUE TO A HIGH OR FLUCTUATING WATER TABLE. CITY APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUNDWATER PROBLEMS, IF ANY.
4. OWNERS AND POTENTIAL PURCHASERS OF PROPERTY LEGALLY DESCRIBED BY THIS PLAT (THE PROPERTY) SHOULD FAMILIARIZE THEMSELVES WITH ALL NOTES, LOT INFORMATION, EASEMENTS, AND OTHER PERTINENT INFORMATION CONTAINED WITH THIS PLAT AND ALSO WITH ANY CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&Rs) DOCUMENTS THAT MAY BE RECORDED AGAINST THE PROPERTY. OWNERS AND POTENTIAL PURCHASERS OF PROPERTY MUST COMPLY WITH ALL NOTES, EASEMENTS, CC&Rs, AND OTHER RECORDED DOCUMENTS RELATED TO THIS PLAT, AS CURRENTLY EXISTING OR AS MAY FROM TIME TO TIME BE CHANGED AND/OR AMENDED. FAILURE TO ADHERE TO THE NOTES, LOT INFORMATION, EASEMENTS, CC&Rs, OR OTHER DOCUMENTS RECORDED AGAINST THE PROPERTY COULD RESULT IN FINANCIAL LOSS OR CHANGES IN EXPECTED PROPERTY USE.
5. THE OWNER CERTIFIES THAT THE TITLE REPORT DATED _____, WHICH WAS PREPARED BY _____, WAS PROVIDED TO OWNER'S SURVEYOR AND THAT THE PLAT SHOWS ALL EASEMENTS AND ENCUMBRANCES LISTED IN SAID TITLE REPORT.
6. THE PLAT IS SUBJECT TO THOSE TERMS AND CONDITIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SOUTH JORDAN AND FREISS DEVELOPMENT GROUP, RECORDED MAY 15, 2014, AS ENTRY NO. 11871442 IN BOOK 10240, PAGE 8048–8115, OF SALT LAKE COUNTY RECORDERS OFFICE OFFICIAL RECORDS. ALSO, THIS PLAT IS SUBJECT TO THAT CERTAIN DEVELOPMENT AGREEMENT DATED DECEMBER 1, 2015, BY AND BETWEEN THE CITY OF SOUTH JORDAN AND FREISS DEVELOPMENT GROUP LLC, INCLUDING ALL THE PROVISIONS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, ASSESSMENTS, LIENS OR RIGHTS, IF ANY CREATED THEREIN AND RECORDED DECEMBER 10, 2015, AS ENTRY NO. 12185687, IN BOOK 10386, AT PAGE 4345–4421 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTRY.
7. THE SIGNATURE OF SOUTH VALLEY SEWER DISTRICT ON THIS PLAT DOES NOT CONSTITUTE ANY GUARANTEE OF AVAILABILITY OF SANITARY SEWER SERVICE TO THE PROPERTY OR ANY APPROVAL OF SEWER LINES OR FACILITIES. THE OWNER(S) OF THE PROPERTY MUST PROVIDE SATISFACTORY PLANS TO THE SEWER DISTRICT FOR REVIEW AND APPROVAL BEFORE CONNECTING TO THE DISTRICT'S SEWER SYSTEM AND WILL BE REQUIRED TO COMPLY WITH THE DISTRICT'S RULES AND REGULATIONS.
8. SHALLOW SEWER DEPTHS: CONTRACTOR SHALL VERIFY SEWER LATERAL DEPTH AND SET FOUNDATION ELEVATION TO PROVIDE ADEQUATE FALL INTO SEWER LATERAL. BUILDINGS WITH A BASEMENT MAY NOT HAVE SEWER SERVICE AVAILABLE FOR BASEMENT.
9. THE PLAT IS SUBJECT TO THOSE TERMS AND CONDITIONS OF THAT CERTAIN STORM WATER MAINTENANCE AGREEMENT BETWEEN THE CITY OF SOUTH JORDAN AND FREISS DEVELOPMENT GROUP, RECORDED MAY 24, 2017, AS ENTRY NO. 12541611, IN BOOK 10560, PAGES 5753–5761, OF THE SALT LAKE COUNTY RECORDERS OFFICE OFFICIAL RECORDS.
10. APPROVAL OF THIS PLAT BY SOUTH JORDAN CITY DOES NOT MEAN THAT INDIVIDUAL LOT DRAINAGE TO A ROAD OR RETENTION FACILITY IS ASSURED. DEVELOPMENT AND GRADING MAY NECESSITATE SWALES AND OTHER DRAINAGE FACILITIES TO PROTECT INDIVIDUAL PROPERTIES. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT SWALES AND OTHER DRAINAGE FACILITIES ARE APPROPRIATE AND MAINTAINED NOR THAT DRAINAGE FROM ADJACENT PROPERTIES IS PREVENTED.
11. THIS PLAT IS SUBJECT TO THAT CERTAIN DEVELOPMENT AGREEMENT DATED DECEMBER 1, 2015, BY AND BETWEEN THE CITY OF SOUTH JORDAN AND FREISS DEVELOPMENT GROUP LLC, INCLUDING ALL THE PROVISIONS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, ASSESSMENTS, LIENS OR RIGHTS, IF ANY CREATED THEREIN AND RECORDED DECEMBER 10, 2015, AS ENTRY NO. 12185687, IN BOOK 10386, AT PAGE 4345–4421 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTRY.
12. DEVELOPMENT AGREEMENT BY AND BETWEEN FREISS DEVELOPMENT GROUP, LLC AND THE CITY OF SOUTH JORDAN AND THE TERMS, CONDITIONS, RESTRICTIONS AND LIMITATIONS CONTAINED THEREIN:
RECORDED: JUNE 25, 2014
ENTRY NO: 11871442
BOOK : 10240
PAGE: 8048, OF THE OFFICIAL RECORDS

LOT OWNERS ARE SUBJECT TO THE FOLLOWING:

RESOLUTION/ORDINANCE NO. R2015-73, AND THE TERMS, CONDITIONS AND LIMITATIONS CONTAINED THEREIN:
PURPOSE: AMENDING THE HIGHRIDGE ESTATES PHASE II DEVELOPMENT AGREEMENT, FIRST AMENDMENT.
RECORDED: DECEMBER 10, 2015
ENTRY NO.: 12185687
BOOK: 10386
PAGE: 4345, OF THE OFFICIAL RECORDS

COVENANTS, CONDITIONS AND/OR RESTRICTION, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS CONTAINED WITHIN THOSE CERTAIN DECLARATIONS AND ANY AMENDMENTS THERETO, FILED OF RECORD FOR SAID SUBDIVISION, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING, BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.
RECORDED: SEPTEMBER 8, 2015
ENTRY NO: 12128615
BOOK: 10359
PAGE: 9401, OF THE OFFICIAL RECORDS



VICINITY MAP
SOUTH JORDAN CITY
SCALE: 1" = 1000'

QUESTAR GAS COMPANY DBA DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT FOR THE PURPOSES OF APPROXIMATING THE LOCATION, BOUNDARIES, COURSE AND DIMENSIONS OF THE RIGHTS-OF-WAY AND EASEMENT GRANTS AND EXISTING UNDERGROUND FACILITIES. NOTHING HEREIN SHALL BE CONSTRUED TO WARRANT OR VERIFY THE PRECISE LOCATION OF SUCH ITEMS. THE RIGHTS-OF-WAY AND EASEMENTS ARE SUBJECT TO NUMEROUS RESTRICTIONS APPEARING ON THE RECORDED RIGHT-OF-WAY AND EASEMENT GRANT(S). DOMINION ENERGY UTAH ALSO APPROVES THIS PLAT FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS; HOWEVER, DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 801-366-8532.

QUESTAR GAS COMPANY
DBA DOMINION ENERGY UTAH

APPROVED THIS _____ DAY OF _____, 20____.

BY: _____

TITLE: _____

DEVELOPER INFORMATION:

FREISS DEVELOPMENT GROUP
11584 SOUTH LOMA LINDA LANE, SJC, 84095
801-598-8709

OWNER INFORMATION:

DREW DOCKSTADER AND ANN DOCKSTADER
14297 SOUTH ROSALEEN LANE
HERRIMAN, UT 84096

SURVEYOR'S CERTIFICATE:

I, SCOTT W. DERBY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 186126 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY THE AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND THAT I HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, HEREAFTER TO BE KNOWN AS:

HIGHRIDGE COMMERCIAL SUBDIVISION AMENDED
AMENDING LOT 103 OF HIGHRIDGE COMMERCIAL SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

PROFESSIONAL LAND SURVEYOR
No. 186126
SCOTT W. DERBY
STATE OF UTAH

_____ _____
DATE SIGNATURE

BOUNDARY DESCRIPTION:

LOT 103, HIGHRIDGE COMMERCIAL SUBDIVISION (AMENDING LOTS 1–3 OF HIGHRIDGE ESTATES PHASE 2 SUBDIVISION), ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, STATE OF UTAH AS ENTRY NO. 12626362, BOOK: 2017P, PAGE:286.
WARRANTY DEED: ENTRY NO. 13785765, BOOK: 11246, PAGE: 5697–5698.

TOGETHER WITH EASEMENT(S) FOR REASONABLE ACCESS, INGRESS AND EGRESS OVER AND ACROSS THE EASEMENT AREA, AS REFERENCED IN THAT CERTAIN ROADWAY CONSTRUCTION, EASEMENT AGREEMENT AND USE RESTRICTION, RECORDED OCTOBER 13, 2017, AS ENTRY NO. 12636601. IN BOOK 10608 AT PAGE 9229, OF THE OFFICIAL RECORDS.

CONTAINS 2 LOTS:

LOT 1: 24,049 SF, 0.552 ACRES
LOT 2: 24,645 SF, 0.566 ACRES

BASIS OF BEARING:

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°32'56" EAST FROM THE FOUND MONUMENT MARKING THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN TO THE FOUND MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 20.

OWNER'S DEDICATION

KNOWN ALL BY THESE PRESENTS THAT WE,/ THE UNDERSIGNED OWNER(S) OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSE THE SAME TO BE SUBDIVIDED INTO LOTS TO HEREAFTER BE KNOWN AS:

HIGHRIDGE COMMERCIAL SUBDIVISION AMENDED
AMENDING LOT 103 OF HIGHRIDGE COMMERCIAL SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES. IN WITNESS WHEREOF, WE HAVE HEREUNTO SET ASIDE OUR HANDS THIS_____DAY OF _____ A.D 20___.

_____ _____

INDIVIDUAL ACKNOWLEDGMENT:

STATE OF UTAH
COUNTY OF _____

ON THIS ____DAY OF_____, 20__, PERSONALLY APPEARED BEFORE ME _____, WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE IS THE SIGNER OF THE WITHIN OWNER'S DEDICATION AND THAT SAID DEDICATION WAS SIGNED BY HER FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN STATED.

_____
NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

COMCAST

APPROVED THIS ____DAY OF _____
A.D., 20____BY COMCAST

_____
REPRESENTATIVE

CENTURY LINK/LUMEN

APPROVED THIS ____DAY OF _____
A.D., 20____BY CENTURY LINK COMMUNICATIONS/LUMEN

_____
REPRESENTATIVE

ROCKY MOUNTAIN POWER

APPROVED THIS ____DAY OF _____
A.D., 20____BY ROCKY MOUNTAIN POWER

_____
REPRESENTATIVE

SOUTH VALLEY SEWER

APPROVED THIS____DAY OF_____
A.D., 20____BY SOUTH VALLEY SEWER

_____
SOUTH VALLEY SEWER

BOARD OF HEALTH

APPROVED THIS____DAY OF_____
A.D., 20____

_____
REPRESENTATIVE

CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

_____
SOUTH JORDAN CITY ENGINEER

CITY PLANNER

APPROVED THIS_____DAY OF_____ A.D., 20___

_____
CITY PLANNER

OFFICE OF THE CITY ATTORNEY

APPROVED AS TO FORM THIS_____DAY OF_____
A.D., 20_____

_____
ATTORNEY FOR SOUTH JORDAN CITY

SOUTH JORDAN CITY MAYOR

APPROVED AS TO FORM THIS_____DAY OF
_____ A.D., 20___

_____ _____
ATTEST: CITY CLERK CITY MAYOR

SALT LAKE COUNTY RECORDER

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

_____ _____
FEE SALT LAKE COUNTY RECORDER

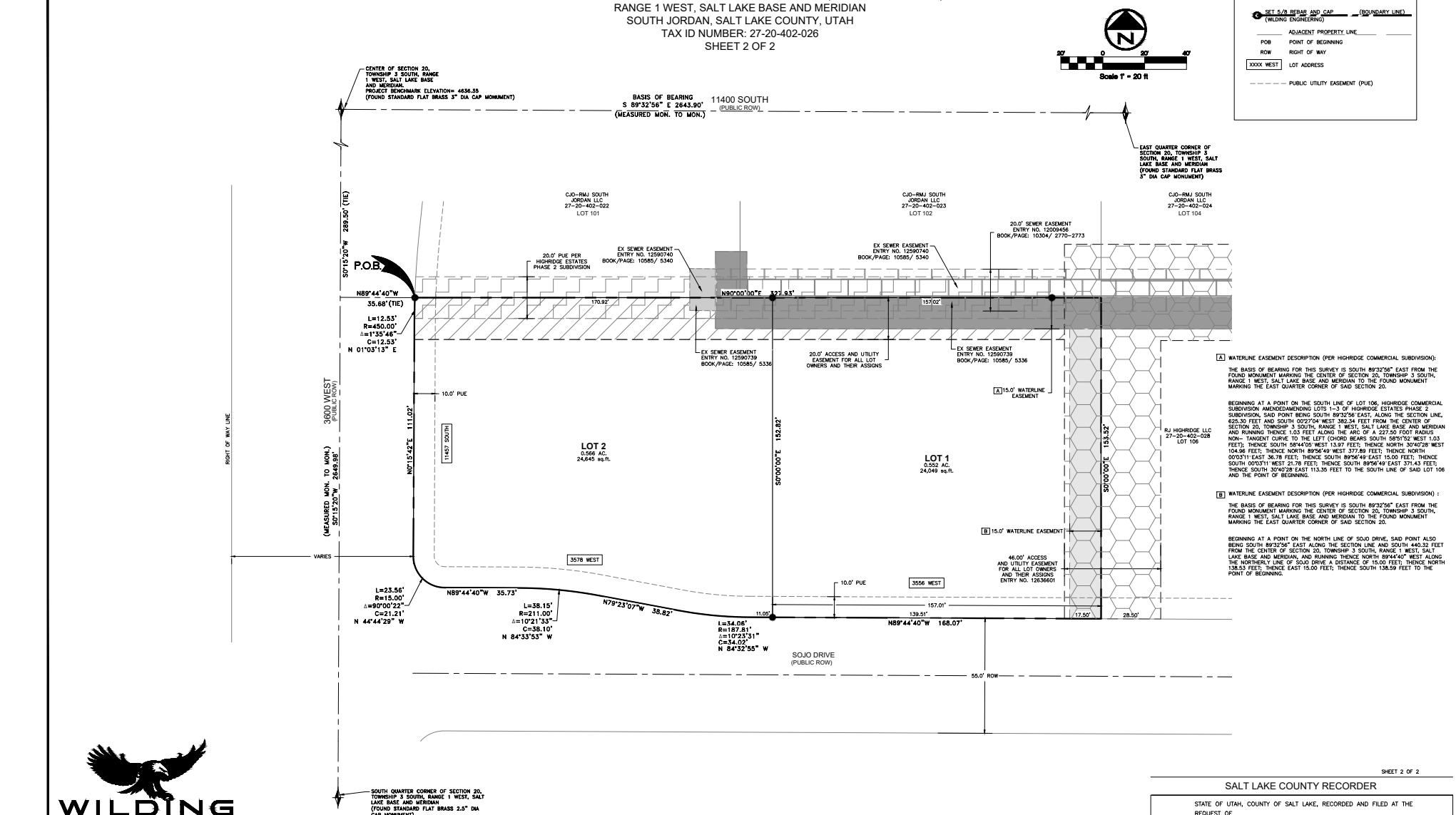
HIGHRIDGE COMMERCIAL SUBDIVISION AMENDED
AMENDING LOT 103 OF HIGHRIDGE COMMERCIAL SUBDIVISION
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20,
TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN, SALT LAKE COUNTY, UTAH
SHEET 1 OF 2

WILDING ENGINEERING
14721 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84065
801.635.9712
WWW.WILDINGENGINEERING.COM

HIGHRIDGE COMMERCIAL SUBDIVISION AMENDED

AMENDING LOT 103 OF HIGHRIDGE COMMERCIAL SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 3 SOUTH,
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN, SALT LAKE COUNTY, UTAH
TAX ID NUMBER: 27-20-402-026
SHEET 2 OF 2



A WATERLINE EASEMENT DESCRIPTION (PER HIGHRIDGE COMMERCIAL SUBDIVISION):

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°32'56" EAST FROM THE FOUND MONUMENT MARKING THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN TO THE FOUND MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 20.

BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 106, HIGHRIDGE COMMERCIAL SUBDIVISION AMENDEDAMENDING LOTS 1-3 OF HIGHRIDGE ESTATES PHASE 2 SUBDIVISION, SAID POINT BEING SOUTH 89°32'56" EAST, ALONG THE SECTION LINE, 625.30 FEET AND SOUTH 00°27'04" WEST 362.34 FEET FROM THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE 1.03 FEET ALONG THE ARC OF A 227.50 FOOT RADIUS NON- TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 58°51'52" WEST 1.03 FEET); THENCE SOUTH 58°44'05" WEST 13.97 FEET; THENCE NORTH 30°40'28" WEST 104.96 FEET; THENCE NORTH 89°56'49" WEST 377.89 FEET; THENCE NORTH 00°03'11" EAST 36.78 FEET; THENCE SOUTH 89°56'49" EAST 15.00 FEET; THENCE SOUTH 00°03'11" WEST 21.78 FEET; THENCE SOUTH 89°56'49" EAST 371.43 FEET; THENCE SOUTH 30°40'28" EAST 113.35 FEET TO THE SOUTH LINE OF SAID LOT 106 AND THE POINT OF BEGINNING.

B WATERLINE EASEMENT DESCRIPTION (PER HIGHRIDGE COMMERCIAL SUBDIVISION) :

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°32'56" EAST FROM THE FOUND MONUMENT MARKING THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN TO THE FOUND MONUMENT MARKING THE EAST QUARTER CORNER OF SAID SECTION 20.

BEGINNING AT A POINT ON THE NORTH LINE OF SOJO DRIVE, SAID POINT ALSO BEING SOUTH 89°32'56" EAST ALONG THE SECTION LINE AND SOUTH 440.32 FEET FROM THE CENTER OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°44'40" WEST ALONG THE NORTHERLY LINE OF SOJO DRIVE A DISTANCE OF 15.00 FEET; THENCE NORTH 138.53 FEET; THENCE EAST 15.00 FEET; THENCE SOUTH 138.59 FEET TO THE POINT OF BEGINNING.

WILDING ENGINEERING
14721 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84065
801.255.0113
WWW.WILDINGENGINEERING.COM

G:\DATA\21142 Highridge Commercial Lot 103 Amendment\dwg\21142 Plat Amending Lot 103.dwg
PLOT DATE: Nov 23, 2021

SHEET 2 OF 2

SALT LAKE COUNTY RECORDER

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

FEE _____ SALT LAKE COUNTY RECORDER

SOUTH JORDAN CITY
PLANNING COMMISSION REPORT

Meeting Date: 12/14/2021

Issue: **ULTRADENT BUILDING 4**
SITE PLAN AND CONDITIONAL USE PERMIT
Address: 10193 S. Jordan Gateway / 362 W. Ultradent Dr.
File No: **PLSPR202100252**
PLCUP202100254
Applicant: Matt Williams, PGAW Architects

Submitted by: Damir Drozdek, Planner III
Shane Greenwood, Supervising Senior Engineer

Staff Recommendation (Motion Ready): I move that the Planning Commission **approve** application:

- PLSPR202100252 to allow for construction of a new commercial building; and
- PLCUP202100254 to allow for manufacturing and fabrication of dental products within the new building;

With the following stipulation:

- That the Ultradent Dr. (10200 South) right-of-way vacation is approved by the City Council.

ACREAGE:	Approximately 7.5 acres
CURRENT ZONE:	I-F (Industrial - Freeway) Zone
CURRENT USE:	Undeveloped and raw land
FUTURE LAND USE PLAN:	MU - TOD (Mixed Use - Transit Oriented Development)
NEIGHBORING ZONES/USES:	North – I-F / Ultradent Building 2 South – C-F / Ultradent Dr. West – I-F / Jordan Gateway East – I-F / Undeveloped land strip owned by UTA

STANDARD OF REVIEW:

All proposed commercial, office, industrial, multi-family dwelling or institutional developments and alterations to existing developments shall meet the site plan review requirements outlined in chapter 16.24 and the requirements of the individual zone in which a development is proposed. All provisions of titles 16 & 17 of the City Code, and other city requirements, shall be met in preparing site plan applications and in designing and constructing the development. The Planning Commission shall receive public comment regarding the site plan and shall approve, approve with conditions or deny the site plan.

CONDITIONAL USE REVIEW:

A use is conditional because it may have unique characteristics that detrimentally affect the zone and therefore are not compatible with other uses in the zone, but could be compatible if certain conditions are required that mitigate the detrimental effect.

To impose a condition on a use, the detrimental effect must be identified and be based on upon substantial evidence, not simply a suspicion or unfounded concern. Any condition must be the least restrictive method to mitigate the detrimental effect.

The Planning Commission shall approve a conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards. *See* City Code § 17.84.060:A

The Planning Commission may deny a conditional use permit application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards. *See* City Code § 17.84.060:B Further, City Code § 17.84.090 provides:

I. COMPLIANCE AND REVOCATION:

1. A conditional use may be commenced and operated only upon:

   a. compliance with all conditions of an applicable conditional use permit;

   b. observance of all requirements of this title relating to maintenance of improvements and conduct of the use or business as approved; and

   c. compliance with all applicable local, state, and federal laws.

2. A conditional use permit may be revoked by the City Council at any time due to the permitee's failure to commence or operate the conditional use in accordance with the requirements of subsection A of this section.

BACKGROUND:

The proposed development is located at the northeast corner of Jordan Gateway and Ultradent Dr. (10200 South). The property is currently undeveloped. It is approximately 7.5 acres. The property is abutting public streets at the west and the south end, UTA and Union Pacific tracks at the east end and another Ultradent building at the north end.

Ultradent Dr. is the street abutting the project from the south. A section of the street, east of Jordan Gateway at the west end and roughly up to the tracks at the east end, is proposed to be

vacated and turned into a private drive and parking. This parking row is essential in meeting the City Code parking requirements for the project. The vacation request will be heard before the City Council in January of next year. If the vacation request is denied, the project will have to come back to Planning Commission for another review and approval.

The proposed manufacturing building will have vehicular and pedestrian access to the building from both the Jordan Gateway and the Ultradent Dr. side. All building entrances will have pedestrian connections out to public sidewalk on Jordan Gateway. An existing vehicular access to Jordan Gateway located at the northwest corner of the property is proposed to be widened to accommodate an increase in traffic from both the personal vehicles and especially from the commercial trucks and vehicles. Customer and employee parking is located to the west, south and to the east of the building. Truck docking (loading and delivery area) is located at the north side of the building.

Some public improvements will be made but they will not be significant, mostly because Jordan Gateway street frontage is already improved while the portion of the Ultradent Dr. abutting the project is proposed to be vacated. Public improvements will include but not be limited to a decorative street light on Jordan Gateway, fire hydrants, water meters, etc. Storm water will be detained on site in the landscape areas and then slowly released into the Dry Creek. No fencing is proposed or required to be constructed with the project.

The proposed building will top off at 34' in height to the parapet wall and another several feet to the top of the mechanical penthouse located on the rooftop. The building will use tilt up concrete method of constructions where panels are lifted or tilted by a crane to create building walls. The building exterior will also contain some metal and glass elements. Loading areas will be screened from view by screen walls matching the building exterior or the landscaping. Loading areas will only be screened from the west view (from the Jordan Gateway side).

Majority of the landscaping will consist of rock mulch and various shrubs, decorative grasses and trees. No sod will be installed except for the small area to the west of the building, located between Jordan Gateway and a building entrance at the west end. Parkstrip along Jordan Gateway will be improved with landscaping consisting of trees, shrubs, decorative grasses and the rock mulch. It will resemble in its design an existing parkstrip landscape to the north. The entire landscape plan is designed to be water efficient.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Manufacturing and fabrication uses are listed as "conditional uses" as per City Code §17.54.130.C.
- Manufacturing and fabrication uses require the following Impact Control Measures:
  - Operations.,
  - Sound, and
  - Rehabilitation and Containment

  Those elements are addressed in the owner's letter that is attached to the report. No significant impact are anticipated.

- The Architectural Review Committee reviewed the proposed building on November 10, 2021 and unanimously recommended some changes to the building design. Subsequently those changes were incorporated into the building design and the project was recommended for approval by a vote of 3-0 (two committee members were absent from voting).
- The project meets the Planning and Zoning (Title 17) and the Subdivision and Development (Title 16) Code requirements.

Conclusion:
- The proposed project will meet the requirements of the Subdivision and Development (Title 16) and the Planning and Zoning (Title 17) Codes. The proposed use does not appear to violate any health, safety or welfare standards. In addition, staff was not able to identify any detrimental effects to the adjacent properties. Therefore the planning staff recommends approval of the application.

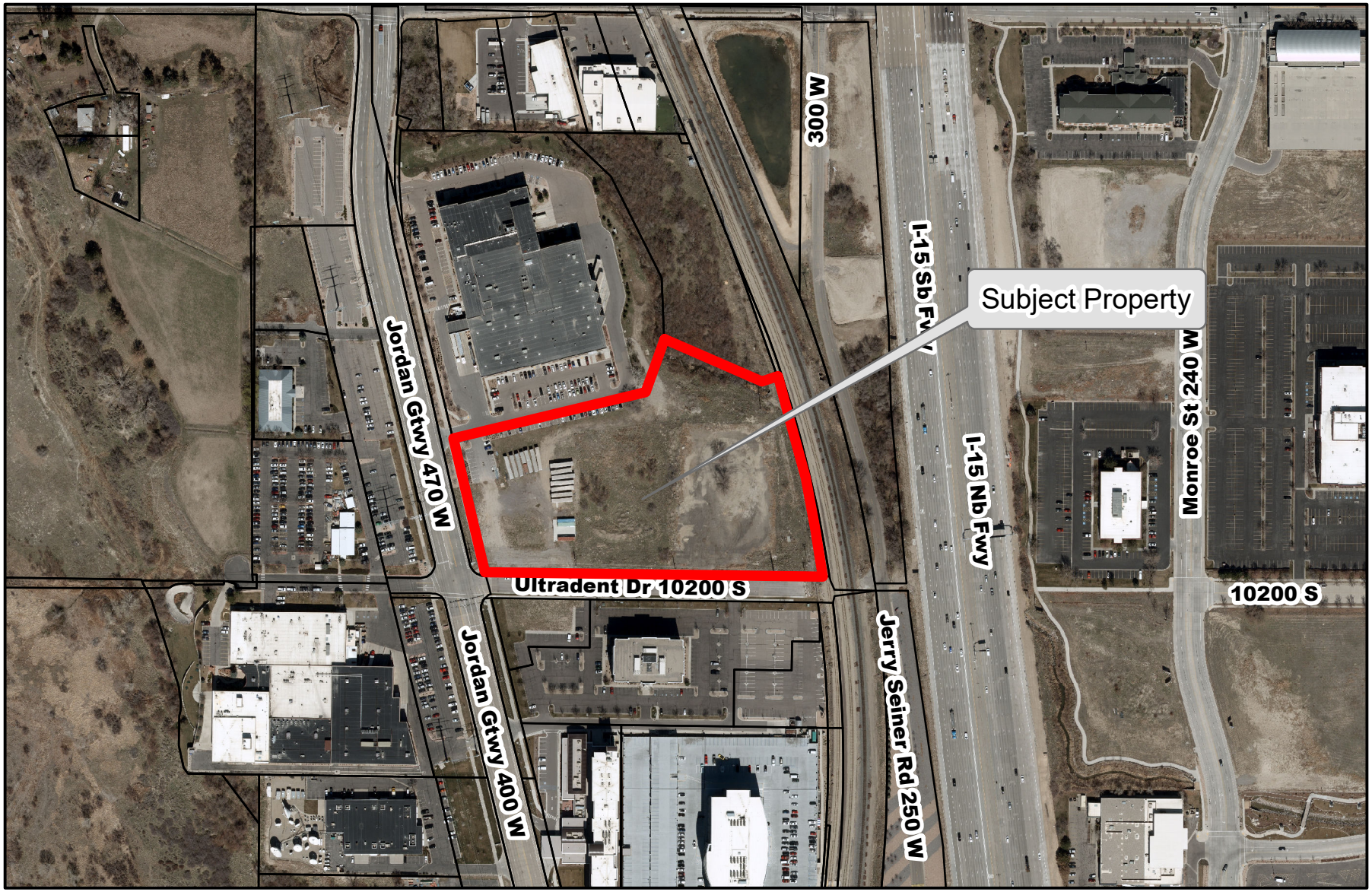
Recommendation:
- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** the Application, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:
- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:
- Aerial Map
- Zoning Map
- Subdivision Plat
- Site Plan
- Site Grading and Drainage Plan
- Landscape Plans
- Building Renderings
- Street Sight Study
- ARC Minutes
- Impact Control Measures Owner's Response



Damir Drozdek, AICP
Planner III
Planning Department



Legend

STREETS

PARCELS

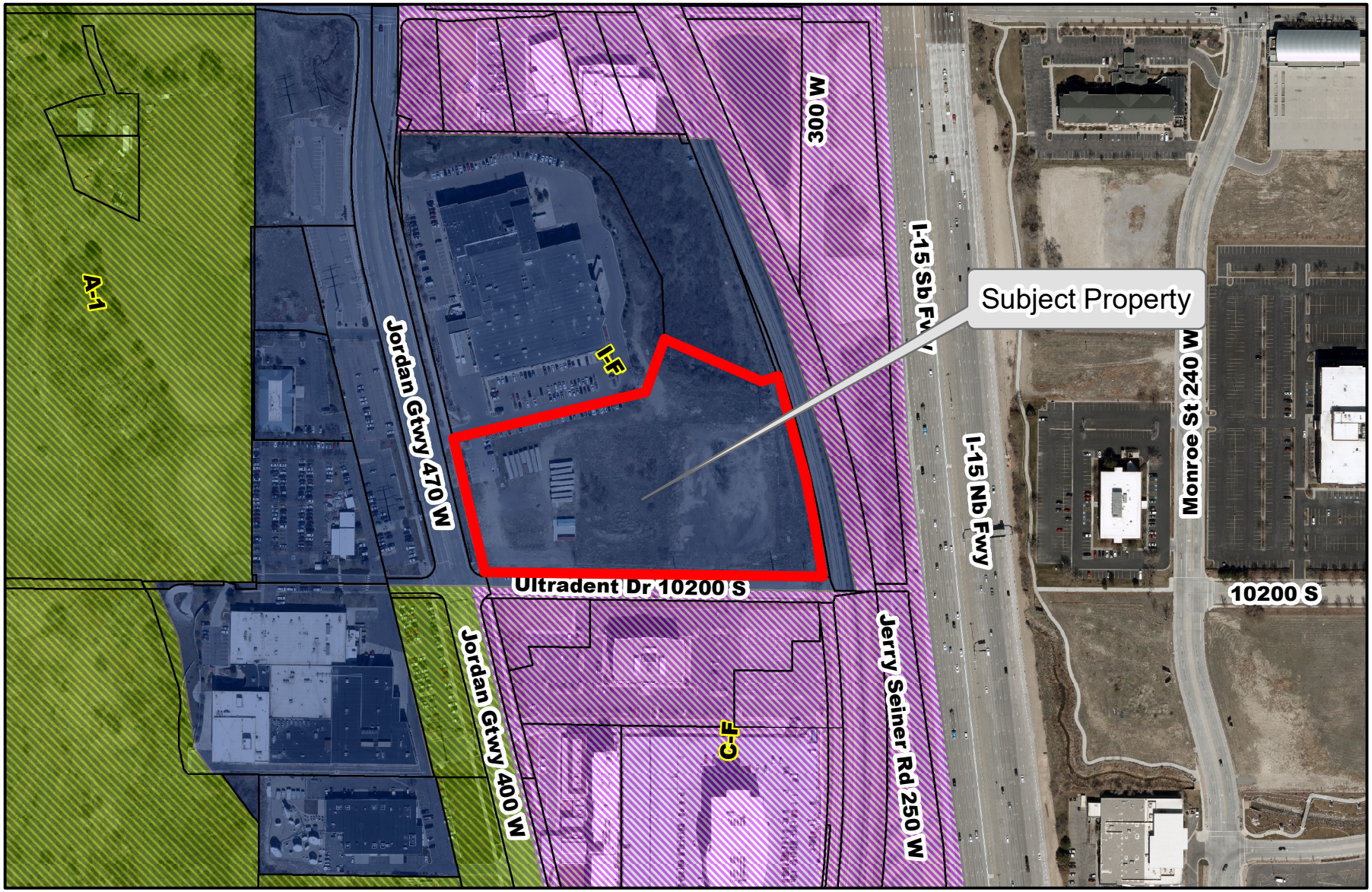
Aerial Map

City of South Jordan

0 105 210 420 630 840 Feet

Aerial Imagery
2021

ESRI



Legend

STREETS

PARCELS

Zoning Map

City of South Jordan

0 105 210 420 630 840 Feet

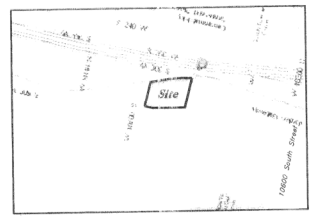
Aerial Imagery
2021

ESRI

Ultradent

A Commercial Subdivision

A part of the Southwest Quarter of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, South Jordan City, Salt Lake County, Utah



Vicinity Map
Not to Scale

Scale : 1" = 80'

Narrative

This Survey and Subdivision plat were requested by Ultradent for purpose of platting three (3) lots.

