

**MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD JULY 2, 2008 IN THE WEST JORDAN COUNCIL CHAMBERS**

**PRESENT:** James Dupaix, Nathan Gedge, Justin Stoker, Nathan Hendricks, Ellen Smith, and John Winn. David McKinney was excused.

**STAFF:** Tom Burdett, Robert Thorup, Julie Davis, Greg Mikolash, Chris Gilbert, Nathan Nelson, and Reed Scharman

**OTHERS:** Tom Biesinger, H. Stosich, Micah Peters, J. Omer, and Loren Jorgensen.

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The briefing meeting was called to order by Justin Stoker.

Greg Mikolash introduced Robert Thorup, new Deputy City Attorney. Upon review of the minutes, Ellen Smith wondered if the reasoning for the change regarding the maples trees should be stated on page 6. Justin Stoker referred to the bottom of page 3 where he states concerns with the connection to U-111. He wanted it to reflect that he is strongly opposed to any additional connections and that it is a posted 60 mph highway.

Justification was clarified for Item #1B time extension request. Chris Gilbert distributed a letter from a resident regarding Item #2. Chris Gilbert indicated that the response from residents had been that they don't want the trail to be removed entirely. Tom Burdett explained that the City property to the north was acquired for public open space, and he didn't think that it would present any concerns to convert a portion of it for a trail. Chris Gilbert brought forward an option for a zoning condition for Item #3 should the Commission choose to use it. He explained the current parking issues on the office development to the north. Item #4 will not be heard tonight.

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The regular meeting was called to order at 6:05 p.m. by James Dupaix.

**1. Consent Calendar**

**A. Approve Minutes from June 18, 2008**

**B. Copperfield Phase 2 Time Extension; 6400 West 9000 South; Subdivision Plat 6-month Time Extension; R-1-10E(ZC) Zone; DR Horton, Inc./Micah Peters (applicant) [#SDMA20060019; parcel 26-02-100-019]**

Staff recommended that the Planning Commission approve a one-time 6-month time extension for the Preliminary Plat of Copperfield 2 Subdivision set to expire July 13, 2008, located at approximately 6400 West, 9000 South. If approved, this extension will expire on January 13, 2009.

**MOTION: Justin Stoker moved to approve Item #1B of the Consent Calendar and remove Item #1A from the Consent Calendar for review based upon the discussion in the pre-meeting, and to remove Item #4 from the agenda to allow staff additional time to prepare the discussion. The motion was seconded by Nathan Gedge and passed 6-0 in favor. David McKinney was absent.**

[The following took place at the end of the meeting.]

Tom Burdett asked the Commission to reconsider the motion to continue the minutes and allow staff the flexibility to review the comments made and add language as discussed in the pre-meeting. He explained that approval of the minutes has a trigger for certain events for the applicants as well as scheduling for City Council. Staff is happy to add comments regarding Commissioner Stoker's opposition to access to U-111 on the Jordan Hills Retail item.

Nathan Hendricks said he would abstain from the voting, because he wasn't at the meeting in question or at the pre-meeting where it was discussed.

**MOTION: Justin Stoker moved to reconsider the initial motion regarding the minutes. The motion was seconded by John Winn and passed 5-0 with Nathan Hendricks abstaining. David McKinney was absent.**

**MOTION: Justin Stoker moved to approve the minutes with amendments as discussed in the pre-meeting. The motion was seconded by Nathan Gedge and passed 5-0 in favor with Nathan Hendricks abstaining. David McKinney was absent.**

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**2. Lucky Clover Amended Condition; 7307 South Rural Road; Amended Subdivision Condition to remove requirement for trail; R-1-9D(ZC) Zone; Gough Construction/Blaine Gough (applicant) [#SDMI20070007; parcel 21-26-176-005]**

Chris Gilbert explained that the approved subdivision had a recorded trail location, which was required to be built. The subdivision was graded per the original plan, but that created a very steep slope at the trail location. The Engineering Division and he had inspected the site and felt that the grade is too steep to meet AASHTO standards. Gough Homes would like to resolve the issue by finding a more suitable location. He showed photos of the two subject areas of discussion. If the trail is relocated to the north end of the subdivision along an old canal access road on City property, they could achieve an 8.3% grade to meet requirements. He showed the proposed location. A trail access to the north would allow for better accessibility, and it has room for a possible parking lot should the City ever decide to build a trailhead. It would also provide more visibility for security purposes. The intent of the original plat was never to address the ultimate connection to the Jordan River trail, but the location to the north have the closest approach to the trail. The staff report reviewed three options for consideration; 1) take no action; 2) consider an alternate location; or 3) completely eliminate the requirement for a trail within or adjacent to the subdivision.

Staff recommended that the Planning Commission remove the Condition of Approval for the trailway connection on Lot 22 of Lucky Clover Subdivision and permit it to be relocated onto City property at the north end of the subdivision with the following conditions of approval:

1. That the applicant submits an Amended Final Plat application (which is already pending) to remove the trail from Lot 22 and provide final as-built grading plans.
2. The applicant provide a complete trail design plan for the new trail location on the City owned property on the north and northeast sides of Lucky Clover Subdivision. If this study shows the trail does not work at this new location either, then the Commission can consider removing the trail requirement entirely.
3. That the applicant provides a bond with the City for an appropriate amount to cover the construction costs for improvement of the new trail.

