

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD JULY 16, 2008 IN THE WEST JORDAN COUNCIL CHAMBERS

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

STAFF: Tom Burdett, Julie Davis, Greg Mikolash, Robert Thorup, Scott Langford, Ray McCandless, Jennifer Jastremsky, Nathan Nelson, and Reed Scharman.

OTHERS: Richard Schmidt, Andrew Hatton-Ward, Troy Anderson, June Christiansen, Lynne Rasband, Clara Alip, and Jeremiah Alip.

The briefing meeting was called to order by James Dupaix.

The agenda was reviewed. Containment practices for the fuel tank on Item #2 were briefly reviewed. An additional condition for Item #3 was stated. Greg Mikolash gave a brief overview of the purposes for the code amendments in Item #4. Jennifer Jastremsky explained the proposed permit processing section of the code, which was distributed to the Commission to be discussed at a future meeting.

The regular meeting was called to order at 6:22 p.m. when a quorum was present.

1. Consent Calendar

A. Approve Minutes from July 2, 2008

B. Schmidt's Produce; 9090 South 2200 West; Temporary Use Permit; RE-.5G Zone; Schmidt's Produce/Richard Schmidt (applicant) [#TUP20080009; parcel 27-04-426-008]

Staff recommended approval of the Temporary Use Permit for Schmidt's Produce Stand located at 9090 South 2200 West based on the findings outlined above with the conditions set forth below.

1. The use shall comply with the site plan stamped and dated July 8, 2008, except as amended by the following stipulations.
2. Prior to a Business License being issued a \$2,000 refundable cash bond shall be posted with the City Treasurer to ensure the proper and timely removal of the materials associated with the use.
3. One temporary sign is permitted for the Temporary Use Permit. This sign shall not exceed 32 square feet in area as permitted per §89-6-1103(f) and may not exceed the size standards listed in §89-6-1107.
4. All temporary materials, excluding paving, associated with the use will be removed and the site returned to its original condition within 24 hours of the expiration date of the Temporary Use Permit.
5. The Applicant shall obtain approvals from the Building and Safety, Business Licensing and Fire Departments.
6. The refrigerator trailer shall be fenced off from public access for the duration of the temporary use by a 6' chain link fence with sight obscuring vinyl slats.
7. The office shall be located on the west side of produce stand and shall be locked from 7:00 pm to 9:00 am to prevent public access for the duration of the temporary use.
8. The Temporary Use Permit shall commence on August 1, 2008 and shall expire on October 31, 2008.
9. The days and hours of operation shall be Monday through Saturday from 9:00 am to 7:00 pm.
10. The overflow parking area shall be paved with compacted road base, gravel or recycled asphalt per West Jordan Municipal Code Section 89-6-605(d), and will measure 80' x 225' in size.
11. The site shall be kept free of litter.
12. No illegal parking shall be permitted.

MOTION: Nathan Gedge moved to approve the Consent Calendar Items #1A and #1B as listed in the Commission Packet. The motion was seconded by Ellen Smith and passed 4-0 in favor. Nathan Hendricks, David McKinney and John Winn were absent.

2. Innovative Excavation Site Plan, Fuel Tank and Outdoor Storage; 5403 West Wells Park Road; Amended Final Site Plan and Conditional Use Permit in the Well Water Protection Zone; M-1 Zone; Innovative Excavation/Darrin Loertscher (applicant) [#SPI20070015 & CUP20060038; parcel 26-12-126-020]

Scott Langford gave an overview of the request for an amended site plan and a conditional use permit for a 2,000 gallon above-ground fuel tank within the well water protection zone. The outdoor storage area needs to be paved and chain link fence with slats is required. He showed the well water protection zone map, which shows the site is within that area. The area around the fuel tank as well as the outdoor storage area will be covered with 8 inches of concrete for containment. In addition to the screening, increased landscaping will be provided, especially along the frontage.

Amended Final Site Plan

Staff recommended that the Planning Commission approve the Amended Final Site Plan for Innovative Excavation located at 5403 West Wells Park Road in a Light Industrial (M-1) zoning district with the conditions of approval listed below. Planning Staff approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.