A line between monuments found for the North Quarter Corner and the monument called as the Center of Section 13 was assigned the Salt Lake County Area Reference Plat bearing of S 0°54'50" W as the Basis of Bearings to retrace and honor the previous November 2000 Bingham Engineering survey.

Surveyor and or Engineer, certifies that all known or recorded easements, claims of easements or encumbrances listed in the title report dated: APRIL 3, 2009 prepared by Stewart Title Guaranty Company, issued by Mountain View Title & Escrow Company are shown on this plat.

Owner further certifies that the legal description of the property referenced in the title report matches the description shown on this plat.

Notes

Many areas in South Jordan City have ground water problems due to high or fluctuating water table. Approval of this plat does not constitute representation by the City that building at any specified elevation will solve groundwater problems, if any.

Potential purchasers of property legally described by this plat are advised to familiarize themselves with all notes, lot information, easements and other pertinent information contained with this plat and also with any Conditions, Covenants and Restrictions (CC&R) documents recorded against land legally described by this plat. Failure to adhere to these notes, easements CC&R's or other documents recorded against the land could result in financial losses to or changes in expected property use of the property owner. Property owners and purchasers are responsible to review and to be in compliance with all notes, easements, CC&R's, and other recorded documents related to this plat, as currently existing or as may from time to time be changed and/or amended.

Easements

- Easement of undisclosed width to Knight Power Company recorded September 1, 1911 as Entry No. 284462 in Book 71 at Page 365 of Official Records, assigned to Utah Power Company recorded October 9, 1912 as Entry No. 301265 in Book 9-L at Page 106 of Official Records blankets the Southeast Quarter of the Southwest Quarter of this section.
- Easement of undisclosed width to Utah Power and Light Company recorded October 8, 1947 as Entry No. 1097489 in Book 565 at Page 272 of Official Records plots Northerly and Westerly off of this property.
- Right-of-way easement recorded July 21, 1983 as Entry No. 3821514 in Book 5476 at Page 2379 of Official Records plots within 10200 South Street Right-of-way.
- 10.0 ft wide easement to Pacificorp recorded August 8, 2000 as Entry No. 7693858 in Book 8379 at Page 7592 of Official Records plots Northerly off this property.

A – 20.0 ft. wide storm drain easement to South Jordan City recorded January 19, 1988 as Entry No. 4575425 in Book 5997 at Page 950 of Official Records.

B – Guy wire easement to Pacificorp recorded April 29, 1992 as Entry No. 5245620 in Book 6449 at Page 431 of Official Records.

C – 10.0 ft. wide easement to Pacificorp recorded April 29, 1992 as Entry No. 5245621 in Book 6449 at Page 433 of Official Records.

D – 10.0 ft. wide and 50.0 ft. wide easements to Pacificorp recorded May 2, 1995 as Entry No. 6071657 in Book 7143 at Page 998 of Official Records.

E – 50.0 ft. wide temporary easement to South Jordan City recorded December 16, 1983 as Entry No. 3882013 in Book 5515 at Page 1260 of Official Records.

F – Drainage easement to South Jordan City recorded August 8, 2000 as Entry No. 7693861 in Book 8379 at Page 7601 of Official Records.

G – Temporary easement for the construction of the Jordan Gateway recorded August 8, 2000 as Entry No. 7693862 in Book 8379 at Page 7603 of Official Records.

H – 20.0 ft. wide easement to South Valley Sewer District recorded April 10, 2008 as Entry No. 10396861 in Book 9593 at Page 575 of Official Records.

I – 30.0 ft. wide waterline easement to South Jordan City recorded December 16, 1983 as Entry No. 3882014 in Book 5515 at Page 1261 of Official Records.

J – Access Easement Agreement recorded December 17, 2008 as Entry No. 10580901 in Book 9665 at Page 9119 of Official Records.

K – Utility Easement recorded December 17, 2008 as Entry No. 10580902 in Book 9665 at Page 9132 of Official Records.

L – Sidewalk and landscaping easements recorded December 17, 2008 as Entry No. 10580903 in Book 9665 at Page 9141 of Official Records.

M – 20.0 ft. wide Sewer Easement recorded March 31, 2009 as Entry No. 10662172 in Book 9704 at Page 6698 of Official Records.

Surveyor's Certificate

I, Bruce D. Pimper, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 362256 as prescribed under the Laws of the State of Utah. I further certify that by the authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as

Ultradent
A Commercial Subdivision

And that the same has been correctly surveyed and staked on the ground as shown on this plat.

Boundary Description

A part of the Southwest Quarter of Section 12, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey in South Jordan City, Salt Lake County, Utah:

Beginning at the South Quarter Corner of said Section 12; and running thence North 89°27'04" West 790.14 feet along the Section Line to the East Line of the Rocky Mountain Power Property; thence North 13°46'24" West 898.18 feet along said East Line to the South Jordan City Property, thence along the Easterly Line of said City Property the following two courses: Northerly along the arc of a 897.00 foot radius curve to the right a distance of 158.70 feet (Center Bears North 84°47'45" East; Central Angle equals 10°08'13" and Long Chord bears North 0°08'09" West 158.49 feet); and North 6°07'32" East 33.32 feet; thence South 26.26 feet; thence South 89°27'04" East 657.72 feet to the Westerly Line of the Union Pacific Railroad Right-of-Way; thence along said Railroad right-of-way the following two courses: South 22°22'29" East 502.24 feet; and Southeasterly along the arc of a 2950.00 foot radius curve to the right a distance of 573.81 feet (Center Bears South 70°00'15" West; Central Angle equals 11°08'41" and Long Chord bears South 14°25'24" East 572.91 feet); thence South 25°00'00" East 21.75 feet to the point of beginning.

Contains 793,344 sq. ft.
or 18.213 acres
3 Lots

18 Mar, 2009
Date

Bruce D. Pimper
Utah RLS No. 362256

Owner's Dedication

Know all men by these presents that the undersigned owner(s) of the above described tract of land, having caused the same to be subdivided into lots and streets to be hereafter known as

Ultradent
A Commercial Subdivision

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

In witness whereby I have hereunto set my hand this 18th day of March, AD, 2009.

D.E.F. Properties, LLC
By: Dan Fischer
its: Manager

Limited Liability Company Acknowledgment

State of Utah
County of Salt Lake } ss

On the 18 day of March, 2009, personally appeared before me, the undersigned Notary Public, Dan Fischer who being by me duly sworn did say that he is the Manager of D.E.F. Properties, LLC, by authority of its members or its articles of organization, and he acknowledged to me that said limited liability company executed the same.

Residing at: Salt Lake, Utah
Commission Expires: April 16th 2010
Katherine Black
Print Name

Katherine Black
A Notary Public

Salt Lake County Flood Control

Approved this 18th Day of March A.D., 2009
Salt Lake County Flood Control
FCP 2398 Approved Jan 9, 2008

Board of Health

Approved this 14TH Day of April A.D., 2009
(Salt Lake Valley Health Department)

South Jordan City Engineer

I hereby certify that this office has examined this plat and it is correct in accordance with information on file in this office.
South Jordan City Engineer 4/16/09

Office of the City Attorney

Approved as to Form this 2nd Day of April A.D., 2009
Attorney for South Jordan City

Planning Department

Approved this 16th Day of April A.D., 2009 by the South Jordan City Planning and Zoning Department.
Community Development Director

South Jordan City Mayor

Approved as to Form this 21st Day of April A.D., 2009
Attest: City Clerk
South Jordan City Mayor

South Valley Sewer District

Approved this 14 Day of April A.D., 2009
South Valley Sewer District

The signature of South Valley Sewer District on this plat does not constitute any guarantee of availability of sanitary sewer service to the property or any approval of sewer lines or facilities. The owner(s) of the property must provide satisfactory plans to the Sewer District for review and approval before connecting to the District's sewer system and will be required to comply with the District's rules and regulations.

GREAT BASIN ENGINEERING - SOUTH
2010 North Redwood Road, P.O. Box 16747
Salt Lake City, Utah 84116

Recorded

State of Utah, County of Salt Lake, Recorded and Filed at the Request of

Date Time Book Page

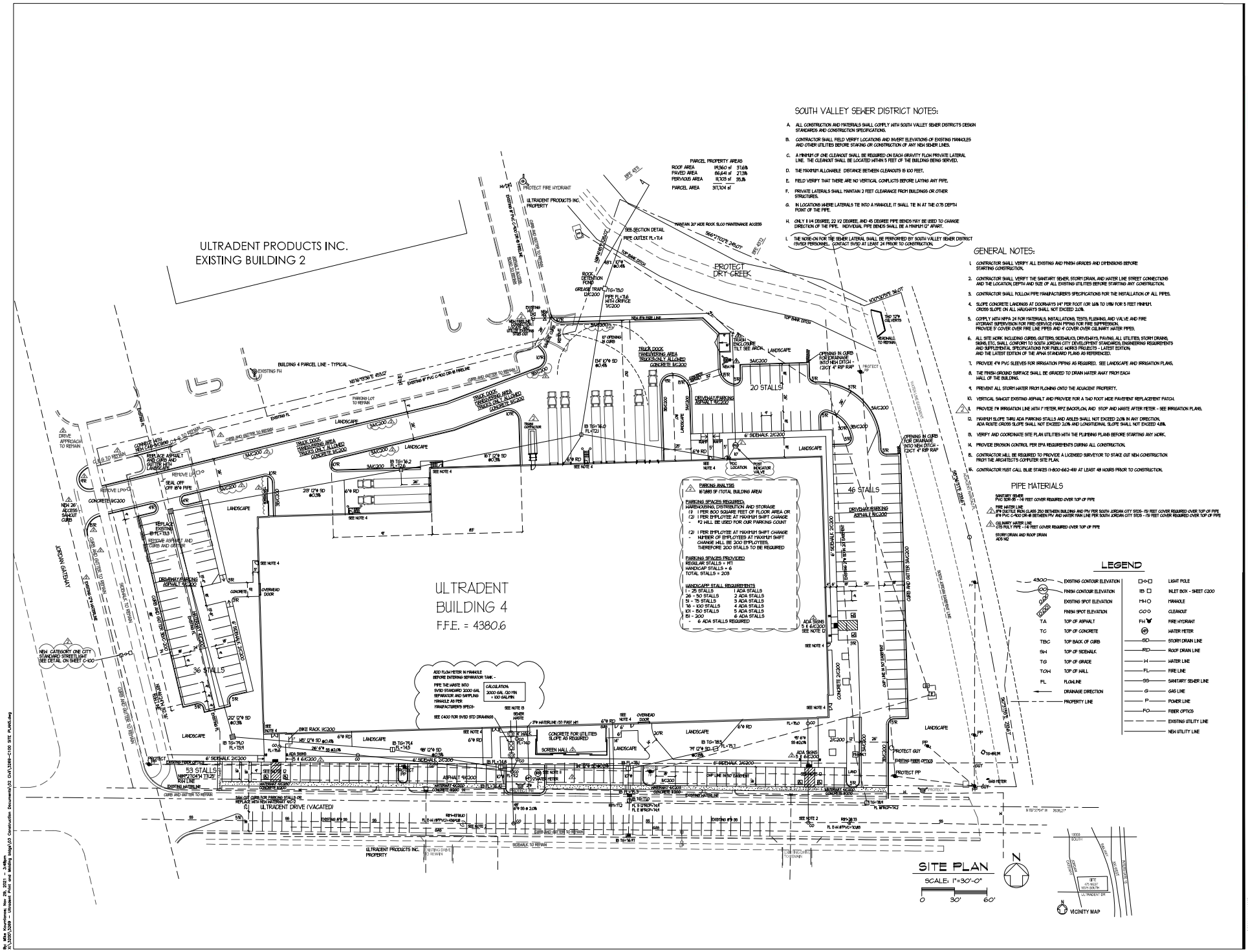
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Salt Lake County Recorder

27-12-32 27-12-376-014 # 33

1 OF 1

ULTRADENT



SITE LAYOUT AND UTILITIES PLAN

NEW BUILDING FOR:

ULTRADENT PRODUCTS INC.

SOUTH JORDAN, UTAH 84095

360 WEST ULTRADENT DRIVE

PERMIT SET

DATE: OCTOBER 15, 2021

JOB NO.: 5264

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PGA&W ARCHITECTS

ARCHITECTS | PLANNERS | 5363 SOUTH COTTONELL DRIVE - SUITE 204 - MURRAY, UTAH 84107 - PHONE: 801.266.4669

Layton CONSTRUCTING WITH INTEGRITY

MSS Mechanical Service & Systems, Inc.

SMD ENGINEERING, PLLC

BHB STRUCTURAL

JT ELECTRIC

earthwise

REVISIONS BY: KRIS PARKER

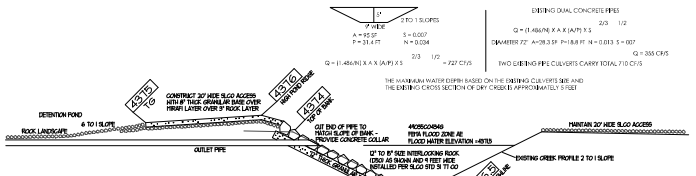
1 ADDENDUM #1 10/27/2021

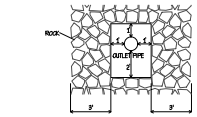
2 SITE PLAN REVISIONS #1 - 10/15/2021

REGISTERED PROFESSIONAL ENGINEER - STATE OF UTAH - No. 153931 - Emanuel Manthopoulos - 11-30-21

Rp: Mike Hawthorne, Nov 29, 2021 - 3:48pm
X:\5300\5264 - Ultradent Point and Building Steps\03 Construction Documents\02 Civil\5264-C100 SITE PLAN.dwg

DRY CREEK CALCULATIONS





6" THICK CONCRETE COLLAR DETAIL

EXISTING DRY CREEK SECTION AT PIPE OUTLET
UNDER SALT LAKE COUNTY FLOOD CONTROL

ULTRADENT PRODUCTS INC.
EXISTING BUILDING 2

DETENTION POND CALCULATIONS

		Runoff (C)	LAND USE		NOAA Intensity 100 yr | (in/hr)	A x C (acres)	Qtotal 1 x A x C (cfs)	Qout (cfs)	Qstorage (cfs)	storage volume (cf)
ROOF AREA	19,360 sf	0.85	44.9%	tlag							
PAVED AREA	86,641 sf	0.61	32.2%	15	4.12	3.88	15.99	1.24	14.75	13,276
PERVIOUS AREA	63,645 sf	0.15	23.6%	30	2.78	3.88	10.79	1.24	9.55	17,192
	369,646 sf			60	1.73	3.88	6.71	1.24	5.48	19,733 —REQUIRED
TOTAL AREA (A)	8.49 acres	0.63 (C)		120	0.93	3.88	3.61	1.24	2.37	17,073 PROVIDED— 20,000± SF AT ELEVATION 4316
A x C =	3.88 acres									

OUTLET RATE (Qout) = 0.2 cfs/acre

ORIFICE EQUATION $Q = C A \sqrt{2gh}$

$R^2 = \frac{Q}{C\pi\sqrt{64.4\,(1)}} = \frac{1.24}{0.6 \times 3.14 \times \sqrt{64.4\,(1)}}$

$R = 5.22"$

USE 5.2"Ø ORIFICE

ULTRADENT PRODUCTS INC
SOUTH JORDAN CITY, 362 WEST ULTRADENT DRIVE
DRAINAGE REPORT:

THE STORM WATER FROM THE SOUTH HALF ROOF OF THE NEW BUILDING WILL BE PIPED TO A NEW STORM DRAIN PIPE LOCATED IN THE NEW SOUTH SIDE LANDSCAPE AREA. THE ROOF WATER AND THE WATER FROM THIS LANDSCAPING ON THE SOUTH SIDE OF THE BUILDING WILL BE PIPED INTO A NEW PIPE SYSTEM THAT GOES AROUND THE WEST SIDE OF THE BUILDING AND ALONG THE NORTH SIDE OF THE BUILDING AND INTO A DETENTION POND AND THROUGH A SAND/GREASE TRAP AND INTO DRY CREEK.

THE STORM WATER FROM THE NEW EAST ASPHALT PARKING LOT AND EAST LANDSCAPING WILL BE CARRIED NORTHERLY IN NEW CURB AND GUTTER INTO A NEW DRAINAGE SWALE IN THE NORTH EAST CORNER AND THEN FLOW TO THE NEW DETENTION POND WHICH WILL DRAIN INTO DRY CREEK AFTER PASSING THROUGH A SAND/GREASE TRAP.

THE STORM WATER FROM THE NORTH HALF ROOF OF THE BUILDING WILL BE PIPED TO A NEW STORM DRAIN PIPE AND THEN PIPED TO THE NEW DETENTION POND WHICH WILL DRAIN INTO DRY CREEK AFTER PASSING THROUGH A SAND/GREASE TRAP.

THE STORM WATER FROM THE ASPHALT PARKING NORTH OF THE BUILDING WILL SHEET FLOW INTO THE NEW DETENTION POND WHICH DRAINS INTO DRY CREEK AFTER PASSING THROUGH A SAND/GREASE TRAP.

THE STORM WATER FROM THE NEW ASPHALT PARKING ON THE WEST SIDE OF THE BUILDING WILL SHEET FLOW TO A NEW INLET BOX IN THE NORTHWEST CORNER AND CONTINUE IN THE NEW STORM DRAIN PIPE ALONG THE NORTH SIDE OF THE BUILDING AND INTO THE DETENTION POND AND THROUGH THE SAND/GREASE TRAP INTO DRY CREEK.

GENERAL NOTES:

1. CONTRACTOR SHALL VERIFY ALL EXISTING AND FINISH GRADES AND DIMENSIONS BEFORE STARTING CONSTRUCTION.
2. CONTRACTOR SHALL VERIFY THE SANITARY SEWER, STORM DRAIN, AND WATER LINE STREET CONNECTIONS AND THE LOCATION, DEPTH AND SIZE OF ALL EXISTING UTILITIES BEFORE STARTING ANY CONSTRUCTION.
3. CONTRACTOR SHALL FOLLOW PIPE MANUFACTURER'S SPECIFICATIONS FOR THE INSTALLATION OF ALL PIPES.
4. SLOPE CONCRETE LANDINGS AT DOORWAYS 1/4" PER FOOT (OR 1.6% TO 1.8%) FOR 5 FEET MINIMUM. CROSS SLOPE ON ALL WALKWAYS SHALL NOT EXCEED 2.0%.
5. COMPLY WITH NFPA 24 FOR MATERIALS, INSTALLATIONS, TESTS, FLUSHING, AND VALVE AND FIRE HYDRANT SUPERVISION FOR FIRE-SERVICE-MAIN PIPING FOR FIRE SUPPRESSION. PROVIDE 5' COVER OVER FIRE LINE PIPES AND 4' COVER OVER CULINARY WATER PIPES.
6. ALL SITE WORK INCLUDING CURBS, GUTTERS, SIDEWALKS, DRIVEWAYS, PAVING, ALL UTILITIES, STORM DRAINS, SIGNS, ETC., SHALL CONFORM TO SOUTH JORDAN CITY DEVELOPMENT STANDARDS, ENGINEERING REQUIREMENTS AND SUPPLEMENTAL SPECIFICATIONS FOR PUBLIC WORKS PROJECTS - LATEST EDITION, AND THE LATEST EDITION OF THE APWA STANDARD PLANS AS REFERENCED.
7. PROVIDE 4"Ø PVC SLEEVES FOR IRRIGATION PIPING AS REQUIRED. SEE LANDSCAPE AND IRRIGATION PLANS.
8. THE FINISH GROUND SURFACE SHALL BE GRADED TO DRAIN WATER AWAY FROM EACH WALL OF THE BUILDING.
9. PREVENT ALL STORM WATER FROM FLOWING ONTO THE ADJACENT PROPERTY.
10. VERTICAL SAWCUT EXISTING ASPHALT AND PROVIDE FOR A TWO FOOT WIDE PAVEMENT REPLACEMENT PATCH.
11. PROVIDE 1" IRRIGATION LINE WITH 1" METER, RPZ BACKFLOW, AND STOP AND WASTE AFTER METER - SEE IRRIGATION PLANS.
12. MAXIMUM SLOPE THRU ADA PARKING STALLS AND AISLES SHALL NOT EXCEED 2.0% IN ANY DIRECTION. ADA ROUTE CROSS SLOPE SHALL NOT EXCEED 2.0% AND LONGITUDINAL SLOPE SHALL NOT EXCEED 4.8%.
13. VERIFY AND COORDINATE SITE PLAN UTILITIES WITH THE PLUMBING PLANS BEFORE STARTING ANY WORK.
14. PROVIDE EROSION CONTROL PER EPA REQUIREMENTS DURING ALL CONSTRUCTION.
15. CONTRACTOR WILL BE REQUIRED TO PROVIDE A LICENSED SURVEYOR TO STAKE OUT NEW CONSTRUCTION FROM THE ARCHITECT'S COMPUTER SITE PLAN.
16. CONTRACTOR MUST CALL BLUE STAKES (1-800-662-4111) AT LEAST 48 HOURS PRIOR TO CONSTRUCTION.

PIPE MATERIALS

SANITARY SEWER
PVC SDR-35 - 1.46 FEET COVER REQUIRED OVER TOP OF PIPE

FIRE WATER LINE
6"Ø DUCTILE IRON CLASS 250 BETWEEN BUILDING AND PIV PER SOUTH JORDAN CITY STDS - 1.5' FEET COVER REQUIRED OVER TOP OF PIPE
6"Ø PVC C-900 DR-18 BETWEEN PIV AND WATER MAIN LINE PER SOUTH JORDAN CITY STDS - 1.5' FEET COVER REQUIRED OVER TOP OF PIPE

CULINARY WATER LINE
CTS POLY PIPE - 1.6' FEET COVER REQUIRED OVER TOP OF PIPE

STORM DRAIN AND ROOF DRAIN
ADS N12

LEGEND

4300	EXISTING CONTOUR ELEVATION		LIGHT POLE
4300	FINISH CONTOUR ELEVATION	IB	INLET BOX - SHEET C200
	EXISTING SPOT ELEVATION	MH	MANHOLE
	FINISH SPOT ELEVATION	CO	CLEANOUT
TA	TOP OF ASPHALT	FH	FIRE HYDRANT
TC	TOP OF CONCRETE		WATER METER
TBC	TOP BACK OF CURB	SD	STORM DRAIN LINE
SW	TOP OF SIDEWALK	RD	ROOF DRAIN LINE
TG	TOP OF GRADE	W	WATER LINE
TOW	TOP OF WALL	FL	FIRE LINE
FL	FLOWLINE	SS	SANITARY SEWER LINE
	DRAINAGE DIRECTION	G	GAS LINE
	PROPERTY LINE	P	POWER LINE
		FO	FIBER OPTICS
			EXISTING UTILITY LINE
			NEW UTILITY LINE

PGA&W ARCHITECTS
ARCHITECTS | PLANNERS | 5363 SOUTH COTTONWOOD DRIVE - SUITE 204 - MURRAY, UTAH 84107 - PHONE 801.685.4669

Layton CONSTRUCTING WITH INTEGRITY

MSS Mechanical Service & Systems, Inc.
SMD ENGINEERING, PLLC
IBHB STRUCTURAL
JT ELECTRIC
earthwise

DRAWN BY	KRS
CHECKED BY	KRS
1	ADDENDUM #1 10/27/2021
2	ADDENDUM #2 11/05/2021
3	SITE PLAN REVISION #1 12/15/2021

REGISTERED PROFESSIONAL ENGINEER
No. 153931
Emanuel Manthopoulos
STATE OF UTAH
11-30-21

SITE GRADING AND DRAINAGE PLAN
NEW BUILDING FOR:
ULTRADENT PRODUCTS INC.
362 WEST ULTRADENT DRIVE
SOUTH JORDAN, UTAH 84095

PERMIT SET

DATE: OCTOBER 15, 2021
JOB NO.: 5264
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C101

By: Mike Mountanos, Nov 29, 2021 - 3:48pm
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SHRUB LEGEND

Symbol	Type	Scientific Name / Common Name	Root Ball Size	Planting Size Height	Planting Size Width	Mature Size Height	Mature Size Width
●	Evergreen	Pinus mugo 'Mughus – Tyrolean' Dwarf Mugo Pine	5- Gal	12"	18"	4'	5'
⊙	Evergreen	Juniperus horizontalis 'Blue Chip' Blue Chip Juniper	5 – Gal	4"	18"	8"	6'
⊙	Evergreen	Juniperus sabina 'Arcadia' Savin Juniper	5 – Gal	6"	18"	18"	7'
⊙	Deciduous	Spirea bumalda 'Anthony Waterii' Anthony Water Spirea	5 – Gal	14"	12"	3'	4'
✸	Deciduous	Rosa 'Kockout' Knockout Rose	5 – Gal	24"	12"	2'	2'
✸	Deciduous	Euonymus alatus 'Compacta' Dwarf Burning Bush	5 – Gal	24"	12"	4'	4'
⊛	Deciduous	Rhus typhina 'Low Boy' Low Boy Sumac	5 – Gal	18"	18"	2'	8'

TREE LEGEND

Symbol	Plant Type	Scientific Name / Common Name	Planting Size	Planting Size Height	Planting Size Width	Mature Size Height	Mature Size Width
	Deciduous	Zelkova serrata 'Green Vase' Green Vase Zelkova	25 Gal. Container	10'	4'	40'	40'
	Deciduous	Celtis occidentalis Common Hackberry	25 Gal. Container	10'	4'	40'	30'
	Deciduous	Prunus virginiana 'Canada Red' Canada Red Choke Cherry (3–4 Trunks)	25 Gal. Clump Container	8'	4'	25'	20'
	Deciduous	Tilia cordata 'Greenleven' Little Leaf Linden	25 Gal. Container	8'	3'	20'	20'
	Deciduous	Cercis canadensis Eastern Redbud	25 Gal. Container	7'	3'	20'	20'
	Deciduous	Gleditsia triacanthos L. 'Shademaster' Shademaster Honeylocust	25 Gal. Container	8'	3'	35'	40'
	Evergreen	Juniperus virginiana 'Skyrocket' Skyrocket Juniper	Container	7'	18"	18'	4'
	Evergreen	Pinus leucodermis Dwarf Austrian Pine	Container	7'	3'	30'	15'
		EXISTING TREES Do Not Remove					

GRASS & PERENNIAL LEGEND

●	Perennial	Salvia superbanemorosa 'May Night' May Night Salvia	1 – Gal	6"	12"	2'	2'
•	Grass	Calamagrostis a. acutiflora 'Karl Foerster' Feather Grass	1 – Gal	18"	6"	4'	2'
◉	Grass	Pennisetum alopecuroides 'Hameln' Hameln Fountain Grass	1 – Gal	12"	6"	30"	30"
●	Perennial	Hemerocallis hybrid 'Pardon Me' Pardon Me Daylily	1 – Gal	10"	6"	18"	18"
•	Grass	Festuca ovina 'Glauca' Blue Elijs Fescue	1 – Gal	6"	6"	10"	12"

MISC. LEGEND

TURF	TURF / Kentucky Bluegrass Sod from a local grower
C1	CRUSHED ROCK 2" Dia. "Soma" Utah Landscape Light Colored Rock
C2	CRUSHED ROCK 3–4" Dia. "Southtown" Utah Landscape
2'@3'@4'	BOULDERS Brown Quartz Mac Blazzard 435.849.1111
	CONCRETE MOW CURB / 6"X6" Poured In Place
	EXISTING LANDSCAPE & IRRIGATION – Retain and repair as necessary

LANDSCAPE NOTES

1. CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM THE BUILDING AND ALL AREAS OF THE LANDSCAPE BEFORE PROCEEDING WITH LANDSCAPE PLANTING.

2. BOULDERS TO BE A BROWNISH ROUNDISH HARD QUARTZ TYPE ROCK. SIZES INDICATED ON THE DRAWINGS. SUBMIT A SAMPLE FOR APPROVAL BEFORE INSTALLATION. PARTIALLY BURY AND PLACE BOULDERS SO THEY HAVE A NATURAL LOOKING APPEARANCE.

3. ALL COBBLE ROCK TO BE WASHED BEFORE DELIVERY AND INSTALLED 3" DEEP MINIMUM OVER WEED BARRIER FABRIC. SEE KEY THIS DRAWING FOR SIZE AND TYPE. SUB-GRADE TO BE FINISHED 4" BELOW ALL CONCRETE SIDEWALK AND CONCRETE CURB EDGES. FINISHED GRADE OF ALL COBBLE ROCK TO BE 1" BELOW ADJACENT CONCRETE SIDEWALK AND CURB EDGES.

4. DEWITT PRO-SPUN 3.2 OZ. WEED BARRIER FABRIC TO BE PLACED UNDER ALL COBBLE ROCK, this includes both C1 and C2 areas. OVERLAP 6" AT JOINTS AND ADHERE TO GROUND USING 1" BY 6" STEEL WIRE STAKES PLACED 4' O.C.

5. STOCKPILE TOP LAYER OF EXISTING SOILS, IF IT MEETS TOPSOIL SPECIFICATION, TO PLACE IN PLANTERS. IF STOCKPILED TOPSOIL IS NOT ACCEPTABLE IMPORT TOPSOIL AS NECESSARY. PLACE 8" TOPSOIL IN C1 PLANTERS WHICH HAVE THE SHRUB AND PERENNIAL PLANTS. SUBMIT TEST RESULTS BEFORE INSTALLATION. ADD AMENDMENTS AS NECESSARY.

6. ALL TREES INDICATED AS EXISTING TO BE RETAINED. PROTECT THESE TREES AND DO NOT DIG INTO ROOT ZONES.

7. CALL BLUE STAKES TO LOCATE AND MARK UTILITY LINES AT LEAST TWO (2) DAYS BEFORE PERFORMING ANY DIGGING. ON THIS SITE. CONTACT THE OWNERS REPRESENTATIVE FOR INFORMATION ON THE LOCATION OF ANY UTILITIES NOT MARKED BY BLUE STAKES. I.E. LIGHT POLE CONDUIT AND WIRING.

8. ALL PLANT MATERIALS SHALL BE WARRANTED FOR A PERIOD OF ONE YEAR. MAINTAIN ALL LANDSCAPE AND IRRIGATION UNTIL FINAL ACCEPTANCE BY OWNER.

