

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD MARCH 7, 2007 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: David Beecher, Nate Hendricks, Nola Duncan, James Dupaix, Ellen Smith, and David McKinney. Justin Stoker was excused.

STAFF: Chien Hwang, Michael Meldrum, Jennifer Jastremsky, Ryan Carter, Reed Scharman, Tom Burdett, and Vicki Hauserman.

OTHERS: Mark Atencio, Shane Swensen, Ted Mickelsen, Tyler Tyson, Randy McDougal, Carl Tuitavuki, Kenyon Jensen, Mitchel Warner, Jeff Willyerd, Jarom Norris, and Sam Jacobsen.

The briefing meeting was called to order.

A clarification was made on Page 4 of the minutes to include in brackets 'Parks, Recreation, and Trails Master Plan' after the reference to the Master Trailways Plan. The notation on Page 1 to Section 87 was corrected to reference the Subdivision Ordinance.

Item #2 is to be continued to May 2, 2007, at the request of the applicant. There was a discussion as to whether or not the future substations and transmission corridors are identified on the West Side Planning Area. The Commission wants to be certain that adequate landscaping is provided with substations.

Michael Meldrum amended his recommendation for the definition of Fast food restaurant on Item #3.

The regular meeting was called to order by David Beecher at 6:09 p.m.

ITEM #1 CONSENT CALENDAR

A. APPROVE MINUTES FROM FEBRUARY 21, 2007

B. 26-10-300-002 PRESSURE ZONE D SOUTH PUMP STATION; CONTINUED FROM 2-21-07; 6920 WEST OLD BINGHAM HIGHWAY; CONDITIONAL USE PERMIT; A-20 ZONE; JORDAN VALLEY WATER CONSERVANCY DISTRICT/SHANE SWENSEN (APPLICANT) [#CUP20060043]

Staff recommended that the Planning Commission grant a Conditional Use Permit for the Jordan Valley Water Conservancy District Pressure Zone D South Pump Station, with the conditions as set forth below. The Planning Commission should advise the applicant that Planning Commission approvals do not include Fire, Building and Safety or Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied.

1. Meet all requirements of the Engineering Department.
2. A deferral agreement for public improvements must be executed as specified by the City Attorney's Office.
3. Meet all requirements of the Fire Department.
4. No changes or modification to any portion of the approved Conditional Use Permit may be made without prior written approval by the City of West Jordan.
5. A building permit will be required to remove or reconfigure any electrical components included in the portion of the facility that services South Jordan.

MOTION: James Dupaix moved to approve the Consent Calendar with corrections to the minutes as discussed in the pre-meeting. The motion was seconded by Nola Duncan and passed 6-0 in favor. Justin Stoker was absent.

ITEM #2: 26-11-400-012 **OQUIRRH SUBSTATION EXPANSION; CONTINUED FROM 2-21-07; 5650 WEST OLD BINGHAM HIGHWAY; PRELIMINARY SITE PLAN, MINOR SUBDIVISION PLAT, AND CONDITIONAL USE PERMIT; C-M ZONE; ROCKY MOUNTAIN POWER/ROD FISHER (APPLICANT) [#CUP20060039, #SPI2006038, #SDMI20060012]**

Staff recommended that the item be continued to the May 2, 2007, Planning Commission meeting at the request of the applicant.

MOTION: James Dupaix moved to continue the Oquirrh Substation Expansion to May 2, 2007. The motion was seconded by Ellen Smith and passed 6-0 in favor. Justin Stoker was absent.

Tom Burdett noted that the continuation was at the request of Rocky Mountain Power.

Ryan Carter reminded the public in attendance that because this item was continued to a date certain another mailing notice will not be sent.

Planning Commission agendas are posted on the website.

ITEM #3: **TEXT AMENDMENT – CONTINUED FROM 2-21-07; AMEND THE WEST JORDAN MUNICIPAL CODE SECTION 89-1-202(d) INTERPRETATION OF ZONING BOUNDARIES AND SECTION 89-1-203 DEFINITIONS; CITY OF WEST JORDAN (APPLICANT)**

Michael Meldrum presented the staff report for proposed amendments to the West Jordan Municipal Code. Section 89-1-202(d) is a clarification and update of language to reflect the lexicon of today. The remaining updated definitions are those which had not been found in the code, or they contain modified language.

Staff recommended that the Planning Commission forward a positive recommendation to the City Council to amend §89-1-202 and §89-1-203 with the changes specified above based on the following findings:

1. The proposed text amendment is not detrimental to the health, safety, or welfare of the general public.
2. The proposed text amendment is in harmony with the General Land Use Plan.
3. The proposed text amendment is necessary to provide clarification to the existing Zoning Ordinance.

