

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

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

**STAFF:** Greg Mikolash, Chris Gilbert Nate Nelson, Robert Thorup, Rodger Broomé, and Vicki Hauserman.

**OTHERS:** James Romero, Elizabeth Romero, S. W. Mackey, Carol Pool, Jim Stewart, Randy & Diane Barker, Lisa Johnson, Tami McCullough, David Jacobs, Kevin Prince, Doug Hind, Joe Kern, and Richard Dennison.

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The briefing meeting was called to order by Justin Stoker.

Steve Glezos and Glen Pettit were in attendance to request based on the discussions at the last meeting that their application on Item #2 be tabled for two additional weeks at which time the subdivision should be finalized and the property closed on. They were appreciative of staff. Glen Pettit wanted to let the Commission know that in order to get the school on this site he is making a donation to the school. He realized that doesn't make their decision on the zoning, but he wanted them to be aware. Greg Mikolash said the development agreement was approved by the City Council. A neighborhood meeting was held regarding the charter school site plan where they voiced concerns regarding traffic and pedestrian safety.

Item #5 was discussed regarding emergency access. Greg Mikolash explained the purposes of Item #6 that made minor changes in language for consistency. It was recommended for the Consent Calendar. Background history was given for the site in Item #4. This application will clear up existing code enforcement issues.

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The regular meeting was called to order at 6:01 p.m.

**1. Consent Calendar**

**Approve Minutes from February 18, 2009**

**6. Text Amendments – Amend the West Jordan Municipal Code Title 87 Subdivision ordinance and Title 89 Zoning ordinance amendments directly related to recodification of the Municipal Code; city-wide; City of West Jordan (applicant)**

Staff recommended that the Planning Commission forward a positive recommendation to the City Council for the modifications of the West Jordan Recodified Code for the compiling and completing of the recodification process.

**MOTION: David McKinney moved to move Item #6 to the Consent Calendar and that they approve the Consent Calendar as modified. The motion was seconded by John Winn and passed 6-0 in favor. Nathan Gedge was absent.**

There were none in attendance who wished to speak on Item #6.

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**2. Williamsburg Park Rezone and Land Use Amendment; Continued from 2-18-09; 9090 South 2200 West; General Land Use Amendment for 4.512 acres from Medium Density Residential to Neighborhood Commercial and 4.296 acres from Medium Density to Professional Office and Rezone 4.512 acres from RE-.5G (Residential Estate half-acre minimum lots) to SC-1 (Neighborhood Shopping Center) and 4.296 acres from RE-.5G (Residential Estate half-acre minimum lots) to P-O (Professional Office) Zones; Land Solutions, LC/Steve Glezos (applicant) [#GPA20080007 & ZC20080013; parcel 27-04-426-008]**

Staff recommended that if the Planning Commission is satisfied that the charter school is going to purchase the charter school site depicted on Exhibit E, the Planning Commission forward a *positive* recommendation to the City Council for the proposed Land Use Amendments and Rezones with the following modifications:

1. The *Neighborhood Commercial* Land Use Designation and SC-1 (*Neighborhood Shopping Center*) Zoning District be limited to 3-acres in size.
2. The *Professional Office* Land Use Designation and P-O (*Professional Office*) Zoning District include the remaining site area of 5.81 acres.

***Alternate 1:***

If the Planning Commission affirmatively recommends a land use amendment and zone change, and it finds that the limited types of commercial uses permitted in the SC-1 (*Neighborhood Shopping Center*) zone will not be more adversely impactful on nearby residents due to hours of operation and traffic generation when placed within a larger zone size than the staff preferred 3-acres, staff recommended the Planning Commission forward a *positive* recommendation to the City Council for the proposed amendments as requested by the applicant.

***Alternate 2:***

If the Planning Commission affirmatively recommends a land use amendment and zone change, and it finds that the proposed commercial use is detrimental to the existing nearby residential neighborhoods, staff recommended the Planning Commission forward a *positive* recommendation to the City Council to amend the entire subject property to a *Professional Office* Land Use and P-O zoning designation.

Justin Stoker stated that the applicant asked for an additional two weeks to be able to finalize the legal paperwork and close on the property.