Conditions of Approval:

1. The Applicant shall address and adhere to all City of West Jordan Municipal Code standards in effect at the time of this approval.
2. The Final Site Plan shall become null and void if development does not commence within one year of the approval. (Section 89-5-304b).
3. A Conditional Use Permit shall be obtained to allow for any outdoor storage and on-site fuel storage.
4. Meet all Engineering requirements and conditions.

Conditional Use Permit

Staff recommended that the Planning Commission approve the Conditional Use Permit for outdoor storage and on-site fuel storage for Innovative Excavation located at 5403 West Wells Park Road in an M-1 zoning district based on the findings noted in the staff report and the conditions of approval set forth below. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.

Conditions of Approval:

1. The Conditional Use Permit is subject to review and/or revocation according to §89-5-404(f)(1) of the Municipal Code.
2. The only approved surfacing for the outdoor storage is asphalt or concrete per §89-6-606(c)(1).
3. Materials and equipment within 20' of the fence may not be stored higher than fence per §89-6-803(a)(4).
4. Approval of the on-site fuel tank is limited to the 2,000 gallon fuel tank as shown on the amended site plan.
5. The business must obtain a business licenses per §22-2-102(a) of the Municipal Code.
6. The outdoor storage area shall be solidly screened from the street and neighboring properties per §89-3-705(d)(3).
7. Amended Final Site Plan approval must be granted and all conditions of approval be implemented and constructed.
8. The south, west and east sides of the open storage area shall at a minimum be screened with a chain link fence with slats per §89-6-803(b)(2).

Ellen Smith asked if there would be berming and an oil-water separator to contain any possible spills from the fuel tank.

Scott Langford said that is correct.

Justin Stoker said many fuel tanks have a double container within itself, and he wondered if this would be the case.

The applicant was not in attendance.

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

Reed Scharman commented on Commission Stoker's question indicating that approval of the conditional use permit allows the tank to be located on the site, but they still need a permit from the Fire Department that regulates the tank specifications. The contractor that supplies the tank will provide all of the details when they apply for the permit.

MOTION: Nathan Gedge moved to approve the Amended Final Site Plan for Innovative Excavation; 5403 West Wells Park Road; Innovative Excavation/Darrin Loertscher (applicant) based upon the findings and the testimony with the conditions of approval listed in the Commission Packet. The motion was seconded by Ellen Smith and passed 4-0 in favor. Nathan Hendricks, David McKinney and John Winn were absent.

MOTION: Nathan Gedge moved to approve the Conditional Use Permit for Outdoor Storage and On-site Fuel Storage for Innovative Excavation; 5403 West Wells Park Road; Innovative Excavation/Darrin Loertscher (applicant) based upon the findings of fact and the testimony with the conditions of approval 1, 2, 3, 4, 6, 7, and 8. The motion was seconded by Ellen Smith.

James Dupaix explained that condition #5 was eliminated, because the applicant already has a business license.

AMENDED

MOTION: James Dupaix moved to amend the motion to renumber the conditions of approval to be 1 through 7. The amendment was accepted by Nathan Gedge and Ellen Smith and the motion passed 4-0 in favor. Nathan Hendricks, David McKinney and John Winn were absent.

3. Jordan Hills Retail Center; 7800 South Highway SR-111; Final Site Plan and Final Development Plan; P-C Zone; Raddon Bros./Ron Raddon (applicant) [#SPCO20080001; parcel 21-34-100-008, 018]

Scott Langford gave an overview of the final site and development plan for Phase 1 of the development. Preliminary site plan was approved on June 18, 2008, as well as a conceptual final development plan. The final development plan is a guide for the details of development. Some modifications were made to the site plan in order to reflect the comments and recommendations from the Commission. The Design Review Committee met on July 8, 2008, to review some of the changes. Phase 1 includes approximately 77,000 square feet of grocery, 7200 square foot bank and multi-tenant building, and approximately 30,000 square feet of inline commercial space next to the grocery store. The parking and landscaping will be part of Phase 1. The pedestrian connection requested by the Commission was added adjacent to the grocery store, which needs to be shown on all of the plans. Staff and the Design Review Committee reviewed the pedestrian aspects of the development and recommended areas where benches, enhanced landscaping, and trash receptacles would make the area more inviting to pedestrians. He showed examples of the style and materials for these items, which are specified in the staff report. Traffic calming had previously been discussed and referred to the City Traffic Engineer who is requiring a raised intersection and a speed table at the northern pedestrian crossing. In addition, staff is recommending a similar speed table in front of the grocery store to be further determined by the Traffic

