

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD SEPTEMBER 19, 2007 IN THE WEST JORDAN COUNCIL CHAMBERS

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

STAFF: Tom Burdett, Jeffrey Robinson, Nathan Crane, Scott Langford, Madeline Francisco-Galang, Chris Gilbert, Reed Scharman, and Julie Davis.

OTHERS: Catherine Smith, Lorelee Holbrook, David McKinney, Dave Peterson, Brent Robison, Mike Richardson, Jerry Hanson, Linda Dalley, Robert Dalley, Robbie Dalley, and Mike Atencio.

The briefing meeting was called to order by David Beecher.

There was a discussion to a motion in the previous minutes. Commissioner McKinney verified that it was stated correctly. Further discussion was held regarding solutions for traffic calming as discussed with the hearing for the Siera Estates project. Tom Burdett gave an overview of what had been discussed with the residents. Ellen Smith asked if the citizens of the Brigadoon Park neighborhood had been informed of how they could obtain traffic-calming measures on their existing street. Tom Burdett said the City has a traffic-calming program that is funded each year. The residents need to sign a petition, and the Traffic Engineer will meet with them regarding how to handle the situation. He said that a representative of the neighborhood had been sent an e-mail with the procedures and contact information. Nola Duncan referred to a previous action that the City took in a traffic-calming situation that she felt worked well.

The Consent Calendar was reviewed. Scott Langford explained that an additional condition on Item #3 would be read into the record regarding setback requirements. Reed Scharman indicated that the moved-on structure on Item #4 would need to be moved fifteen feet to the south in order to provide better fire access.

The Commission discussed the option of canceling the November 21, 2007, meeting. They agreed to cancel the meeting.

The regular meeting was called to order at 6:02 p.m.

1. CONSENT CALENDAR

A. Approve Minutes from September 5, 2007

B. Clearwire Co-location #UTSLC069; Continued from 8-8-07; 7148 South Redwood Road; Conditional Use Permit; SC-2 Zone; Clearwire US, LLC/Jerry Hanson (applicant) [#CUP20070021; parcel 21-27-127-022]

Staff recommended the Planning Commission conduct a public hearing and approve the proposed Conditional Use Permit subject to the following conditions:

1. The use of the property shall conform to the narrative, the site plan, and the elevations dated 7/10/07 part of this application except as modified by these conditions.
2. The applicant shall obtain a building permit for installation of all new equipment.
3. The Conditional Use Permit is subject to review and/or revocation as per Section 89-5-404.
4. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required.

C. Clearwire Co-location #UTSLC085; To be continued to a date uncertain; 8600 South 3392 West; Conditional Use Permit; M-1 Zone; Clearwire US, LLC/Jerry Hanson (applicant) [#CUP20070022; parcel 21-32-476-007]

Staff recommended the Planning Commission postpone Item #1C to a date uncertain.

D. Clearwire Co-location #UTSLC068; Continued from 8-8-07; 5120 West Hayden Peak Drive; Conditional Use Permit; P-C Zone; Clearwire US, LLC/Jerry Hanson (applicant) [#CUP20070023; parcel 20-36-252-001]

Staff recommended the Planning Commission conduct a public hearing and approve the proposed Conditional Use Permit subject to the following conditions:

1. The use of the property shall conform to the narrative, the site plan, and the elevations dated 7/10/07 part of this application except as modified by these conditions.
2. The applicant shall obtain a building permit for installation of all new equipment.
3. The Conditional Use Permit is subject to review and/or revocation as per Section 89-5-404.
4. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required.

E. Clearwire Co-location #UTSLC071; To be continued to a date uncertain; 7900 South 1225 West; Conditional Use Permit; P-F Zone; Clearwire US, LLC/Jerry Hanson (applicant) [#CUP20070020; parcel 21-35-103-002]

Staff recommended the Planning Commission postpone Item #1E to a date uncertain.

F. Jordanaire West Apartments Sign; 2000 West 7800 South; Conditional Use Permit; R-3-20 Zone; Adriana Cruz (applicant) [#CUP20070029; parcel 21-27-357-019]

Staff recommended conditional approval of the Conditional Use Permit for a replacement monument-base sign over 4 feet in height for Jordanaire West Apartments, located at 2000 West 7800 South in an R-3-20, Multi-Family residential zoning district based on the findings noted in the staff report and the conditions of approval set forth below.