**MOTION: Chad Nichols moved to continue Item #2 to the March 18, 2009 Planning Commission meeting. The motion was seconded by Ellen Smith and passed 6-0 in favor. Nathan Gedge was absent.**

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3. **Jordan Winds Parking Expansion Site; 8543 South Redwood Road; Amended Final Site Plan and Minor Subdivision Plat; P-O Zone; Tom Lund (applicant) [#SPCO20090001 and SDMI20090001; parcel 21-34-453-001]**

Chris Gilbert gave the staff recommendations for this item, which is the next step in providing an additional 48-space parking lot for the office complex. The parking lot will be added to Parcel 1B of the condominium plat. Access to the parking area is through the office complex from Redwood Road. The existing building will either be demolished or refurbished to house document storage. The site will be heavily landscaped.

Staff recommended that the Planning Commission grant Amended Final Site Plan approval for the Jordan Winds Parking Expansion project located at 8543 South Redwood Road in a P-O, Professional Office zoning district, with the condition of approval as listed below. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.

Condition of Approval:

1. The fire gate on 1640 West shall be relocated and installed as shown on the site plan.

Staff recommended that the Planning Commission grant Amended Final Condominium Plat approval for the Jordan Winds Parking Expansion project located at 8543 South Redwood Road in a P-O, Professional Office 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.

Conditions of Approval:

1. The Amended Condominium Plat shall not be signed and recorded until the fee stipulated by the City Council for acquisition of the vacated right of way for 1640 West is paid in full.
2. An Amended Condominium Declaration shall be recorded with the mylar plat.

Kevin Prince, 8539 South Redwood Road, representing the applicant, had no further comments.

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

**MOTION: John Winn moved to approve Amended Final Site Plan for Jordan Winds Parking Expansion; 8543 South Redwood Road; Tom Lund (applicant) with the condition of approval listed in the Planning Commission packet. The motion was seconded by David McKinney and passed 6-0 in favor. Nathan Gedge was absent.**

**MOTION: John Winn moved to approve the Amended Final Condominium Plat for Jordan Winds Parking Expansion; 8543 South Redwood Road; Tom Lund (applicant) with the conditions of approval listed in the Planning Commission packet. The motion was seconded by David McKinney and passed 6-0 in favor. Nathan Gedge was absent.**

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4. **Utah RV Rentals and Storage; 2790 West 7800 South; Preliminary Site Plan and Conditional Use Permit; C-G and C-G (ZC) Zones; Utah RV Rentals/Douglas Hind (applicant) [#SPCO20090003 and CUP20090001; parcels 21-28-378-014, 016, 023]**

Greg Mikolash reviewed the background information for this item. The application will provide the improvements that are necessary to meet code with regards to paving and storage buildings. There will be approximately 23,000 square feet of storage, 4800 square feet of shop area, and 4500 square feet of office space. There will be 39 individual storage units. Access will be provided from both 7800 South and 2700 West.

Staff recommended that the Planning Commission grant Preliminary Site Plan approval for the Utah RV Rentals project located at 2790 West 7800 South 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.

Conditions of Approval:

1. Cease all home occupation operations for Utah RV Rentals.
2. Obtain and maintain a valid and current West Jordan City Commercial Business License for Utah RV Rentals.
3. Provide proof of lot consolidation for parcels 21-28-378-014 and 21-28-378-023 prior to Final Site Plan approval.
4. Please show all overhead utilities on the final utility plan, and indicate as to whether they are required to be undergrounded. If they meet the undergrounding requirement, mark as "to be undergrounded" on the plans, or apply for and obtain a waiver from the Planning Commission to not underground the lines prior to Final Site Plan approval.
5. Provide the east elevation of Building B with architectural details to match the architectural details on the south and west facades of building B and has been provided on the west façade on building A, as this area is visible from 7800 South.
6. Meet all requirements of the Conditional Use Permit.
7. Address and adhere to all Department comments, redlines, conditions of approval and all applicable code standards.

Staff recommended that the Planning Commission grant Conditional Use Permit approval for the Utah RV Rentals located at 2790 West 7800 South 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.