Engineer. The access drive was reviewed for safety, and it was recommended that some parking stalls north of the intersection be removed and the landscape island enlarged in order to reduce some possible points of conflict. The elevations were reviewed in detail by staff and the Design Review Committee. In order to provide a good, quality project of this nature the details need to be focused on. Mr. Langford read an additional recommended condition of approval #12 to read, "The Final Site Plan shall be amended to show permanent, integrated, cart corrals throughout the site as needed. Said cart corrals shall not displace the landscape islands or diamond planters but shall be in addition to the landscaping currently shown on the site plan." The final development had been updated to show enhanced lighting standards, but the site plan needs to be updated to show placement of the lighting along the pedestrian sidewalk on the west side of the grocery store. The City expects a high-grade development here as it is the heart of the Jordan Hills Village master plan and will be a focal point of West Jordan for years to come.

Final Site Plan:

Staff recommended that the Planning Commission grant Final Site Plan approval for Phase 1 of the Jordan Hills Retail Center commercial development located at approximately 7800 South U-111 in a P-C zoning district with the conditions of approval as listed below. Planning Commission approvals do not include Fire, Building and Safety, or Engineering approval. Approvals by these City divisions or departments are required.

Conditions of Approval:

1. Meet all Preliminary Site Plan conditions of approval.
2. Approval of the Final Site Plan shall become null and void if development does not commence within one year of this approval.
3. The Final Site Plan shall be amended to add landscaping along the frontage of the building to soften or break up the north building façade of the grocery store and in-line commercial building. Landscaping shall include a combination of raised planters, hanging baskets, permanent planting pots, or other approved planters.
4. The Final Site Plan shall be amended to add a sidewalk on the east side of the Serengeti Springs access drive next to the grocery store. A minimum of one bench and one trash receptacle shall be installed along this pedestrian path. This sidewalk shall be lit with pedestrian scale lighting as approved by City Staff.
5. The Landscape Plan shall be amended to show enhance landscaping along the pedestrian path required in condition #4.
6. Modifications to building façades that do not necessitate substantial changes in building placement or square footage shall be reviewed and approved by City Staff.
7. The Final Site Plan shall be amended to add a minimum of 6 benches and trash receptacles along the frontage of the grocery store and buildings H, I, and J. Said benches and trash receptacles shall be made of black vinyl coated metal.
8. The Final Site Plan shall be amended to reflect any changes made to the lighting plan.
9. The Final Site Plan shall be amended to show a raised intersection at the juncture of the Serengeti access drive and the main drive aisle on the north side of the grocery store. A raised speed table is also required further to the north along the Serengeti Spring access drive where the pedestrian sidewalk crosses between Buildings C and D.
10. A minimum of one speed table shall be placed in the main drive aisle located along the north frontage of the grocery store. The specific placement and design of this speed table shall be determined by the City Traffic Engineer.
11. The dumpster enclosure detail shall be amended to include either decorative arbors and or cornices (concrete/stone caps).
12. The Final Site Plan shall be amended to show permanent, integrated, cart corrals throughout the site as needed. Said cart corrals shall not displace the landscape islands or diamond planters but shall be in addition to the landscaping currently shown on the site plan.

Final Development Plan:

Staff recommended that the Planning Commission grant approval of the Final Development Plan for the Jordan Hills Retail Center commercial development located at approximately 7800 South U-111 in a P-C zoning district with the conditions of approval as listed below. Planning Commission approvals do not include Fire, Building and Safety, or Engineering approval. Approvals by these City divisions or departments are required.