Conditions of Approval:

1. The Conditional Use Permit shall be subject to review/revocation as per §89-5-404.
2. Applicant shall comply with the Narrative information, site plan, and sign profile contained within this application.
3. Meet all requirements of the Building Code and Fire Code as relating to actual sign design and construction methods.
4. Apply for Sign Permit before commencing construction.

G. Sprint/Nextel Communications Tower (Reams); 2640 West 9000 South; Conditional Use Permit for Communications Tower and to Exceed Maximum 35' Height Limit; SC-2 Zone; Mike Richardson (applicant) [#CUP20070013; parcel 27-04-251-013]

Staff recommended that the Planning Commission approve the proposed Conditional Use Permit for a new telecommunication facility with an 80-foot stealth mono pole and an exception to the maximum height allowed in the SC-2 district for Sprint/Nextel located at 2640 West 9000 South subject to the following conditions:

1. The use of the property shall conform to the narrative, the site plan, and the elevations dated 5/15/07 as part of this application, except as modified by these conditions.
2. The applicant shall obtain a building permit for installation of all new equipment.
3. The Conditional Use Permit is subject to review and/or revocation as per Section 89-5-404.
4. The Applicant shall amend the site plan to show a 6-foot slatted chain link fence around the perimeter of the ground equipment compound. Slats shall be earth tone in color.
5. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required.

H. Verizon Co-Location; 7141 South U-111 Highway; Conditional Use Permit; BR-P; TAIC/Loralee Holbrook (applicant) [#CUP20070026; parcel 20-27-100-003]

Staff recommended the Planning Commission conduct a public hearing and approve the proposed Conditional Use Permit subject to the following conditions:

1. The use of the property shall conform to the narrative, the site plan, and the elevations dated 6/26/07 part of this application except as modified by these conditions.
2. The applicant shall obtain a building permit for installation of all new equipment.
3. The Conditional Use Permit is subject to review and/or revocation as per Section 89-5-404.
4. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required.

MOTION: Justin Stoker moved to continue Item #1C and Item #1E to a date uncertain, to continue Item #2 to the October 3, 2007, Planning Commission meeting, and to approve the Consent Calendar as listed in the amended agenda. The motion was seconded by James Dupaix and passed 6-0 in favor. Nathan Hendricks was absent.

2. Southside Church of Christ Waiver Request; 3138 West 7000 South; Modification of Design Standards to Section 87-5-111(c) requirement to underground overhead utilities; R-1-10D Zone; Swan Law Firm, PLLC/Mark S. Swan (applicant) [#APP20070003; parcel 21-21-353-004]

MOTION: Justin Stoker moved to continue Southside Church of Christ Modification of Design Standards to the October 3, 2007, Planning Commission meeting. The motion was seconded by James Dupaix and passed 6-0 in favor. Nathan Hendricks was absent.

3. Jordan Court Townhomes; 7150 South 1300 West; Preliminary Subdivision Plat (4 lots); R-3-8 (ZC); Bromac/David McKinney (applicant) [#SDMA20070024; parcels 21-26-103-002, 026, 027]

Scott Langford gave an overview of the request for a 4-lot subdivision plat. He gave the history of the rezoning and development of the property and the surrounding area. The zoning conditions had been amended in 2004. He pointed out the storm water detention basin, which is proposed to be located in the rear yard of two lots. Because of the small size of the subdivision and detention pond, staff supported the on-site detention. However, a recommended condition of approval is that the pond be moved to the front yard were the maintenance could better take place. Also, the plat needs to be amended to show the 25-foot rear lot setback for lot two, and an 8-foot side yard setback. Lots one and two are intended for single-family homes. The zoning conditions have been addressed by the applicant, which he reviewed. Amenities have been proposed for each individual lot in order to meet the zoning conditions. Staff recommended that a swing set be added as an option for amenities. He requested that condition #10 be added to state, "The subdivision plat shall be amended to show the interior side yard setback for Lots 1 and 2 as 8 feet per Section 89-3-303(a) of the Zoning Ordinance."