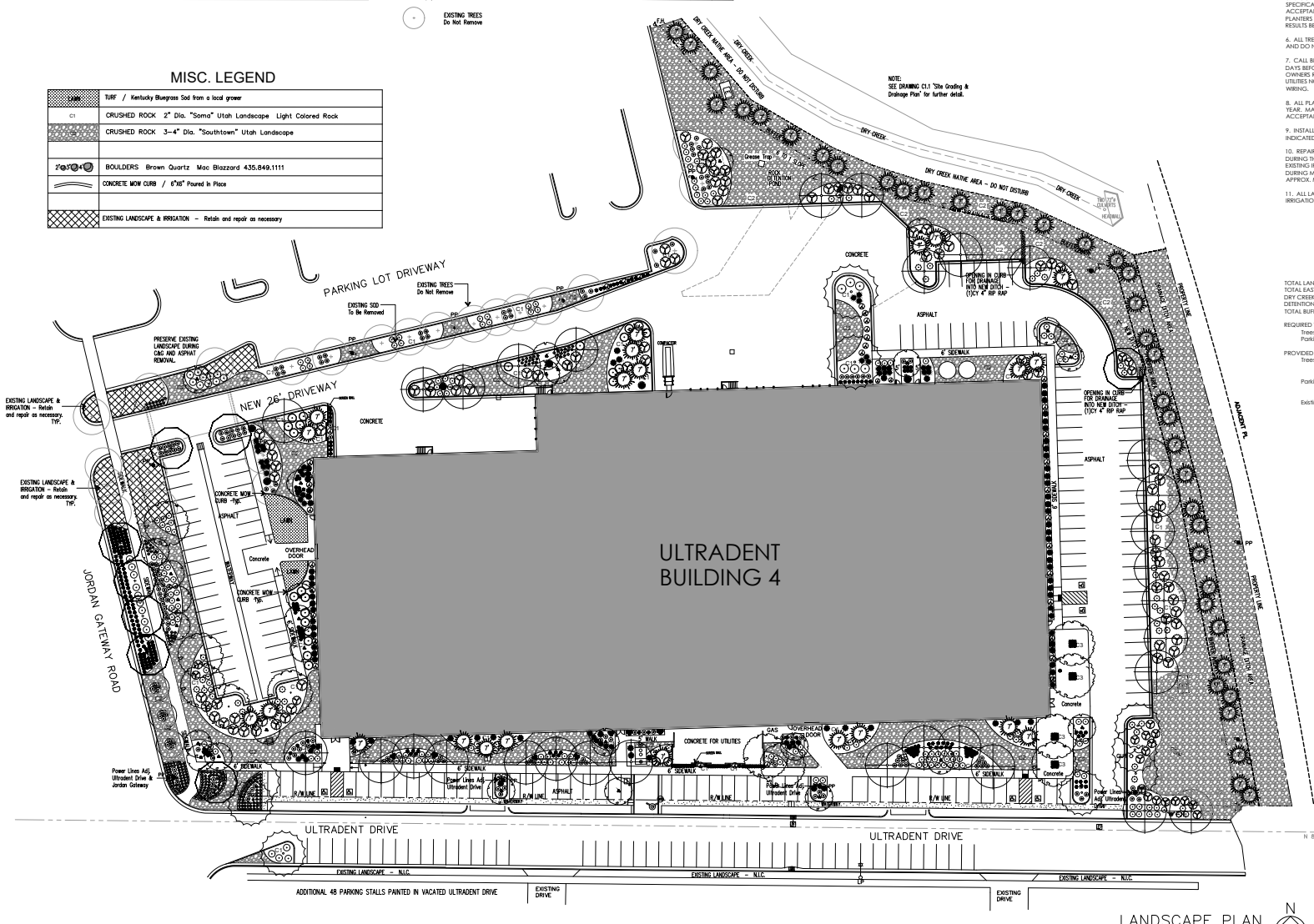
9. INSTALL THE QUANTITY OF PLANT MATERIALS DRAWN, NOT WHAT IS INDICATED IN THE PLANT LEGEND.

10. REPAIR ANY DAMAGE DONE TO EXISTING LANDSCAPE AND IRRIGATION DURING THE COURSE OF CONSTRUCTION AT NO CAST TO THE OWNER. EXISTING IRRIGATION SYSTEM TO BE MAINTAINED IN A WORKING ORDER DURING MONTHS THAT EXISTING PLANT MATERIALS NEED WATERED. APPROX. MARCH THROUGH OCTOBER.

11. ALL LANDSCAPE AREAS TO BE WATERED WITH AN AUTOMATIC IRRIGATION SYSTEM. SEE IRRIGATION PLAN.

TREE TABLE

TOTAL LANDSCAPE AREA		81,588 sf
TOTAL EAST CANAL AREA		9,455 sf
DRY CREEK NATIVE AREA		6,287 sf
DETENTION POND		2,750 sf
TOTAL BUFFER AREA		11,672 sf
REQUIRED TREES		210
Trees: 81,588 sq / 500	163	
Parking Lot Trees	47	
PROVIDED TREES		210
Trees / 500 sf	141	
Deciduous Trees	49	
Evergreen Trees	92	
Parking Lot Trees	47	
Deciduous Trees	45	
Existing Dec. Trees	2	
Existing Trees - Other	22	



LANDSCAPE PLAN

SCALE: 1"=30'-0"

0 30' 60'

N

PGA&W

Layton CONSTRUCTING WITH INTEGRITY

PGA&W ARCHITECTS

ARCHITECTS / PLANNERS 3302 SOUTH COMMERCE DRIVE – SUITE 204 – MURRAY, UTAH 84107 – PHONE: 801.266.4869

DRAWN BY: G MOUNT
CHECKED:
No. Rev. 2021 City Comments

10.15.2021

LANDSCAPE PLAN
NEW BUILDING FOR:
ULTRADENT PRODUCTS INC.
302 WEST ULTRADENT DRIVE SOUTH JORDAN, UTAH 84095

PERMIT SET

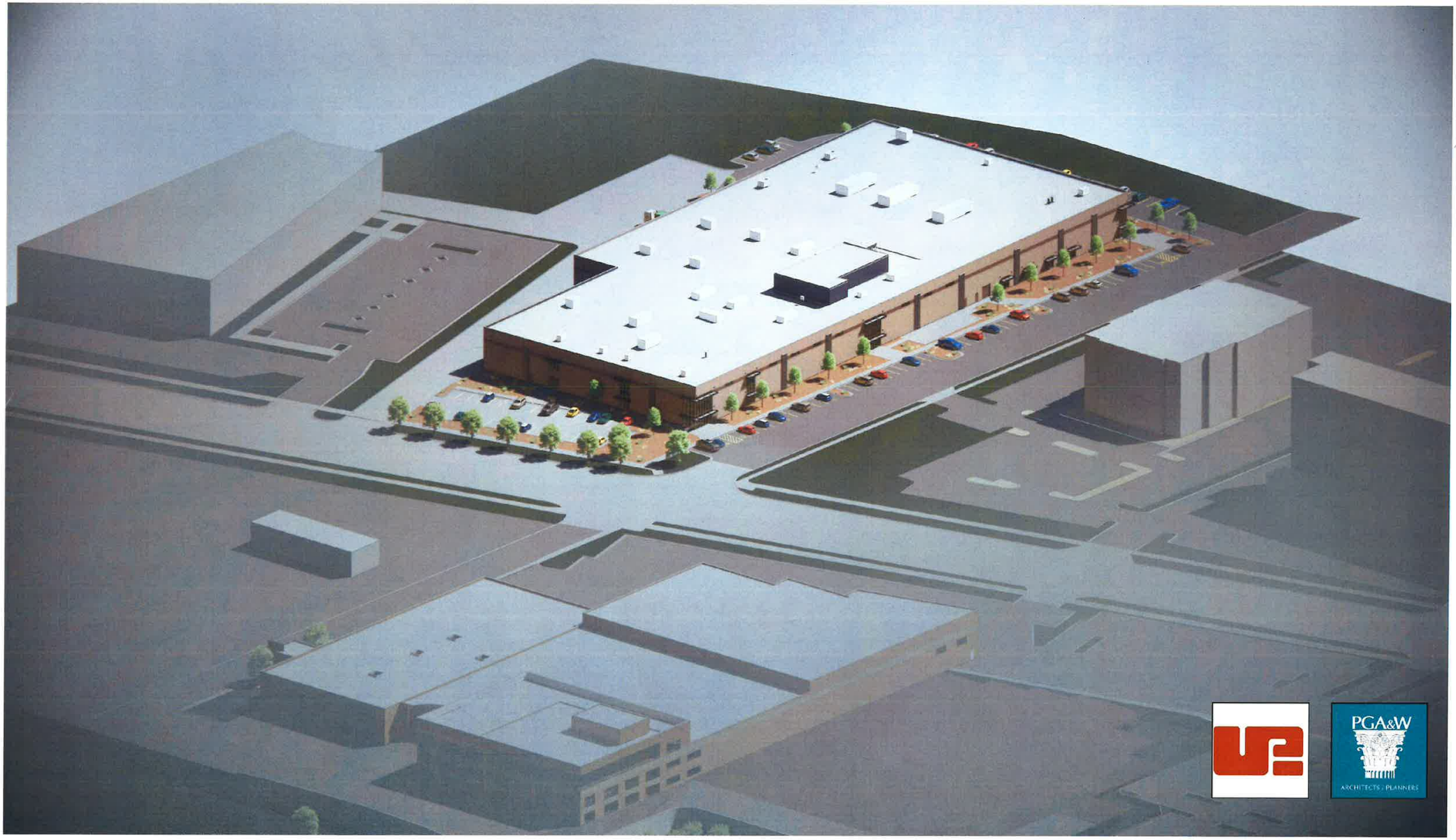
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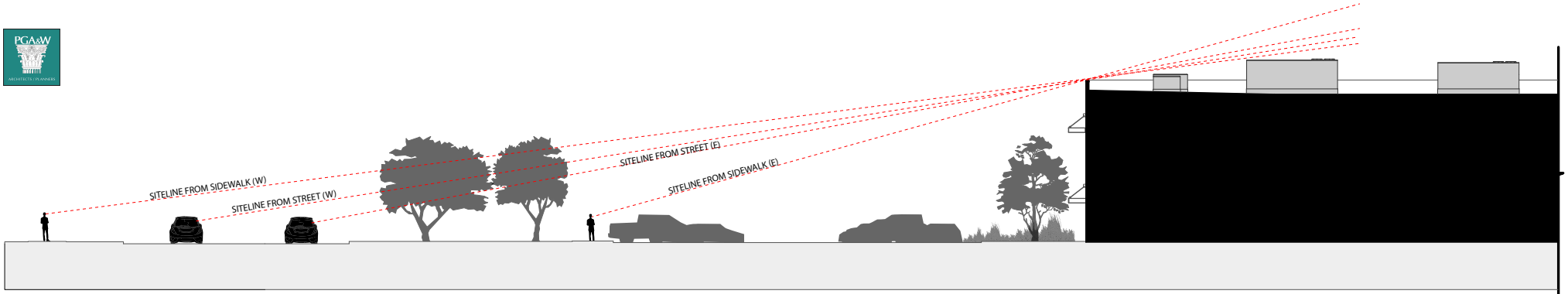
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SITE SECTION

SCALE: 1/8" = 1'-0"

ARCHITECTURAL REVIEW COMMITTEE MEETING MINUTES
Wednesday, November 10, 2021

Committee Attendance:
Brad Marlor, Kathie Johnson, Michelle Hollist, Damir Drozdek, Kelly Steele

Applicant Attendance:
Chapin, Chris Basker, Matt Willaims, Rachel

DRC MEETING
8:30 A.M.

I. GENERAL BUSINESS ITEMS

A. File # PLSPR202100252, Ultradent Building 4 Site Plan, 362 W. Ultradent Dr, Matt Williams (Applicant), Damir Drozdek (Planner)

- Questions on design decisions – Applicant mentioned that part of the design decision was because of the size of the building, the shape, size and height of the building is based on what is required to have function in the building. It is a molding facility. The production process is required to do large headroom because of overhead cranes, large molds that will need to be moved, ect. Needed the large widths and depths.
- Is a large shipping and receiving facility, 5-10 truck trips a day. Needed the big rectangle shape to fit the machines. When researching the ordinances and discussions with the planner, this is what they thought would fit best.
- Relief designs on building: Columns – metal panels 6in step outs that are 6ft wide. Glass Corners, Steel awnings, and paint. Would have a recess in the concrete panel for the paint stripe to help tie in all the buildings together.
- Applicant mentioned that it is a challenge to make something that works for the city but is still functional – it is a production facility.
- Applicant wants to copy landscaping on building 2 and asked the landscaper to make it a little heavier on this proposed building.

Concerns:

- Committee member mentioned that this building doesn't feel like it belongs in the community and that it's not very compatible. Mentioned that it's not just their building that they should try to fit in with, there are the other buildings in the area as well.
- From a relief standpoint can the applicant add windows or facade for a design feature. Committee members are trying to find enough relief and design features so that it looks like it belongs in the area.
- The overall feeling from the committee is that it looks like they're trying to put

an industrial building into a commercial area.

- The west side of the building, which is the side that everyone can see, is the most plain.

Committee Recommendations:

- Committee members recommended that the metal panels be raised all the way to the top of the building. Applicant said it was absolutely something they could do.
- Committee recommended they applicant add an additional awning on the west side over the delivery door and paint the door black instead of the brown. Applicant mentioned they were willing do paint it.
- Could they add any design element to the other corner of the west side of the building, want to see the screen wall in the next renderings, maybe then they won't need any added relief on that corner.
- Committee members wanted to add more of the windows in the accent stripe to the west side of the building.
- Instead of a silver metal around the top, committee recommended that they do a black top. Make all of the doors on the building black, then it will tie in with the rest of the features.
- It was recommended that the applicant take the recommendations given by the committee and create new renderings. Damir will send them on to the ARC committee members and they will discuss via email if they think this needs to come to another ARC meeting or if it is good to go on.

Meeting adjourned at 9:25 A.M.

Ultradent Operations Plan

RE: Proposed Address of 10193 South Jordan Parkway in South Jordan.

Light

- Department of Home Security (DHS) - prescribed requirements for building lighting (lumens required at specific distances around the building will be defined in the architectural drawings)
- Standard exterior lighting to coordinate with other Ultradent buildings – downward facing lights on the exterior of the building and in parking lots to prevent light pollution

Glare

- Minimal exterior windows which could provide glare to the highway or neighbors

Odor

- Molding, machining, filling, and warehouse operations general minimal-to-no odor.
- Any generated odors would be confined to the building.

Crime

- Building regulated by the DHS for secure access to chemicals of concern
- DHS-prescribed requirements for building lighting (lumens required at specific distances around the building)
- DHS-prescribed requirements for camera coverage around the building (100% of exterior doors covered)
- Camera footage around the building will capture parking lots, drives, grounds, and potentially nearby roadways
- Required badges on personnel and parking passes for vehicles will help to identify any persons that do not belong or are out of place on the property
- Access controls to the building to prevent unauthorized entry
- DHS-prescribed 24/7 operations and/or security rounds on nights and weekends
- Potential reduction in crime as a currently dark and desolate part of the road and land around the Trax/Frontrunner station will be occupied, well-lit, and monitored by security devices

Dec-21

Ultradent Sound Plan

RE: Proposed Address of 10193 South Jordan Parkway in South Jordan.

Sound

- Manufacturing processes which produce sound would be performed within the facility
- Filling and warehouse operations are not high noise (<85 dB)
- Molding and machining operations are high noise (>85 dB) but sound will be confined to the building
- Common semi-truck produced noise during daytime, business hours only

Vibration

- No significant vibrations generated – manufacturing equipment is sensitive to vibration

NOTE:
The manufacturing processes that will occupy this building are already being manufactured in our adjacent campus buildings 1 and 2.

- Valo Manufacturing is currently in building 2
- Molding Manufacturing is currently in building 1
- New construction is several 100 feet from nearest neighbor

Dec-21

Ultradent Hazard Plan

RE: Proposed Address of 10193 South Jordan Parkway in South Jordan.

Hazardous materials

- Cutting oils and lubricants (non-hazardous) used in machine operations
- Plastic nurdles of various plastic products (non-hazardous) used in molding operations
- Peroxides (hazardous) in bulk >50% concentration and in lower concentrations in smaller quantities may be used
- Fluoride, flavors, fillers (non-hazardous) used in filling operations
- Batteries from warehouse forklifts contain battery acid (hazardous)

Fire

- No exterior storage of hazardous materials
- Internal storage of hazardous (flammable, oxidizers, acids, etc.) will meet Occupational Safety and Health Administration and fire inspector's requirements
- Incompatible chemicals will be stored separately
- Building fire protections will include smoke detection, sprinklers, emergency pull stations, horns and strobes, and other fire protection, detection, and alarming equipment
- Building will meet local, National Fire Protection Association Life Safety 101 and International Building codes, as needed

Environmental Impacts

- Building will comply with all storage, treatment, and disposal requirements for all hazardous and non-hazardous materials; solid, non-hazardous, and hazardous wastes according to the U.S. Environmental Protection Agency and the Utah Department of Environmental Quality
- Building is expected to be a Small-Quantity or a Large-Quantity hazardous waste Generator. Dates for waste accumulation, 180 or 90 days respectively, will be followed.
- Partnerships with the local landfill and/or waste disposal services (Clean Harbors, Veolia, etc.) are already established for other Ultradent operations
- A discharge permit will be obtained, and the building will comply with all discharge requirements for wastewater according to the South Valley Sewer District and the U.S. Environmental Protection Agency

Dec-21

SOUTH JORDAN CITY
PLANNING COMMISSION REPORT

Meeting Date: 12/14/2021

Issue: **WOODLAND PARK ESTATES PRELIMINARY SUBDIVISION PLAT**
Address: 3148 W. 10755 S.
File No: **PLPP202100224**
Applicant: David Jenkins, Ensign Engineering

Submitted by: Damir Drozdek, Planner III
Jared Francis, Senior Engineer

Staff Recommendation (Motion Ready): I move that the Planning Commission **approve** the Woodland Park Estates preliminary subdivision plat, File No. PLPP202100224.

ACREAGE:	Approximately 3.3 acres
CURRENT ZONE:	R-2.5 (Single-Family Residential, 2.5 lots per acre)
CURRENT USE:	Residential
FUTURE LAND USE PLAN:	SN (Stable Neighborhood)
NEIGHBORING ZONES/USES:	North – R-1.8 / Single-family homes South – R-1.8 / Single-family homes West – R-2.5 / 3200 West East – R-2.5 / Single-family home

STANDARD OF APPROVAL:

Once all application requirements have been met, redline corrections made, revised plans and plat submitted and City staff approval given, the preliminary subdivision plat application will be scheduled on the Planning Commission agenda for a public hearing at which public comment will be taken. Notice of the public hearing shall be provided in accordance with chapter 16.04 of this title. The Planning Commission shall receive public comment at the public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the project does not meet City ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application. (Ord. 2007-01, 1-16-2007)

City Code § 16.10.060

BACKGROUND:

The applicant is requesting that the Planning Commission approve a preliminary subdivision plat for the Woodland Park Estates subdivision generally located at 3148 W. 10755 S. The proposed subdivision will consist of 4 lots ranging in size from roughly ½ acre to ¾ acre. The subdivision

will be accessed off 3200 West via a public street that will terminate in a cul-de-sac. The street frontage along 3200 West is completed and only minor improvements will be required such as landscaping of the parkstrip along said road. The parkstrip will be landscaped with water wise plants, trees and the rock mulch as per City Code requirements.

The new cul-de-sac street will be public and constructed to City standards. Other public improvements will include a fire hydrant, a street light and water meters. No other public improvements will be required. Decorative masonry fencing will be installed along the east project boundary and partially along the south boundary along the street right-of-way to the south. In addition, a decorative masonry wall will be installed along the 3200 West street frontage.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The project is located in the R-2.5 Zone. It meets the Planning and Zoning, as well as the Subdivision and Development Code requirements of the Municipal Code.

Conclusion:

- The proposed preliminary subdivision plat application meets the City Code requirements and as such should be approved.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** the Application, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended Application.
- Deny the Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

- Aerial Map
- Zoning Map
- Preliminary Subdivision Plat
- Demolition Plan
- Site Plan
- Grading and Drainage Plan
- Utility Plan
- Landscape Plan



Damir Drozdek, AICP
Planner III, Planning Department



Legend

STREETS

PARCELS

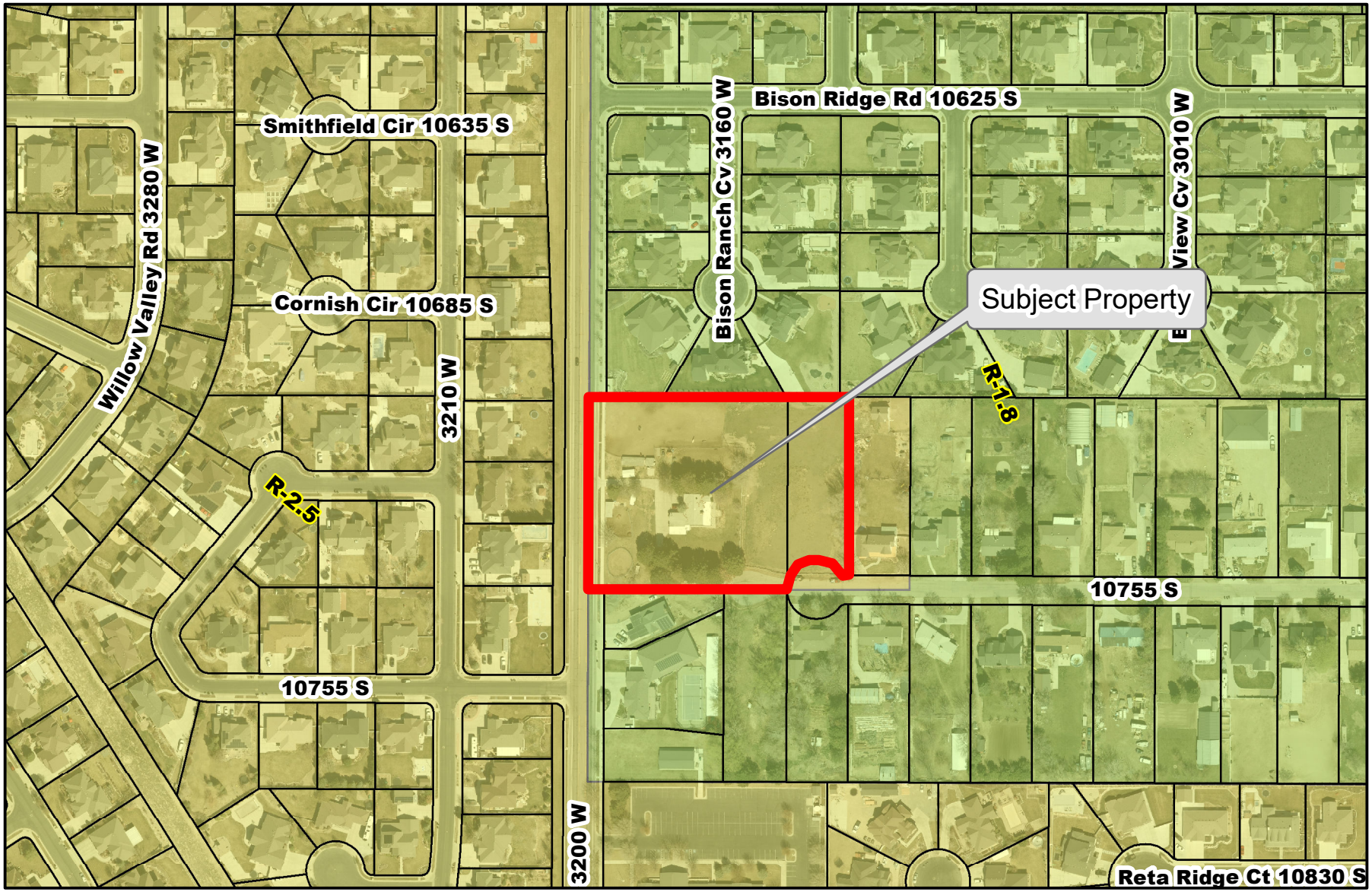
Aerial Map

City of South Jordan

0 80 160 320 480 640 Feet

Aerial Imagery
2021

ESRI



Legend

STREETS

PARCELS

Zoning Map

City of South Jordan

0 80 160 320 480 640 Feet

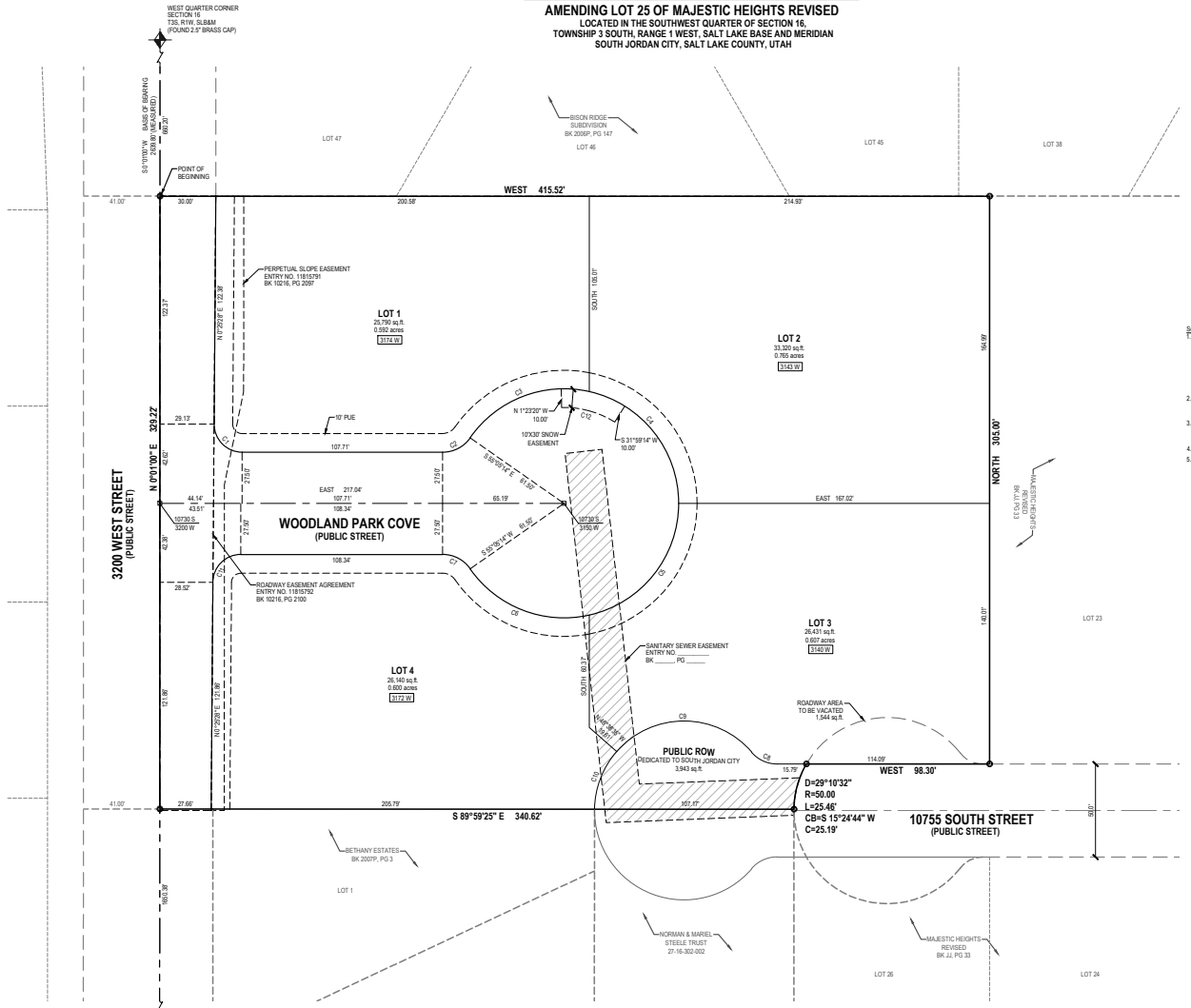
Aerial Imagery
2021

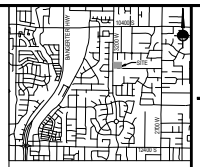
ESRI

WOODLAND PARK ESTATES

AMENDING LOT 25 OF MAJESTIC HEIGHTS REVISED

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH





VICINITY MAP
NOT TO SCALE

LEGEND

- PROPOSED STREET MONUMENT
- SECTION CORNER
- SET 5/8" REBAR AND CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV." AT ALL LOT CORNERS, OFFSET PINS TO BE PLACE IN THE BACK OF CURB WHERE APPLICABLE. IN LIEU OF REBAR AND CAP AT FRONT CORNERS.
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	15.00'	23.67'	90°25'28"	S44°47'16"E	21.29'
C2	18.00'	17.31'	55°05'14"	N62°27'23"E	16.65'
C3	61.50'	72.83'	67°51'09"	S68°50'20"W	68.65'
C4	61.50'	82.90'	77°14'06"	N38°37'03"W	76.77'
C5	61.50'	82.90'	77°14'06"	N38°37'03"E	76.77'
C6	61.50'	72.83'	67°51'09"	S68°50'20"E	68.65'
C7	18.00'	17.31'	55°05'14"	N62°27'23"W	16.65'
C8	18.00'	15.50'	49°21'02"	S65°19'29"E	15.03'
C9	48.00'	62.12'	98°01'27"	N89°39'42"W	72.47'
C10	48.00'	33.89'	40°27'09"	S21°06'00"W	33.19'
C11	15.00'	23.45'	89°34'32"	S45°12'44"W	21.13'
C12	51.50'	15.00'	16°41'17"	N83°02'42"W	14.95'

South Jordan City Plat Notes

1. Owners and potential purchasers of property legally described by this plat (the "property") are advised to familiarize themselves with all notes, lot information, easements and other pertinent information contained with this plat and also with any conditions, covenants and restrictions (CC&R) documents recorded against the property. Failure to adhere to these notes, easements, CC&R's or other documents recorded against the land could result in financial losses to or changes in expected property use of the property owner. Property owners and purchasers are responsible to review and be in compliance with all notes, easements, CC&R's, and other recorded documents related to this plat, as currently existing or as may from time to time be changed and/or amended.
2. Many areas in South Jordan City have ground water problems due to high or fluctuating water table. Approval of this plan does not constitute representation by the city that building at any specified elevation will solve groundwater problems, in any.
3. The owner certifies that the title report dated _____, which was prepared by _____ was provided to owner's surveyor and that the plat shows all easements and encumbrances listed in said title report.
4. Finish floor elevation on each lot will not exceed 4' above the the elevation across the frontage of the lot.
5. Approval of this plat by South Jordan City does not mean that individual lot drainage to a road or retention facility is assured. Development and grading may necessitate swales and other drainage facilities to protect individual properties. Approval of this plat also does not constitute representation by the City that swales or other drainage facilities are appropriate and maintained nor that drainage from adjacent properties is prevented.

ROCKY MOUNTAIN POWER NOTES:

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
   2.1. A RECORDED EASEMENT OR RIGHT-OF WAY
   2.2. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
   2.3. TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
   2.4. ANY OTHER PROVISION OF LAW.

Dominion Energy Utah - Note:
Questar Gas Company dba Dominion Energy Utah, hereby approves this plat for the purpose of approximating the location, boundaries, course and dimensions of the Rights-of-Way and Easement Grants and existing underground facilities. Nothing herein shall be constructed to warrant or verify the precise location of such items. The Rights-of-Way and easements are subject to numerous restrictions appearing on the recorded right-of-way and easement grant(s). Dominion Energy Utah also hereby approves this plat for the purpose of confirming that the plat contains public utility easements, however, Dominion Energy Utah may require additional easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set in the Owners Dedication or in the Notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Dominion Energy Utah's Right-of-Way Department at 800-366-8532.

SEWER NOTES:

1. THE SIGNATURE OF SOUTH VALLEY SEWER DISTRICT ON THIS PLAT DOES NOT CONSTITUTE ANY GUARANTEE OF AVAILABILITY OF SANITARY SEWER SERVICE TO THE PROPERTY OR ANY APPROVAL OF SEWER LINES OR FACILITIES. THE OWNER(S) OF THE PROPERTY MUST PROVIDE SATISFACTORY PLANS TO THE SEWER DISTRICT FOR REVIEW AND APPROVAL BEFORE CONNECTING TO THE DISTRICT'S SEWER SYSTEM AND WILL BE REQUIRED TO COMPLY WITH THE DISTRICT'S RULES AND REGULATIONS.
2. SHALLOW SEWER DEPTHS! CONTRACTOR SHALL VERIFY SEWER LATERAL DEPTH AND SET FOUNDATION ELEVATION TO PROVIDE ADEQUATE FALL INTO SEWER LATERAL. BUILDINGS WITH A BASEMENT MAY NOT HAVE SEWER SERVICE AVAILABLE FOR BASEMENT.