Conditions of Approval:

1. Amendments to the Final Development Plan must be made to the approval of City Staff. Amendments should include but not be limited to:
 - a. Landscape Plan shall be amended to clearly include the type and placement of all plant material; this includes landscaping enhancements along the pedestrian path located on the east side of the Serengeti Springs access drive. The Landscaping plan shall also clearly depict any planters, baskets, permanent pots, etc. that will be used on the north side of the grocery store and buildings H, I and J.
 - b. Lighting Plan shall be amended to include revisions to the quantity/placement of all lighting standards. The quality of light standards shall be enhanced and match the approved style per Planning Commission direction. Light standard details including design, height, and finished materials shall be included in the Lighting Plan. The Lighting Plan shall be amended to include enhanced pedestrian lighting along the pedestrian path located on the east side of the Serengeti Springs access drive next to the grocery store.
 - c. Sign Development Plan shall be amended to include a separate site plan which clearly shows the placement of all signs within the development. This plan shall clearly label the distance between each of the proposed signs. The sign development plan shall include language stating that all provided wall signs be constructed of individual backlit pan channel lettering with no raceways. Language in the sign development plan shall be amended to state that all signage provided within the monument and pylon signs be designed with a predominately opaque background with lighter contrasting lettering.
 - d. Parking Plan shall be included to clearly depict the parking that will be installed with each future phase, in order to ensure that adequate parking and site circulation needs are met.
 - e. Pedestrian Connection Plan shall be included as a separate plan to clearly show onsite pedestrian circulation and amenities, such as benches, trash receptacles, etc.
 - f. Phasing Plan shall be amended to include more detail regarding the scope of improvements included in Phase 1.
 - g. The Site Plan included in the Final Development Plan shall be amended to reflect all required site plan conditions of approval. If amendments to the site plan are needed in the future to adjust to changing market needs, the included site plan within this Final Development Plan shall be amended to reflect those changes to the site plan.

James Dupaix asked staff to review the signage shown on the project.

Scott Langford said the final development plan shows two pylon signs with one on 7800 South and one on U-111.

James Dupaix asked if the one located on U-111 is part of Phase 1 or 2.

Scott Langford said it appeared to be shown on the future phases. Four monument signs are shown along 7800 South and two monument signs on U-111. In addition, there is a modified monument sign shown at the intersection of 7800 South and U-111 as a marker for the commercial development.

Ellen Smith noticed that the signs on the building elevations didn't appear to be visible to pedestrians, and she asked if there would be anything provided for that.

Scott Langford said he didn't see any specific details for that, but individual entrances usually show signs on the doors.

Justin Stoker asked if the monument signs on U-111 will be on private property and how tall they will be.

Scott Langford said they would be on private property and are shown at 6 feet tall, including the base.

Andrew Hatton-Ward, Raddon Development, and project manager, said the architect and marketing agent were also in attendance. They appreciate the input they received at the last meeting. They had submitted a plan that shows the two speed tables going to 7800 South and one at the main entryway. They want to make this a project that West Jordan will be proud of. They submitted proposals for teardrop lighting for the walkways. Grocery store tenants want parking lots that are well lit, but the walkway in the center of the parking will have the other lighting. They plan to provide the type of trash receptacle and bench as were shown. However, page 8 of the staff report indicates that they must be vinyl coated. He asked that they be given flexibility to use enamel baked-on paint, or like material and that the final approval of materials be made by staff. He asked Commissioner Dupaix if he had a preference for timing on the installation of the pylon sign, because as it stood now they were planning on the second phase. However, the grocery store tenant may want it in the first phase.

James Dupaix said he would state his preference in the discussion.

Andrew Hatton-Ward said the reason they have monument signs on U-111 as well is that buildings A and B are most likely going to be office buildings with no signage out front, but the tenants of the office will want identification on the street. Staff had recommended a dark background with white lettering on the signs, which they included in their final draft.

Justin Stoker asked for clarification for fencing along U-111.

Andrew Hatton-Ward said they will do the street improvements up to the right-of-way including curb and gutter for Phase 1. He wasn't sure what was shown for a sidewalk in that area, but there will be a clear demarcation. UDOT hasn't asked for a fence along that route. The landscaping will make it clear that there is a demarcation between the roadway and the site itself.

Justin Stoker said there are sound walls or chain link fencing along Bangerter Highway, and he thought something similar would be provided. If fencing is provided it could block the monument signs.