Staff recommended that the Planning Commission grant Preliminary Subdivision Plat approval for the Jordan Court Subdivision, located at 7125 South 1300 West in a R-3-8(ZC) zoning district.

1. Meet all requirements of Title 87 of the Subdivision Ordinance and Title 89 of the Zoning Ordinance, and the requirements of the R-3 zoning district.
2. The Jordan Court Town home project shall conform to the narrative and subdivision plat dated 6/29/07 as part of this application, except as modified by these conditions.
3. The subdivision plat shall be amended to show the rear yard setback for Lot 2 as 25 feet per Section 89-3-303(a).
4. The subdivision plat shall be amended to show the storm water detention pond placed along the frontage of the propose lots in the front yard area. The detention pond shall be constructed by the Applicant / Developer and maintained by a Home Owners Association.

5. The Applicant / Developer shall install one of the following amenities per lot as described in the Applicants letter dated 9/04/07 and as amended with this condition:
 - a. Tetherball Court and pole
 - b. Horse shoe pitching pits
 - c. Barbeque pad
 - d. Swing set
6. The approved Preliminary Plat shall remain valid for one year following the date of approval [Section 87-3-108(a)].
7. The Applicant shall dedicate 14 feet of right-of-way along the frontage of 1300 West to the City of West Jordan.
8. As part of the Final Subdivision Plat submittal, the Applicant shall submit a recordable copy of the protective covenants associated with the establishment of the required Home Owner's Association.
9. 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.

Commissioner David McKinney asked how deep the detention pond would be and if it would be designed as a swale in a lawn or as a rocky creek bed.

Scott Langford said the maximum shown is two feet, but the overall design had not been decided. That may change as the configurations of the driveways are installed.

Madeline Francisco-Galang said there are various designs that the engineer could propose. It could be xeriscape with rocks and trees or a simple swale. It is up to the engineer to propose a design, and the Engineering Department will have to approve it. There will probably be an easement on those lots for maintenance by the homeowners' association.

Ellen Smith asked about soil saturation issues and how far away these ponds would be from the homes.

Madeline Francisco-Galang said the code requires them to be at least 20 feet away from the high water mark.

David McKinney, applicant, 1471 West Misty Fen, was available for questions.

Dave Peterson, applicant, 5151 South 900 East, said they are okay with moving the detention basin to the front yards. They realize they need driveways in the front as well. The way to solve this problem is to be able to move the buildable area back, which will give more room up front. They don't want to go deeper than two feet.

Further public comment was closed at this point for this item.

Commissioner David McKinney asked what the minimum rear yard setback is.

Scott Langford said it is 20 feet for lots 3 and 4, because they are twin homes and not single-family.

MOTION: David McKinney moved to approve the Preliminary Subdivision Plat for Jordan Court Subdivision; 7150 South 1300 West; Bromac/David McKinney (applicant) in accordance with the staff recommendations in the staff report and conditions 1 through 9, adding as presented by Mr. Langford:

- 10. The subdivision plat shall be amended to show the interior side yard setback for Lots 1 and 2 as 8 feet per Section 89-3-303(a) of the Zoning Ordinance.**

The motion was seconded by James Dupaix and passed 6-0 in favor. Nathan Hendricks was absent.

4. West Jordan Museum - Steadman Barn Relocation; 2053 West 7800 South; Amended Final Site Plan and Conditional Use Permit; P-F Zone; West Jordan Historical Society/Linda Dalley (applicant) [#CUP20070028 & SPCO20070017; parcel 21-34-101-015]

Scott Langford gave a brief background of the operations of the museum and lease agreement with the City. He showed photos of the 100-year-old Steadman barn to be moved. In order to facilitate the expanded museum area the City Council amended the ground lease agreement. Staff felt that the criteria had been met for the amended site plan and the conditional use permit. There are additional criteria for moved-on buildings, and staff felt that those had also been met. Mr. Langford recommended that Condition #5 be added to state, "The final site plan shall be amended to show the Steadman barn moved 15 feet to the south in order to meet fire department access requirements."