HORIZONTAL GRAPHIC SCALE

30 0 15 30 60
(IN FEET)
HORZ. 1 inch = 30 ft.

DEVELOPER
PAUL SHOEMAKER
801-450-8796

RECORD SURVEY DATA
ROS NO.: _____
S. _____

SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold Certificate No. 286882 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyor's Act. I further certify that by authority of the Owners, I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to accurately establish the lateral boundaries of the herein described tract of real property; and has been drawn correctly to the designated scale and is a true and correct representation of the herein described lands included in said subdivision, based upon data compiled from records of the Salt Lake County Recorders Office. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A parcel of land situate in the Southwest Quarter of Section 16, Township 3 South, Range 1 West Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at the Southwest Corner of Bison Ridge Subdivision, recorded as Entry No. 9737110 in Book 2006P at Page 147 in the Office of the Salt Lake County Recorder, said point being South 00°01'00" West 660.20 feet along the section line from the West Quarter Corner of Section 16, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence East 445.52 feet along the Southerly Boundary Line of said Bison Ridge Subdivision to the Northeast Corner of Lot 25 of Majestic Heights Revised, recorded as Entry No. 2390177 in Book JJ at Page 33 in the Office of the Salt Lake County Recorder;
thence South 305.00 feet along the Easterly Boundary Line of said Majestic Heights Revised to the Northerly Right-of-Way Line of 10755 South Street;
thence West 96.30 feet;
thence Southwesterly 25.46 feet along the arc of a 50.00 foot radius curve to the left (center bears South 60°00'00" East and the chord bears South 15°24'44" West 25.19 feet with a central angle of 29°10'32");
thence North 89°59'25" West 340.62 feet to the section line;
thence North 00°01'00" East 329.22 feet along said section line to the point of beginning.

Contains 144,211 Square Feet or 3.311 Acres and 4 Lots

PROFESSIONAL LAND SURVEYOR
No. 286882
PATRICK M. HARRIS
STATE OF UTAH

DATE

PATRICK M. HARRIS
P.L.S. 286882

OWNER'S DEDICATION

Known all men by these presents that I / we, the undersigned owner (s) of the above described tract of land, having caused same to be subdivided, hereafter known as the

WOODLAND PARK ESTATES

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use. Owner(s) hereby agree to warrant and defend and save the City harmless against any easements or other encumbrance on a dedicated street which will interfere with the City's use, maintenance, and operation of the street.

In witness whereof I / we have hereunto set our hand (s) this _____ day of _____ A.D., 20_____.

_____
By:

_____
By:

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH)
County of Salt Lake) S.S.

On the _____ day of _____ A.D., 20_____

-

personally appeared before me, the undersigned Notary public, in and for said County of _____ in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication _____ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: _____

_____ RESIDING IN _____ COUNTY.
NOTARY PUBLIC

WOODLAND PARK ESTATES

AMENDING LOT 25 OF MAJESTIC HEIGHTS REVISED

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH

SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT. 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNENG.COM

LAYTON
Phone 801.547.1100
TOOELE
Phone 435.843.3590
CEDAR CITY
Phone 435.865.1453
RICHFIELD
Phone 435.896.2983

SHEET 1 OF 1
PROJECT NUMBER : 10532
MANAGER : DAJ
DRAWN BY : KFW
CHECKED BY : PWH
DATE : 11/2/21

SOUTH VALLEY SEWER DISTRICT APPROVAL
APPROVED THIS _____ DAY OF _____, 20_____ BY THE SOUTH VALLEY SEWER DISTRICT.
SOUTH VALLEY SEWER DISTRICT MANAGER

BOARD OF HEALTH APPROVAL
APPROVED THIS _____ DAY OF _____, 20_____ BY THE BOARD OF HEALTH
SALT LAKE COUNTY HEALTH DEPARTMENT

CITY PLANNER
APPROVED THIS _____ DAY OF _____, 20_____ BY THE CITY PLANNER.
CITY PLANNER

CITY ENGINEER
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE AND IS HEREBY APPROVED.
SOUTH JORDAN CITY ENGINEER DATE

OFFICE OF THE CITY ATTORNEY
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. 20____.
ATTORNEY FOR SOUTH JORDAN CITY

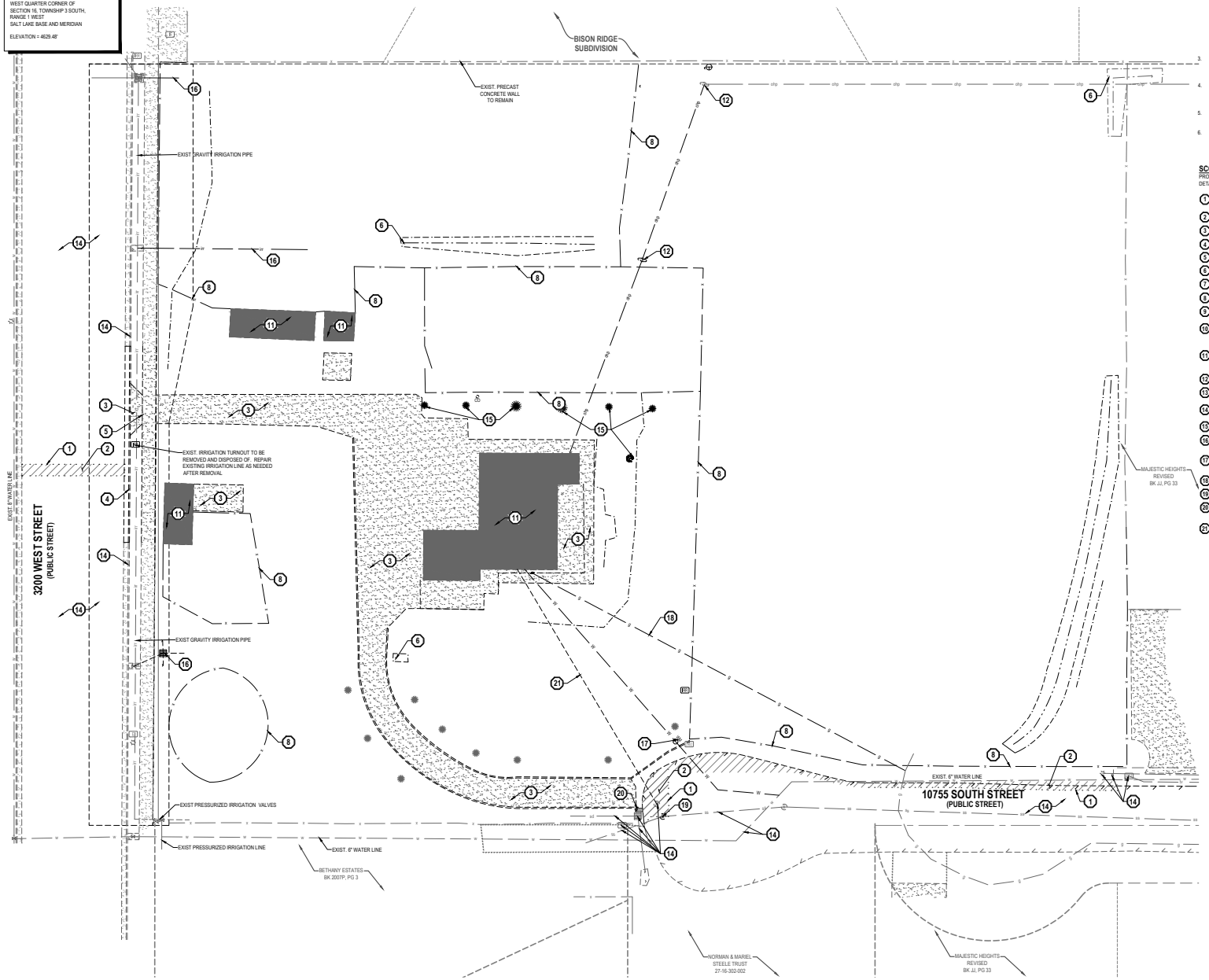
SOUTH JORDAN CITY MAYOR
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. 20____.
ATTEST: CITY CLERK MAYOR

RECORDED #

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

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

FEES DEPUTY SALT LAKE COUNTY RECORDER



CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

Know what's below. Call before you dig.

BENCHMARK

WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST SALT LAKE BASE AND MERIDIAN

ELEVATION = 4629.48'

GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
3. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
4. ALL CONSTRUCTION SIGNAGE, BARRICADES, TRAFFIC CONTROL DEVICES, ETC. SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. THE CONTRACTOR WILL MAINTAIN SUCH SO THAT THEY ARE PROPERLY PLACED AND VISIBLE AT ALL TIMES.
5. SIDEWALKS AND CURBS DESIGNATED TO BE DEMOLISHED SHALL BE DEMOLISHED TO THE NEAREST EXPANSION JOINT, MATCHING THESE PLANS AS CLOSELY AS POSSIBLE
6. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. SAWCUT EXISTING ASPHALT PAVEMENT TO PROVIDE A CLEAN EDGE FOR THE TRANSITION BETWEEN EXISTING AND PROPOSED ASPHALT PAVEMENT.
2. REMOVE AND PROPERLY DISPOSE OF EXISTING ASPHALT PAVEMENT.
3. REMOVE AND PROPERLY DISPOSE OF EXISTING CONCRETE PAVEMENT.
4. SAWCUT, REMOVE, AND PROPERLY DISPOSE OF EXISTING CONCRETE CURB AND GUTTER.
5. SAWCUT, REMOVE, AND PROPERLY DISPOSE OF EXISTING CONCRETE SIDEWALK.
6. REMOVE AND PROPERLY DISPOSE OF EXISTING STORM DRAIN CULVERT.
7. REMOVE AND PROPERLY DISPOSE OF EXISTING STORM DRAIN PIPE.
8. REMOVE AND PROPERLY DISPOSE OF EXISTING FENCE.
9. REMOVE AND RELOCATE OF EXISTING SIGN.
10. REMOVE AND RELOCATE EXISTING LIGHT POLE AND BASE. SEE ELECTRICAL PLANS FOR ADDITIONAL INFORMATION.
11. REMOVE AND PROPERLY DISPOSE OF EXISTING STRUCTURES, CONCRETE SLABS, STAIRS, ETC., INCLUDING ALL ELECTRICAL APPURTENANCES, IN THIS AREA WHETHER OR NOT IDENTIFIED ON PLANS. CONTRACTOR TO FILL IN ALL HOLES CREATED DURING DEMOLITION WITH STRUCTURAL FILL TO PROPER SUBGRADE ELEVATION.
12. REMOVE AND PROPERLY DISPOSE OF EXISTING POWER POLE. COORDINATE WITH LOCAL POWER COMPANY.
13. LIMIT OF DISTURBANCE.
14. PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, SIGNS, ETC. (TYPICAL UNLESS OTHERWISE NOTED).
15. REMOVE AND PROPERLY DISPOSE OF EXISTING TREE.
16. REMOVE AND PROPERLY DISPOSE OF EXISTING IRRIGATION PIPE. PLUG TURNOUT AT JUNCTION.
17. EXISTING CULINARY WATER SERVICE. ABANDON AT MAIN PER SOUTH JORDAN CITY STANDARDS. LOCATION IS ASSUMED - CONTRACTOR TO FIELD VERIFY LOCATION OF WATER SERVICE AND LOCATION OF CONNECTION TO MAIN PRIOR TO CONSTRUCTION.
18. EXISTING GAS SERVICE AND METER TO BE REMOVED. COORDINATE WITH DOMINION ENERGY.
19. REMOVE AND PROPERLY DISPOSE OF EXISTING SANITARY SEWER MANHOLE
20. REMOVE AND PROPERLY DISPOSE OF EXISTING MAILBOX
21. REMOVE AND PROPERLY DISPOSE OF EXISTING SEWER LATERAL. EXACT LOCATION UNKNOWN. CONTRACTOR TO FIELD VERIFY LOCATION OF LATERAL AND CONNECTION TO SEWER MAIN PRIOR TO CONSTRUCTION.

ENSIGN
THE STANDARD IN ENGINEERING

SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
PAUL SHOEMAKER

CONTACT:
PAUL SHOEMAKER
PHONE: 801-450-8798

WOODLAND PARK ESTATES

3148 WEST 10755 SOUTH
SOUTH JORDAN, UTAH

DEMO PLAN

PROJECT NUMBER	PRINT DATE
10832	11/30/21
DRAWN BY	CHECKED BY
M. BUDGE	D. JENKINS
PROJECT MANAGER	
D. JENKINS	

C-100

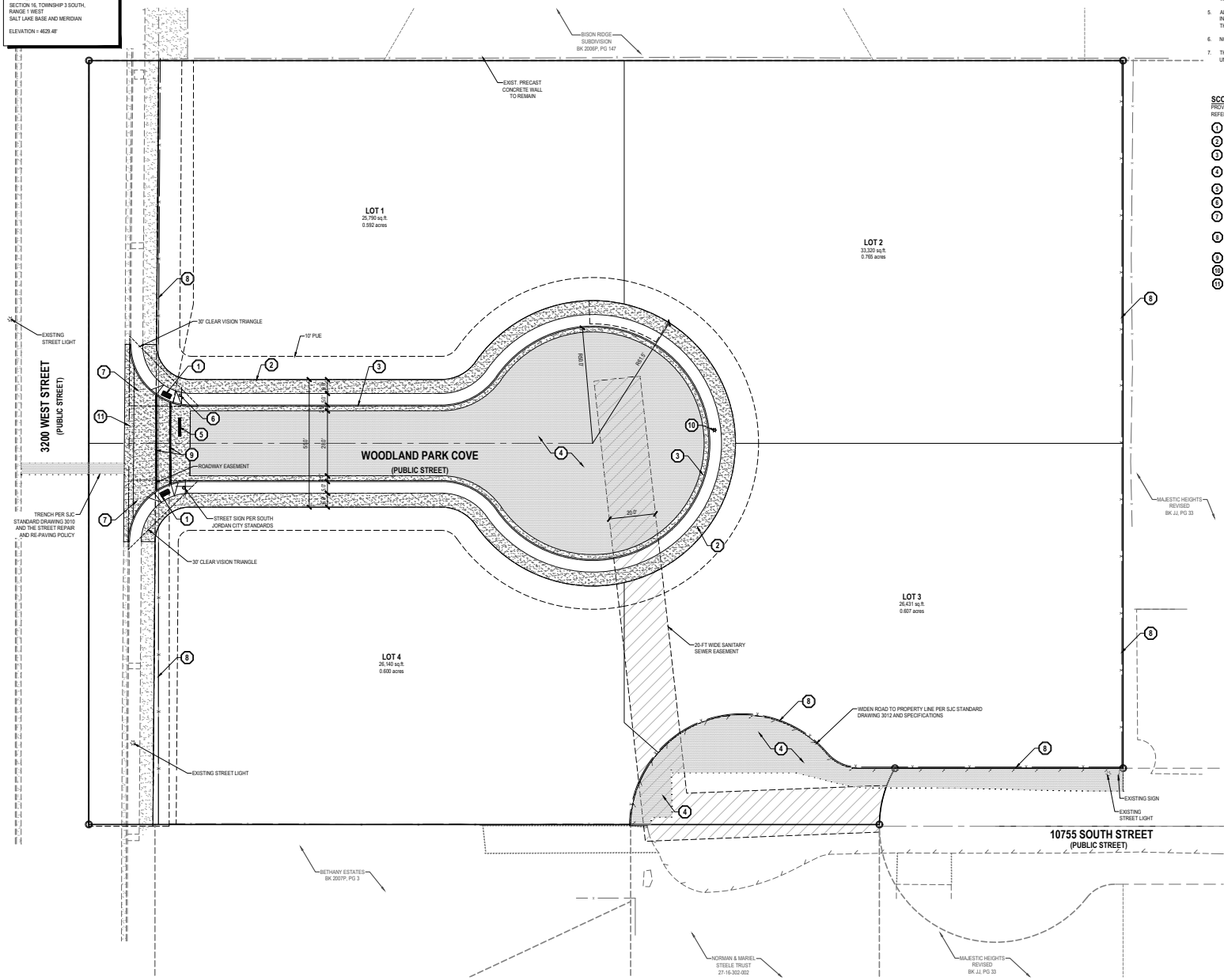
CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

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BENCHMARK

WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST SALT LAKE BASE AND MERIDIAN

ELEVATION = 4629.48'



GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. ACCESSIBLE RAMP PER SOUTH JORDAN CITY STANDARDS.
2. INSTALL CONCRETE SIDEWALK PER DETAILS 5&8/C-600 AND SOUTH JORDAN CITY STANDARDS.
3. INSTALL 30" APWA TYPE A CURB AND GUTTER PER PLAN NO. 205.2.
4. ASPHALT PAVEMENT: 3" THICK WITH 6" UNTREATED BASE COURSE OVER PROPERLY PREPARED SUBGRADE PER GEOTECHNICAL REPORT AND DETAIL 5/C-600.
5. 12" WIDE SOLID WHITE STOP BAR PER M.U.T.C.D. STANDARD PLANS.
6. INSTALL "STOP" SIGN PER M.U.T.C.D. STANDARDS AND SPECIFICATIONS.
7. WATERWAY TRANSITION STRUCTURE PER APWA STANDARD PLAN NO. 213
8. INSTALL PRECAST MASONRY WALL ALONG COLLECTOR STREET PER DETAILS 6&7 ON SHEET C-600. ALONG 3200 WEST, INSTALL CONCRETE MOW STRIP FROM BACK OF SIDEWALK TO UNDERNEATH NEW FENCE PANELS.
9. WHITE CROSSWALK MARKING PER M.U.T.C.D. STANDARD PLANS
10. INSTALL STREET LIGHT PER SOUTH JORDAN CITY STANDARDS
11. 4' WATERWAY STRUCTURE PER APWA STANDARD PLAN NO. 211

HORIZONTAL GRAPHIC SCALE

30 0 10 20 40

(IN FEET)
HORZ: 1 inch = 20 ft.

ENSIGN
THE STANDARD IN ENGINEERING

SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
PAUL SHOEMAKER

CONTACT:
PAUL SHOEMAKER
PHONE: 801-450-8798

WOODLAND PARK ESTATES

3148 WEST 10755 SOUTH
SOUTH JORDAN, UTAH

SITE PLAN

PROJECT NUMBER	PRINT DATE
10832	11/30/21
DRAWN BY	CHECKED BY
M. BUDGE	D. JENKINS

PROJECT MANAGER
D. JENKINS

C-200

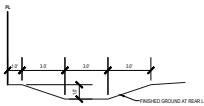
CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

Know what's below. Call before you dig.

BENCHMARK

WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST SALT LAKE BASE AND MERIDIAN

ELEVATION = 4629.48'



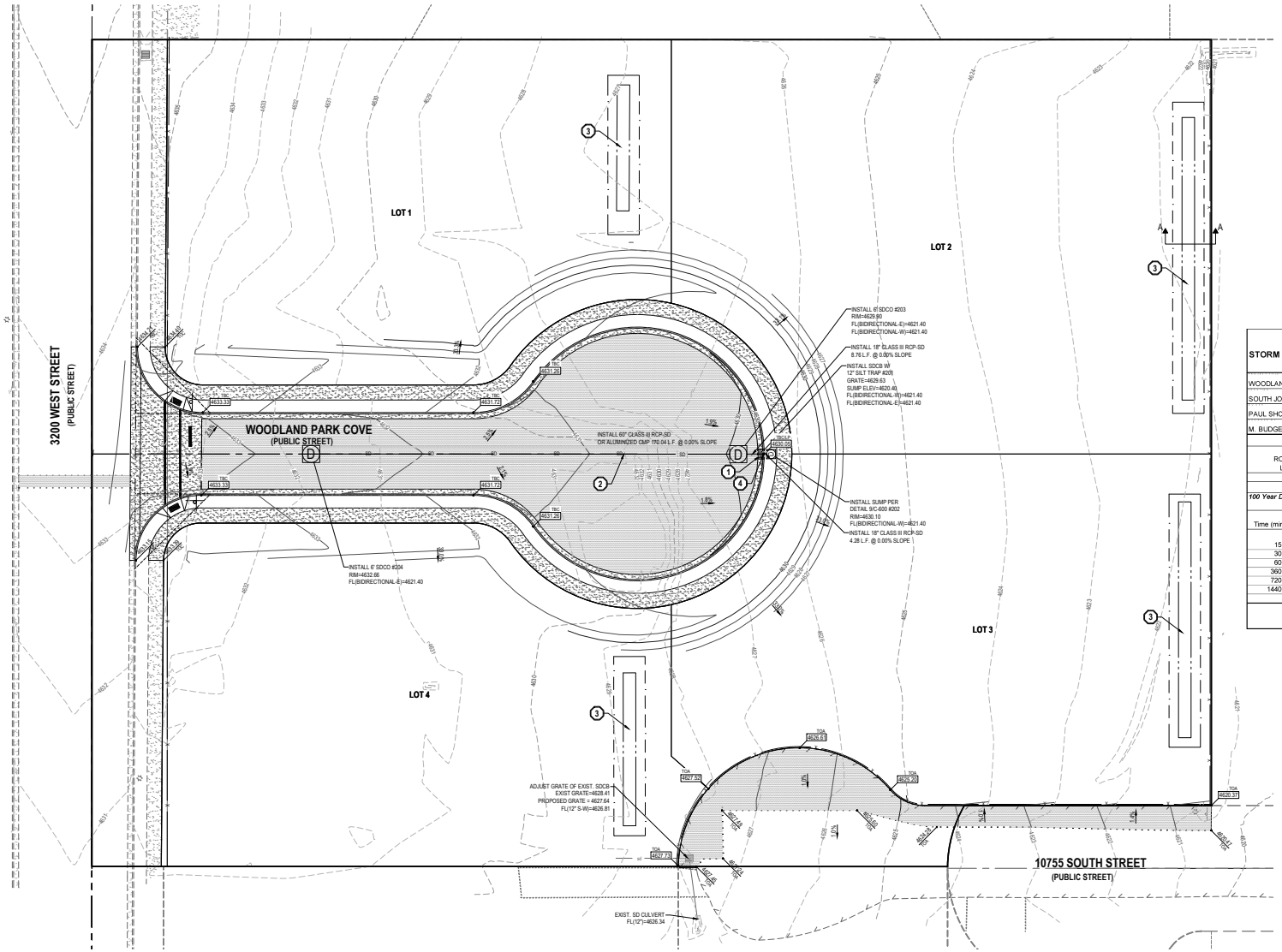
A-A — **REAR YARD RETENTION SWALE**
SCALE: NONE

SCOPE OF WORK:
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. DOUBLE CATCH BASIN PER APWA STANDARD PLAN NO. 315 AND SPECIFICATIONS W/GRATE AND FRAME PER APWA STANDARD PLAN NO. 309.2 AND SPECIFICATIONS (NO HOODED GRATES ARE ALLOWED ON STANDARD STORM DRAIN CATCH BASINS).
2. UNDERGROUND RETENTION GALLERY: 60" RCP OR ALUMINIZED CMP (INSTALLATION PER MANUFACTURER'S RECOMMENDATIONS)
   STORAGE PROVIDED = 3,267 C.F.
   STORAGE REQUIRED = 3,205 C.F.
3. REAR LOT RETENTION SWALE PER SECTION A-A / SHEET C-300
4. SNOUT 12" OR APPROVED EQUAL. CUT PIPE FLUSH WITH STRUCTURAL WALL. ENSURE PIPE/STRUCTURE INTERFACE IS SMOOTH AND FREE OF DEBRIS. INSTALL PER MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS. INSTALL ON SOUTH SIDE OF STORM DRAIN BOX.

GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
4. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
5. LANDSCAPED AREAS REQUIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND REQUIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
6. SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.
7. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
8. ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER SOUTH JORDAN CITY'S STANDARD PLANS AND SPECIFICATIONS.
9. ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
10. ALL FACILITIES WITH DOWNSPOUTS/ROOF DRAINS SHALL BE CONNECTED TO THE STORM DRAIN SYSTEM. SEE PLUMBING PLANS FOR DOWNSPOUT/ROOF DRAIN LOCATIONS AND SIZES. ALL ROOF DRAINS TO HAVE MINIMUM 1% SLOPE.
11. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
12. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.
13. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.



STORM DRAIN DETENTION 100-YEAR STORM

ENSIGN — Structural Engineering, Civil Engineering, Land Surveying

WOODLAND PARK ESTATES				10632	
SOUTH JORDAN, UTAH				11/4/2021	
PAUL SHOEMAKER					
M. BUDGE	D. JENKINS		D. JENKINS		
BUILDINGS		0.00	acres	runoff coeff. C :	0.90
ROADWAYS AND SIDEWALKS		0.37	acres	runoff coeff. C :	0.90
LANDSCAPE/NATIVE AREA :		0.21	acres	runoff coeff. C :	0.20
TOTAL AREA :		**0.574**	acres	WEIGHTED C :	**0.65**

100 Year Design Storm

Allowable Release Rate **0.00** cfs

Time (min)	CA (Acres)	Precipitation (in/hr)	Time (sec)	Cumulative Runoff (ft^3)*	Allowed Runoff (ft^3)	Storage (ft^3)
	0.37		900.00	1355.57	0.00	1355.57
15.00		4.06				
30.00	0.37	2.74	1800.00	1829.69	0.00	1829.69
60.00	0.37	1.69	3600.00	2257.06	0.00	2257.06
360.00	0.37	0.333	21600.00	2668.40	0.00	2668.40
720.00	0.37	0.193	43200.00	3093.10	0.00	3093.10
1440.00	0.37	0.100	86400.00	3205.29	0.00	3205.29
				STORAGE REQUIRED :		**3205.29**
				TOTAL STORAGE REQUIRED:		**3205.3**
				TOTAL STORAGE PROVIDED:		**3267.2**

HORIZONTAL GRAPHIC SCALE
30 5 10 20 40
(IN FEET)
HORZ: 1 inch = 20 ft.

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FOR:
PAUL SHOEMAKER

CONTACT:
PAUL SHOEMAKER
PHONE: 801-450-8798

WOODLAND PARK ESTATES

3148 WEST 10755 SOUTH
SOUTH JORDAN, UTAH

GRADING AND DRAINAGE PLAN

PROJECT NUMBER: 10632
PRINT DATE: 11/3/21
DRAWN BY: M. BUDGE
CHECKED BY: D. JENKINS
PROJECT MANAGER: D. JENKINS

C-300

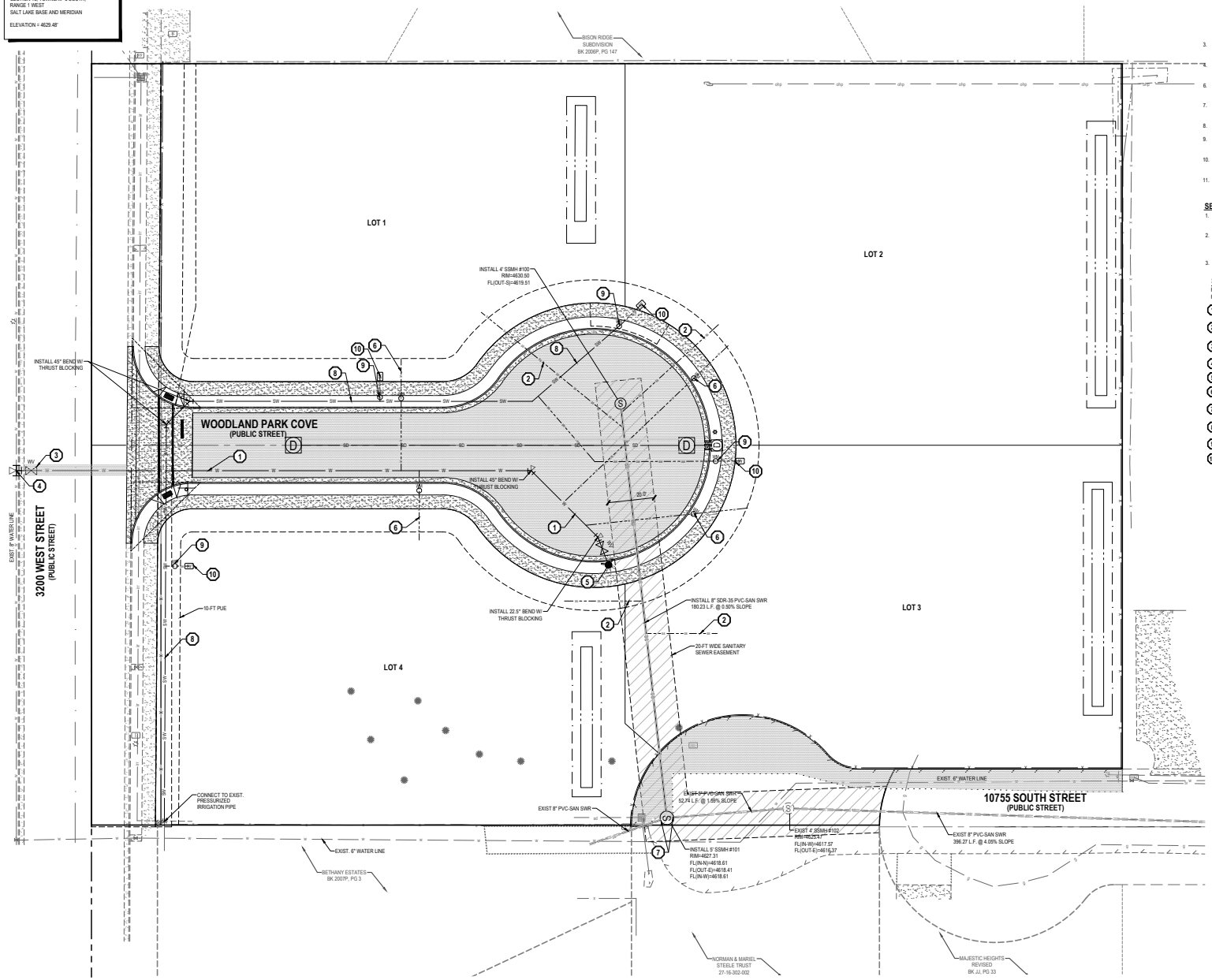
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Know what's below. Call before you dig.

BENCHMARK

WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST SALT LAKE BASE AND MERIDIAN

ELEVATION = 4629.48'



GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
3. ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER SOUTH VALLEY SEWER DISTRICT'S STANDARD PLANS AND SPECIFICATIONS.
4. ALL WATER INFRASTRUCTURE TO BE INSTALLED PER SOUTH JORDAN CITY'S STANDARD PLANS AND SPECIFICATIONS.
6. DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
7. PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
8. THE CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL/PLUMBING PLANS.
9. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING UTILITY STRUCTURES OR PIPES.
10. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
11. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SEWER NOTES

1. ALL CONSTRUCTION SHALL COMPLY WITH SOUTH VALLEY SEWER DISTRICT DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS.
2. CONTRACTOR TO FIELD VERIFY LOCATIONS AND INVERTS ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW SEWER LINES.
3. FOUR FEET OF COVER IS REQUIRED OVER ALL SEWER LINES.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. 8" DR-18 PVC POTABLE WATERLINE PER SOUTH JORDAN CITY STANDARDS AND SPECIFICATIONS.
2. 4" SDR-35 PVC SANITARY SEWER LATERAL AT 2.00% MIN. SLOPE, INCLUDING CLEANOUTS AT MAXIMUM 100-FOOT SPACING, PER SOUTH VALLEY SEWER DISTRICT'S STANDARDS AND SPECIFICATIONS.
3. CONNECT TO POTABLE WATER W/ 8" GATE VALVE PER SOUTH JORDAN CITY STANDARDS AND SPECIFICATIONS. VALVES TO BE FLANGED TO TEE IF PROXIMITY PERMITS.
4. INSTALL 8"x8"x8" TEE W/ THRUST BLOCK.
5. FIRE HYDRANT (COMPLETE) PER SOUTH JORDAN CITY STANDARDS AND SPECIFICATIONS.
6. 3/4" POTABLE WATER LATERAL AND 3/4" METER PER SOUTH JORDAN CITY STANDARDS AND SPECIFICATIONS.
7. CONNECT TO EXISTING SEWER MAIN PER SOUTH VALLEY SEWER DISTRICT'S STANDARDS AND SPECIFICATIONS.
8. 6" DR-18 PVC SECONDARY WATERLINE PER SOUTH JORDAN CITY STANDARDS AND SPECIFICATIONS.
9. 1" POLY SECONDARY WATER LATERAL AND 1" METER PER SOUTH JORDAN CITY STANDARDS AND SPECIFICATIONS.
10. 14" X 9" IRRIGATION CONTROL VALVE BOX

HORIZONTAL GRAPHIC SCALE

30 0 10 20 40

(IN FEET)

HORZ: 1 inch = 20 ft.

