

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD FEBRUARY 4, 2009 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Justin Stoker, Chad Nichols, Nathan Gedge, David McKinney, Ellen Smith, John Winn, and Jesse Valenzuela.

STAFF: Tom Burdett, Robert Thorup, Julie Davis, Greg Mikolash, Scott Langford, Jennifer Jastremsky, Ray McCandless, Nathan Nelson, Chris Gilbert, and Rodger Broomé.

OTHERS: Elizabeth and James Romero, Judy Hansen, Mike Withers, Steve Glezos, Richard Pool, Elizabeth Scanlon, Jon & Mindi Bartlett, Walt Parcell, Kerry Chipman, Dave Gardner, Janine Crane, Joyce Deiley, Nola Bunkall, Fred Deiley, and David Bunkall.

The briefing meeting was called to order by Justin Stoker.

UTA will give an update on their options for the Gardner Village station at the end of the meeting tonight. Staff pointed out the resolutions to issues from the preliminary site plan for Item #1B. This item will be pulled from the Consent Calendar for discussion of the light locations. Staff pointed out that Item #3 deals with a subdivision plat only and not the associated site plan. Tom Burdett said they are limited by State Law regarding what the City can review on a site plan for a charter school. The City would be happy to work with the applicant to provide an informational meeting to the neighbors. Differences between lots and parcels were discussed. Clarification was given for Item #4. It was recommended for the Consent Calendar.

The regular meeting was called to order at 6:00 p.m.

1. Consent Calendar

A. Approve Minutes from January 21, 2009

B. Jaguar Place; 8777 - 8791 South Redwood Road; Final Site Plan; P-O Zone; Parcel Construction/Paul Carlson (applicant) [#SPCO20080013; parcels 27-03-202-001, 003, 004, 023]

[This item was moved from the Consent Calendar for discussion.]

4. Text Amendment – Amend the West Jordan Municipal Code to Provide for Senior Housing Development Types; Sections 89-1-203(a) Definitions, 89-6-603(b)(10) Required parking spaces, 89-3-302(a) Permitted and Conditional Uses in Residential Zones, 89-3-404(a) Permitted and Conditional Uses in Planned Development Zones, and 89-3-1105(b) Permitted and Conditional Uses in the WSPA Zones; City-Wide; City of West Jordan (applicant) [#TA20080011]

Staff recommended that the Planning Commission accept the findings of the staff report and forward a positive recommendation to the City Council for the proposed amendment to Sections 89-3-302(a) *Permitted and Conditional Uses in Residential Zones*, 89-1-203(a) *Definitions*, 89-6-603(b)(10) *Required parking space*, 89-3-1105(b) *Permitted and Conditional Uses in the WSPA zones*, and 89-3-404(a) *Permitted and conditional uses in planned development zones* of the zoning ordinance.

Justin Stoker asked if there were any in the audience desiring to speak on Item #4. There were none.

MOTION: Nathan Gedge moved to remove Item #1B from the Consent Calendar and place it into the Public Hearing and to move Item #4 to the Consent Calendar and to approve the Consent Calendar Items #1A and #4. The motion was seconded by Ellen Smith and passed 7-0 in favor.

1B. Jaguar Place; 8777 - 8791 South Redwood Road; Final Site Plan; P-O Zone; Parcell Construction/Paul Carlson (applicant) [#SPCO20080013; parcels 27-03-202-001, 003, 004, 023]

Chris Gilbert gave a brief overview of the item. Seven buildings are proposed in two phases. The site layout, parking, and access points were discussed. UDOT granted both a primary access and a gated emergency access from Redwood Road. At the time of the preliminary site plan hearing there was a question of requiring a cross access connection into the 8815 Professional Plaza, but that option was not feasible. The landscaping requirement had been met, including the 20-foot mandatory buffer along the north and east property lines adjacent to residential areas. A 6-foot masonry fence is shown on the property line next to residential as well. He stated that perimeter site lights will have to be shielded from the residential properties and are fifteen feet in height.

Staff recommended that the Planning Commission grant Final Site Plan approval for Jaguar Place, with the following conditions of approval:

1. Any overhead utility poles and lines are required to be undergrounded across the front of the property adjacent to Redwood Road.
2. Provide a copy of a document from Salt Lake County verifying that all parcels involved in this project have been combined into a single tract of ownership.