Amended Final Site Plan:

Staff recommended approval of the Amended Final Site Plan for West Jordan Historical Society Museum located at 2053 West 7800 South, per the positive findings of fact stated in this report and with the conditions set forth below:

1. Meet all requirements of Title 87 of the Subdivision Ordinance and Title 89 of the Zoning Ordinance, and the requirements of the P-F zoning district.
2. The Steadman barn Amended Final Site Plan shall conform to the narrative letter and site plan dated 9/14/07, except as modified by these conditions.
3. The ground lease agreement between the City of West Jordan and West Jordan Historical Society shall be approved by City Council to accurately reflect the expansion of the Museum.
4. Planning Commission approvals do not include Fire, Building and Safety or Engineering approval. Requirements and permits by those departments must be met and site changes or additions may be required.

Conditional Use Permit:

Staff recommended approval of the Conditional Use Permit to allow a for the Steadman barn to be relocated from its existing location at 6938 South 2350 West to the West Jordan Historical Society Museum located at 2053 West 7800 South, per the positive findings of fact stated in this report and with the conditions set forth below:

1. The Conditional Use Permit is subject to review and/or revocation according to §89-5-404(f)(1) of the Zoning Ordinance.
2. The Steadman barn moved-on building shall conform to the narrative letter and site plan dated 9/14/07, except as modified by these conditions.
3. The Applicant shall obtain all the necessary UDOT permits to facilitate the use of State right-of-way in the transport of the structure to the new site.
4. The Applicant must obtain an encroachment permit from the City to facilitate the use of City right-of-way in the transport of the structure to the new site.
5. The Applicant shall coordinate with Public Works in assessing the replacement of damaged items caused by the relocation of the Steadman barn, including but not limited to, landscaping, irrigation, roads, curbs gutters, and sidewalks.
6. Must meet all Planning Commission Final Site Plan conditions as approved on September 19, 2007.

Linda Dalley, applicant, 1312 West 8780 South, thanked everyone on staff who had worked on the project as well as the community and their board. The top floor will be used for the Utah Dairy Museum and the bottom floor will hold equipment that is now being stored outside. She stated that the area 15 feet south is currently included in park property, but the exact legal description of the amendment is still being worked on, and the Mayor stated that they would agree to move the boundary in order to meet the code requirements.

Further public comment was closed at this point for this item.

MOTION: Justin Stoker moved to approve the Amended Final Site Plan for the West Jordan Historical Society Museum; 2053 West 7800 South; West Jordan Historical Society/Linda Dalley (applicant) with the positive findings of fact located in the staff report with conditions 1 through 4, adding:
5. The final site plan shall be amended to show the Steadman barn moved 15 feet to the south in order to meet fire department access requirements.
The motion was seconded by James Dupaix and passed 6-0 in favor. Nathan Hendricks was absent.

MOTION: Justin Stoker moved to approve the Conditional Use Permit to allow for the Steadman Barn to be relocated from its existing location at 6938 South 2350 West to the West Jordan Historical Society Museum located at 2053 West 7800 South; West Jordan Historical Society/Linda Dalley (applicant) according to the positive findings of fact located in the staff report and with conditions 1 through 6. The motion was seconded by James Dupaix and passed 6-0 in favor. Nathan Hendricks was absent.

Nola Duncan asked to say a few things that she felt were significant in the previous matter. She had followed the application to move the barn closely as she is on the Historic Preservation Commission. She gave the background of the proposal. She said there is also interest in the barn relocation throughout the Valley. There are donations for the foundation and floor, and the Utah Museum Services put plans into motion that helped with legislators to get the money and then presented a \$20,000 grant for the relocation. A Salt Lake Tribune reporter called the Dalley's and said that their editor had commented that this opportunity doesn't happen to a city very often to be able to save an old piece of history. A retired structural engineer called and offered his services to check the building to make sure it is structurally safe, and the fellow who is giving the building stated that he is going to fix it as well as possible to withstand the move. Qwest, Rocky Mountain Power, and Comcast are all donating their services for moving their wires on the September 30. She appreciated all those that had worked hard to make this happen, and she felt that this had been a real positive in the area of public relations for West Jordan.

Tom Burdett gave an update of the City Council actions.

MOTION: James Dupaix moved to adjourn.

The meeting adjourned at 6:30 p.m.

David L. Beecher
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development

Approved this _____ day of _____, 2007