ENSIGN
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FOR:
PAUL SHOEMAKER

CONTACT:
PAUL SHOEMAKER
PHONE: 801-450-8798

WOODLAND PARK ESTATES

3148 WEST 10755 SOUTH
SOUTH JORDAN, UTAH

UTILITY PLAN

PROJECT NUMBER	PRINT DATE
10032	11/30/21
DRAWN BY	CHECKED BY
M. BUDGE	D. JENKINS

PROJECT MANAGER
D. JENKINS

C-400

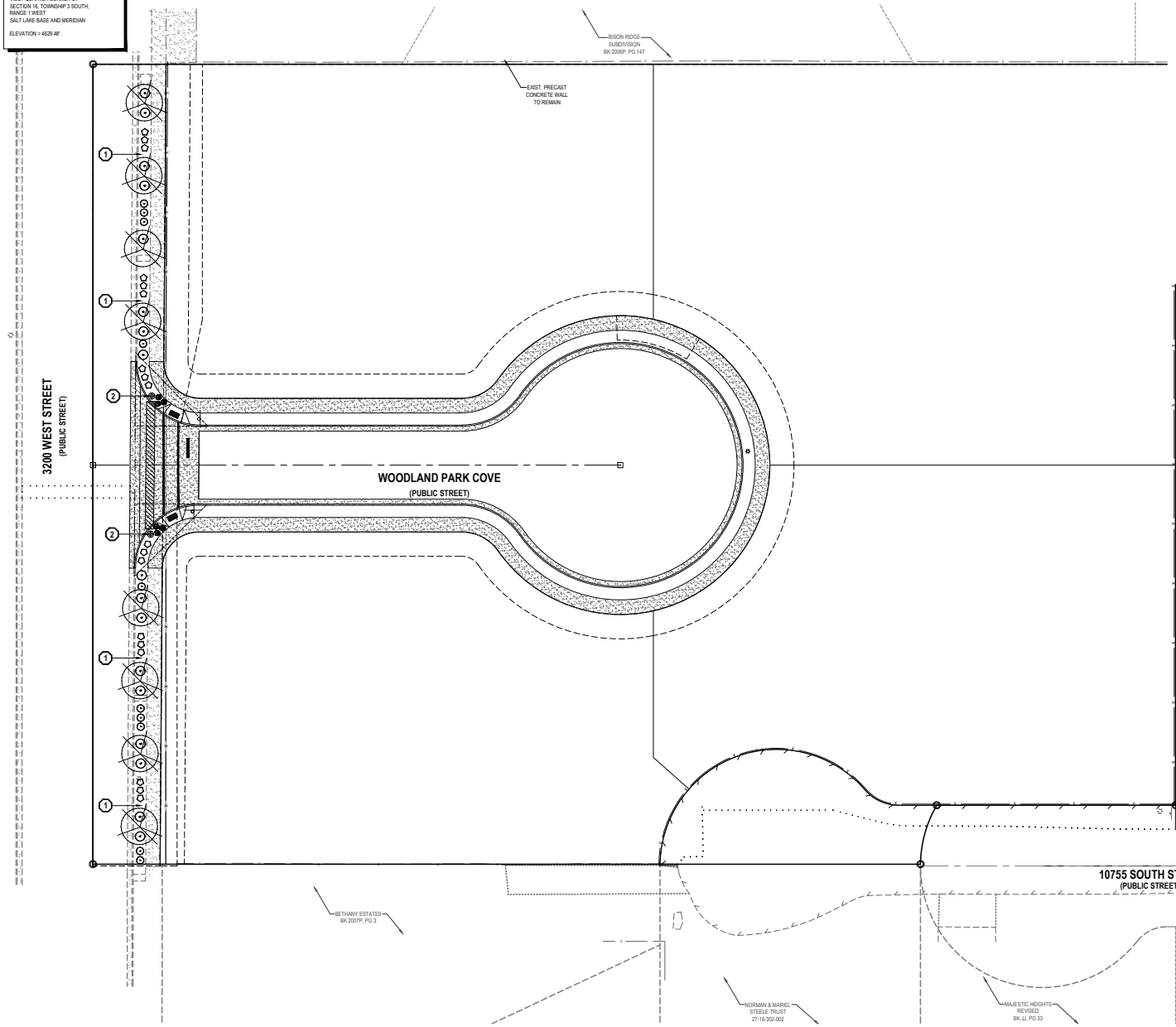
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BENCHMARK

WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST SALT LAKE BASE AND MERIDIAN

ELEVATION = 4629.48'



Landscape

Trees

Qty	Symbol	Common Name	Botanical Name	Plant Size
8		Bigtooth Maple	Acer grandidentatum	2" Cal.

Shrubs

Qty	Symbol	Common Name	Botanical Name	Plant Size
10		Barberry, 'Crimson Pygmy'	Berberis thunbergii atropurpurea nana	5 Gallon
18		Cinquefoil	Potentilla fruticosa 'Abbotswood'	5 Gallon
17		Creeping Juniper	Juniperus horizontalis 'Bar Harbor'	5 Gallon
6		Fountain Grass	Pennisetum setaceum	1 Gallon

Irrigation

Qty	Symbol	Description
2		Rain Bird XCZ-100 COM
		Pipe Sleeve - 2x Pipe Diameter

1. In all planter bed areas, install 4" deep 2"-2" dia. Nephi Rock & Gravel color 'Southtown' or equiv. decorative rock over weed barrier, typ.

2. Contractor to remove existing sprinkler spray heads and convert spray system to drip system. Install 2 emitters per shrub, 4 emitters per tree. This will include using Rain Bird XBS Black Stripe Tubing with Rain Bird XB-10 Emitters.

Landscape Calculations:
Total Parkstrip Area = 1,461 sq. ft.
Plant Coverage Required = 731 sq. ft. (50%)
Plant Coverage Provided = (10 x 12.5) + (18 x 9) + (17 x 25) + (6 x 3.14) = 731 sq. ft. (50%)

NORTH

HORIZONTAL GRAPHIC SCALE

30 0 10 20 40

(IN FEET)
HORZ. 1 inch = 20 ft.

ENSIGN
THE STANDARD IN ENGINEERING

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PAUL SHOEMAKER

CONTACT:
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PHONE: 801-450-8798

WOODLAND PARK ESTATES

3148 WEST 10755 SOUTH
SOUTH JORDAN, UTAH

STATE OF UTAH
KEN G. BOWERS
No. 10416750-5301
LICENSED LANDSCAPE ARCHITECT

PERMIT 11/18/21

LANDSCAPE PLAN

PROJECT NUMBER: 10632
PRINT DATE: 11/17/21
DRAWN BY: M. BUDGE
CHECKED BY: D. JENKINS
PROJECT MANAGER: D. JENKINS

L-100

SOUTH JORDAN CITY
PLANNING COMMISSION REPORT

Meeting Date: 12/14/21

Application: GARDNER DENTAL PRELIMINARY SUBDIVISION

Address: 11381 S Temple Drive
File No: PLPP202100233
Applicant: Nate Lechtenberg

Submitted By: David Mann, Planner II
Jared Francis, Senior Engineer

Staff Recommendation (Motion Ready):

I move that the Planning Commission **approve** file no. PLPP202100233 for the Gardner Dental Preliminary Subdivision.

ACREAGE:	1.19 acres
CURRENT ZONE:	C-N-PD
CURRENT USE:	Residential
FUTURE LAND USE PLAN:	Economic Center

STANDARDS FOR SUBDIVISION REVIEW

The Planning Commission shall receive public comment at the public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the project does not meet city ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application. (City Code § 16.10.060)

BACKGROUND & ANALYSIS:

The subject property was rezoned to the C-N-PD zone on May 18, 2021 with an associated development agreement. Lot 1 will be developed with a dental office and lot 2 will be a residential lot where the property owner will build their house. Lot 2 will be accessed from Temple Drive by way of a required access easement that is shown on the preliminary plat. A small section of property adjacent to Temple Drive will be dedicated to the City in order to line up with the existing ROW.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- The proposed preliminary subdivision meets the requirements of the approved development agreement associated with the subject property.

Conclusions:

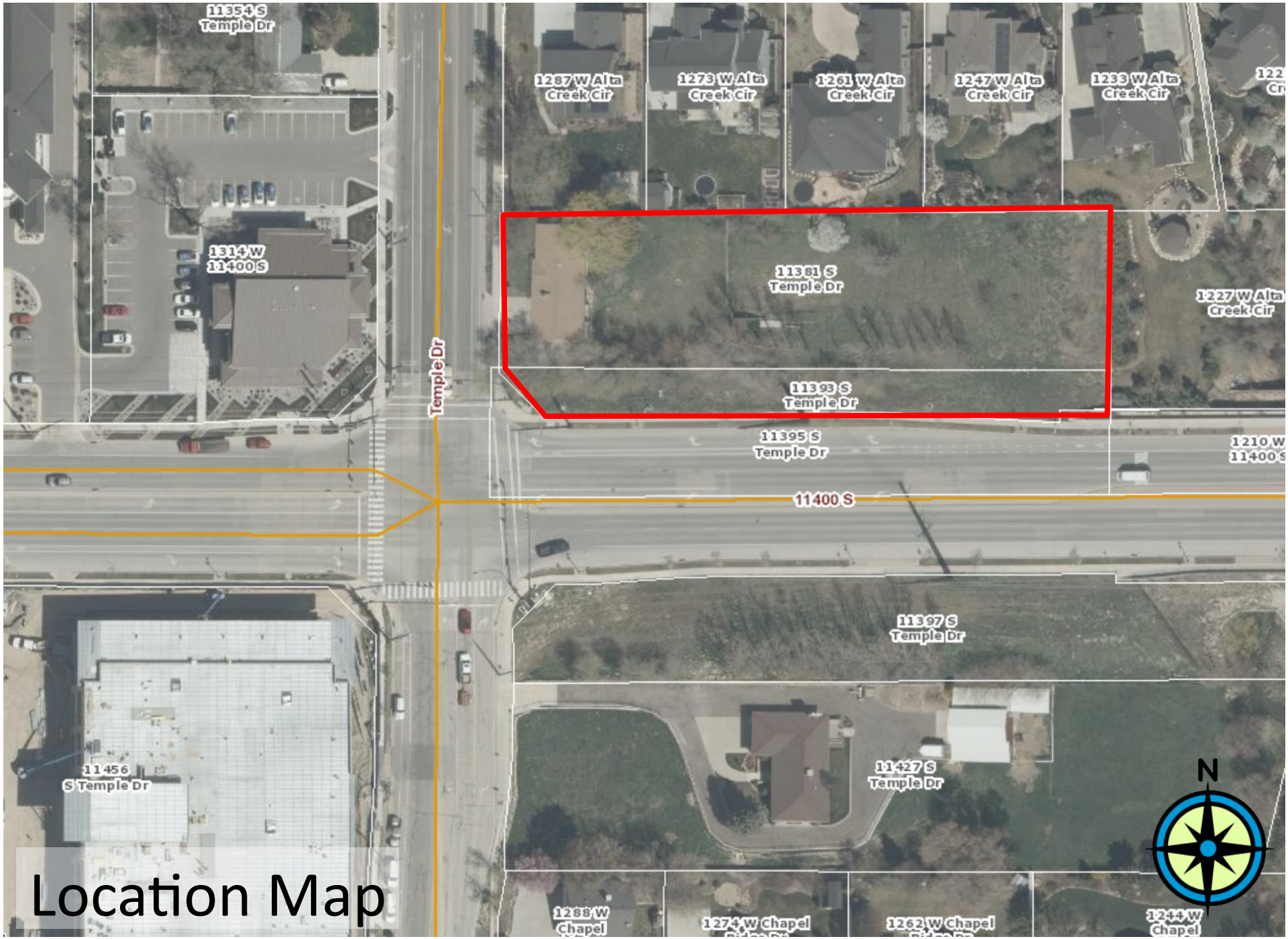
- Based on the application materials and the findings listed above, the proposal is consistent with the City's General Plan and with the purposes and objectives of the pertinent requirements of the City's Planning and Zoning Code (specifically Chapters 16.10 and 17.74).

ALTERNATIVES:

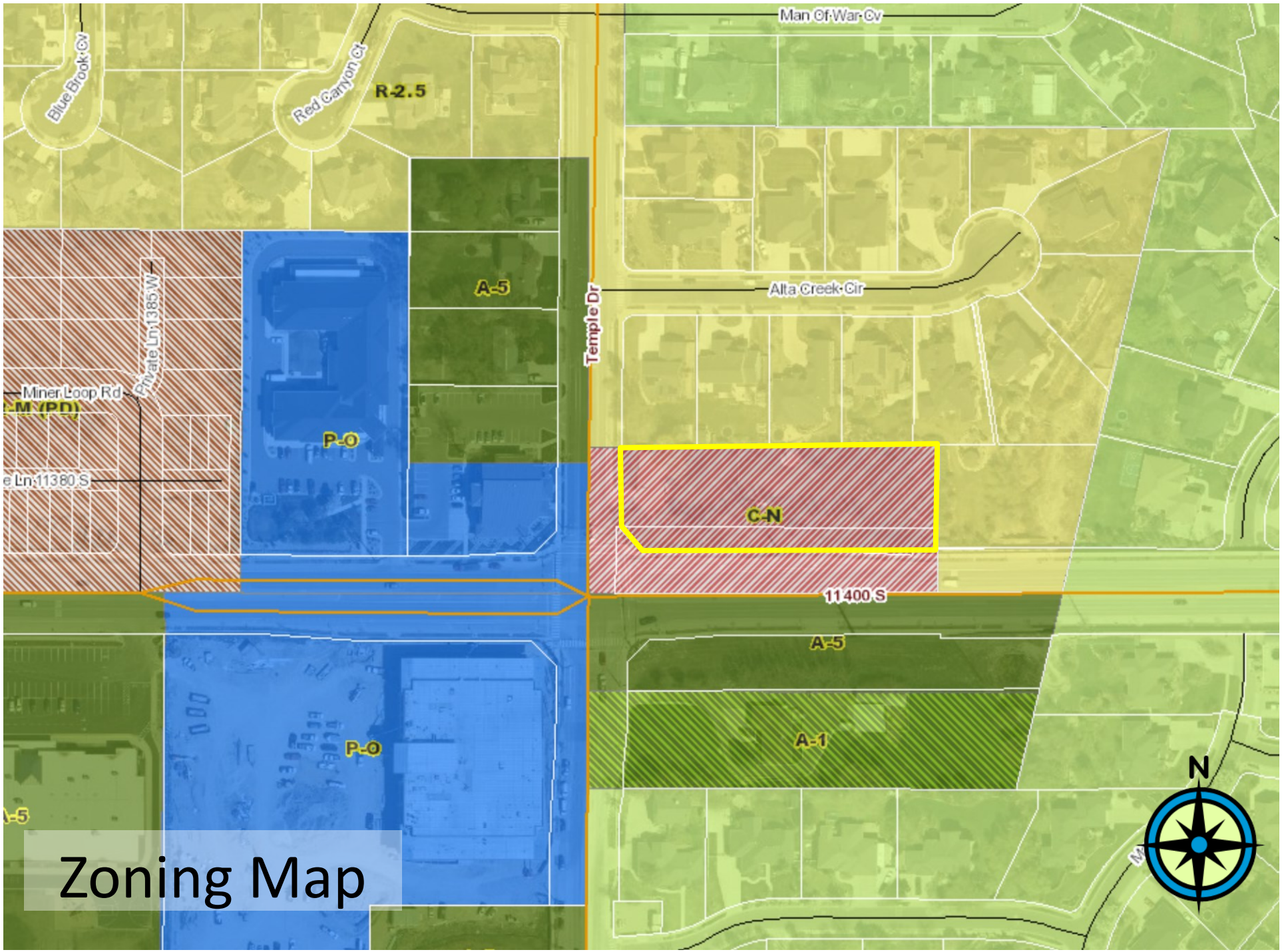
- Recommend denial of the application.
- Propose modification(s) to the application.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- Location Map
- Zoning Map
- Subdivision Plat
- Development Agreement



Location Map

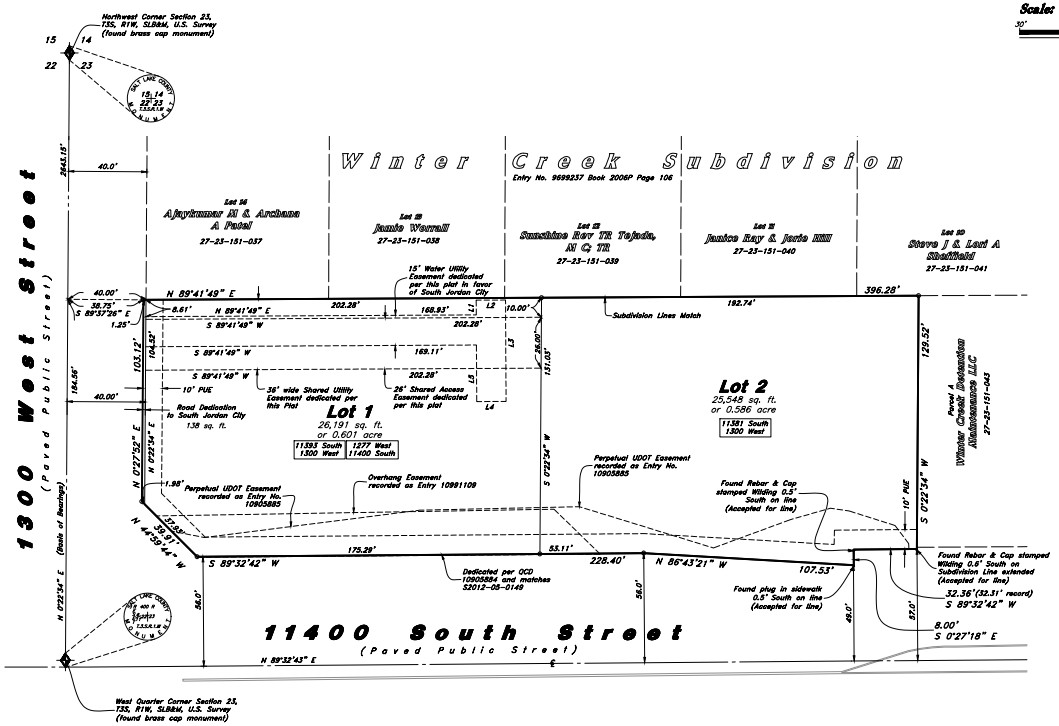

Man Of War Cv
Blue Brook Cv
Red Canyon Ct
R-2.5
A-5
Temple Dr
Alta Creek Cir
Private Ln 1385 W
Miner Loop Rd
P-O
C-N
11400 S
A-5
A-1
P-O
N

Zoning Map

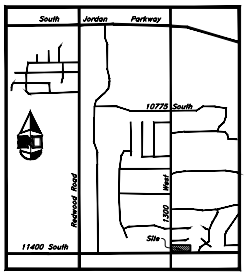
21-076Sub

Gardner Dental Subdivision

A part of the Northwest Quarter of Section 23, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, in South Jordan City, Salt Lake County, Utah
2021



Scale: 1" = 30'
30' 0 30' 60'



Vicinity Map
Not to Scale

Narrative

This Subdivision was requested by Mr. Tucker Nipko to create 2 Lots.

This Subdivision retraces and honors the adjacent 2006 Winter Creek Subdivision recorded as Entry No. 9699237 in Book 2006P at Page 106, Official Records of Salt Lake County, a 2012 Survey by Psomas Engineering filed as S2012-05-0149 with the Office of the Salt Lake County Surveyor, and 2021 ALTA and Boundary Surveys by AWA.

A line between monuments found for the West Quarter Corner and the Northwest Corner of Section 23 was assigned the VRS bearing of North 0°22'34" East as the Basis of Bearings to place the Survey on the NAD 1983 Utah Central Zone State Plane Datum.

Record bearings have been rotated 0°14'39" Clockwise in order to match the State Plane Datum.

A 2016 Survey by Wilding Engineering filed as S2016-08-0633 in the Office of the Salt Lake County Surveyor was reviewed, corners were found for said Wilding survey as shown hereon and despite claiming to follow the 2012 Psomas Record of Survey, the South line indicated by the Wilding Survey is approximately 0.4' Southerly of the 2012 Line. No dedication of record was found to justify the 40 foot half-width for 1300 West exhibited on said Wilding Survey.

Property Corners were placed as shown hereon.

Dominion Energy

Questar Gas Company, dba Dominion Energy Utah, hereby approves this plat solely for the purposes of confirming that the plat contains public utility easements. Dominion Energy Utah may require additional easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities including prescriptive rights and other rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set forth in the owner Dedication or in the Notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Dominion Energy Utah's Right-of-Way Department at 1-800-366-8532.

Rocky Mountain Power

Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utility Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that my be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the owner's expense, or the utility may remove such structures at the owner's expense. At no time will any permanent structures be placed within the PUE or any other obstructions which interfere with the use of the PUE with out the prior written approval of the utilities with facilities in the PUE.

Notes

1. Owners and potential purchasers of property legally described by this plat (the 'Property') should familiarize themselves with all notes, lot information, easements, and other pertinent information contained with this plat and also with any conditions, covenants, and restrictions (CC&Rs) documents that may be recorded against the Property. Owners and potential purchasers of the Property must comply with all notes, easements, CC&Rs, and other recorded documents related to this plat, as currently existing or as may from time to time be changed and/or amended. Failure to adhere to the notes, lot information, easements, CC&Rs, or other documents recorded against the Property could result in financial loss or changes in expected property use.
2. This subdivision is subject to the _____ development agreement with the City of South Jordan dated _____.
3. This plat is subject to that certain Development Agreement dated _____, by and between the City of South Jordan and _____, including all provisions, covenants, conditions, restrictions, easements, charges, assessments, liens or rights, if any, created therein and recorded _____ as Entry No._____, in Book _____, at Page _____ of the Official Records of Salt Lake County.
4. Many areas in the City of South Jordan have groundwater problems due to a high or fluctuating water table. City approval of this plat does not constitute representation by the City that building at any specified elevation will solve groundwater problems, if any.
5. The Owner certifies that the title report dated _____, which was prepared by _____, was provided to Owner's surveyor and that the plat shows all easements and encumbrances listed in said title report.
6. Approval of this plat by South Jordan City does not mean that individual lot drainage to a road or retention facility is assured. Development and grading may necessitate swales and other drainage facilities to protect individual properties. Approval of this plat does not constitute representation by the City that swales and other drainage facilities are appropriate and maintained nor that drainage from adjacent properties is prevented.

Legend

- Property Line
- Easement Line
- Adjoiner Line
- ℄ Center Line
- Section Corner
- Set 5/8" rebar with plastic cap or nail with Brass Tag stamped "AWA"

Easement Approval

Dominion Energy Utah	DATE
Rocky Mountain Power	DATE
COMCAST CABLE COMPANY	DATE
LUMEN TECHNOLOGIES	DATE

Surveyor's Certificate

I, Ken B. Hawkes, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold Certificate No. 8707113 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify for, and on behalf of Anderson Wahlen & Associates that by authority of the owners I have completed a survey of the property described on this Subdivision Plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as

Gardner Dental Subdivision

Boundary Description

A parcel of ground located in the Northwest Quarter of Section 23, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, in South Jordan City, Salt Lake County, Utah:

Beginning at the intersection of a Westerly extension of the Southerly line of Winter Creek Subdivision as staked on the ground and recorded as Entry No. 9699237 in Book 2006P at Page 106, Official Records of Salt Lake County; and the Easterly line of 1300 West Street as deeded to South Jordan City per Quit Claim Deed recorded as Entry No. 11006197, Official Records of Salt Lake County, located 184.56 feet North 0°22'34" East along the Westerly Line of said Section 23; and 38.75 feet South 89°37'26" East from a Brass Cap Monument found marking the West Quarter Corner of said Section 23; and running thence North 89°41'49" East 396.28 feet to and along said Southerly line and Southerly line extended to the Northwest corner of Parcel A of said Subdivision; thence South 0°22'34" West 129.52 feet along the Westerly Line of Parcels A and B of said Subdivision to the Northerly Line of 11400 South Street as deeded to Utah Department of Transportation per Quit Claim Deed recorded as Entry No. 10905884, Official Records of Salt Lake County, matching a line defined by a 2012 Survey by Psomas Engineering filed as S2012-05-0149 in the Office of the Salt Lake County Surveyor; thence along said Northerly line the following five courses: South 89°32'42" West 32.36 feet (32.31 foot record); South 0°27'18" East 8.00 feet; North 86°43'21" West 107.53 feet; South 89°32'42" West 228.40 feet; and North 44°59'44" West 39.91 feet to said Easterly Line of 1300 West Street; thence North 0°27'52" East 103.12 feet to and along the line deeded by said Quit Claim Deeds recorded as Entry No.'s 11006197 and 10905884, Official Records of Salt Lake County, to the point of beginning.

Contains 51,877 sq. ft.
Or 1.191 acres
2 Lots

APN: 27-23-152-010
and 27-23-152-008

PRELIMINARY

Date

Ken B. Hawkes
Utah PLS No. 8707113

Owner's Dedication

Know all men by these presents that the undersigned owner(s) of the above described tract of land, having caused the same to be subdivided into lots and streets to be hereafter known as Gardner Dental Subdivision do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

In witness whereby I have hereunto set My Hand this _____day of _____ AD, 20___.

Thayne Gardner

_____,

By:
Its:

Acknowledgment

State of
County of } ss

On the _____ day of _____, 20___, personally appeared before me, the undersigned Notary Public, _____, who being by me duly sworn did say that they are the _____ of _____ and that the foregoing instrument was signed in behalf of said corporation by authority of its Board of Directors, and they acknowledged to me that said corporation executed the same.

Residing at: _____
Commission Expires: _____

_____ _____
Print Name A Notary Public

Salt Lake County Surveyor	Gardner Dental	ANDERSON WAHLEN & ASSOCIATES
ROS #	14000 South 1300 West South Jordan Utah Telephone: Contact:	2010 North Redwood Road, Salt Lake City, Utah 84116 801 521-8529 - AWAengineering.net
County Surveyor Reviewer Date		

South Valley Sewer District	Board of Health	South Jordan City Engineer	Office of the City Attorney	City Planner	South Jordan City Mayor
Approved this _____ Day of _____ A.D., 20__.	Approved this _____ Day of _____ A.D., 20__.	I hereby certify that this office has examined this plat and it is correct in accordance with information on file in this office.	Approved as to Form this _____ Day of _____ A.D., 20__.	Approved this _____ Day of _____ A.D., 20__.	Approved as to form this _____ Day of _____ A.D., 20__.
South Valley Sewer District	Salt Lake Valley Health Department	South Jordan City Engineer Date	Attorney for South Jordan City	City Planner	Attest: City Clerk South Jordan City Mayor

Gardner Dental Subdivision

A part of the Northwest Quarter of Section 23, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, in South Jordan City, Salt Lake County, Utah

Recorded #
State of Utah, County of Salt Lake, Recorded and Filed at the Request of

Date _____ Time _____ Book _____ Page _____

Fee $ _____ Salt Lake County Recorder

RESOLUTION R2021 - 14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR TO SIGN A DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF PROPERTY APPROXIMATELY LOCATED AT 11381 S. TEMPLE DRIVE IN THE CITY OF SOUTH JORDAN.

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah (the "City") and is authorized to enter into development agreements that it considers are necessary or appropriate for the use and development of land within the City pursuant to Utah Code §10-9a-102 *et seq.*; and

WHEREAS, the City has entered into development agreements from time to time as the City has deemed necessary for the orderly development of the City; and

WHEREAS, the Applicant now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property located at approximately 11381 S Temple Drive (the "Property"); and

WHEREAS, the South Jordan City Council (the "City Council") has determined that it is in the best interest of the public health, safety, and welfare of the City to enter into a development agreement for the orderly development of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Authorization to Sign Development Agreement. The City Council hereby authorizes the Mayor to sign the Development Agreement, attached hereto as **Exhibit 1**.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 18 DAY OF May, 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	X			
Bradley Marlor	X			
Donald Shelton	X			
Tamara Zander	X			
Jason McGuire				X

Mayor: Dawn R. Ramsey

Attest: City Recorder

Approved as to form:

Gregory Simonsen
Gregory Simonsen (May 14, 2021 11:20 MDT)
Office of the City Attorney

City of South Jordan CORPORATE Seal State of Utah

EXHIBIT 1

(Development Agreement)

After recording, please mail to:

City of South Jordan
Attn: City Recorder
1600 Towne Center Drive
South Jordan, Utah 84095

Affected Parcel No(s).: 27-23-152-010 and 27-23-142-008.

DEVELOPMENT AGREEMENT

The CITY OF SOUTH JORDAN, a Utah municipal corporation (the "City"), and **TUCKER NIPKO**, an individual (the "Developer"), enter into this Development Agreement (this "Agreement") this 18 day of May, 2021 ("Effective Date"), and agree as set forth below. The City and the Developer are jointly referred to as the "Parties" and each may be referred to individually as "Party."

RECITALS

WHEREAS, the Developer is the owner of certain real property identified as Assessor's Parcel Numbers 27-23-152-010 and 27-23-142-008 specifically described in attached **Exhibit A** (the "Property") and intends to develop the Property consistent with the Concept Plan attached as **Exhibit B** (the "Concept Plan"); and

WHEREAS, the City, acting pursuant to (1) its authority under Utah Code Annotated 10-9a-102(2) *et seq*., as amended, and (2) the South Jordan City Municipal Code (the "City Code"), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, the City has made certain determinations with respect to the proposed development of the Property and in exercise of its legislative discretion has elected to enter into this Agreement; and

WHEREAS, the Property is currently subject to the Planning and Land Use Ordinance of South Jordan City and is within the Commercial Neighborhood zone (the "C-N Zone") (a copy of the provisions of such zone designation in the City Code is attached hereto as **Exhibit C**); and

WHEREAS, the Developer desires to make improvements to the Property in conformity with this Agreement and desires a zone change on the Property from the C-N Zone to the C-N-PD zone; and

WHEREAS, the Developer and the City acknowledge that the development and improvement of the Property pursuant to this Agreement will provide certainty useful to the Developer and to the City in ongoing and future dealings and relations among the Parties; and

WHEREAS, the City has determined that the proposed development contains features which advance the policies, goals and objectives of the South Jordan City General Plan, preserve and maintain the open and sustainable atmosphere desired by the citizens of the City, and

contribute to capital improvements which substantially benefit the City and will result in planning and economic benefits to the City and its citizens; and

WHEREAS, this Agreement shall only be valid upon approval of such by the South Jordan City Council, pursuant to resolution R-2021-14, (attached hereto as **Exhibit E**); and

WHEREAS, the City and the Developer acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the South Jordan City Council, in its sole legislative discretion, approves a zone change for the Property currently zoned as C-N to a zone designated as C-N-PD.

NOW THEREFORE, based upon the foregoing recitals and in consideration of the mutual covenants and promises contained set forth herein, the Parties agree as follows:

TERMS

A. Recitals; Definitions. The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the Planning and Land Use Ordinance of South Jordan City.

B. Enforceability: The City and the Developer acknowledge that the terms of this Agreement shall be enforceable, and the rights of the Developer relative to the Property shall vest, only if the South Jordan City Council in its sole legislative discretion approves a zone change for the Property currently zoned as C-N to a zone designated as C-N-PD.

C. Conflicting Terms. The Property shall be developed in accordance with the requirements and benefits provided for in relation to a C-N-PD zone under the City Code as of the Effective Date. In the event of a discrepancy between the requirements of the City Code including the C-N-PD zone, and this Agreement, this Agreement shall control.

D. Developer Obligations:

1. Residential Component. As depicted in **Exhibit B** (concept plan) the property will be developed with a residential component (1 single family house) and a commercial component (dental office). The residential component shall meet all the development standards of the R-2.5 zone, including all setbacks, height restrictions and other standards. A true and correct copy of the R-2.5 zone as it exists in the City Code on the date of execution of this agreement is attached hereto as **Exhibit D**. The Developer may build up to an 8 foot tall fence along 11400 South on the residential portion of the property and a 6 foot tall fence between the residential and commercial components of the development, according to current fencing requirements in the City Code. Access to the residential portion of the property shall be from Temple Drive across the parking lot of the office building. Access shall be guaranteed by a perpetual easement to be recorded on a subdivision plat by the Developer across the commercial portion of the property.

