

**MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD MAY 4, 2010 IN THE WEST JORDAN COUNCIL CHAMBERS**

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

**STAFF:** Tom Burdett, Robert Thorup, Greg Mikolash, Jennifer Jastremsky, Greg Davenport, Ray McCandless, Scott Langford, Julie Davis, and Rodger Broomé.

**OTHERS:** Mark Atencio, Rocky Schutjer, Mike Withers, and Frank Roberts.

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The briefing meeting was called to order by Justin Stoker, and the agenda was briefly reviewed.

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

**1. Consent Calendar  
Approve Minutes from April 20, 2010**

**MOTION:** David McKinney moved to approve Consent Calendar Item #1 the minutes from April 20, 2010. The motion was seconded by John Winn and passed 6-0 in favor. Jesse Valenzuela was absent.

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**2. T-Mobile Wireless Communications SL01109F; Continued from 4-20-10; 4628 Skyhawk Drive; Conditional Use Permit for a 80' Monopole in the Airport Overlay Zone; T-Mobile/Rocky Schutjer (applicant) [#CUP20100001; parcel 21-19-302-003]**

Justin Stoker noted that the public hearing had been conducted at the previous meeting. He asked if there were any in the audience who wished to speak on the item. There were none. Ray McCandless indicated that staff had nothing further to add to the staff report.

If the Planning Commission finds that all the criteria for approval of a Conditional Use Permit as discussed in this staff report are met, staff recommended that the Planning Commission grant Conditional Use Permit approval for a new cellular communication facility to be located at 4628 Skyhawk Drive, 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 applicant shall obtain a building permit for the tower and comply with all Building and Safety Department Regulations concerning design and construction of the tower and ground equipment enclosure.
2. The Conditional Use Permit is subject to review and/or revocation as per City Code Section 13-7E-10.
3. The site shall conform to the site plan as submitted for review and as contained in this report unless modified by the Planning Commission.
4. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval:
5. All cabling and wiring for the communications tower shall be undergrounded.
6. Obtain a Determination of No Hazard to Air Navigation letter from the Federal Aviation Administration.
7. The antennas shall be painted a flat gray color.

Rocky Schutjer, applicant for T-Mobile, said he spoke to the property owner who was unwilling to place the tower in the northwest corner of the property. This is partly because of the future development of the property

and how that corner might be used. He was also concerned with the fire access road that would be required along the entire side of the property.

David McKinney said that the previous concern was still in play. He wasn't opposed to another T-Mobile pole in the city, but he had a problem with the location with regards to the adjacent residents. For that reason he would be in opposition.

There was a discussion regarding the noticing of the application. Staff pointed out the location of the pole and the approximate 300' radius for the mailing. There had been no calls or concerns from those who had been noticed. The commission felt that if the property owners were opposed they would have come and brought others with them. Staff also noted that the tower will be in the M-1 zone, which has no building height limitation for possible future development.

John Winn was in favor of the request and stated that the applicant had done his part in asking the property owner for an optional location.

Nathan Gedge was also in favor of the application.

**MOTION: John Winn moved to approve the Conditional Use Permit for T-Mobile Wireless Communications SL01109F; 4628 Skyhawk Drive; T-Mobile/Rocky Schutjer (applicant) with the conditions of approval in the planning commission packet. The motion was seconded by Nathan Gedge and passed 5-1 in favor with David McKinney casting the negative vote. Jesse Valenzuela was absent.**

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**3. JWCD West Subdivision; 8215 South 1300 West; Preliminary Subdivision Plat to consolidate nine parcels into one lot, adding 1.18 acres of new property; P-F and A-5 Zones; Jordan Valley Water Conservancy District/Frank Roberts (applicant) [#SDMA2010002; parcels 21-35-301-001, 002, 003, 004, 009, 010, 011, 014; 21-35-326-001]**

Jennifer Jastremsky gave an overview of the application to combine nine parcels and provide street improvements and dedication. The plat shows dedication of 0.72 acres of property along 1300 West; the majority of which is already improved. The additional 40 feet of frontage will require improvements. An additional 1300 square feet of property is being purchased and will be shown on the plat, improved, and dedicated. The applicant and engineering department are currently negotiating an easement for maintenance of a natural drainage channel that runs through the property. A 2-foot gap was inadvertently left out of the 40-foot wide piece of property being purchased, so the applicant is working to purchase that property, which will be included in the final plat. The applicant is actively working with staff to make the corrections needed.