The applicant was not in attendance.

Jennifer Omer, West Jordan resident, stated that she and her husband felt that the north end of the subdivision is probably a better option, but they didn't want it to get removed altogether. The residents in the area were against the subdivision from the beginning, but the one good thing that might have come from it was a trail. So she hoped that the applicant wouldn't be able to eliminate the condition, because a trail would be great for their community. She explained that they are in close proximity to the Jordan River trail, but as it is now they have to go to either 7000 South or 7800 South to access it, and the sidewalks along 1300 West are not consistent. She felt that it was an original stipulation for the subdivision, and Gough knew that when they purchased the property.

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

James Dupaix said they received a letter from Creighton Omer also expressing the opinion of wanting to keep the trail and that the north option is preferred.

John Winn felt that a lot of research had been conducted for the item and he felt comfortable with the recommendation.

**MOTION: John Winn moved to remove the condition of approval for the railway connection on Lot 22 of Lucky Clover Subdivision; 7307 South Rural Road; Gough Construction/Blaine Gough (applicant) and permit it to be relocated onto City property at the north end of the subdivision with the conditions found in the Planning Commission packet 1 through 3. The motion was seconded by Justin Stoker.**

Nathan Gedge felt that the words ‘permit it to be’ seemed to say that there may be a chance that it might not be there.

**AMENDED**

**MOTION: Nathan Gedge moved to amend the motion to remove the wording ‘permit it to be’. John Winn and Justin Stoker accepted the amendment.**

Nathan Hendricks asked if staff knew why the applicant was not in attendance.

Tom Burdett did not know.

Chris Gilbert said the applicant was at the Open Lands Committee meeting and participated in the meeting, but he didn’t know why they weren’t here tonight.

Nathan Hendricks said he hated to make a decision on the item when the applicant doesn’t attend, and he said in the past the Commission had tabled decisions until the applicant is in attendance.

Ellen Smith said the trail is important because with this density they need something that creates some type of open space, and she is in favor of the motion. She didn’t think that they should postpone the item, because it is not changing the original intent of the requirement.

It was clarified that the City owns the property of the proposed location to the north. A bond is required for trail design and construction on City property. The application for an amended plat would come back to the Commission at a later time. James Dupaix said he was in favor of the relocation of the trail, because it is better use of the open space, and the current location would be unsafe with the slopes as they are.

**VOTE: The motion passed 6-0 in favor. David McKinney was absent.**

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**3. 8815 Professional Plaza Phase V Rezone; 8825 South Redwood Road; RR-1A Zone; Rezone .97 acres from RR-1A (Rural Residential 1-acre minimum lots) to P-O (Professional Office); 8815 Professional Plaza, LLC/Thomas Biesinger (applicant) [#ZC20080007; parcel 27-03-251-005]**

Chris Gilbert reviewed the application for rezoning to the Professional Office zone. The proposal would add another phase to the existing office complex, and based on site plans shown in the pre-application meeting, would address some parking issues for the project. Staff pointed out that if the rezoning is approved the City would require that a site plan application for development be submitted. Any changes to previously approved phases of 8815 Professional Plaza will require that an amended final site plan be submitted, and an amended condo plat is also required. In addition to meeting City standards, specifications, and codes, the applicant would

have to obtain a UDOT permit and address storm and sanitary sewer. Staff reviewed all criteria for the application and finds that they have been met.

Based on the findings of fact, Staff recommended that the Planning Commission forward a positive recommendation to the City Council for the request to rezone approximately 1.0 acres of property located at 8825 South Redwood Road from RR-1A (Rural Residential) to P-O (Professional Office).

Thomas Biesinger, 3779 West 10200 South, applicant, said the reason for the zone change is to add a great deal of additional parking to the project, which although it met the original approvals has been inadequate. If anything is added in addition to the parking it will be one-half of one building at the front to make it attractive from Redwood Road.

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

**MOTION: Nathan Gedge moved to forward a positive recommendation to the City Council for 8815 Professional Plaza Phase V Rezone; 8825 South Redwood Road; 8815 Professional Plaza, LLC/Thomas Biesinger (applicant) to rezone approximately 1 acre from RR-1A (Rural Residential) to P-O (Professional Office) based upon the findings of fact. The motion was seconded by Justin Stoker and passed 6-0 in favor. David McKinney was absent.**

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**4. Permit Processing Code Amendment – discussion of proposed Title regarding processing development permits and applications [#TA20080003]**

[This item was pulled from the agenda.]

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Tom Burdett recognized Robert Thorup as new Deputy City Attorney who will serve as support to the Planning Commission and to staff on planning and zoning matters. He and Greg Mikolash expressed appreciation to the Commission for their support at the recent TOD tour to Ogden and have forwarded their thanks to UTA. Mr. Burdett indicated that the City Council will be holding their mid-year retreat on July 15<sup>th</sup> at City Hall, but there was nothing on the agenda that related directly to Planning Commission activities.

Nathan Gedge encouraged the Commissioners to accept the offer of free tickets from the Mayor and City Council to attend the Western Stampede, and he expressed his appreciation to the Mayor and City Council for their thoughtfulness.

**MOTION: Justin Stoker moved to adjourn.**

The meeting adjourned at 6:43 p.m.

James F. Dupaix  
Chair

ATTEST:

JULIE DAVIS  
Executive Assistant  
Community Development

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008