2. Commercial Component. No fence will be allowed adjacent to 11400 South on the commercial portion of the property. Architecture for the office building shall have

similar design elements as other commercial buildings adjacent to the intersection as reviewed and approved by the City Architecture Review Committee. Signage for the commercial property shall meet current city standards as set forth in the City Code.

E. City Obligations.

1. Development Review. The City shall review development of the Property in a timely manner, consistent with the City's routine development review practices and in accordance with all applicable laws and regulations including those of the Architectural Review Committee and the Design Review Committee

F. Vested Rights and Reserved Legislative Powers.

1. Vested Rights. Consistent with the terms and conditions of this Agreement, the City agrees the Developer has the vested right to develop and construct the Property in accordance with: (i) the C-N Zone (**Exhibit C**) zoning designation; (ii) the City Code in effect as of the Effective Date and; (iii) the terms of this Agreement.

2. Reserved Legislative Powers. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer under this Agreement and with respect to use under the zoning designations as referenced in *Section III.A.* above under the terms of this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Property shall be of general application to all development activity in the City and Salt Lake County (the "County"); and, unless in good faith the City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine. The notice required by this paragraph shall be that public notice published by the City as required by State statue

G. Term. This Agreement shall be effective as of the date of recordation, shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the parties mutually agree to extend the term, this agreement shall not extend further than a period of 10 years from its date of recordation in the official records of the Salt Lake County Recorder's Office.

H. General Provisions.

1. Notices. All Notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either party may from time to time

designate in writing and deliver in like manner. Any such change of address shall be given at least 10 days before the date on which the change is to become effective.

If to City: ATTN: City Recorder
City of South Jordan
1600 West Towne Center Drive
South Jordan City, Utah 84095
Attention: City Recorder

If to Developer: Tucker Nipko
1086 West 3050 North
Pleasant View, UT 84414

2. Mailing Effective. Notices given by mail shall be deemed delivered 72 hours following deposit with the U.S. Postal Service in the manner set forth above.

3. No Waiver. Any party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

4. Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only, and shall not control or affect the meaning or construction of any provision this Agreement.

5. Authority. The parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants it is fully formed and validly existing under the laws of the State of Utah, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Developer and the City warrant to each other that the individuals executing this Agreement on behalf of their respective parties are authorized and empowered to bind the parties on whose behalf each individual is signing. Developer represents to the City that by entering into this Agreement Developer has bound all persons and entities having a legal or equitable interest to the terms of the Agreement as of the Effective Date.

6. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by the City for the Property contain the entire agreement of the parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the parties which are not contained in such agreements, regulatory approvals and related conditions.

7. Amendment. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the parties to

this Agreement or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.

8. Severability. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developer's ability to complete the development of the Property as set forth in the Concept Plan is not defeated by such severance.

9. Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of the Agreement. The parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The Parties hereby expressly waive any right to object to such choice of law or venue.

10. Remedies. If any party to this Agreement breaches any provision of this Agreement, the non-defaulting party shall be entitled to all remedies available at both law and in equity.

11. Attorney's Fee and Costs. If any party brings legal action either because of a breach of the Agreement or to enforce a provision of the Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs.

12. Binding Effect. The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors in interest and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

13. No Third Party Rights. The obligations of the Developer and the City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise provided herein.

14. Assignment. Developer may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement and Developer shall be deemed released of its obligations in connection with this Agreement; provided, however, that Developer shall provide the City with notice of the assignment of this Agreement within a reasonable time after the occurrence of such assignment.

15. No Agency Created. Nothing contained in the Agreement shall create any partnership, joint venture, or agency relationship between the parties.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

CITY OF SOUTH JORDAN,
a Utah Municipal Corporation

By: Dawn R. Ramsey
Dawn R. Ramsey, Mayor

APPROVED AS TO FORM:

Gregory Simonsen
Gregory Simonsen (May 14, 2021 11:18 MDT)
Attorney for the City

State of Utah)
:ss
County of Salt Lake)

On this 18 day of May, 20 21, personally appeared before me Dawn R. Ramsey, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that she is the Mayor, of the City of South Jordan, a Utah municipal corporation, and said document was signed by her in behalf of said municipal corporation by authority of the South Jordan City Code by a Resolution of the South Jordan City Council, and she acknowledged to me that said municipal corporation executed the same.

NOTARY PUBLIC
MELANIE EDWARDS
Commission No. 698737
Commission Expires
JANUARY 29, 2022
STATE OF UTAH

Notary Public

My Commission Expires: 1-29-22
Residing at: SLCo

TUCKER NIPKO, an individual

Tucker Nipko / Developer
(Print Name and Title)

State of Utah)
:ss
County of Weber)

The foregoing instrument was acknowledged before me on this 14 day of May, 20 21, by Suzanne Poole, the Witness of Tucker Nipko, an individual.

SUZANNE POOLE
NOTARY PUBLIC • STATE of UTAH
COMMISSION NO. 711867
COMM. EXP. 05/05/2024

Notary Public
My Commission Expires:
Residing at:

EXHIBIT A

(Legal Description of the Property)

PARCEL 27-23-152-010

COM N 0°07 55" E 184.1 FT & 38.76 FT E FR W 1/4 COR SEC 23, T 3S, R 1W, SL MER; E 396.24 FT; S 0°07 55" W 100 FT; W 396.39 FT; N 0°13'13" E 100 FT TO BEG. 0.92 AC. 9831-5958 9847-4766

PARCEL 27-23-152-008

BEG N 0°07'55" E 84.10 FT & N 89°26'36" E 38.60 FT FR W 1/4 COR SEC 23, T3S, R1W, SLM; E 396.39 FT; S 0°07'55" W 29.59 FT; S 89°18'03" W 32.31 FT; S 0°41'57" E 8 FT; N 86°58' W 107.53 FT; S 89°18'03" W 228.40 FT; N 45°14'23" W 39.91 FT; N 0°1313" E 3.12 FT TO BEG. 0.26 AC. 5122-987 5138-1476 5210-1013 7026-827 7239-1195 7539-366 8322-8597 8486-3957 9807-2828 10039-8063

EXHIBIT B

Concept Plan

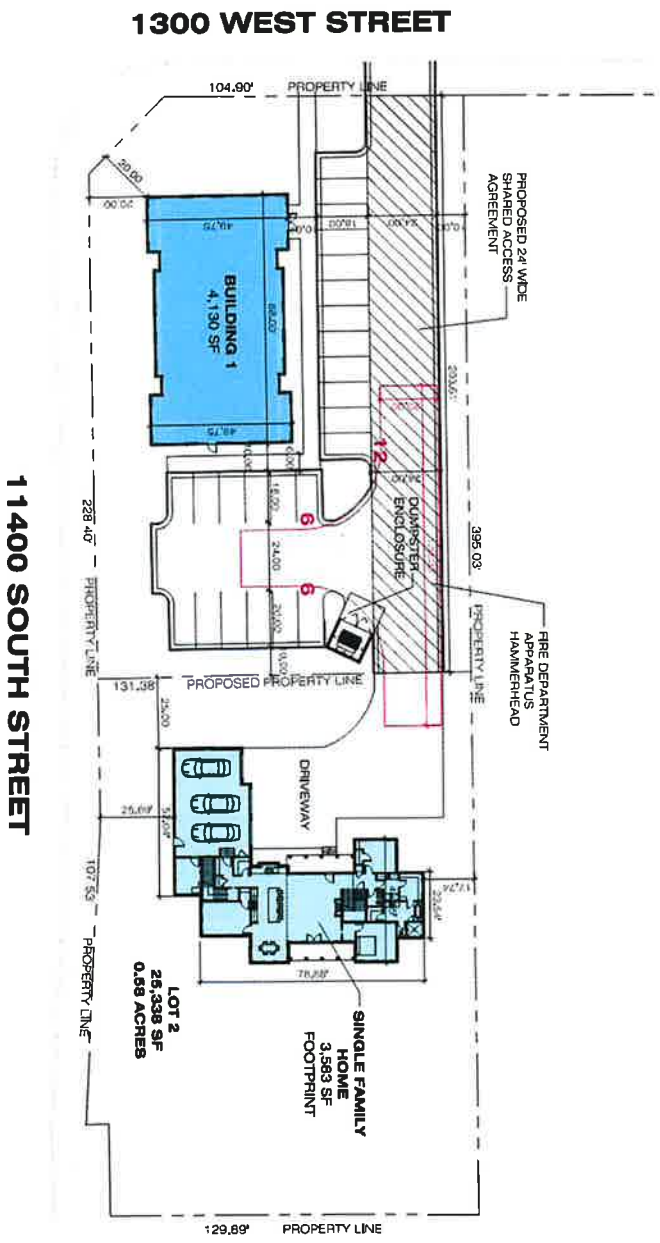


EXHIBIT C

C-N ZONE City Code Provisions

CHAPTER 17.60

COMMERCIAL ZONES

SECTION:

17.60.010: Purpose

17.60.020: Development And Design Standards

17.60.030: Other Requirements

17.60.010: PURPOSE:
This chapter is established to provide standards and regulations, consistent with the city's general plan and the purposes and provisions of this title, for commercial areas in the city. This chapter shall apply to the following commercial zones established in chapter 17.20, "Zone Establishment", of this title: C-N, C-C, and C-F zones. Uses may only be conducted in commercial zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use, and other associated use regulations are found in chapter 17.18, "Uses", of this title.

A. C-N Zone: The purpose of the C-N zone is to provide areas where small scale commercial retail and service uses may be located to accommodate the daily needs of local residents and passing motorists. Uses should be harmoniously integrated with surrounding neighborhoods and impose minimal detriment resulting from traffic, lighting, noise, or other negative effects.

B. C-C Zone: The purpose of the C-C zone is to provide areas for large scale community or regional retail and service uses. These areas will generally be located near major transportation hubs but should be designed to buffer neighboring residential areas. Coordinated circulation, architecture and landscaping and a balance of uses should be incorporated in developments.

C. C-F Zone: The purpose of the C-F zone is to provide areas along the interstate freeway for major commercial uses that are both compatible with and dependent on freeway visibility and access. Developments should be generally upscale with attention given to coordination of traffic circulation and building placement. Developments should provide a pleasing and functional environment that represents the quality of life in the city and also enhances employment opportunities and the retail tax base of the city. (Ord. 2015-09, 12-1-2015)

17.60.020: DEVELOPMENT AND DESIGN STANDARDS:
A. Development Review: Uses proposed in commercial zones may only be established in conformance with the city's development review procedures. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in commercial zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as allowed under state law.

B. Area Requirements: Commercial zones shall comply with the requirements in the area requirements table below. A C-N zone shall not be established when located within one-third (1/3) mile of another commercial zone (C-N, C-C, or C-F).

Zone	*Minimum Zone Area (Acres)* [1]	*Maximum Zone Area (Acres)1*	*Minimum Project Area (Acres)2*	*Minimum Lot Area (Acres)*
C-N	1	103	1	n/a
C-C	5	n/a	1	n/a
C-F	5	n/a	1	n/a

Notes:

1. "Zone area" is defined as all contiguous lots or parcels that have the same zoning designation. A zone area intersected by a public right of way is considered as 1 zone area.

2. "Project area" is defined as a development for which preliminary plat or site plan approval has been proposed or granted.

3. A C-N zone area not traversed by a public right of way shall not exceed 5 acres.

C. Density: There is no restriction on the number of lots or parcels or the number of buildings on a lot or parcel, except as may be limited by other standards, regulations, or requirements of this title (planning and land use ordinance), in commercial zones.

D. Lot Width And Frontage: No minimum lot width is required for lots in Commercial Zones. Lots not fronting on a street must be accessible to the public via a recorded easement or right-of-way.

E. Yard Area: The following yard area requirements apply to lots or parcels in Commercial Zones:

1. The following minimum yard area requirements apply to main and accessory buildings: (Ord. 2015-09, 12-1-2015)

a. The required yard area for front, side, and rear yards shall extend a distance of twenty feet (20') away from and along a property line adjacent to the edge of a public right-of-way (back of sidewalk for a typical street cross section). An alternative edge line to be used for measuring the minimum yard area may be established where an atypical street cross section exists and when recommended by the Planning Director and approved by the Planning Commission. (Ord. 2015-09, 12-1-2015; amd. Ord. 2019-01, 3-5-2019)

b. The required yard area for front, side, and rear yards shall extend a distance of thirty feet (30') away from and along a property line adjacent to a Residential or Agricultural Zone.

2. The minimum yard area requirement may be reduced, when the reduction does not violate clear vision requirements of this Code, in the following circumstances:

a. The required yard area of subsection E1a of this section may be reduced from twenty feet (20') to ten feet (10') for buildings designed with a public entrance to the building that is oriented toward and directly connected to the adjacent right-of-way by a pedestrian walkway and the side of the building that is oriented to the right-of-way includes architectural elements that distinguish it as the primary pedestrian access to the building.

b. Should an adjacent Residential or Agricultural zoned property have a future land use designation that is not residential or agricultural, the required yard area of subsection E1b of this section may be reduced if approved by the Planning Commission with site plan review.

3. The following may be projected into any required yard area in Commercial Zones:

a. Fences and walls in conformance to City codes and ordinances.

b. Landscape elements, including trees, shrubs and other plants.

c. Minor utility or irrigation equipment or facilities.

d. Decks not more than two feet (2') in height.

e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks or similar architectural features attached to a building that does not extend more than two feet (2') into a side yard area or four feet (4') into a front or rear yard area.

f. Chimneys, fireplace keys, box or bay windows, or cantilevered walls attached to the building not exceeding eight feet (8') wide and extending not more than two feet (2') into a side yard or four feet (4') into a front or rear yard.

F. Parking And Access: Parking areas and access in Commercial Zones shall comply with title 16, chapter 16.26, "Parking And Access", of this Code; chapter 17.18, "Uses", of this title; title 10, "Vehicles And Traffic", of

this Code; and the following:

1. Surface parking areas, except for approved street parking, shall not be located between a building and a public right-of-way on lots or parcels adjacent to a public right-of-way. This requirement shall only apply to one side of a lot or parcel that is adjacent to a public right-of-way on multiple sides.

2. Surface parking areas, except for approved street parking, located within thirty feet (30') of a public right-of-way shall be screened by grading, landscaping, walls/fences, or a combination of these, to a height of three feet (3') above the surface of the parking area. (Ord. 2015-09, 12-1-2015)

3. The Planning Director may approve an exception to the requirements of this subsection F if he or she determines that any of the requirements are not reasonably possible based on the unique characteristics of the site. (Ord. 2015-09, 12-1-2015; amd. Ord. 2019-01, 3-5-2019)

G. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply to all Commercial Zones: (Ord. 2015-09, 12-1-2015)

1. All mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings. (Ord. 2017-22, 7-18-2017)

2. The boundary of a Commercial Zone that is not in or adjacent to a public right-of-way and that is adjacent to a Residential or Agricultural Zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the Commercial Zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit may be required for fences and walls according to applicable Building Codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.

3. No wall, fence or screening material shall be erected between a street and a front or street side building line in Commercial Zones, except as required by subsection G1 of this section.

4. Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no higher than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and a street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets.

H. Architecture: The following exterior materials and architectural standards are required in Commercial Zones:

1. Applicants for development approval shall submit for site plan review architectural drawings and elevations, exterior materials, and colors of all proposed buildings. In projects containing multiple buildings, the applicant shall submit a design book that includes an architectural theme, features, exterior materials and colors governing the entire project.

2. All building materials shall be high quality, durable and low maintenance.

3. In the C-N Zone, exterior walls of buildings shall be constructed with a minimum of fifty percent (50%) brick or stone. The balance of exterior wall area shall consist of brick, stone, glass, decorative integrally colored block and/or no more than fifteen percent (15%) stucco or tile. Other materials may also be used for decorative accents and trim in the C-N Zone with development approval. Roofs in the C-N Zone shall be hipped or gabled with a minimum six to twelve (6:12) pitch.

4. Exterior walls of buildings that are longer than sixty feet (60') in length shall have relief features at least four inches (4") deep at planned intervals.

5. All sides of buildings shall receive design consideration.

6. Signs shall meet requirements of title 16, chapter 16.36 of this Code and shall be constructed of materials that are consistent with the buildings that they identify.

7. Buildings and structures in Commercial Zones shall not exceed the height shown in the maximum building height table below unless otherwise allowed in this title.

Zone	Main Building	Other Structures
C-N	35 feet	25 feet
C-C	35 feet	35 feet
C-F	No maximum	No maximum

8. The exteriors of buildings in Commercial Zones shall be properly maintained by the owners. (Ord. 2015-09, 12-1-2015)

I. Grading And Drainage: All developments shall be graded to comply with subsection 16.10.040E9 of this Code and as required by the Planning Department to provide adequate drainage. Buildings shall be equipped with facilities that discharge of all roof drainage onto the subject lot or parcel. (Ord. 2015-09, 12-1-2015; amd. Ord. 2019-01, 3-5-2019)

J. Landscaping: The following landscaping requirements and standards shall apply in Commercial Zones:

1. The area of front, side, and rear yards along an adjacent property line and extending away from the property line a distance prescribed in the requirements of this subsection shall be landscaped with grass, trees, and other live plant material.

a. The required yard landscape area for a yard adjacent to a residential or agricultural zone shall be not less than ten feet (10'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.

b. The required yard landscape area for a yard adjacent to a public right of way shall be twenty feet (20'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.

2. All areas of lots or parcels in commercial zones not approved for parking, buildings, or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees, and other plant material in conjunction with a landscape plan for the development that has been designed and prepared by a landscape architect and approved by the planning commission.

3. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in commercial zones in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') tall evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.

4. All collector street and other public and private park strips in commercial zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval.

5. Trees shall not be topped and required landscape areas shall not be redesigned or removed without city approval. Property owners shall replace any dead plant material in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

6. The following landscaping requirements shall apply to parking areas:

a. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of parking rows. Planters shall be at least five feet (5') wide.

b. Shade trees shall be planted between double parking rows at minimum intervals of six (6) stalls and along single parking rows at minimum intervals of three (3) stalls and no farther than six feet (6') from the parking area. Shade trees are not required in parking rows which are adjacent to buildings.

c. All landscaped areas adjacent to parking areas shall be curbed.

7. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. Any areas so included and perpetually preserved may be counted toward required yard space for the development. If approved by the city engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without written approval of any entity or agency having jurisdiction over said waterways.

8. All required landscaping shall be installed (or escrowed due to season) prior to occupancy.

9. All landscaped areas, including adjoining public right of way areas, shall be properly irrigated and maintained by the owners.

K. Lighting: The following lighting requirements shall apply in commercial zones:

1. Applicants for development approval shall submit a lighting plan, which shall include a photometric analysis.

2. Site lighting shall adequately light all parking areas, walkways, and common areas. Site lighting shall be designed and/or shielded to prevent glare on adjacent properties.

3. Lighting fixtures on private property shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be architectural grade and consistent with a streetlight design approved by the city engineer. (Ord. 2015-09, 12-1-2015)

17.60.030: OTHER REQUIREMENTS:

A. Private Covenants: The developer of a condominium project in a commercial zone shall submit a proposed declaration of covenants to the city attorney for review, including an opinion of legal counsel licensed to practice law in the state that the condominium meets requirements of state law, and record the covenants with the condominium plat for the project.

B. Maintenance: All private areas in developments shall be properly maintained by the property owners.

C. Easements: Buildings may not be located within a public easement.

D. Phasing Plan: Applicants seeking development approval of a phased project shall submit for review at the time of preliminary plat or site plan approval a project phasing plan. Development shall be in accordance with the project phasing plan unless the city approves a revised project phasing plan.

E. Nonconforming Lots Or Parcels: Nonconforming lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a commercial zone shall be brought into conformance with the requirements of this chapter prior to development. (Ord. 2015-09, 12-1-2015; amd. Ord. 2016-05, 5-3-2016)

EXHIBIT D

(R-2.5 zone as it exists in the City Code on the date of execution of this agreement)

CHAPTER 17.40

RESIDENTIAL ZONES

SECTION:

17.40.010: Purpose

17.40.020: Development And Design Standards

17.40.030: Other Requirements

17.40.010: PURPOSE:
This chapter is established to provide standards and regulations, consistent with the city's general plan and the purposes and provisions of this title, for single-family residential areas in the city. This chapter shall apply to the following residential zones as established in chapter 17.20, "Zone Establishment", of this title: R-1.8, R-2.5, R-3, R-4, R-5, and R-M zones. Uses may only be conducted in residential zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and other associated use regulations may be found in chapter 17.18, "Uses", of this title. (Ord. 2016-05, 5-3-2016)

17.40.020: DEVELOPMENT AND DESIGN STANDARDS:
Publisher's Note: This Section has been **AMENDED** by new legislation (Ord. 2021-06 , adopted 2-16-2021). The text of the amendment will be incorporated below when the ordinance is codified.

A. Development Review: Uses proposed in residential zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in residential zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as otherwise allowed under state law.

B. Lot Area: The area of any lot in residential zones shall not be less than the minimum lot area requirement identified in the minimum lot area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

Zone	Minimum Lot Area (Square Feet)
R-1.8	14,520
R-2.5	12,000
R-3	10,000
R-4	8,000
R-5	6,000
R-M	5,000

C. Lot Density: The maximum gross density (number of lots or primary dwelling units per acre) in any residential development in a residential zone shall not exceed the density shown in the lot density table below. The primary dwelling density of each area zoned R-M shall be determined, according to the densities established in the lot density table, with approval of a rezoning application per chapter 17.22, "Zoning Amendments", of this title and indicated on the official zoning map with a numerical suffix matching the approved density.

Zone	Maximum Gross Density

R-1.8	1.8
R-2.5	2.5
R-3	3
R-4	4
R-5	5
R-M-5	5
R-M-6	6

D. Lot Width And Frontage: Each lot or parcel in a residential zone shall have a minimum lot width not less than the dimension in the minimum width column of the lot width and frontage table below. The minimum lot width shall be measured at the minimum front yard requirement (see subsection F of this section) that shall be determined from a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance not less than the dimension in the frontage (standard) column of the lot width and frontage table below, except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right-of-way or landscaped open space a minimum distance not less than the dimension in the frontage (diverged) column.

Zone	Minimum Width	Frontage (Standard)	Frontage (Diverged)
R-1.8	90'	90'	50'
R-2.5	90'	90'	50'
R-3	85'	85'	50'
R-4	80'	80'	50'
R-5	75'	75'	50'
R-M-5	65'	65'	40'
R-M-6	60'	60'	40'

E. Lot Coverage: The area of lot, parcel or private ownership area in a residential zone covered by buildings shall not exceed the percentage identified in the lot coverage table below of the total lot, parcel or private ownership area.

Zone	Maximum Building Coverage
R-1.8	40%
R-2.5	40%
R-3	40%
R-4	40%
R-5	50%
R-M	60%

F. Yard Area: The yard area (setback) requirements below shall apply in all residential zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review. (Ord. 2016-05, 5-3-2016)

1. Main Buildings: Minimum yard area requirements for main buildings are as follows:

Zone	Front Yard (Interior And Corner Lots)	Garage Opening1 (Front Or Street Side)	Front Yard (Cul-De-Sac Lots)	Side Yard (Standard)	Side Yard (Corner Lot Street Side)	Rear Yard (Interior Lot)	Rear Yard (Corner Lot)
R-1.8	30'	30'	25'	10'	30'	25'	10'
R-2.5	25'	30'	20'	10'	25'	25'	10'
R-3	25'	30'	20'	10'	25'	25'	10'
R-4	20'	25'	20'	8'	20'	20'	10'
R-5	20'	25'	20'	8'	20'	20'	10'
R-M-5	20'	25'	20'	8'	10'	20'	10'
R-M-6	20'	25'	20'	8'	10'	20'	10'

Note:

1. The garage opening minimum yard area requirement shall apply to garages when the garage opening faces the street, otherwise the front yard minimum yard area shall apply. The garage opening minimum yard requirement shall be 25 feet to any street-facing garage opening in a cul- de-sac.

(Ord. 2017-22, 7-18-2017)

2. Accessory Buildings: Minimum yard area requirements for accessory buildings are as follows:

a. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.

b. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings less than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line.

c. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

3. Buildings Used To Shelter Animals: Buildings used for the housing or shelter of animals shall be located a minimum distance of forty feet (40') from any existing dwelling or neighborhood street right-of-way or, if approved with a conditional use permit, a minimum of twenty feet (20') from any collector street right-of-way line.

4. Projections: The following may be erected on or projected into any required yard space in Residential Zones:

a. Fences and walls in conformance with this Code.

b. Agricultural crops and landscape elements, including trees, shrubs and other plants.

c. Utility or irrigation equipment or facilities.

d. Decks not more than two feet (2') high.

e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

f. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

G. Parking And Access: Parking areas and vehicle access in Residential Zones shall meet the requirements of title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title, and title 10 of this Code (Traffic Code). A driveway may only directly access a collector or arterial street with approval of the Utah Department of Transportation ("UDOT") for UDOT streets or with approval of the City Engineer for City streets. (Ord. 2016-05, 5-3-2016)

H. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Residential Zones. A permit shall be obtained from the Planning Department prior to construction of any fence in a Residential Zone. A completed fence application form that includes a diagram showing the location and height of the proposed fence, and a description of the proposed fence shall be submitted for review by the Planning Department. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

1. Utility Screening: In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings. (Ord. 2017-22, 7-18-2017)

2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.

3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.

4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.

5. Clear Vision: Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the City Engineer based on traffic speeds, flow, volumes and other traffic related variables.

6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right- of-way in a Residential Zone shall be constructed according to section 16.04.200 of this Code.

I. Architecture: The following exterior materials and architectural standards are required in Residential Zones:

1. General Architectural Standards:

a. All building materials shall be high quality, durable and low maintenance.

b. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.

c. Signs shall meet requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.

d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

a. Main buildings shall be constructed with a minimum amount of brick or stone that is calculated by multiplying two (2) by the perimeter length of the foundation (including garage). (Ord. 2016-05, 5-3-2016)

b. Main buildings shall be constructed with a majority of the roof to be a minimum roof pitch of three to twelve (3:12), except that main buildings of a contemporary design with a parapet wall enclosing the roof deck may be constructed with a lower roof pitch when done so in compliance with applicable Building Codes. (Ord. 2017-22, 7-18-2017)

c. Residential main buildings shall include a minimum two car garage (minimum 22 feet by 22 feet, or an approved equivalent area).

d. The minimum total floor area, finished and unfinished, of any residential main building shall be two thousand four hundred (2,400) square feet.

e. Residential main buildings shall include architectural elements (i.e., main entrance, porch) that distinguish the side of the building oriented toward the front yard as the front of the house. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way. (Ord. 2016-05, 5-3-2016)

3. Architectural Standards For Accessory Buildings:

a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high.

b. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M Zones shall not exceed sixty percent (60%) of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty percent (60%) but in no case shall exceed the footprint of the main building. In the R-1.8 Zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.

c. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:

(1) Openings (e.g., windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.

(2) The average wall height shall not exceed sixteen feet (16') above grade.

d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch in the R-1.8 Zone, and a minimum three to twelve (3:12) roof pitch over a majority of the structure in all other Residential Zones.

e. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting. (Ord. 2019-06, 3-19-2019)

J. Landscaping:

1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area covered in lawn or other acceptable live plant material unless otherwise approved with a conditional use permit.

2. All collector street and other public and private park strips in Residential Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.

3. Where an adjacent park strip in a residential right-of-way is a minimum of five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.

4. In developments that have a principal use other than single- family, detached, the following landscaping requirements shall apply:

a. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

b. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sports or play areas, is required. At least thirty percent (30%) of all required trees shall be a minimum seven foot (7') evergreen. Deciduous trees shall be a minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.

c. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.

d. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.

e. All landscaped areas shall be curbed.

5. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any area so included and perpetually preserved as open space may be counted toward required open space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300, "Deferred Improvements", of this Code.

7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public rights-of- way that are not maintained by the City.

8. Required trees may not be topped and required landscape material may not be removed in Residential Zones without City approval.

9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

K. Lighting:

1. A lighting plan shall be submitted with all new nonresidential developments in Residential Zones.

2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

3. Lighting fixtures in all developments that have a principal use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be approved by the City Engineer.

L. Streets: Streets in Residential Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in Residential Zones unless otherwise provided for in this chapter. (Ord. 2016-05, 5-3-2016)

17.40.030: OTHER REQUIREMENTS:

A. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

B. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.

C. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.

D. Common Areas: All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually owned and maintained by the property owners of the development or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City.

E. Prior Created Lots: Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a Residential Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.

F. Approval: Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this Code and the applicable plat recorded with the Salt Lake County Recorder's Office.

G. Open Space: Any open space provided within a subdivision to be jointly owned, maintained and preserved by a homeowners' association and/or special assessment area acceptable to the City shall be labeled and recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The City may determine the location of open space in a subdivision by considering topography, drainage or other land features. The City may require a cash bond or a letter of credit to guarantee installation of improvements.

H. Developer Requirements: Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants and restrictions ("CC&Rs") to the City for staff review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:

1. An opinion of legal counsel licensed to practice law in the State that the project meets requirements of State law.

2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to City conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by City staff and approved by the Planning Commission.

3. Language consistent with section 17.04.300 of this title. (Ord. 2016-05, 5-3-2016)

EXHIBIT E

RESOLUTION R2021 - 14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR TO SIGN A DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF PROPERTY APPROXIMATELY LOCATED AT 11381 S. TEMPLE DRIVE IN THE CITY OF SOUTH JORDAN.

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah (the "City") and is authorized to enter into development agreements that it considers are necessary or appropriate for the use and development of land within the City pursuant to Utah Code §10-9a-102 *et seq.*; and

WHEREAS, the City has entered into development agreements from time to time as the City has deemed necessary for the orderly development of the City; and

WHEREAS, the Applicant now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property located at approximately 11381 S Temple Drive (the "Property"); and

WHEREAS, the South Jordan City Council (the "City Council") has determined that it is in the best interest of the public health, safety, and welfare of the City to enter into a development agreement for the orderly development of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Authorization to Sign Development Agreement. The City Council hereby authorizes the Mayor to sign the Development Agreement, attached hereto as **Exhibit 1.**

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS DAY OF , 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	___	___	___	___
Bradley Marlor	___	___	___	___
Donald Shelton	___	___	___	___
Tamara Zander	___	___	___	___
Jason McGuire	___	___	___	___

Mayor: _____ Attest: _____
Dawn R. Ramsey City Recorder

Approved as to form:

_____
Office of the City Attorney

EXHIBIT 1

(Development Agreement)

SOUTH JORDAN CITY
PLANNING COMMISSION REPORT

Meeting Date: 12/14/21

Application: HIDDEN VILLAGE PHASE 3 PRELIMINARY SUBDIVISION

Address: 10291 South 1230 West
File No: PLPP202100248
Applicant: Trish Smith

Submitted By: David Mann, Planner II
Jared Francis, Senior Engineer

Staff Recommendation (Motion Ready):

I move that the Planning Commission **approve** file no. PLPP202100248 for the Hidden Village Phase 3 Preliminary Subdivision.

ACREAGE:	1.58 acres
CURRENT ZONE:	R-M-5
CURRENT USE:	Residential
FUTURE LAND USE PLAN:	Historic

STANDARDS FOR SUBDIVISION REVIEW

The Planning Commission shall receive public comment at the public hearing regarding the proposed subdivision. The Planning Commission may approve, approve with conditions or if the project does not meet city ordinances or sanitary sewer or culinary water requirements, deny the preliminary subdivision plat application. (City Code § 16.10.060)

BACKGROUND & ANALYSIS:

The subject property was rezoned to the R-M-5 zone on July 20, 2021 with an associated development agreement. The City coordinated with the Hidden Village HOA and entered into an agreement to change the roads in the Hidden Village Subdivision from private to public. The road dedication plat for the existing roads has been recorded with Salt Lake County at the time of this report. Lots 201-206 are similar in size as the lots in the original Hidden Village subdivision and will be developed using the same plans that were used by the original developer. ARC will approve the building elevations prior to final plat approval. Lot 207 will remain in its current state with the existing house facing 1230 West.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- South Jordan City has taken ownership of the ROW in the Hidden Village Subdivision by way of a recorded road dedication plat.