David McKinney asked how the emergency gates are opened, and if they slow down response times.

Rodger Broomé, Fire Department, stated that some are actuated by siren and some are by remote control. The code does not require a specific type. Any time they have to stop for a gate it would slow them down, but it wouldn't be significant.

The applicant was not in attendance at this time. Chris Gilbert said the applicant had planned to be there, but wasn't yet.

MOTION: David McKinney moved to table the item to a later point in the meeting until the applicant arrives and is able to answer questions the Commission might have. The motion was seconded by Nathan Gedge and passed 7-0 in favor.

The public hearing for this item resumed at 6:53 p.m.

Commissioner Stoker invited the applicant forward to address the concern regarding perimeter lighting.

Walt Parcell, applicant, said the lights are for safety and security for those working later at night. He said they have no problem relocating the lights to other landscape islands. They are 15 feet tall, so they won't put out that much light when they are shielded.

Nathan Gedge asked how the emergency gate will be activated.

Walt Parcell said the fire department asked them to design theirs like others in the city, which is with a key lock.

Nathan Gedge asked how they will prevent people from parking in front of the emergency gate.

Walt Parcell said it can be striped and marked with signs, but bottom line is those cars will be towed.

There was a discussion regarding the proposed placement of the light poles and moving them in from the buffer area. The applicant was willing to do whatever they like as long as they meet the code. He wants to do what he can to make the neighbors happy. He noted that if the north light pole is moved to the east landscape island it won't be installed until the second phase.

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

MOTION: David McKinney moved to approve the Final Site Plan for Jaguar Place; 8777 – 8791 South Redwood Road; Parcell Construction/Paul Carlson (applicant) with conditions of approval 1 and 2 as listed in the staff report and adding:

3. **Site light poles shall be moved out of landscape buffer areas adjacent to residential properties and placed closer to the buildings.**

The motion was seconded by Nathan Gedge and passed 7-0 in favor.

2. Pony Express Carwash; 8951 South 2700 West; Preliminary Site Plan; C-G Zone; Gardner and Associates/Kerry Chipman (applicant) [#SPCO20080025; parcels 27-04-177-029, 034]

Raymond McCandless gave an overview of the application for a new carwash facility. He reviewed the surrounding uses and zoning. Access will be off of 9000 South west of Maverik. There is also an access from 2700 West. The proposed building materials were shown and described. Staff recommended that the colors of the canopies be muted so they don't contrast too much with the building. Although there is a carwash currently on the site, staff was concerned with the amount of noise that they can generate. Staff would like an acoustical engineer to verify that the use will be within the noise limits in the ordinance as to not cause problems with the adjoining property owners. He had visited a similar carwash and it seemed that most of the noise was generated by the drying blowers that are activated when the vehicles exit the carwash. The exit for this facility is running north and south facing 9000 South. In order to mitigate some of the noise there is 100 feet of distance, bermed landscaped buffers on the north and west property lines, and a 6-foot high block wall on the north and south as well. The applicant indicated that the hours of operation will be from 7 a.m. to 8 p.m. or 9 p.m. depending on the season. All of the mechanical equipment will be enclosed in the building. Mr. McCandless received a call from a neighbor of the area who recommended that the Planning Commission adjust the hours of operation, but the acoustical analysis will determine the necessity of that if the limits are within the code. The resident also requested graffiti-resistant paint be used on the north and west walls, which has been added into the conditions of approval.

Staff recommended that the Planning Commission grant Preliminary Site Plan approval of the proposed car wash located at approximately 8951 South 2700 West in a C-G zoning district with the conditions of approval as listed below. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval. Approval by these City divisions or departments may be required.