Conditions of Approval:

1. Storage space may not be rented out as commercial storage units and may only be used to store company vehicles.
2. The sale of vehicles is limited to the sale of fleet vehicles for the purposes of fleet rotation only.
3. No outdoor storage is allowed.
4. Meet all requirements of the Preliminary Site Plan.
5. The Conditional Use Permit shall be subject to review and/or revocation as per §89-5-404.

David McKinney asked if the homes are currently occupied.

Justin Stoker asked what the landscape buffer distance is.

Greg Mikolash said the requirement in this zone is 10 feet from the wall to the buildings.

Doug Hind, 2746 West 6680 South, applicant, said of the three homes on the property two are occupied by his children and one is rented. Once approval is given for this project they will remove the homes. He was concerned with the condition of no outside storage. Their plan is to provide two phases of the project. He said it would be difficult to put everything in garages until the second phase is built. During the discussions with staff they were never told that they couldn't have the one area to park trailers. The entire area will be fenced, and the buildings are designed to block the rear area of the property.

David McKinney asked how tall the RV storage buildings are.

Doug Hind said they are 16' tall.

David McKinney asked for clarification that the materials of the storage building, which is corrugated metal and would be visible to the abutting residents and that the only site lighting is on the inside of the courtyard area and mounted on the building face.

Mr. Hind said that is correct.

Justin Stoker asked what would take place on the future phase property until it is developed.

Doug Hind said in order to not have to subdivide the property they are going to put gravel where they can park 10 to 15 of their trailers. There will be asphalt down the center to provide for access. Most of the access will be on 7800 South.

Justin Stoker asked if they would only park the vehicles there if the other units are full.

Mr. Hind said that is correct. However, if they are not allowed to park there, it will be hard for him to give up the space at his home occupation location until they can be stored on this site.

David McKinney said the code is specific regarding outdoor storage. The intent of the proposal is that the vehicles will be stored indoors, and if that isn't going to happen they will still have a non-conformation use. He asked how he would remedy the situation if the application were approved as listed in the conditions.

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Doug Hind said he would have to park the additional vehicles in his current garages. He said five months out of the year there would be few vehicles outside, because they are being rented from May until September or October. It may be two years before they can build the second phase of garages.

Joe Kern, West Jordan resident, was concerned with his irrigation water that comes along the west side of the proposed site, and he wondered what will happen to the ditch. He said there had been problems in the past with upkeep of the ditch, which is the property owner's responsibility.

Ellen Smith asked for clarification on the direction the water flows in the ditch.

Mr. Kern said it comes from the canal down 7800 South then through a weir and flows north.

Richard Dennison, West Jordan resident, said his property abuts this site on the north side. He said that there was supposed to be a cinder block wall installed a couple of years ago, and he also has the same irrigation concerns as Mr. Kern.

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

Doug Hind said they plan to pipe the irrigation ditch, so there won't be any weeds and the access will be unobstructed. There will be twenty feet from the cinder block wall to the building, and the ditch will stay in the same place that it has always been. A six-foot masonry wall will be built along the perimeter of the residential areas as required.

David McKinney felt that the condition that prohibits outdoor storage is a good one and should stand.

Justin Stoker asked Greg Mikolash to explain the process that would have to happen if the home occupation is closed and he still uses the garages as temporary storage.

Greg Mikolash said the existing conditions of the home occupation and conditional use can stay in place, because it is attached to the property. The home occupation can't be used on this site, but they can move forward with a first phase. They can talk about options with the final site plan process.

David McKinney asked if the applicant can provide other options for the situation if this were approved as it stands today.

Greg Mikolash said yes. If it decreases the area the staff can approve it administratively, but it could also come back to the Planning Commission. He didn't see why they would need to attach the home occupation to this if the site could be served solely without any access onto 2700 West.

Robert Thorup agreed.

Rodger Broomé said that the biggest concern with that scenario is with apparatus turnaround, and that is why they required a fire access lane.

Justin Stoker asked if they could provide a temporary turnaround on the other properties.

Greg Mikolash said they could do a cross access agreement for turnaround and make sure it is not used as a storage area.