- The proposed preliminary subdivision meets the requirements of the approved development agreement associated with the subject property.

Conclusions:

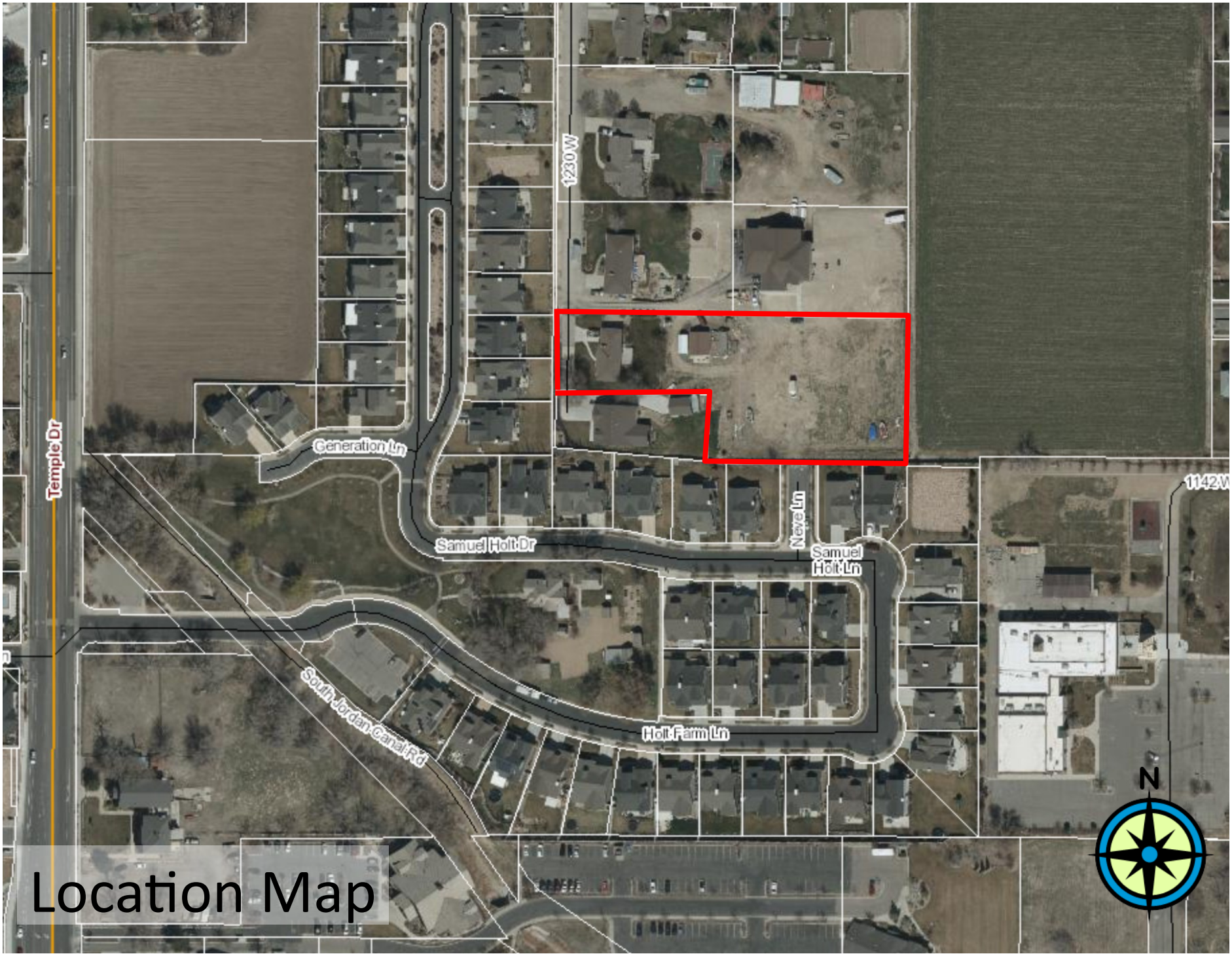
- Based on the application materials and the findings listed above, the proposal is consistent with the City's General Plan and with the purposes and objectives of the pertinent requirements of the City's Planning and Zoning Code (specifically Chapters 16.10 and 17.74).

ALTERNATIVES:

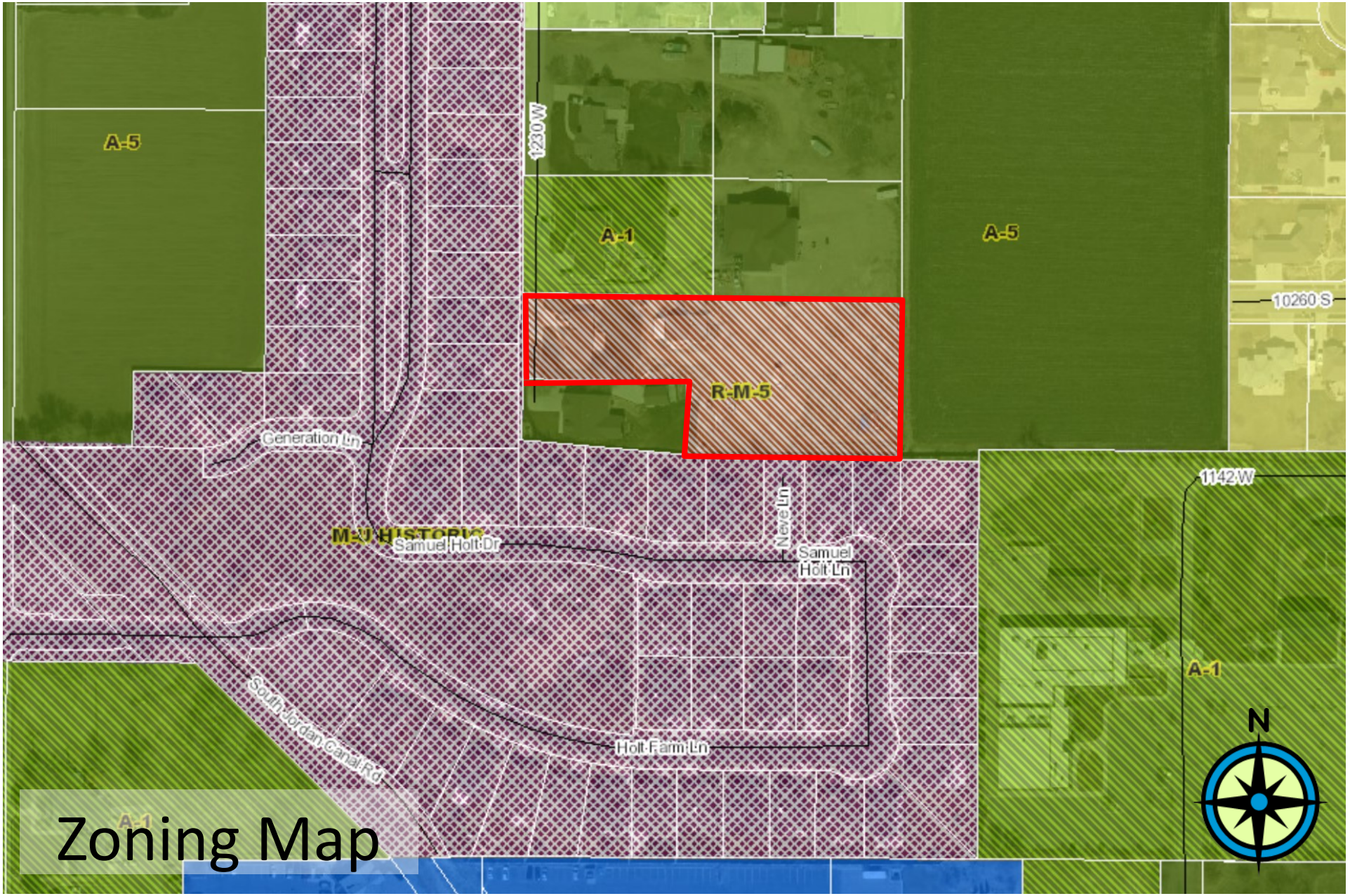
- Recommend denial of the application.
- Propose modification(s) to the application.
- Schedule the application for a decision at some future date.

SUPPORT MATERIALS:

- Location Map
- Zoning Map
- Subdivision Plat
- Building Elevations
- Development Agreement



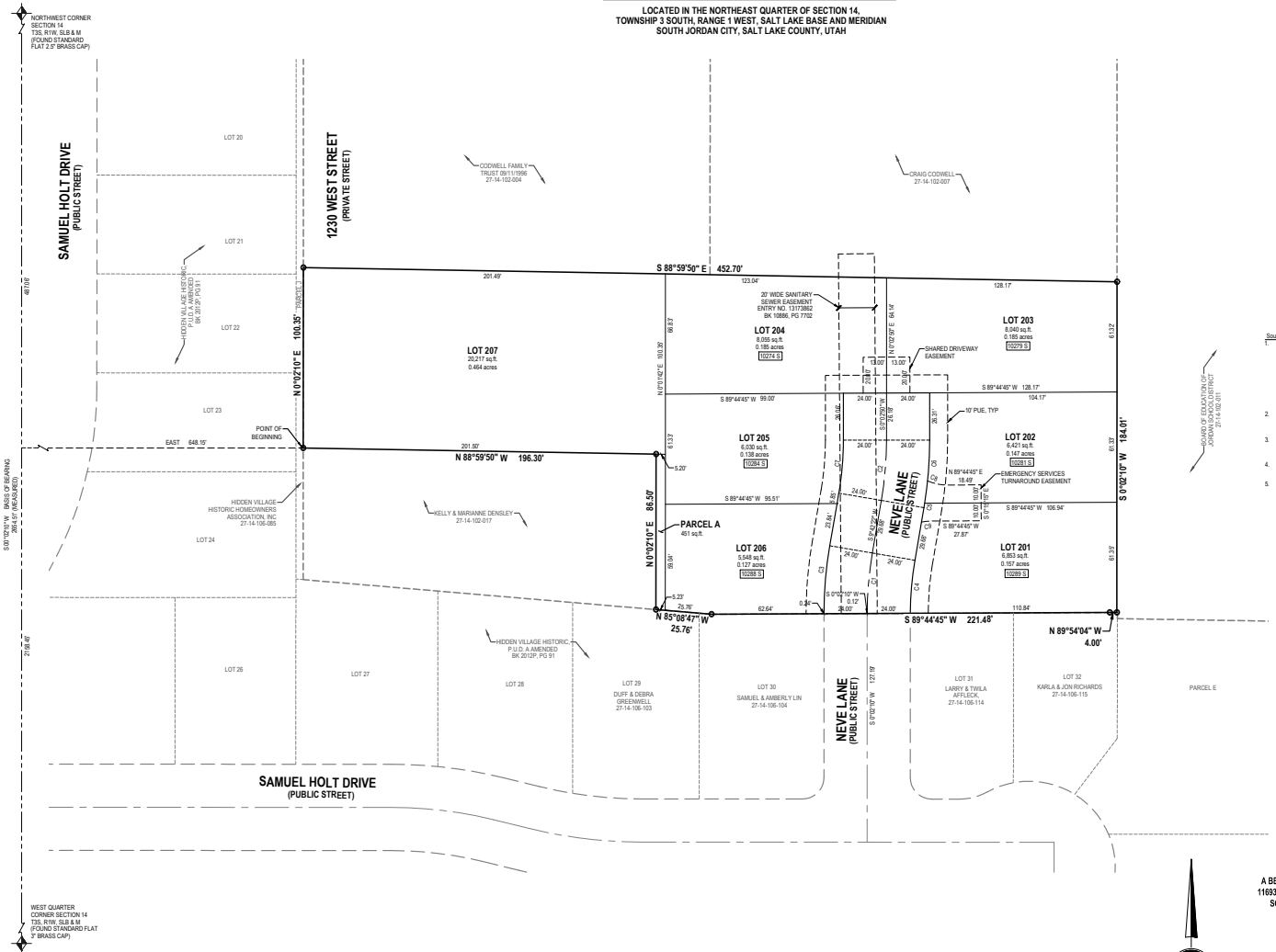
Location Map

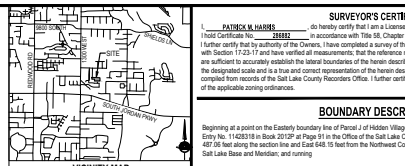

A-5
1230W
A-1
A-5
10260 S
R-M-5
Generation Ln
Samuel Holt Dr
Neve Ln
Samuel Holt Ln
1142 W
A-1
South Jordan Canal Rd
Holt Farm Ln
A-1
N

Zoning Map

HIDDEN VILLAGE PLAT B

**LOCATED IN THE NORTHEAST QUARTER OF SECTION 14,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH**





VICINITY MAP
NOT TO SCALE

LEGEND

- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SECTION CORNER
- ENSIGN ENG. LAND SURV. — SET 5/8" REBAR AND CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV." AT ALL LOT CORNERS. OFFSET PINS TO BE PLACE IN THE BACK OF CURB WHERE APPLICABLE, IN LIEU OF REBAR AND CAP AT FRONT CORNERS.
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE

South Jordan City Plat Notes

1. Owners and potential purchasers of property legally described by this plat (the "property") are advised to familiarize themselves with all notes, lot information, easements and other pertinent information contained with this plat and also with any conditions, covenants and restrictions (CC&R) documents recorded against the property. Failure to adhere to these notes, easements, CC&R's or other documents recorded against the land could result in financial losses to or changes in expected property use of the property owner. Property owners and purchasers are responsible to review and be in compliance with all notes, easements, CC&R's, and other recorded documents related to this plat, as currently existing or as may from time to time be changed and/or amended.
2. Many areas in South Jordan City have ground water problems due to high or fluctuating water table. Approval of this plan does not constitute representation by the city that building at any specified elevation will solve groundwater problems, in any.
3. The owner certifies that the title report dated _____, which was prepared by _____, was provided to owner's surveyor and that the plat shows all easements and encumbrances listed in said title report.
4. Finish floor elevation on each lot will not exceed 4' above the fbc elevation across the frontage of the lot.
5. Approval of this plat by South Jordan City does not mean that individual lot drainage to a road or retention facility is assured. Development and grading may necessitate swales and other drainage facilities to protect individual properties. Approval of this plat also does not constitute representation by the City that swales or other drainage facilities are appropriate and maintained nor that drainage from adjacent properties is prevented.

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	200.00'	33.75'	9°40'12"	S4°52'16"W	33.71'
C2	200.00'	33.72'	9°39'32"	N4°52'36"E	33.68'
C3	224.00'	37.81'	9°40'12"	S4°52'16"W	37.76'
C4	176.00'	29.70'	9°40'12"	S4°52'16"W	29.67'
C5	224.00'	2.58'	0°39'36"	N9°22'34"E	2.58'
C6	224.00'	35.18'	8°59'56"	N4°32'48"E	35.15'
C7	176.00'	29.67'	9°39'32"	N4°52'36"E	29.63'
C8	28.00'	11.61'	23°45'53"	S78°22'18"E	11.53'
C9	28.00'	5.42'	11°05'41"	S84°11'54"W	5.41'

DEVELOPER
A BETTER QUALITY HOME, LLC
11693 S GROVE MEADOW CIRCLE
SOUTH JORDAN, UT 84092
PHONE: 801.548.6302

ENGINEER
ENSIGN ENGINEERING
45 W 10000 S., SUITE 500
SANDY, UT 84070
PHONE: 801.255.0529

HORIZONTAL GRAPHIC SCALE
30 0 15 30 60
(IN FEET)
HORZ: 1 inch = 30 ft.

RECORD SURVEY DATA
ROS NO.: -S-

SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold Certificate No. 286882 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyor's Act. I further certify that by authority of the Owners, I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to accurately establish the lateral boundaries of the herein described tract of real property; and has been drawn correctly to the designated scale and is a true and correct representation of the herein described lands included in said subdivision, based upon data compiled from records of the Salt Lake County Recorders Office. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

Beginning at a point on the Easterly boundary line of Parcel J of Hidden Village Historic P.U.D. A Amended, recorded July 12, 2012 as Entry No. 11428318 in Book 2012P at Page 91 in the Office of the Salt Lake County Recorder, said point being South 00°02'10" West 487.06 feet along the section line and East 648.15 feet from the Northwest Corner of Section 14, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 00°02'10" East 100.35 feet along said Easterly boundary line;
thence South 88°59'50" East 452.70 feet;
thence South 00°02'10" West 184.01 feet to Northeast Corner of Lot 32 of said Hidden Village Historic P.U.D. A Amended;
thence along the Northerly boundary line of said Hidden Village Historic P.U.D. A Amended the following three (3) courses:
(1) North 89°54'04" West 4.00 feet;
(2) South 89°44'45" West 221.48 feet;
(3) North 85°08'47" West 31.00 feet;
thence North 00°02'10" East 86.50 feet;
thence North 88°59'50" West 196.30 feet to the point of beginning.

Contains 67,542 Square Feet or 1.551 Acres and 7 Lots and 1 Parcel

PROFESSIONAL LAND SURVEYOR — No. 286882 — PATRICK M. HARRIS — STATE OF UTAH

DATE

PATRICK M. HARRIS
P.L.S. NO. 286882

OWNER'S DEDICATION

Know all men by these presents that I / we, the undersigned owner (s) of the above described tract of land, having caused same to be subdivided, hereafter known as the

HIDDEN VILLAGE PLAT B

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use. Owner(s) hereby agree to warrant and defend and save the City harmless against any easements or other encumbrance on a dedicated street which will interfere with the City's use, maintenance, and operation of the street.

In witness whereof I / we have hereunto set our hand (s) this _____ day of _____ A.D., 20_____.

By: _____

By: _____

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
County of Salt Lake) S.S.

On the _____ day of _____ A.D., 20_____, personally appeared before me _____, the signer of the foregoing instrument, who duly acknowledged to me that he/she is the _____ of _____ a Utah Corporation, and is authorized to execute the foregoing Agreement in its behalf and that he/she executed it in such capacity.

MY COMMISSION EXPIRES: _____

_____ RESIDING IN _____ COUNTY.
NOTARY PUBLIC

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH)
County of Salt Lake) S.S.

On the _____ day of _____ A.D., 20_____, personally appeared before me _____, the signer of the foregoing instrument, who duly acknowledged to me that he/she is a _____ of _____ a Utah limited liability company, and is authorized to execute the foregoing Agreement in its behalf and that he/she executed it in such capacity.

MY COMMISSION EXPIRES: _____

_____ RESIDING IN _____ COUNTY.
NOTARY PUBLIC

ROCKY MOUNTAIN POWER NOTES:

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
   2.1. A RECORDED EASEMENT OR RIGHT-OF WAY
   2.2. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
   2.3. TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
   2.4. ANY OTHER PROVISION OF LAW.

Dominion Energy Utah - Note:
Questar Gas Company, dba Dominion Energy Utah, hereby approves this plat solely for the purposes of confirming that the plat contains public utility easements. Dominion Energy Utah may require additional easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set in the Owners Dedication or in the Notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Dominion Energy Utah's Right-of-Way Department at 800-366-8532.

SEWER NOTES:

1. THE SIGNATURE OF SOUTH VALLEY SEWER DISTRICT ON THIS PLAT DOES NOT CONSTITUTE ANY GUARANTEE OF AVAILABILITY OF SANITARY SEWER SERVICE TO THE PROPERTY OR ANY APPROVAL OF SEWER LINES OR FACILITIES. THE OWNER(S) OF THE PROPERTY MUST PROVIDE SATISFACTORY PLANS TO THE SEWER DISTRICT FOR REVIEW AND APPROVAL BEFORE CONNECTING TO THE DISTRICT'S SEWER SYSTEM AND WILL BE REQUIRED TO COMPLY WITH THE DISTRICT'S RULES AND REGULATIONS.
2. SHALLOW SEWER DEPTHS! CONTRACTOR SHALL VERIFY SEWER LATERAL DEPTH AND SET FOUNDATION ELEVATION TO PROVIDE ADEQUATE FALL INTO SEWER LATERAL. BUILDINGS WITH A BASEMENT MAY NOT HAVE SEWER SERVICE AVAILABLE FOR BASEMENT.

NOTE:
THIS PLAT IS SUBJECT TO THAT CERTAIN DEVELOPMENT AGREEMENT DATED JULY 20, 2021, BY AND BETWEEN THE CITY OF SOUTH JORDAN AND RYAN HOLT, INCLUDING ALL PROVISIONS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, ASSESSMENTS, LIENS OR RIGHTS, IF ANY, CREATED THEREIN AND RECORDED _____ AS ENTRY NO. _____ IN BOOK _____ AT PAGE _____ OF THE OFFICIAL RECORDS OF SALT LAKE COUNTY.

EASEMENT APPROVAL

CENTURYLINK	DATE
ROCKY MOUNTAIN POWER	DATE
DOMINION ENERGY UTAH	DATE
COMCAST	DATE

HIDDEN VILLAGE PLAT B

**LOCATED IN THE NORTHEAST QUARTER OF SECTION 14,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH**

ENSIGN
SALT LAKE CITY — 45 W. 10000 S., Suite 500, Sandy, UT. 84070, Phone: 801.255.0529, Fax: 801.255.4449, www.ensigneng.com
LAYTON — Phone:801.547.1100
TOOELE — Phone: 435.843.3590
CEDAR CITY — Phone: 435.865.1453
RICHFIELD — Phone: 435.896.2983

SHEET 1 OF 1
PROJECT NUMBER : 10357
MANAGER : RWF
DRAWN BY : KFW
CHECKED BY : PWH
DATE : 11/23/21

SOUTH VALLEY SEWER DISTRICT APPROVAL
APPROVED THIS _____ DAY OF _____, 20_____ BY THE SOUTH VALLEY SEWER DISTRICT.
SOUTH VALLEY SEWER DISTRICT MANAGER

BOARD OF HEALTH APPROVAL
APPROVED THIS _____ DAY OF _____, 20_____ BY THE BOARD OF HEALTH
SALT LAKE COUNTY HEALTH DEPARTMENT

CITY PLANNER
APPROVED THIS _____ DAY OF _____, 20_____ BY THE CITY PLANNER.
CITY PLANNER

CITY ENGINEER
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE AND IS HEREBY APPROVED.
SOUTH JORDAN CITY ENGINEER — DATE

OFFICE OF THE CITY ATTORNEY
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. 20____.
ATTORNEY FOR SOUTH JORDAN CITY

SOUTH JORDAN CITY MAYOR
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. 20____.
ATTEST: CITY CLERK — MAYOR

RECORDED #

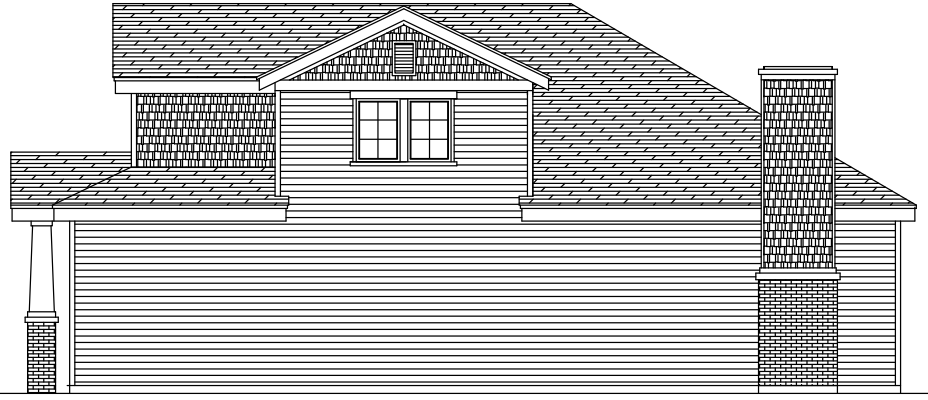
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF : _____

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

FEES — DEPUTY SALT LAKE COUNTY RECORDER



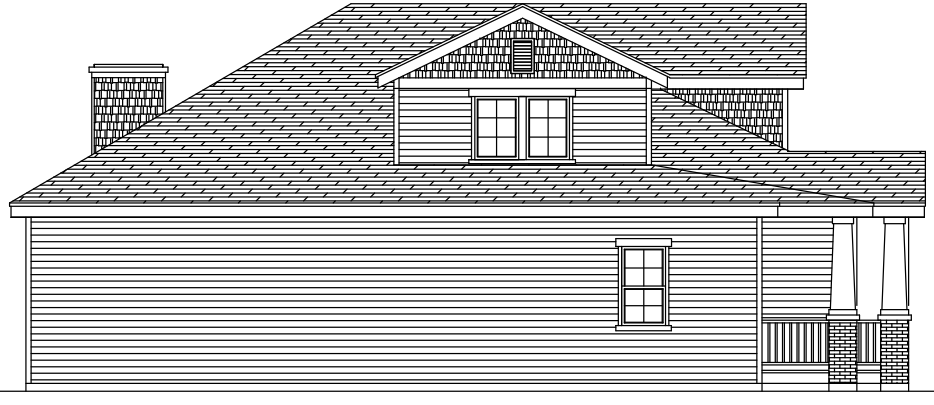
FRONT ELEVATION – HOUSE 'A'
option 1



RIGHT SIDE ELEVATION – HOUSE 'A'
option 1



REAR ELEVATION – HOUSE 'A'
option 1



LEFT SIDE ELEVATION – HOUSE 'A'
option 1



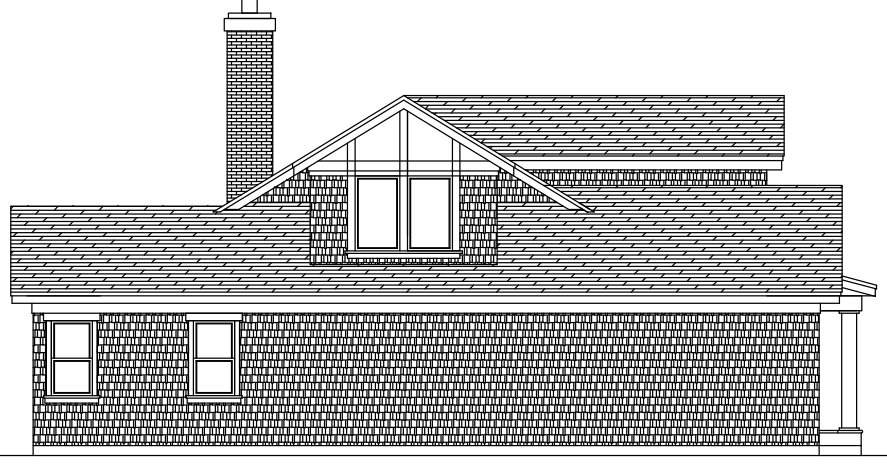
FRONT ELEVATION – HOUSE 'D'
option 1



RIGHT SIDE ELEVATION – HOUSE 'D'
option 1



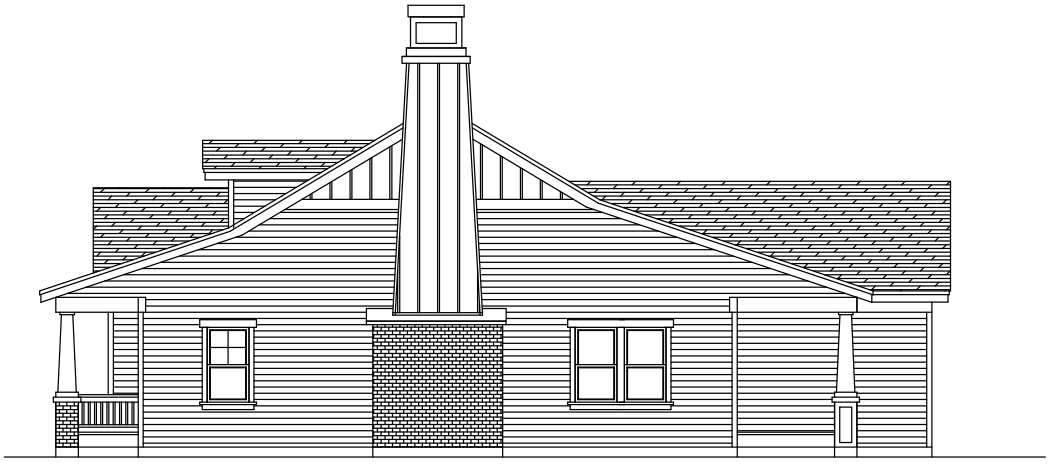
REAR ELEVATION – HOUSE 'D'



LEFT SIDE ELEVATION – HOUSE 'D'



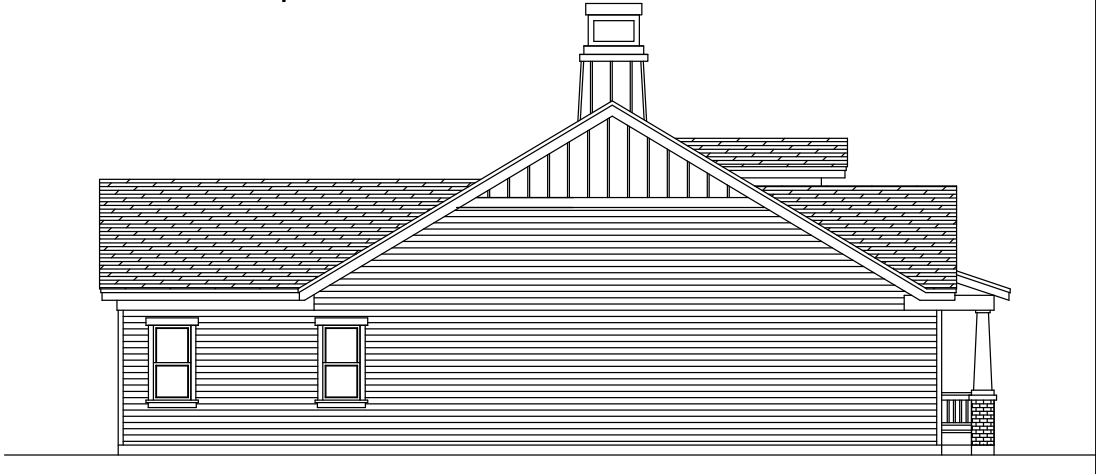
FRONT ELEVATION - HOUSE 'E'
option 1



RIGHT SIDE ELEVATION - HOUSE 'E'
option 1



REAR ELEVATION - HOUSE 'E'



LEFT SIDE ELEVATION - HOUSE 'E'

RESOLUTION R2021 - 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AUTHORIZING THE MAYOR TO SIGN A DEVELOPMENT AGREEMENT PERTAINING TO THE DEVELOPMENT OF PROPERTY APPROXIMATELY LOCATED AT 10291 SOUTH 1230 WEST IN THE CITY OF SOUTH JORDAN.

WHEREAS, the City of South Jordan is a municipal corporation and political subdivision of the State of Utah (the "City") and is authorized to enter into development agreements that it considers are necessary or appropriate for the use and development of land within the City pursuant to Utah Code §10-9a-102 *et seq.*; and

WHEREAS, the City has entered into development agreements from time to time as the City has deemed necessary for the orderly development of the City; and

WHEREAS, the Applicant Ryan Holt now desires to enter into an agreement for the purpose of developing and changing the zoning designation on property located at approximately 10291 South 1230 West (the "Property"); and

WHEREAS, the South Jordan City Council (the "City Council") has determined that it is in the best interest of the public health, safety, and welfare of the City to enter into a development agreement for the orderly development of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Authorization to Sign Development Agreement. The City Council hereby authorizes the Mayor to sign the Development Agreement, attached hereto as **Exhibit 1**.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 20 DAY OF July, 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	X			
Bradley Marlor	X			
Donald Shelton	X			
Tamara Zander	X			
Jason McGuire	X			

Mayor: Dawn R. Ramsey

Attest: City Recorder

Approved as to form:

Gregory Simonsen
Gregory Simonsen (Jul 13, 2021 14:44 MDT)
Office of the City Attorney

City of South Jordan CORPORATE Seal State of Utah

After recording, please mail to:

City of South Jordan
Attn: City Recorder
1600 Towne Center Drive
South Jordan, Utah 84095

Affected Parcel No(s).: 27-14-102-016-0000

DEVELOPMENT AGREEMENT

The CITY OF SOUTH JORDAN, a Utah municipal corporation (the "City"), and **RYAN HOLT**, an individual (the "Developer"), enter into this Development Agreement (this "Agreement") this 20 day of July, 2021 ("Effective Date"), and agree as set forth below. The City and the Developer are jointly referred to as the "Parties" and each may be referred to individually as "Party."