Conditions of Approval:

1. The applicant shall address and adhere to all applicable City of West Jordan Municipal Code standards in effect at the time of this approval.
2. Elevation drawings of proposed light standards shall be provided and shall be shielded so that light does not affect adjoining residential properties. The lights may not exceed 15 feet in height.
3. A noise analysis shall be done by an Acoustical Engineer certifying that the site will meet all applicable Salt Lake County and West Jordan City Noise Control Ordinance requirements. Based on the acceptance of the analysis, final site plan approval can be granted administratively.
4. Both canopies must be shown on all applicable site and building permit drawings including the location of the water tank. Canopies may not extend over or onto adjoining property.
5. To avoid excessive variety, the red and yellow colors on the canopies must be 'muted' or another color scheme chosen to make the canopies blend better with the architectural materials used on the main building.
6. The two parking stalls shown on the northwest corner of the building must be eliminated to provide adequate maneuvering room for emergency vehicles.
7. A sealant shall be used on the masonry wall to make graffiti removal easier (if available).

8. The piped irrigation water line on the west side of the property must be shown on the building permit drawings and all applicable maintenance and access easements recorded with the Salt Lake County Recorder's Office.

Justin Stoker asked what kind of noise impact came from the vacuums of the similar carwash.

Raymond McCandless said the noise was minimal, because there was a centralized muffler system, and it had a masonry wall around it that directed the noise upward. He didn't feel that the vacuums generated as much noise as the dryers did. He didn't know if this applicant intended to use a muffler system.

Kerry Chipman, 1451 East 970 North, Orem, and Dave Gardner representing the applicant were present. Dave Gardner stated that they agree with the staff report with two exceptions. The dryers create the most noise on the site. The vacuums are muted with a muffler. They called the only acoustical engineer they could find in Salt Lake who felt it would be hard to measure the sound before the building is built, so they would rather get specifications from the manufacturer on the decibel level of the blowers,

Kerry Chipman said the owners of a similar carwash in Detroit said the noise level was 80 db from 40 feet going straight out, which would be toward 9000 South. If that is angled off to the right where the single family residential is he thought it would be even less than that.

Dave Gardner said the other condition they had concern with was the statement of excessive variety of colors, because they want a festive look for their facility. He showed pictures of a carwash in Orem with the more vibrant colors. They agree that they will remove any graffiti as quickly as possible.

David McKinney asked about the site lighting. He pointed out four lights in the buffer areas. He asked this those could be moved from the buffer areas to the landscape islands or adjacent to the building in order to be away from the adjacent residential.

Kerry Chipman said they would agree to that if staff allows it.

David McKinney said this is more of a suggestion than condition in order to avoid complaints from the neighbors.

Judy Hansen, West Jordan resident, wanted to know how the storm water and irrigation water were going to be handled.

Nathan Nelson said the applicant is required to detain storm water on site. It is probably underground storage, but the applicant could address that. They are also required to pipe the irrigation ditch and must get written approval from the users of the ditch, which is a condition of the final approval.

Judy Hansen said there is a graffiti sealant available for the block wall, but she doesn't want the wall to be continually tagged. She liked Commissioner McKinney's suggestion for the lighting. She didn't feel that there should be light spillage into the windows of those living at the Beehive Home. Also, it is not fair to them that the vacuums would be right next door. She said it is unfair that now they won't be able to sleep with their windows open because of the vacuum noise. She would like to see restricted hours of operation.

Mike Withers, West Jordan resident, pointed out that there is more than just one single family residence in the area. He noted that currently there is noise generated from the carwash when the time is running out. He wondered if trees would also help with the sound. He asked if the business would be operating all night. He felt that the lighting would be a great deterrent to unwelcome visitors, but he understood that they don't want it

shining into the residential properties. He saw how they were handling the storm water, but he didn't see that the irrigation issue had been addressed on the plans.

John Winn referred to the current beeping noise that Mr. Withers mentioned and said that this will be a different type of operation that wouldn't have that type of noise.

Mike Withers understood that, but if they can hear that from 800 feet away he was concerned about any new sounds from the proposed operations.

Janine Crane, West Jordan resident, stated that she lives exactly north of this property. She addressed an easement that was taken away from them when the Beehive Home was put in, and now she has no access from 2700 West. She also has a back gate that she can access from Jack's Carwash that she uses to bring animals in and out of her property, and she wants to know how she will be able to continue to do that.

Justin Stoker asked if the property is landlocked.

Ms. Crane said it will be now.