Andrew Hatton-Ward said that will be a good question to address for the future phases, because they don't know what will be there until that time. The access road in Phase 1 will be completed straight through, but they will increase the road base to the side for safety reasons. He referred to the comment from the Traffic Engineer to remove the parking in front of Building A, and asked that because it is in a future phase if the Commission would consider making that a point of discussion at that time. He said there are some good reasons to have the parking there, but they would like the option to discuss it later when they know what the use will be in that location.

James Dupaix noted that a proposed trail system is located north of 7800 South in this area that they anticipate will be friendly for bikes, pedestrians, and equestrian activities.

Greg Mikolash said equestrian trails are marked on the trails master plan but are not indicated for this location.

James Dupaix said he anticipated that connection to be equestrian friendly as it passes existing equestrian facilities to the east and is one of the largest corridors for the trails system. He asked how friendly this site would be to providing a location to hitch a horse.

Andrew Hatton-Ward said this is the first he had heard of the idea, but if it needs to be in the overall master plan they could look at the future phases to accommodate it. He asked for clarification as to what direction the equestrian traffic would be coming from.

James Dupaix said they are trying to preserve some animal rights areas in this vicinity, and he pointed out the existing areas.

Troy Anderson, Dixon Architects, wondered if people would be willing to cross six lanes of traffic to go to the store and wondered if a hitching post could be provided on the other side of 7800 South as a stop along the trail. They could also use a bike rack.

Andrew Hatton-Ward said a possibility is a detention basin on the north that could include a hitching post. However, he is not saying that is what would happen. He explained that as a city manager for Draper City, which was an equestrian town, they saw a clash with the horse uses and development. Grocery stores didn't want horses near the entrance because of the waste. His experience was that there are die-hard riders, but they don't usually ride up to the stores. There are things that they could do to accommodate that matter as they discuss the next phases.

June Christiansen, West Jordan resident, said she didn't think that there are many who would want to park their horses at the shopping center. They are more concerned with traffic on 7800 South in general. The only walking traffic the center may get is from the apartment community. She suggested that they consider bike traffic and scooter parking. There currently is no bike lane or shoulder on 7800 South.

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

James Dupaix said he likes to ride horses and wanted to see more areas available. If and when the trail system is completed to the Oquirrh Mountains, he could see hitching up perhaps in the detention area and stopping at a store. However, it made more sense to put it a distance from the store.

Justin Stoker asked if they were approving the final development plan as a whole or in phases.

Scott Langford said the Planning Commission will see the final site plans for each phase as they come in, which will be market driven.

Justin Stoker asked if the applicant will be required to go to UDOT for encroachment permits or for coordination measures.

Scott Langford said the City Traffic Engineer had been working with UDOT in reviewing the site. UDOT does not want to encourage pedestrian traffic along U-111, so they are not asking for sidewalks. As far as fencing and walls are concerned he hadn't seen any request or requirements.

Justin Stoker asked if the landscaping will extend all the way to the curb and gutter.

Nathan Nelson said he thought the area between the right-of-way line and the curb and gutter would be maintained as native grasses and weeds, but he didn't know of any landscaping that UDOT would install.

MOTION: Justin Stoker moved to allow the applicant back up to clarify landscaping along U-111. The motion was seconded by Nathan Gedge and passed 4-0 in favor.

Andrew Hatton-Ward said they will landscape between their property and the curb and gutter. He said it could be a requirement in the future phase if the Commission desired.

Nathan Gedge thanked the applicant for bringing a quality product to the City. He would be in favor of the applicant's suggestion to change the material of the benches and trash receptacles to be determined in conjunction with the staff. He also felt that removal of the parking stalls could be addressed when they consider the future phases.

James Dupaix said the pylon and monument signs along U-111 are thought to be part of Phase 2, but he would at least like the pylon sign to be part of the initial development.

Ellen Smith wanted to make sure that the materials in the future phases area have more than just native grasses in order for the whole area to look very nice until it is completely developed, because we don't know how long it will be vacant. She gave an example of a development on 7800 South and 2700 West that included materials that were easy to maintain and remove when they finish the development.

