

**MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD APRIL 6, 2010 IN THE WEST JORDAN COUNCIL CHAMBERS**

**PRESENT:** Justin Stoker, Kathy Hilton, Nathan Gedge, David McKinney, Ellen Smith, John Winn, and Jesse Valenzuela.

**STAFF:** Tom Burdett, Robert Thorup, Greg Mikolash, Greg Davenport, Jennifer Jastremsky, Rodger Broomé, and Julie Davis

**OTHERS:** Karen Hind, Scott Smith, Doug Hind, and Mark Isaac.

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The briefing meeting was called to order by Justin Stoker.

Clarification and discussion was held regarding the policy for undergrounding utilities and for deferral agreements. The history of the application was reviewed.

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The regular meeting was called to order at 6:06 p.m.

**1. Consent Calendar**

**A. Approve Minutes from March 2, 2010**

**B. Jordan Landing Plaza Pad 8; 7301 South Jordan Landing Blvd.; Preliminary Site Plan; SC-3 Zone; Foursquare Properties, Inc./Mark Isaac (applicant) [#SPCO2010001; parcel 21-29-126-009]**

Staff recommended that the Planning Commission grant Preliminary Site Plan approval of a commercial pad building located at 7301 South Plaza Center Drive in a SC-3 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. The Final Site Plan shall include a detailed landscape and irrigation plan, which meets all provisions of the zoning ordinance.
3. The applicant must address all engineering redlines.

**MOTION:** Nathan Gedge moved to approve Consent Calendar Items #1A and #1B as listed in the commission packet. The motion was seconded by David McKinney and passed 7-0 in favor.

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**2. Utah RV Rentals and Storage; 2740, 2790 West 7800 South; Reconsideration of Request for Waiver of Undergrounding Utilities requirement; C-G (ZC) Zone; Utah RV Rentals/Doug Hind (applicant) [#SPCO20090003; parcels 21-28-378-014, 016, 023]**

Justin Stoker explained that this is a request for reconsider of a motion made on January 5, 2010 that denied the waiver. In order to hear the item there must be a unanimous vote to suspend the by-law rules.

**MOTION:** John Winn moved to suspend the by-laws. The motion was seconded by Ellen Smith and passed 7-0 in favor.

**MOTION:** John Winn moved to reconsider the original motion. The motion was seconded by Ellen Smith and passed 6-1 in favor with Nathan Gedge casting the negative vote.

Jennifer Jastremsky reviewed the application that asked for a waiver of the requirement to underground the utilities. The planning commission can grant a waiver under certain conditions. Rocky Mountain Power said in recent years that they don't underground transmission lines if they are 49kv or greater, which is in conflict with the requirements of our code that states 69kv or greater. There are 131 feet of frontage on 2700 West and 220 feet of frontage on 7800 South. The lines on both sides of 2700 West are at 49kv and on the north side of 7800 South the line are at 12.5kv. The lines on 7800 South run interrupted from 1300 West to Bangerter Highway and on 2700 West from the north to south city boundary line. There is one pole currently located on the property on 7800 South, and two poles directly abutting the property on 2700 West. If the lines were to be undergrounded then two new poles would be required on 7800 South, but none would be required on 2700 West. All properties adjacent to the subject site are fully developed as either commercial or residential, and all properties have overhead utility lines. She showed a map of waivers granted along 7800 South. There had been no requests for waivers on 2700 West. Four properties on 7800 South have been developed since the undergrounding utilities requirement went into effect. Two properties were granted a waiver and two signed deferral agreements. Those who signed deferral agreements chose not to apply for a waiver. Photos of the property were shown with the existing views and as they might look with the lines undergrounded.

The request meets the waiver requirements, as all properties in the immediate vicinity are developed and contain overhead power lines, and the undergrounding of lines would not reduce the number of power poles along the street frontage. Staff recommended that the Planning Commission grant the waiver from undergrounding utilities 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. Meet all conditions of approval for the final site plan.

Ellen Smith asked if a waiver of this site would be in perpetuity or if the commission would review it again should it be redeveloped in the future.

Greg Mikolash said they would look at it again.