Greg Mikolash said they would look at sidwell maps to see if there is an easement, but it was probably a private easement. He asked if the home fronts an existing street to the north.

Ms. Crane said it fronts 8870 South. She said the easement was probably also to take care of the electrical lines.

Justin Stoker said they can't address the question of whether or not the easements were removed in the past. He suggested that she speak to staff concerning that.

Janine Crane said she needs to be able to bring her horse in, and she wasn't told that she would be landlocked.

Greg Mikolash said if the easement was on the Beehive Home property it wouldn't be something that would be affected by this property.

Janine Crane said she wasn't contact about the removal of the easement with the Beehive Home, and that is what angers her.

John Winn said she still has access to the front of her house from the road, so the property is not landlocked.

Janine Crane said it would make sense to have kept the easement.

Justin Stoker stated that the application before them tonight is with the site plan for the carwash and she should take up those other issues with staff outside of the meeting.

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

Dave Gardner said there was no recorded easement shown when they closed on the property. They agree to change the lighting as a condition, and they also agree to establish the hours of operation from 7 a.m. to 9 p.m. They have to pipe the irrigation by condition.

Kerry Chipman stated that they will use the parking lot in part as water retention, because when it is raining they don't do any business.

Nathan Gedge asked what the hours of operation are for the existing carwash.

Kerry Chipman said it is open 24 hours like most all self-serve washes. The new carwash will require employees on site and will have specific hours. Also, they would close earlier in the wintertime.

Nathan Gedge would like to remove condition #3, because they can't do the noise analysis before it is built, and condition #5. He would like to add a condition with the lighting suggestions, but he didn't see any need to require hours of operation since it is currently a 24-hour operation.

David McKinney agreed to remove condition #5, to include a condition for the lighting, as well as adding a condition that the vacuum system would have mufflers. He thought that if the manufacturer of the equipment has specifications on the noise output that an acoustical engineer could give indications of what the noise levels would be and how much of the noise is likely to impinge on adjacent properties, so he felt that a noise estimate would be appropriate. That would allow the city to determine if the noise levels fall within acceptable levels.

John Winn wasn't sure he agreed that there was a need for the noise analysis, because this won't be a 24-hour operation to be used while residents are sleeping.

Ellen Smith agreed with Commissioner McKinney regarding the need for a noise estimate by using the manufacturer's specifications in order to determine if any design modifications were needed.

MOTION: David McKinney moved to approve the Preliminary Site Plan for Pony Express Carwash; 8951 South 2700 West; Gardner and Associates/Kerry Chipman (applicant) with the conditions of approval as listed in the staff report, amending:

- 3. A preliminary noise estimate shall be made by an acoustical engineer based upon manufacturer specifications for blower equipment to estimate noise levels at adjacent properties.**

Removing condition #5, and adding:

- 9. Vacuums shall have muffler systems installed.**
- 10. Lighting fixtures adjacent to residential properties shall be moved away from the landscape buffer areas.**

The motion was seconded by Nathan Gedge.

There was a brief discussion regarding a condition for hours of operation.

AMENDED

MOTION: John Winn moved to add:

- 11. The carwash cannot be operated between the hours of 9 p.m. and 7 a.m.**

The motion was accepted by Commissioners McKinney and Gedge.

AMENDED

MOTION: Nathan Gedge moved to amend the motion to renumber the items to reflect the deletion of condition #5. The motion was accepted.

AMENDED

MOTION: Justin Stoker moved to amend condition #3 to keep the language regarding the requirement to meet applicable Salt Lake County and West Jordan city noise control ordinance requirements based upon the specifications from the manufacturer and the analysis from the sound engineer. The amendment was accepted.

VOTE: The motion passed 7-0 in favor.