James Dupaix asked if 7800 South were a project for UDOT.

Tom Burdett said 7800 South at this point is a City road. The improvements from 5600 West to 8700 West are in the 20-year plan.

James Dupaix wondered if they need to consider pedestrian friendly measures for U-111 in the near future considering the residential developments in the vicinity.

Tom Burdett said he didn't know if anything had been called out in the traffic study, but they would review that.

MOTION: Nathan Gedge moved to grant Final Site Plan approval for Phase 1 of Jordan Hills Retail Center; approximately 7800 South Highway U-111; Raddon Bros./Ron Raddon (applicant) based upon the testimony given and the findings with the conditions of approval as listed in the Planning Commission packet, adding:

- 12. The Final Site Plan shall be amended to show permanent, integrated, cart corrals throughout the site as needed. Said cart corrals shall not displace the landscape islands or diamond planters but shall be in addition to the landscaping currently shown on the site plan.**
- 13. A minimum of 1 pylon sign along the west side [of the project] on U-111.**

And amending:

- 7. The Final Site Plan shall be amended to add a minimum of 6 benches and trash receptacles along the frontage of the grocery store and buildings H, I, and J. Said benches and trash receptacles shall be made of a material subject to approval of staff.**

The motion was seconded by Justin Stoker and passed 4-0 in favor. Nathan Hendricks, David McKinney and John Winn were absent.

MOTION: Nathan Gedge moved to grant approval of the Final Development Plan of Jordan Hills Retail Center Phase 1; approximately 7800 South Highway U-111; Raddon Bros./Ron Raddon (applicant) based upon the testimony given and with the conditions of approval as

listed in the Planning Commission packet. The motion was seconded by Justin Stoker and passed 4-0 in favor. Nathan Hendricks, David McKinney and John Winn were absent.

4. Text amendments and refinements to the West Jordan Municipal Code Titles 87 & 89 including Section 89-3-407 – Development Plan requirements; Section 89-3-1111 – Development Plan process; Section 89-5-304 – Expiration of approved Site Plans; Section 89-6-605 – Parking Lot Location; Section 89-6-705 – Landscape Berms; Section 89-6-803 (c) – Screening requirements; Section 89-6-708 (a)(2) – Landscape standards for single & two family developments; Chapter 2, 3 & 4 – referencing modifications to Home Occupation standards; and, Section 87-3-1089 – Expiration of a Subdivision Approval; City-Wide; City of West Jordan (applicant)
[#TA20080004]

Ray McCandless stated that over the course of the past few years the Planning Staff had found a number of areas in the code that required corrections. These fixes are minor and are to clarify some sections of the code to make them more consistent and easier to administer.

Staff recommended that the Planning Commission accept the findings of the staff report and forward a positive recommendation to the City Council of the proposed amendments to the portions of Titles 87 & 89 of the West Jordan Municipal Code as discussed in the report.

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

James Dupaix said he had reviewed the proposed amendments that will make the code better and in harmony with other code sections, and he was in full favor of all of the changes.

MOTION: Nathan Gedge moved to accept the findings in the staff report and forward a positive recommendation to the City Council of the proposed amendments to the portions of Titles 87 and 89 of the West Jordan Municipal Code as discussed in the staff report. The motion was seconded by Ellen Smith and passed 4-0 in favor. Nathan Hendricks, David McKinney and John Winn were absent.

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

This item will be discussed at the next meeting.

Tom Burdett said this effort was started when the code was being reviewed for recodification. The two objectives are to consolidate the processing section of the code into one area and to incorporate changes to the State Law with timing of application review. They also included some items that are important to the applicant community, such as consolidated applications. The Attorney’s Office will now remove these areas from other parts of the code, so the final version of this proposal will change slightly once the rest of the work is completed.

James Dupaix said they need to make sure the three Commissioners not in attendance receive their copies of the amendments. He also said the Commissioners could give input to staff before they have their discussion.

Ellen Smith left at 7:30 p.m.

MOTION: Justin Stoker moved to adjourn.

The meeting adjourned at 7:33 p.m.

James F. Dupaix
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development

Approved this _____ day of _____, 2008