Medical service

It was suggested that the term ‘Urgent Care Facilities’ should be included as they are becoming more popular. It was determined that the proposed definition covers the intent of the urgent care facilities.

Office, professional and service

There was a discussion regarding the listing of salons and parlors and if they should be defined as an office use. It was pointed out that this use is only listed in the TOD Districts. If ‘professional’ and ‘service’ were separated the TOD code would have to be amended to allow for ‘Personal Care Services’. It was determined to leave the definition as it is.

Personal instruction service

Add an apostrophe to therapists.

Recreation and Entertainment, indoor

It was suggested that ‘racquetball and handball courts’ be replaced with ‘indoor sports facilities’.

Recreation and entertainment, outdoor

There was a discussion to broaden the definition, and there were concerns of allowing sports involving firearms. Those concerns could be addressed by other code restrictions. The definition will remain as proposed.

Restaurant, Fast food and Restaurant (drive-through)

Michael Meldrum distributed the newly proposed definition, which reads “Restaurant, fast food and Restaurant (drive-through) means an establishment engaged primarily in the preparation of food and beverages for consumption on or off the premises and where the design or principal method of operation consists of a walk-up counter or drive-through window designed to accommodate automobile traffic provided for customer orders and/or service, and one or more of the following:

- a. Food is served in disposable containers;
- b. Most food items are prepackaged rather than made to order;
- c. Customers pay for food before consuming it; or
- d. Food is provided on a self-serve or semi self-serve basis, including a self-service condiment bar, and trash receptacles, excluding cafeteria or cafeteria-type operations as listed under Restaurant, general.”

There was a discussion regarding whether or not trash receptacles needed to be included in the definition. It was decided that it would be removed.

It was noted that the previous definition of Fast Food Restaurant needed to be removed.

Tot-lot

The Commission would like ‘and’ added between ‘users’ and ‘guardians’.

Townhouse

Nola Duncan said that compared to the townhouse definition the definition for condominium is very vague, and she asked if that should be reviewed and made more detailed.

Ryan Carter stated that the definition for condominium was pulled from Utah State Law.

There was a discussion of whether or not the definition should include items such as fire walls, because they might be best left in the building code. Reed Scharman stated that the definition is consistent with the International Residential Code that governs one and two-family dwellings and not multi-tenant housing, which may require fire sprinklers. James Dupaix agreed with the definition as proposed, because it makes clear that each unit goes from the ground to the top of the roof. Tom Burdett didn’t think that the last sentence of the definition regarding separate utilities should be included. After further discussion the Commission agreed that the proposed definition would remain with the exception of “and be serviced with separate utilities” and changing “ground floor or basement level” with “foundation”.

Wholesale and warehousing, general

Make ‘firm’ plural.

Topsoil Operations

A correction was made to change ‘sits’ to ‘sites’.

MOTION: James Dupaix moved to forward a positive recommendation to the City Council to amend Sections 89-1-202 and 89-1-203 with the changes specified in the staff report as amended by the discussion of the Planning Commission, based on the findings in the staff report. The motion was seconded by Nate Hendricks and passed 6-0 in favor. Justin Stoker was absent.

There was a discussion regarding the pending review of conditional uses in the Municipal Code. It will be scheduled on an upcoming meeting.

Planning Commission Meeting Minutes

March 7, 2007

Page 4

Tom Burdett gave a report of City Council actions. A joint meeting with City Council and Planning Commission is being considered for April 24, 2007. Mr. Burdett stated that staff could arrange a tour of the new KraftMaid facility for some time in March or early April. The Commission suggested March 14, 2007 at 6:00 p.m. [This date and time was later modified in order to combine with the City Council on March 13, 2007 at 5:00 p.m.]

There was a discussion regarding the progress of the Dannon expansion.

Tom Burdett acknowledged Ryan Carter for his work with the Planning Commission and wished him well on his new position as City Attorney with Riverton.

David Beecher discussed order of proceedings for meetings and stated that the Commissioners need to take turns speaking by waiting for the Chair to acknowledge them. However, some text amendment items might have to be handled in more of a discussion setting. It was requested that the status for the repair of the indicator lights be investigated.

MOTION: James Dupaix moved to adjourn. The motion passed unanimously.

The meeting adjourned at: 7:25 p.m.

Justin Stoker
Vice Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development

Approved this _____ day of _____, 2007