3. Williamsburg Park Subdivision; 9090 South 2200 West; Preliminary and Final Subdivision Plat (3 lots); 16.49 acres; RE-.5G Zone; Land Solutions, LC/Steve Glezos (applicant) [#SDMI20080007; parcel 27-04-426-008]

Jennifer Jastremsky gave the overview for the project. The action will create one lot to accommodate a charter school on the south property, and two remaining parcels, which the school plans to purchase one in the future. Parcels do not require subdivision improvements such as roads and utilities, so the applicant is postponing those improvements. Parcel A is 8.8 acres located along the frontage of 9000 South. Lot 1 is 4.5 acres and will be purchased by the charter school and is accessed from 2200 West. The frontage for Parcel B is on Williamsburg Court; however, no street improvements for Williamsburg Court or access to the parcel are proposed. The charter school plans to lease a portion of Parcel B with the intent to purchase it at a later date. Given the current zoning, staff was concerned with the remaining parcels and how they may develop, so several conceptual plans were reviewed for residential, office, and commercial uses. Staff believes that the proposed subdivision will allow for potential development of the parcels with any of those uses. At the time of development of parcels A and B a subdivision will be required to ensure the installation of all necessary improvements. An application for a land use amendment and rezone has been received for parcel A and will come before the Commission at a later date; this is not directly tied to the purpose of the subdivision. She reviewed the conditions of approval. Existing overhead power lines on 2200 West will be required to be undergrounded or a waiver must be obtained. At the time of development Williamsburg Court was not fully improved with curb, gutter, or sidewalk at the north property line. If the charter school develops parcel B the road will not continue. While it is not a requirement of the subdivision ordinance, they are recommending condition #5. Ms. Jastremsky asked that condition #9 be added that the applicant is to install a 6-foot tall concrete block wall on the southern boundary line of parcel B to provide a continuous buffer fence along the right-of-way of Williamsburg Court, and this fence is to match the existing adjacent buffer fencing, and to amend condition #6 to state, 'Provide utility improvement plans for city review and approval of the required improvements and conditions 2 through 5 and 9.'

The Final Subdivision Plat meets all code requirements from Planning, Engineering and the Fire Marshal.

1. Show a cross access easement on the plat between Lot 1 and Parcel A on 2200 West.
2. Provide information as to whether Lot 1 will receive service from the overhead utility lines on 2200 West.
3. If Lot 1 is serviced by the above ground utility lines on 2200 West, underground the utilities or obtain an undergrounding utility waiver from the city.
4. Install a PRV station at the intersection of 9000 South and 2200 West, and install a water pipe within 2200 West from the PRV station to the southern end of the subdivision boundary, as required to meet Engineering and Fire Codes.
5. Install curb, gutter and sidewalk on the south of Parcel B to match with and connect to the curb, gutter and sidewalk on Williamsburg Ct. in order to provide a continuous pedestrian walkway.
6. Provide utility and improvement plans for City review and approval of the required improvements listed in conditions 2-5 above.
7. Record the Approved Final Subdivision Plat prior to the issuance of a building permit on Lot 1.
8. Meet all requirements of the Planning, Building and Safety, Fire and Engineering Departments.

Steve Glezos, 796 East 5900 South, asked for clarification on the requirement for a block wall.

Jennifer Jastremsky said there is an existing block wall that runs the south length of the property with the exception of the actual street frontage where it meets parcel B, so they are asking that the fence be installed in that location.

Steve Glezos had a concern with that requirement because the school is leasing that parcel for up to five years until they can purchase it. If for some reason the school doesn't buy the parcel it still has to be useable, so they have to maintain that access or it will be landlocked.

There was a discussion regarding the possibility of making a condition of approval that the improvements be installed if the school purchases the property. Staff was concerned that the subdivision condition will be based on a site plan, and the charter school is exempt from the site plan process. The solution could be a development agreement with the current property owner that would require the improvements if the property is sold to the charter school. Mr. Glezos accepted that solution.

Justin Stoker mentioned to those in the audience that the item before them tonight is whether or not to subdivide the property. If they have questions regarding future development of the lot it is outside of this public hearing.

James Romero, West Jordan resident, was concerned with the traffic that will be generated with a charter school, because the traffic created from the temporary produce stand and pumpkin patch is great. Now that the credit union is on the corner the turning lane going west will have to share with the traffic of those turning into the credit union. He felt that the charter school should buy enough property to install a road to 9000 South, because 2200 West will not be able to handle the additional traffic.

Justin Stoker said they can't address the development of the charter school, but they can only look at the subdivision of the lot itself. Traffic onto 9000 South is discouraged and allowed only limited access points, so 2200 West being a signaled intersection is the best bet for access.