Staff recommended that the Planning Commission grant Preliminary Subdivision plat approval for the Jordan Valley Water Conservancy District West Subdivision project located at 8215 South 1300 West in a P-F and A-5 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. Install street improvements along 1300 West running the entire width of the subdivision, including adjacent to and within the recently acquired 40-foot strip. Provide all plans necessary to complete the roadway improvements for staff review.
2. Provide proof of prior street dedication along 1300 West, or dedicate the street right-of-way along 1300 West. The dedication area shall run the entire width of the subdivision, including along the recently acquired 40-foot strip. Street dedication shall be done in a manner approved by City staff.
3. Dedicate an easement to the city for the drainage canal within Lot 1. Easement dedication shall be done in a manner and width approved by City staff.

4. Correct the gap in ownership located within Lot 1; or have the owner of the gap property sign the plat.
5. Meet all requirements from the Planning, Engineering, Public Works, Fire and Building and Safety Departments.

Mark Atencio, Jordan Valley Water Conservancy District, 8215 South 1300 West, had nothing to add to the report.

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

**MOTION: David McKinney moved to approve the Preliminary Subdivision Plat for JVVCD West Subdivision; 8215 South 1300 West; Jordan Valley Water Conservancy District/Frank Roberts (applicant) with the conditions of approval 1 through 5 as listed in the staff report. The motion was seconded by Nathan Gedge and passed 6-0 in favor. Jesse Valenzuela was absent.**

There was a recess from 6:15 to 6:20 p.m.

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#### **4. Design Review - Joint training with the Design Review Committee**

Design Review Committee Members Jeff Bardin, Susan Ord, and Alex Beseris were in attendance.

Tom Burdett said the informal training session was primarily to review the current system of design review and to get feedback for suggestions of what they would like for the future. Also, staff would like to prepare the two groups for developments that are more design centric such as higher density, mixed use, or town center developments.

Robert Thorup reviewed the legal aspects of design review. He explained that there are two kinds of decisions that the city governmental body makes: legislative and quasi-judicial. The design review committee in West Jordan is mostly acting in the legislative context because neither West Jordan city code nor the design guideline manual takes the position that there is only one design to be enforced in all situations. We have a more informal process where ideas of what good design might look like can be freely applied by the design review committee. In this case there could be several options for the development to meet the general design principles. The DRC provides a function of consensus building between the city and the developer so that when the application comes to the commission the design issues should be less contentious.

Scott Langford distributed the design review manual to the commission and provided a broad review of different design principles. He noted that the design review committee is a recommending body to the planning commission. Major areas in West Jordan requiring design review include the west side planning area, Mid-Jordan Trax line and TSOD overlays, major planned community developments, and all public buildings. He provided an overview of the review process and checklist.

There was a discussion regarding architectural styles thought to stand the test of time and whether or not the city can or should have the ability to require more specific designs and to possibly prohibit others. In order for the reviews to be more quasi-judicial in nature there needs to be supporting language in the code.

Staff suggested that each member study the manual to see what they do or do not agree with. There is the possibility of establishing themes in certain districts. Design is not just private architecture but some designs in the public realm such as traffic signals, sidewalks, and streetscapes can make a large difference in the appearance of a community.

The commission agreed to have a follow-up meeting to discuss ways to enhance the manual as well as discuss individual themes of certain areas.

Staff briefly described some of the projects that will be coming through the design review process in the near future.

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

The meeting adjourned at 7:28 p.m.

Justin Stoker  
Chair

ATTEST:

JULIE DAVIS  
Executive Assistant  
Development Department

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