David McKinney said it had been discussed that the undergrounding policy may be reviewed by the city council and codes may be revised to implement a different mechanism. He also understood that at this point the city is discouraging deferral agreements for this purpose because of the lack of a uniform code mechanism to determine how they are to be handled. Commissioner McKinney asked if the commission was to grant the waiver today and then the city was to pass new ordinances that dictate how to handle this issue, how that would affect this project.

Jennifer Jastremsky said if the waiver is granted, then any future changes in the code wouldn't affect that. If the city were to collect money to underground utilities on frontages in a larger area, then this property could possibly be included at the time that the surrounding area gets improved.

Jesse Valenzuela wondered if it would be more cost effective to underground utilities along an entire street rather than one piece of property.

Jennifer Jastremsky said it would be more cost effective in a group of properties.

Jesse Valenzuela said as they bring the lines to the ground there is added potential of the lines coming in contact with people and vehicles. He wondered if it would be safer to leaving them aboveground for this small section of property. Undergrounding is a great idea, but he would rather see a longer segment being done at one time.

Greg Mikolash said he didn't have any information regarding the safety impacts. He pointed out that no poles would be eliminated, but they would be adding one. He felt that most of the visual impacts are the poles and not the lines.

Justin Stoker noted that the report stated the lines on 2700 West also carry cable and phone. He asked if they would underground all the utilities or just electricity.

Greg Mikolash said in the other cases all utilities are undergrounded.

Doug Hind, applicant, 2746 West 6680 South, said they are anxious to complete the project and help to beautify 7800 South. They have outgrown their current location. He said that he drove to some of the properties that had received waivers, and they are very similar to their situation. There is a property on 9000 South and 2700 West that is even the same shape as this, which does not have undergrounded lines. He had also observed that none of the new projects on 7800 South had been required to underground. He noted that just below 3200 West they are moving the lines back instead of burying them. He asked the commission to grant the waiver so they can move ahead with the project.

Scott Smith, general contractor with KBR Construction, 9457 South 670 West, also observed that the overhead transmission lines are continuous on 7800 South from 1300 West to Bangerter Highway. He felt that it is a safety issue with for automobiles or heavy truck traffic where the line will have to come down to the ground and back up again.

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

**MOTION: John Winn moved to grant the waiver of undergrounding the utilities for Utah RV Rental; 2790 West 7800 South; Utah RV Rentals/Doug Hind (applicant) with the conditions of approval as listed in the planning commission packet. The motion was seconded by Jesse Valenzuela.**

David McKinney felt they needed to be clear on the record as to why they are granting the waiver. One reason is that none of the properties on the north side of 7800 South from 1300 West to Bangerter Highway are buried. He said that some of the other properties that don't have undergrounding may have been prior to the requirement.

Tom Burdett said the requirement was first in the subdivision code in 1978 and later for site plans in the zoning code approximately in 1980.

David McKinney stated that another reason would be that there would be no elimination of poles, but one would be added. Another reason is that this is a piecemeal approach that would only affect one property.

Justin Stoker said that the project is immediately adjacent to a residential subdivision, and the likelihood of that being redeveloped in mass is extremely low.

**AMENDED**

**MOTION: Kathy Hilton moved to specifically include these reasons with the motion for the record [none of the properties on the north side of 7800 South from 1300 West to Bangerter Highway are buried; there would be no elimination of poles, but one would be added; this is a piecemeal approach that would only affect one property; the project is immediately adjacent to a residential subdivision, and the likelihood of that being redeveloped in mass is extremely low]. John Winn and Jesse Valenzuela accepted the amendment. The amended motion passed 7-0 in favor.**

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Tom Burdett reviewed recent city council actions. Staff would like to bring to the planning commission in the near future a discussion regarding the public involvement element of the general plan.

David McKinney recently read "Green Metropolis" that deals with development, density, zoning issues, etc., and brings an interesting spin on things. He recommended it to the other commissioners.

Justin Stoker stated that UTA's community involvement specialist had indicated that the Mid-Jordan Trax line is on pace to open in the fall of 2011.

**MOTION: Nathan Gedge moved to adjourn.**

The meeting adjourned at 6:47 p.m.

Justin Stoker  
Chair

ATTEST:

JULIE DAVIS  
Executive Assistant  
Development Department

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010