James Romero said it will create more of a problem for those who live on 2200 West. The traffic will be even worse when there are games and programs; there will be parking on 2200 West and into their subdivision. He felt that the access to Williamsburg Court should be closed, because otherwise all the kids will come in their subdivision.

Joyce Deiley, West Jordan resident, was opposed to dividing the property. She explained the process they took to locate and purchase their home partly based on the signage that indicated the vacant property would one day be homes. They recently obtained a building permit to add onto their home and asked what was to be built on the vacant property, but no one knew. She heard rumors about a school, but when they asked the building department a week ago what was going to be there no one knew. She didn't like the way this was kept from them and that it was unfair that the people in the area don't know what is going on. She wondered what would happen to the property if the school isn't able to come after all. She asked what will happen on parcel A; will it have large commercial buildings built without anyone knowing? She said someone knows what is going on that parcel and they should tell the citizens now.

Justin Stoker said that the State Legislature had tied the hands of the Commission with regards to site plan review of charter schools. He wanted Ms. Deiley to understand that this is nothing against the residents, but limits are placed on them as to what they can legally review.

Elizabeth Romero, West Jordan resident, said the proposed entrance and exit on 2200 West is next to her back wall, which will create a lot of problems due to utilities in the area. It will also cause problems with sight distance due to the location of the wall. She asked that the lighting be placed away from the residential areas, and that the walls have sealant applied for easy and timely removal of graffiti. Noise impacts are also a concern.

Justin Stoker said since the Planning Commission will not be reviewing the site plan he suggested that the property owners cooperate with the applicant and voice concerns to him.

Nola Bunkall, West Jordan resident, was upset that they had been told year after year that the property was for residential homes. She understood that a school can go in a residential zone, but she said it sounds like it would be commercial on 9000 South and asked if it had been rezoned. She is not opposed to a school, but the traffic will be horrible. The road should have been widened with the installation of the bank. She asked that the

planning be thought through before the decisions are made. It is not fair to the homeowners to have things change completely from residential to commercial. She said there shouldn't be secrets kept from the citizens who live so close to the project.

Fred Deiley, West Jordan resident, asked if a wall would be installed next to the existing one and what they were going to do with the entrance and exit on the southeast corner, because there are blind and handicapped kids that use the sidewalk in that area who won't know to look for cars.

David Bunkall, West Jordan resident, said it bothered him the way this was thrust onto them on the sly, and it wasn't fair. The property owner wants commercial, and this plan has been well engineered by the land developer. He felt that Parcel A could have been used for the school instead. The residents have lost the battle with the developer, and it was cleverly done.

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

Steve Glezos said they anticipated these issues, but pointed out that they are also landowners with rights. They have followed the rules and regulations of the State, and he felt that the request should be approved. He stated that the residents could contact him anytime they like, and he would be happy to talk to them.

Ellen Smith said given what they have to go on she didn't see a reason not to approve the request. However, she was concerned with the traffic in the area and asked how much control the city has over street improvements in the area.

Nathan Nelson said the city traffic engineer had been involved with the project for as long as they have known about it, and he didn't know that they could require a full-blown traffic study. They would also like to review the site plan for certain safety issues that they will call out and follow through with. The most important one is the striping on 2200 West that needs a turn lane past this project. However, they don't see a need for the road to be widened. The location of the south entrance is a concern with its proximity to the utility service boxes and wall that could obstruct vision for exiting the site. The developer will have to conform to the sight distance for safety.

Ellen Smith said some of the frustration is that there either isn't communication or their hands are tied to be able to develop the properties in the way the community would like, and she wasn't sure how to remedy that issue.

David McKinney said it had been pointed out that the city doesn't have the authority to review the site plan, and he asked what the mechanism is for public input from the residents as it relates to charter schools.

Tom Burdett reiterated that the city does not have site plan authority, but there are approximately ten items they can review, which is typically done administratively. The city would host an informational public meeting for the neighborhood if the charter school applicant is willing. Most of the topics relating to the site plan may be non-binding, but it may help cast better light and communication on this application. The subdivision application is a matter of review against the subdivision code. The applicant has selected the sequencing of their applications, and staff is responding to that.