RECITALS

WHEREAS, the Developer is the owner of certain real property identified as Assessor's Parcel Number(s) 27-14-102-016-0000, specifically described in attached **Exhibit A** (the "Property"), and intends to develop the Property consistent with the Concept Plan, attached as **Exhibit B** (the "Concept Plan"); and

WHEREAS, the City, acting pursuant to (1) its authority under Utah Code Annotated 10-9a-102(2) *et seq.*, as amended, and (2) the South Jordan City Municipal Code (the "City Code"), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, the City has made certain determinations with respect to the proposed development of the Property and in exercise of its legislative discretion has elected to enter into this Agreement; and

WHEREAS, the Property is currently subject to the Planning and Land Use Ordinance of South Jordan City and is within the A-5 Agricultural Zone (the "A-5 Zone"). A copy of the provisions of such zone designation in the City Code is attached hereto as **Exhibit C**; and

WHEREAS, the Developer desires to make improvements to the Property in conformity with this Agreement and desires a zone change on the Property from A-5 Zone to the R-M-5 Residential Zone (the "R-M-5 Zone"). A copy of the provisions of the R-M-5 Zone designation in the City Code is attached hereto as **Exhibit D**; and

WHEREAS, the Developer and the City acknowledge that the development and improvement of the Property pursuant to this Agreement will provide certainty useful to the Developer and to the City in ongoing and future dealings and relations among the Parties; and

WHEREAS, the City has determined that the proposed development contains features which advance the policies goals and objectives of the South Jordan City General Plan, preserve

and maintain the open and sustainable atmosphere desired by the citizens of the City, and contribute to capital improvements which substantially benefit the City and will result in planning and economic benefits to the City and its citizens; and

WHEREAS, this Agreement shall only be valid upon approval of such by the South Jordan City Council, pursuant to resolution R-2021-22, (attached hereto as **Exhibit E**); and

WHEREAS, the City and the Developer acknowledge that the terms of this Agreement shall be enforceable and the rights of the Developer relative to the Property shall vest only if the South Jordan City Council, in its sole legislative discretion, approves a zone change for the Property currently zoned as A-5 to a zone designated as R-M-5.

NOW THEREFORE, based upon the foregoing recitals and in consideration of the mutual covenants and promises contained set forth herein, the Parties agree as follows:

TERMS

A. Recitals; Definitions. The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the Planning and Land Use Ordinance of South Jordan City.

B. Enforceability: The City and the Developer acknowledge that the terms of this Agreement shall be enforceable, and the rights of the Developer relative to the Property shall vest, only if the South Jordan City Council in its sole legislative discretion approves a zone change for the Property currently zoned as A-5 to a zone designated as R-M-5.

C. Conflicting Terms. The Property shall be developed in accordance with the requirements and benefits provided for in relation to an R-M-5 zone under the City Code as of the Effective Date. In the event of a discrepancy between the requirements of the City Code including the R-M-5 zone, and this Agreement, this Agreement shall control.

D. Developer Obligations:

1. Concept Plan. As depicted in **Exhibit B** (concept plan), the Developer agrees to construct the development consistent with the Concept Plan and the requirements set forth in this Agreement and the City Code.

2. Architecture. Exterior design of the single-family, detached homes shall be consistent with the existing homes in the Hidden Village Historic, P.U.D. subdivision and meet elevations approved by the Architectural Review Committee. Single-family, attached is not a permitted use on the Property. Minor changes to architecture to be reviewed and approved by the Architectural Review Committee.

3. Front Porch. Minimum of 80 Square Feet.

4. Front Setback. 15 ft.

5. Side Setback. 7 ft.

6. Rear Setback. 8 ft.

7. Corner Lot, Street Side. 20 ft.

8. Corner Lot, Rear. 8 ft.

9. Landscaping. Street Trees spaced out every 25 ft.

E. City Obligations.

1. Development Review. The City shall review development of the Property in a timely manner, consistent with the City's routine development review practices and in accordance with all applicable laws and regulations including those of the Architectural Review Committee and the Design Review Committee

F. Vested Rights and Reserved Legislative Powers.

1. Vested Rights. Consistent with the terms and conditions of this Agreement, City agrees Developer has the vested right to develop and construct the Property in accordance with: (i) the R-M-5 (**Exhibit D**) zoning designation; (ii) the City Code in effect as of the Effective Date; and (iii) the terms of this Agreement.

2. Reserved Legislative Powers. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Developer under this Agreement and with respect to use under the zoning designations as referenced in *Section B.* above under the terms of this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Property shall be of general application to all development activity in the City and Salt Lake County (the "County"); and, unless in good faith the City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine. The notice required by this paragraph shall be that public notice published by the City as required by State statute.

G. Term. This Agreement shall be effective as of the date of recordation, shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the parties mutually agree to extend the term, this agreement shall not extend further than a period of 10 years from its date of recordation in the official records of the Salt Lake County Recorder's Office.

H. General Provisions.

1. Notices. All Notices, filings, consents, approvals, and other

communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least 10 days before the date on which the change is to become effective.

If to City: ATTN: City Recorder
City of South Jordan
1600 West Towne Center Drive
South Jordan City, Utah 84095

If to Developer: Ryan Holt
10291 South 1230 West
South Jordan, UT 84095

2. Mailing Effective. Notices given by mail shall be deemed delivered 72 hours following deposit with the U.S. Postal Service in the manner set forth above.

3. No Waiver. Any party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other Party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

4. Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only, and shall not control or affect the meaning or construction of any provision of this Agreement.

5. Authority. The parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. Developer represents and warrants it is fully formed and validly existing under the laws of the State of Utah, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. Developer and the City warrant to each other that the individuals executing this Agreement on behalf of their respective parties are authorized and empowered to bind the parties on whose behalf each individual is signing. Developer represents to the City that by entering into this Agreement Developer has bound all persons and entities having a legal or equitable interest to the terms of the Agreement as of the Effective Date.

6. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by the City for the Property contain the entire agreement of the parties with respect to the subject matter hereof

and supersede any prior promises, representations, warranties, inducements or understandings between the parties which are not contained in such agreements, regulatory approvals and related conditions.

7. Amendment. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the parties to this Agreement or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.

8. Severability. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect provided the fundamental purpose of this Agreement and Developer's ability to complete the development of the Property, as set forth in the Concept Plan, is not defeated by such severance.

9. Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of the Agreement. The parties shall agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The Parties hereby expressly waive any right to object to such choice of law or venue.

10. Remedies. If any party to this Agreement breaches any provision of this Agreement, the non-defaulting party shall be entitled to all remedies available at both law and in equity.

11. Attorney's Fee and Costs. If any party brings legal action either because of a breach of the Agreement or to enforce a provision of the Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs.

12. Binding Effect. The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors in interest and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

13. No Third Party Rights. The obligations of the Developer and the City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise provided herein.

14. Assignment. Developer may freely assign this Agreement, in which case the assignor or successor-in-interest shall be fully liable under this Agreement and Developer shall be deemed released of its obligations in connection with this Agreement; provided, however, that Developer shall provide the City with notice of the assignment of this Agreement within a reasonable time after the occurrence of such assignment.

15. No Agency Created. Nothing contained in the Agreement shall create any partnership, joint venture, or agency relationship between the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

CITY OF SOUTH JORDAN,
a Utah Municipal Corporation

By: Dawn R. Ramsey
Dawn R. Ramsey, Mayor

APPROVED AS TO FORM:

Gregory Simonsen
Gregory Simonsen (Jul 13, 2021 14:44 MDT)
Attorney for the City

State of Utah)
:ss
County of Salt Lake)

The foregoing instrument was acknowledged before me on this 20 day of July, 2021, by Dawn R. Ramsey, whose identity is proved to me on the basis of satisfactory evidence, and who affirmed that she is the Mayor of the City of South Jordan, a Utah municipal corporation, and said document was signed by her in behalf of said municipal corporation by the authority of the South Jordan City Code by a Resolution of the South Jordan City Council, and she acknowledged to me that said municipal corporation executed the same.

Anna Ratcliffe
Notary Public Anna Ratcliffe
My Commission Expires: 09-19-22
Residing at: South Jordan

ANNA RATCLIFFE
Notary Public - State of Utah
Comm. No. 702431
My Commission Expires on
Sep 19, 2022

RYAN HOLT, an individual

Ryan Holt
(Print Name and Title)

State of)
:ss
County of)

The foregoing instrument was acknowledged before me on this 13 day of July, 2021, by Ryan Holt, an individual, whose identity is proved to me on the basis of satisfactory evidence.

Judith Zarogoza-Felix
Notary Public
My Commission Expires:
Residing at:

NOTARY PUBLIC
JUDITH ZAROGOZA-FELIX
Commission No. 707820
Commission Expires
AUGUST 20, 2023
STATE OF UTAH

EXHIBIT A

(Legal Description of the Property)

Parcel 27-14-102-016

Beginning at a point on the Easterly boundary line of Parcel J of Hidden Village Historic P.U.D. A Amended, recorded July 12, 2012 as Entry No. 11426318 in Book 2012P at Page 91 in the Office of the Salt Lake County Recorder, said point being South 00°02'10" West 487.06 feet along the section line and East 648.15 feet from the Northwest Corner of Section 14, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running

thence North 00°02'10" East 100.35 feet along said Easterly boundary line;
thence South 88°59'50" East 452.70 feet;
thence South 00°02'10" West 184.01 feet to Northeast Corner of Lot 32 of said Hidden Village Historic P.U.D. A Amended;
thence along the Northerly boundary line of said Hidden Village Historic P.U.D. A Amended the following three (3) courses:
(1) North 89°54'04" West 4.00 feet;
(2) South 89°44'45" West 221.48 feet;
(3) North 85°08'47" West 31.00 feet;
thence North 00°02'10" East 86.50 feet;
thence North 88°59'50" West 196.30 feet to the point of beginning.

Contains 67,542 Square Feet

EXHIBIT B

(Concept Plan)

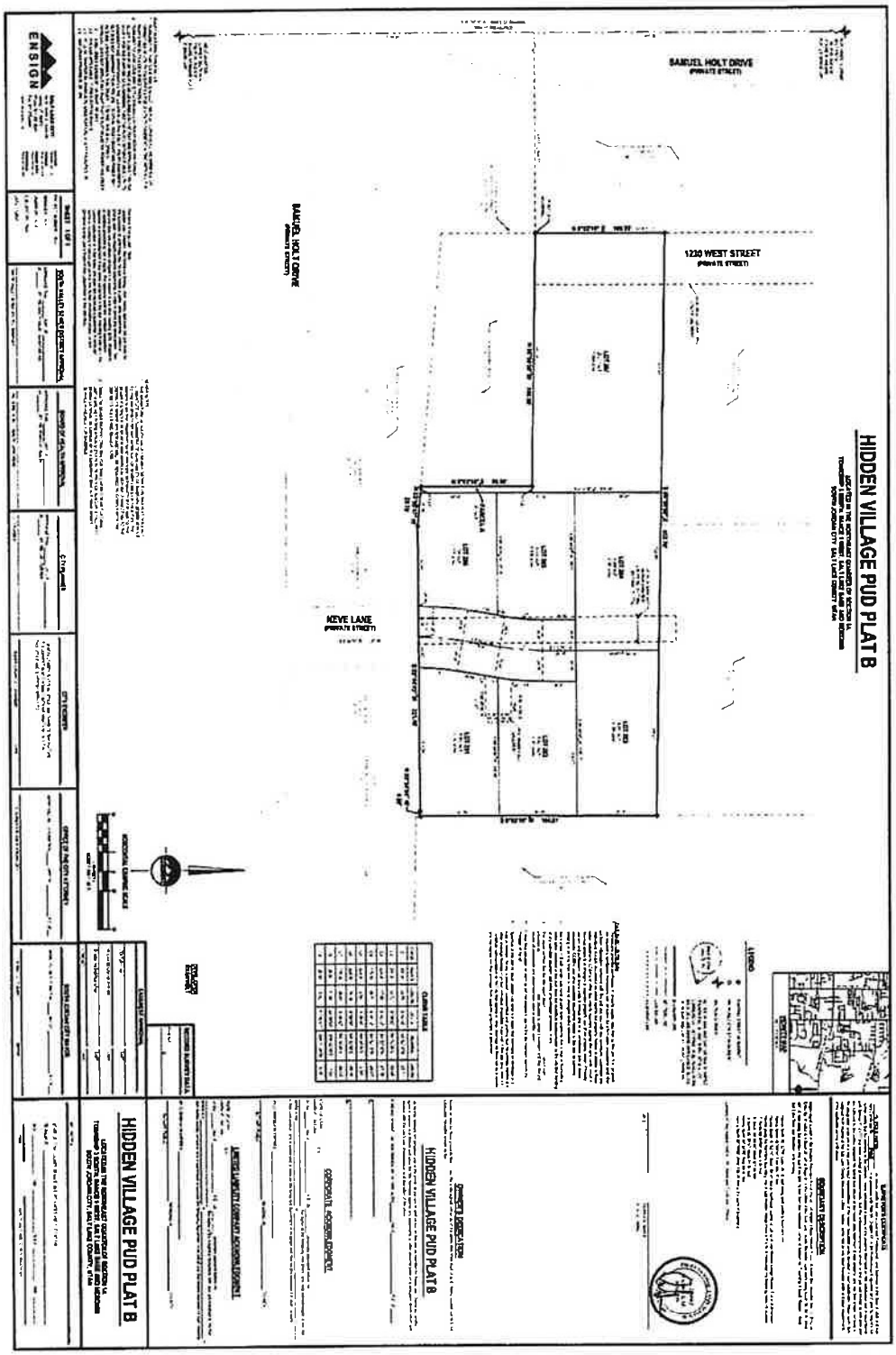


EXHIBIT C

A-5 ZONE City Code Provisions

CHAPTER 17.30

AGRICULTURAL ZONES

SECTION:

17.30.010: Purpose

17.30.020: Development And Design Standards

17.30.030: Other Requirements

17.30.010: PURPOSE:
This chapter is established to provide standards and regulations, consistent with the city's general plan and the purposes and provisions of this title, for agricultural areas in a growing suburban city. This chapter shall apply to the following agricultural zones as established in chapter 17.20, "Zone Establishment", of this title: A-5 and A-1 zones. Uses may only be conducted in agricultural zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and associated use regulations may be found in chapter 17.18, "Uses", of this title. (Ord. 2015-10, 7-7-2015)

17.30.020: DEVELOPMENT AND DESIGN STANDARDS:
Publisher's Note: This Section has been **AMENDED** by new legislation (Ord. 2021-09, adopted 5-4-2021). The text of the amendment will be incorporated below when the ordinance is codified.

A. Development Review: Uses proposed in agricultural zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in agricultural zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as otherwise allowed under state law.

B. Lot Area: The area of any lot in agricultural zones shall not be less than the minimum lot area requirement identified in the minimum lot area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

Zone	Minimum Lot Area (Acres)
A-5	5
A-1	1

C. Lot Density: Only one single-family primary dwelling may be placed on a lot or parcel of land in an agricultural zone.

D. Lot Width And Frontage: Each lot or parcel in an agricultural zone shall have a minimum lot width not less than the dimension in the minimum width column of the lot width and frontage table below. The minimum lot width shall be measured at the minimum front yard requirement (see subsection F of this section) that shall be determined from a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance not less than the dimension in the frontage (standard) column of the lot width and frontage table below, except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right of way or landscaped open space a minimum distance not less than the dimension in the frontage (diverged) column.

Zone	Minimum Width	Frontage (Standard)	Frontage (Diverged)
A-5	100'	100'	60'
A-1	100'	100'	60'

E. Lot Coverage: The area of lot, parcel or private ownership area in an agricultural zone covered by buildings shall not exceed the percentage identified in the lot coverage table below of the total lot, parcel or private ownership area.

Zone	Maximum Building Coverage
A-5	20%
A-1	30%

F. Yard Area: The yard area (setback) requirements below shall apply in all Agricultural Zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review.

1. Minimum Yard Area Requirements For Main Buildings:

Zone	*Front Yard (Interior And Corner Lots)*	*Front Garage*	*Front Yard (Cul-De-Sac Lots)*	*Side Yard (Standard)*	*Side Yard (Corner Lot Street Side)*	*Rear Yard (Interior Lot)*	*Rear Yard (Corner Lot)*
A-5	30'	30'	25'	10'	25'	25'	10'

A-1	30'	30'	25'	10'	25'	25'	10'

2. Minimum Yard Area Requirements For Accessory Buildings:

a. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.

b. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings no greater than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line or boundary.

c. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

3. Buildings Used To Shelter Animals: Buildings used for the housing or shelter of animals shall be located a minimum distance of forty feet (40') from any existing dwelling or neighborhood street right-of-way or, if approved with a conditional use permit, a minimum of twenty feet (20') from any collector street right-of-way line.

4. Projections: The following may be erected on or projected into any required yard space in Agricultural Zones:

a. Fences and walls in conformance with this Code.

b. Agricultural crops, landscape or garden elements, including trees, shrubs and other plants.

c. Utility or irrigation equipment or facilities.

d. Decks not more than two feet (2') high.

e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

f. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending no more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

G. Parking And Access: Parking areas and vehicle access in Agricultural Zones shall meet the requirements of title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title and title 10 of this Code (Traffic Code). A driveway may only directly access a collector or arterial street with approval of the Utah Department of Transportation ("UDOT") for UDOT streets, or with approval of the City Engineer for City streets.

H. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Agricultural Zones.

1. Utility Screening: In nonresidential and nonagricultural developments, all mechanical equipment, antennas (where possible), loading areas and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.

2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.

3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.

4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.

5. Clear Vision: Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the City Engineer based on traffic speeds, flow, volumes and other traffic related variables.

6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right- of-way in an Agricultural Zone shall be constructed according to section 16.04.200 of this Code.

I. Architecture: The following exterior materials and architectural standards are required in Agricultural Zones:

1. General Architectural Standards:

a. All building materials shall be high quality, durable and low maintenance.

b. The exteriors of buildings in Agricultural Zones shall be properly maintained by the owners or owners' association.

c. Signs shall meet the requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.

d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

a. Main buildings, excluding main buildings used for agricultural uses, shall be constructed with a minimum amount of brick or stone that

is calculated by multiplying two (2) by the perimeter of the foundation (including garage).

b. Main buildings shall be constructed with a majority of the roof to be a minimum five to twelve (5:12) pitch, except that roofs of agricultural main buildings may be constructed to be a minimum four to twelve (4:12) roof pitch over the majority of the building.

c. Residential main buildings shall include a minimum two car garage (minimum 22 feet x 22 feet, or an approved equivalent area).

d. The minimum total floor area, finished and unfinished, of any residential main building shall be two thousand four hundred (2,400) square feet.

e. Residential main buildings shall include architectural elements (i.e., main entrance, porch) that distinguish the side of the building oriented toward the front yard as the front of the house. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.

3. Architectural Standards For Accessory Buildings:

a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high.

b. The footprint of an accessory building in Agricultural Zones shall not exceed the footprint of the main building, including the footprint of an attached garage, except as approved by the Planning Commission as a conditional use permit.

c. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:

(1) Openings (e.g., windows and doors) that are visible from the subject property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.

(2) The average wall height shall not exceed sixteen feet (16') above grade.

d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch over a majority of the structure.

e. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

J. Landscaping:

1. The front and street side yards of single-family lots shall be fully improved and properly maintained. Improvements shall include not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area covered in lawn or other acceptable live plant material unless otherwise approved with a conditional use permit.

2. All collector street and other public and private park strips in Agricultural Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.

3. Where an adjacent park strip in a residential right-of-way is at least five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.

4. In developments that have a principal use other than residential or agricultural, the following landscaping requirements shall also apply:

a. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

b. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sport or play areas, is required. At least thirty percent (30%) of all required trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be a minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.

c. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.

d. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.

e. All landscaped areas shall be curbed.

5. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any area so included and perpetually preserved as open space may be counted toward required open space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300, "Deferred Improvements", of this Code.

7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public right-of-way areas that are not maintained by the City.

8. Required trees may not be topped and required landscape material may not be removed in Residential Zones without City approval.

9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

K. Lighting:

1. A lighting plan shall be submitted with all new developments that have a principal use that is not agricultural or residential.

2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

3. Lighting fixtures in all developments that have a principal use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be approved by the City Engineer.

L. Streets: Streets in Agricultural Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in Agricultural Zones. (Ord. 2015-10, 7-7-2015; amd. Ord. 2017-22, 7-18-2017; Ord. 2019-01, 3-5-2019; Ord. 2019-06, 3-19-2019)

17.30.030: OTHER REQUIREMENTS:

A. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel. (Ord. 2015-10, 7-7-2015; amd. Ord. 2016-05, 5-3-2016; Ord. 2019-01, 3-5-2019)

B. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.

C. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.

D. Common Areas: All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually owned and maintained by the property owners of the development or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City.

E. Prior Created Lots: Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of an Agricultural Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.

F. Approval: Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this Code and the applicable plat recorded with the Salt Lake County Recorder's Office.

G. Open Space: Any open space provided within a subdivision to be jointly owned, maintained and preserved by an owners' association and/or special assessment area acceptable to the City shall be labeled and recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The City may determine the location of open space in a subdivision by considering topography, drainage or other land features. The City may require a cash bond or a letter of credit to guarantee installation of improvements.

H. Developer Requirements: Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants, and restrictions ("CC&Rs") to the City for review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:

1. An opinion of legal counsel licensed to practice law in the State that the project meets requirements of State law.

2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to City conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by City staff and approved by the Planning Commission.

3. Language required by section 17.04.300 of this title. (Ord. 2015-10, 7-7-2015; amd. Ord. 2016-05, 5-3-2016)

EXHIBIT D

R-M-5 ZONE City Code Provisions

CHAPTER 17.40

RESIDENTIAL ZONES

SECTION:

17.40.010: Purpose

17.40.020: Development And Design Standards

17.40.030: Other Requirements

17.40.010: PURPOSE:
This chapter is established to provide standards and regulations, consistent with the city's general plan and the purposes and provisions of this title, for single-family residential areas in the city. This chapter shall apply to the following residential zones as established in chapter 17.20, "Zone Establishment", of this title: R-1.8, R-2.5, R-3, R-4, R-5, and R-M zones. Uses may only be conducted in residential zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and other associated use regulations may be found in chapter 17.18, "Uses", of this title. (Ord. 2016-05, 5-3-2016)

17.40.020: DEVELOPMENT AND DESIGN STANDARDS:
Publisher's Note: This Section has been **AMENDED** by new legislation (Ord. 2021-09, adopted 5-4-2021). The text of the amendment will be incorporated below when the ordinance is codified.

A. Development Review: Uses proposed in residential zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in residential zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as otherwise allowed under state law.

B. Lot Area: The area of any lot in residential zones shall not be less than the minimum lot area requirement identified in the minimum lot area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

Zone	Minimum Lot Area (Square Feet)
R-1.8	14,520
R-2.5	12,000
R-3	10,000
R-4	8,000
R-5	6,000
R-M	5,000

C. Lot Density: The maximum gross density (number of lots or primary dwelling units per acre) in any residential development in a residential zone shall not exceed the density shown in the lot density table below. The primary dwelling density of each area zoned R-M shall be determined, according to the densities established in the lot density table, with approval of a rezoning application per chapter 17.22, "Zoning Amendments", of this title and indicated on the official zoning map with a numerical suffix matching the approved density.

Zone	Maximum Gross Density
R-1.8	1.8
R-2.5	2.5
R-3	3
R-4	4
R-5	5
R-M-5	5
R-M-6	6

D. Lot Width And Frontage: Each lot or parcel in a residential zone shall have a minimum lot width not less than the dimension in the minimum width column of the lot width and frontage table below. The minimum lot width shall be measured at the minimum front yard requirement (see subsection F of this section) that shall be determined from a point which corresponds to the midpoint of the

front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance not less than the dimension in the frontage (standard) column of the lot width and frontage table below, except that lots with side property lines which diverge at an angle of at least twenty degrees (20°) shall abut the right-of-way or landscaped open space a minimum distance not less than the dimension in the frontage (diverged) column.

Zone	Minimum Width	Frontage (Standard)	Frontage (Diverged)
R-1.8	90'	90'	50'
R-2.5	90'	90'	50'
R-3	85'	85'	50'
R-4	80'	80'	50'
R-5	75'	75'	50'
R-M-5	65'	65'	40'
R-M-6	60'	60'	40'

E. Lot Coverage: The area of lot, parcel or private ownership area in a residential zone covered by buildings shall not exceed the percentage identified in the lot coverage table below of the total lot, parcel or private ownership area.

Zone	Maximum Building Coverage
R-1.8	40%
R-2.5	40%
R-3	40%
R-4	40%
R-5	50%
R-M	60%

F. Yard Area: The yard area (setback) requirements below shall apply in all residential zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review.

1. Main Buildings: Minimum yard area requirements for main buildings are as follows:

Zone	*Front Yard (Interior And Corner Lots)*	*Garage Opening1 (Front Or Street Side)*	*Front Yard (Cul-De-Sac Lots)*	*Side Yard (Standard)*	*Side Yard (Corner Lot Street Side)*	*Rear Yard (Interior Lot)*	*Rear Yard (Corner Lot)*
R-1.8	30'	30'	25'	10'	30'	25'	10'
R-2.5	25'	30'	20'	10'	25'	25'	10'
R-3	25'	30'	20'	10'	25'	25'	10'
R-4	20'	25'	20'	8'	20'	20'	10'
R-5	20'	25'	20'	8'	20'	20'	10'
R-M-5	20'	25'	20'	8'	10'	20'	10'
R-M-6	20'	25'	20'	8'	10'	20'	10'

Note:

1. The garage opening minimum yard area requirement shall apply to garages when the garage opening faces the street, otherwise the front yard minimum yard area shall apply. The garage opening minimum yard requirement shall be 25 feet to any street-facing garage opening in a cul- de-sac.

2. Accessory Buildings: Minimum yard area requirements for accessory buildings are as follows:

a. Location: Accessory buildings may not be located between the front building line of a main building and the right-of-way that determines the front yard area.

b. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to this subsection F, except that accessory buildings less than ten feet (10') in height and not containing habitable space may be located no closer than five feet (5') from the side property line.

c. Rear Yard: An accessory building may be located in a rear yard no closer than three feet (3') from the side or rear property line or boundary and increased by one foot (1') for each foot of building height in excess of sixteen feet (16'), except that the setback shall be increased to no closer than five feet (5') from the side or rear property line or boundary when adjacent to a right-of-way, which shall be increased by one foot (1') for each foot of building height in excess of sixteen feet (16').

3. Buildings Used To Shelter Animals: Buildings used for the housing or shelter of animals shall be located a minimum distance of forty feet (40') from any existing dwelling or neighborhood street right-of-way or, if approved with a conditional use permit, a minimum of twenty feet (20') from any collector street right-of-way line.

4. Projections: The following may be erected on or projected into any required yard space in Residential Zones:

a. Fences and walls in conformance with this Code.

b. Agricultural crops and landscape elements, including trees, shrubs and other plants.

c. Utility or irrigation equipment or facilities.

d. Decks not more than two feet (2') high.

e. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

f. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.

G. Parking And Access: Parking areas and vehicle access in Residential Zones shall meet the requirements of title 16, chapter 16.26, "Parking And Access", of this Code, chapter 17.18, "Uses", of this title, and title 10 of this Code (Traffic Code). A driveway may only directly access a collector or arterial street with approval of the Utah Department of Transportation ("UDOT") for UDOT streets or with approval of the City Engineer for City streets.

H. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Residential Zones.

1. Utility Screening: In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.

2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.

3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.

4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.

5. Clear Vision: Landscape materials, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the City Engineer based on traffic speeds, flow, volumes and other traffic related variables.

6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right- of-way in a Residential Zone shall be constructed according to section 16.04.200 of this Code.

I. Architecture: The following exterior materials and architectural standards are required in Residential Zones:

1. General Architectural Standards:

a. All building materials shall be high quality, durable and low maintenance.

b. The exteriors of buildings in Residential Zones shall be properly maintained by the owners or owners' association.

c. Signs shall meet requirements of title 16, chapter 16.36, "Sign Ordinance", of this Code and shall be constructed of materials that are consistent with the buildings they identify.

d. Main buildings shall be no greater than thirty five feet (35') high.

2. Architectural Standards For Main Buildings:

a. Main buildings shall be constructed with a minimum amount of brick or stone that is calculated by multiplying two (2) by the perimeter length of the foundation (including garage).

b. Main buildings shall be constructed with a majority of the roof to be a minimum roof pitch of three to twelve (3:12), except that main buildings of a contemporary design with a parapet wall enclosing the roof deck may be constructed with a lower roof pitch when done so in compliance with applicable Building Codes.

c. Residential main buildings shall include a minimum two car garage (minimum 22 feet by 22 feet, or an approved equivalent area).

d. The minimum total floor area, finished and unfinished, of any residential main building shall be two thousand four hundred (2,400) square feet.

e. Residential main buildings shall include architectural elements (i.e., main entrance, porch) that distinguish the side of the building oriented toward the front yard as the front of the house. The front of the house shall be accessible by a pedestrian from the adjacent right-of-way.

3. Architectural Standards For Accessory Buildings:

a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five feet (25') high.

b. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M Zones shall not exceed sixty percent (60%) of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty percent (60%) but in no case shall exceed the footprint of the main building. In the R-1.8 Zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.

c. Any portion of an accessory building within twenty feet (20') of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:

(1) Openings (e.g., windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four feet (4') above grade.

(2) The average wall height shall not exceed sixteen feet (16') above grade.

d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum one to twelve (1:12) roof pitch in the R-1.8 Zone, and a minimum three to twelve (3:12) roof pitch over a majority of the structure in all other Residential Zones.

e. Applications for a conditional use permit under subsections I3a, I3b and I3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred feet (300') of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

J. Landscaping:

1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area covered in lawn or other acceptable live plant material unless otherwise approved with a conditional use permit.

2. All collector street and other public and private park strips in Residential Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.

3. Where an adjacent park strip in a residential right-of-way is a minimum of five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.

4. In developments that have a principal use other than single- family, detached, the following landscaping requirements shall apply:

a. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

b. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sports or play areas, is required. At least thirty percent (30%) of all required trees shall be a minimum seven foot (7') evergreen. Deciduous trees shall be a minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.

c. Curbed planters with two inch (2") or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.

d. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.

e. All landscaped areas shall be curbed.

5. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights-of-way in the landscaping of the project and the urban trails system. Any area so included and perpetually preserved as open space may be counted toward required open space for the development. If approved by the City Engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300, "Deferred Improvements", of this Code.

7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public rights-of- way that are not maintained by the City.

8. Required trees may not be topped and required landscape material may not be removed in Residential Zones without City approval.

9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

K. Lighting:

1. A lighting plan shall be submitted with all new nonresidential developments in Residential Zones.

2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

3. Lighting fixtures in all developments that have a principal use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be approved by the City Engineer.

L. Streets: Streets in Residential Zones shall meet the requirements of section 16.04.180, "Streets", of this Code, except that private streets and gated communities are prohibited in Residential Zones unless otherwise provided for in this chapter. (Ord. 2016-05, 5-3-2016; amd. Ord. 2017-22, 7-18-2017; Ord. 2019-01, 3-5-2019; Ord. 2019-06, 3-19-2019; Ord. 2021-06, 2-16-2021)

17.40.030: OTHER REQUIREMENTS:

A. Grading: All developments shall be graded as required by the City Engineer to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel. (Ord. 2016-05, 5-3-2016; amd. Ord. 2019-01, 3-5-2019)

B. Maintenance: All private areas of lots or parcels shall be properly maintained by the owners.

C. Phasing Plan: A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the City.

D. Common Areas: All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually owned and maintained by the property owners of the development or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City.

E. Prior Created Lots: Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a Residential Zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.

F. Approval: Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this Code and the applicable plat recorded with the Salt Lake County Recorder's Office.

G. Open Space: Any open space provided within a subdivision to be jointly owned, maintained and preserved by a homeowners' association and/or special assessment area acceptable to the City shall be labeled and recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The City may determine the location of open space in a subdivision by considering topography, drainage or other land features. The City may require a cash bond or a letter of credit to guarantee installation of improvements.

H. Developer Requirements: Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants and restrictions ("CC&Rs") to the City for staff review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:

1. An opinion of legal counsel licensed to practice law in the State that the project meets requirements of State law.

2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to City conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by City staff and approved by the Planning Commission.

3. Language consistent with section 17.04.300 of this title. (Ord. 2016-05, 5-3-2016)

EXHIBIT E

RESOLUTION R2021-22

(To be inserted once executed)