**MOTION: David McKinney moved to approve the Preliminary Site Plan for Utah RV Rentals; 2790 West 7800 South; Utah RV Rentals/Douglas Hind (applicant) based on the discussion and**

**facts presented with the conditions of approval listed in the staff report. The motion was seconded by John Winn.**

Justin Stoker was in favor of eliminating conditions #1 and #3 and allowing the temporary condition where the home occupation could remain until the project is fully approved.

David McKinney said if the applicant wants different conditions he can request something else, but he felt the conditions were suitable. Final approval can be given based on different stipulations if the facts change.

**AMENDED**

**MOTION: Justin Stoker moved to amend the motion to add a condition that the final site plan returns to the Planning Commission. The amendment was accepted and the motion passed 6-0 in favor. Nathan Gedge was absent.**

**MOTION: David McKinney moved to approve the Conditional Use Permit for Utah RV Rentals; 2790 West 7800 South; Utah RV Rentals/Douglas Hind (applicant) with the conditions of approval 1 through 5 as listed in the staff report. The motion was seconded by John Winn and passed 6-0 in favor. Nathan Gedge was absent.**

Justin Stoker suggested that Mr. Hind work with the City staff and the Fire Marshal to find a solution.

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**5. Granite Credit Union; 8689 South 5600 West; Preliminary Site Plan; P-C Zone; Woods-Associates, Inc./Tami J. McCullough (applicant) [#SPCO2009005; parcel 26-01-100-023]**

Greg Mikolash gave staff recommendations for this item. All code requirements have been met on the plans. The access will be from a shared driveway from 5600 West. The Design Review Committee reviewed the site, and there were no additional recommendations from them.

Staff recommended that the Planning Commission grant Preliminary Site Plan approval of a new credit union located at 8689 South 5600 West in a P-C 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 City of West Jordan Municipal Code standards in effect at the time of this approval.
2. Meet all the requirements of Ordinance 01-18 rezoning the subject property to the P-C district and establishing the West Jordan Marketplace Development.
3. Final Site Plan approval shall be reviewed and approved by staff, if the Final Site Plan conforms significantly to the approved Preliminary Site Plan.
4. The Final Site Plan shall be amended to widen the landscape islands to a minimum interior planting width of 8 feet.
5. The Final Site Plan shall be amended to provide no more than 50% turf coverage over all of the provided landscaped areas, which includes the area designated for storm water detention.

Tami McCullough, Wood-Associates, and David Jacobs, 757 North Broadway, Milwaukee, WI, stated that they had changed the parking islands to eight feet in width, which eliminated one parking space. They are also proposing a new fire hydrant at the entrance to alleviate the fire department concern of limited site access, which she pointed out.

David McKinney said the south side of the property is adjacent to residential, and he wondered if there were too many lights.

Tami McCullough said the credit union president did express some concerns with security. All lighting meets the code for maximum height and shines down. There is an existing 6-foot fence, and at the lot line the light would be zero onto the residential property. There are existing trees and more will be added between the light fixtures. The lights remain on during dark hours.

David McKinney asked if the lighting could be reduced.

Tami McCullough said she would need guidelines from the city.

Greg Mikolash said if the lights were separated any further there would be definite zero zones, so they want to make sure the contours touch. The general rule is one pole per 30 feet. Down shielding is the most important aspect then buffering with fences and the addition of trees are the other things they look at. The ordinance does not regulate the distance between lights.

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

Ellen Smith said personally she would prefer light as a deterrent.

Justin Stoker said it is his understanding that most of the lights are pulled away from the property line.

**MOTION: David McKinney moved to approve the Preliminary Site Plan for Granite Credit Union; 8689 South 5600 West; Woods-Associates, Inc./Tami J. McCullough (applicant) with the conditions of approval 1 through 5 as listed in the staff report. The motion was seconded by Ellen Smith and passed 6-0 in favor. Nathan Gedge was absent.**

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**6. Text Amendments – Amend the West Jordan Municipal Code Title 87 Subdivision ordinance and Title 89 Zoning ordinance amendments directly related to recodification of the Municipal Code; city-wide; City of West Jordan (applicant)**

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

**MOTION: John Winn moved to adjourn.**

The meeting adjourned at 7:07 p.m.

Justin Stoker  
Chair

ATTEST:

JULIE DAVIS  
Executive Assistant  
Community Development

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009