David McKinney asked who residents would speak to about concerns on site plan issues such as lighting, traffic, driveway placement and design and who approves the site plan.

Robert Thorup said charter schools are currently legally under the direction of the local school district; they are not totally independent. The school district, which is also an elected body, might be a place for the residents to make their concerns known.

David McKinney clarified that the entire site is zoned RE-.5 currently, and the application tonight is not to change the zoning. If the property owner wants to develop the property commercially they will have to come back to the Commission to request a zoning change.

Jennifer Jastremsky noted that the property is zoned residential estate with a residential land use, so in order to develop anything other than residential it would require a land use amendment and a rezoning. Property owners within a 300-foot radius are notified prior to the Planning Commission meeting.

There was a discussion regarding the noticing distance, which had been increased by the Planning Commission in the past in certain circumstances. **The Planning Commission recommended that the noticing buffer for the applications on Parcel A be increased to 600 feet.**

MOTION: Nathan Gedge moved to approve the Preliminary and Final Subdivision Plat for Williamsburg Park Subdivision; 9090 South 2200 West; Land Solutions, LC/Steve Glezos (applicant) with the conditions of approval 1 through 8 as listed in the packet based upon the testimony and findings of fact. The motion was seconded by Chad Nichols.

Options for language requiring installation of wall and improvements along the south property line of Parcel B were discussed.

AMENDED

MOTION: David McKinney moved to amend the motion to amend:
5. A development agreement shall be created under which a block wall will be created on the south boundary line of Parcel B to provide a continuous buffer fence along the right-of-way of Williamsburg Court and the fence match the existing adjacent buffer fencing and curb, gutter, and sidewalk will be installed on the south of Parcel B to match with and connect to the curb, gutter and sidewalk on Williamsburg Court in order to provide a continuous pedestrian walkway, if Parcel B is purchased by the charter school.
The motion was accepted by Commissioners Gedge and Nichols and the motion was passed 6-1 in favor with Jesse Valenzuela casting the negative vote. [It was indicated on the record that the vote was 7-0, but Commissioner Valenzuela clarified immediately after the meeting that his was a negative vote.]

Ellen Smith said her concern is that although the school district has a loose jurisdiction over the charter school it is being developed and built privately. She would like some kind of a meeting for the residents' concerns to be heard, because she is not sure that the school district has the capacity at this time to follow-up with the developer on these comments.

Tom Burdett said they would be happy to offer an informational public meeting with the Commission at the next meeting if the charter school is willing to be involved.

David McKinney spoke regarding some comments from the residents concerned with secrecy and not being told about what is happening. He wondered if part of that is that the city is not approving the site plan, so the city hasn't been provided with details in a lot of respect. Perhaps that is why there is the perception of secrecy.

Tom Burdett said many of the citizens have called staff and looked at the plans. It is really a question of how, when, and where the neighbors can provide feedback that are the key issues.

Justin Stoker suggested that the residents also take their concerns to the school board.

4. Text Amendment – Amend the West Jordan Municipal Code to Provide for Senior Housing Development Types; Sections 89-1-203(a) Definitions, 89-6-603(b)(10) Required parking spaces, 89-3-302(a) Permitted and Conditional Uses in Residential Zones, 89-3-404(a) Permitted and Conditional Uses in Planned Development Zones, and 89-3-1105(b) Permitted and Conditional Uses in the WSPA Zones; City-Wide; City of West Jordan (applicant) [#TA20080011]

[This item was moved to the Consent Calendar and given a positive recommendation.]

5. Business item Update from UTA

Tom Burdett explained that staff recently met with UTA where a good exchange of information took place regarding the Gardner Village park-and-ride facility. The city wants to assist UTA in moving forward with their project and is willing to schedule a workshop with the Planning Commission to get input before approving a site plan.

Elizabeth Scanlon, Utah Transit Authority, noted that the Planning Commission decision for continuation of the item two weeks ago was very good for UTA so they could take a harder look at the site and determine what its function is in terms of buses and cars. The issue really was if they could put cars through their bus loop, which is a policy that they are not willing to bend at the park-and-ride, because it wouldn't be a safe environment for their patrons. They consulted with their bus operating unit regarding what kind of bus service they needed at this station considering the close proximity of the Redwood Road and Bingham Junction stations. Their current thinking is that this station probably doesn't need bus service in the opening year in the short term. They don't have a good feel yet for the long term bus plan. There is really not a lot being serviced between 1300 West and Bingham Junction Road, except for Gardner Village. She explained the schedule for construction, which is extremely critical. Platform construction will begin early May for this station, and they will be building the box culvert that will facilitate the canal in April. UTA's investment in this site has been very large to this point. She showed a concept of a car parking lot only. This station was originally scheduled to have about 200 parking stalls. Without buses they go from 85 stalls to 130 stalls on this property, and the more stalls they can provide the more cost efficient it becomes for UTA. She asked the Commission for their reaction to this plan. If there are 130 stalls and they can shift the remaining 70, they aren't sure they need a traffic signal at the east entrance. They are still doing additional analysis on that. The issue was if they would have put parking on the north they had a responsibility to provide safe access from the parking lot to the platform, and the traffic signal seemed to be the best way to do that. If there is not parking they don't have the need for the signal. However, there is the need to recognize the possibility for transit oriented development with Gardner Village as their site is redeveloped, so they need to have additional discussions with Gardner Village to see how pedestrians can safely cross the road, and they would like to be a partner with Gardner Village.

Nathan Gedge said he liked the concept plan, and he asked if there were any other sites that don't have bus service.

Elizabeth Scanlon said the 9400 South station doesn't have a bus loop. Anything north of the 1300 South station doesn't have a bus loop. She noted that if they wanted buses after the first year, they could put bus pullouts on 7800 South.

Nathan Gedge said one of their big concerns was westbound exiting traffic without the use of a traffic signal.

Elizabeth Scanlon said they spoke to staff extensively regarding that issue. Their traffic engineers aren't convinced that vehicles making westbound turns in the p.m. peak will warrant a signal on its own, because they are doing that today in and out of Gardner Village. They will look at that more closely with staff.

Tom Burdett said we also agreed to do some basic traffic counts.

David McKinney liked this plan better. He asked for clarification on the required 200 parking stalls.

Elizabeth Scanlon explained that the travel demand is determined for the whole project and then broken down for each station. The projected need was around 180, but they added a contingency to that. The FTA sees this site as something valuable to the adjacent development, so this was projected to build out the full 2030 need instead of just a percentage. UTA needs to ensure to FTA that eventually they can build the parking lots to the 2030 demand.

David McKinney asked if there is no signal warranted on this site they would start with this plan and later if it proved to be inadequate and they needed more parking on the north would they have to put in a signal.

Elizabeth Scanlon said yes. There is also a component to this about Gardner Village eventually building their master plan and how they interface with that and where it makes sense on where they connect with their access points. They need to have additional discussion with Gardner Village in order to balance the planning effort. If it turns out when Gardner Village redevelops that there is a huge explosion of ridership they would work with them to make the connections happen, but they would like an equitable partnership.

Ellen Smith liked the plan better as well. However, this is a destination site and her concern is how the people using Trax to get to Gardner Village will safely cross 7800 South. She said at least with traffic turning west you are in a car, but crossing as a pedestrian would be very dangerous.

Elizabeth Scanlon said that is where they need to have discussions on partnering with Gardner Village to make the connections safe, and they plan to meet in the next week.

Nathan Gedge asked if this redesign would affect the trail system on the south.

Greg Mikolash said they are continually meeting with the consultant and they will hopefully be bringing plans to the Commission shortly.

Justin Stoker stated that he liked the plan and that all it needed was a couple of bus turnouts.

Regarding the rehearing of the application Elizabeth Scanlon said if this is the direction the Commission wants to go they will begin redesigning and she hoped it would be the first part of March.

Chad Nichols said his concern at the previous meeting was exiting the site westbound, but the issue today is more of a safety issue for pedestrians, because this could be a large draw and without a signal there would be problems.

MOTION: Nathan Gedge moved to adjourn.

The meeting adjourned at 8:14 p.m.

Justin Stoker
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development

Approved this _____ day of _____, 2009