

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD JULY 20, 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, Jennifer Jastremsky, Greg Davenport, Paul Brockbank, and Julie Davis

OTHERS: LaMar Coon

The briefing meeting was called to order by Justin Stoker.

Item #2 was reviewed, and staff explained that their recommendation will be amended to reflect Alternative 1 listed in the staff report. If the planning commission desires to accept this recommendation, the meeting will have to be continued in order to notice for the additional lots. The applicant is aware of the change in recommendation. The future plans for roadways in the area were briefly discussed.

The regular meeting was called to order at 6:05 p.m.

**1. Consent Calendar
Approve Minutes from July 6, 2010**

MOTION: Nathan Gedge moved to approve the Consent Calendar Item #1 the minutes from July 6, 2010 meeting. The motion was seconded by John Winn and passed 7-0 in favor.

2. 21ST Century Business Park Lot 14; 6099 West New Bingham Highway; M-P Zone; General Plan Land Use Amendment for 32.20 acres from Light Industrial to Regional Commercial and Rezone 32.20 acres from M-P (Manufacturing Park) to SC-3 (Regional Shopping Center); LaMar Coon (applicant) [#ZC20050028 & GPA20050013; parcel 26-02-300-016]

Jennifer Jastremsky gave an overview of the request to rezone Lot 14 of the 21st Century Business Park. She explained the current zoning and land use of the area. She pointed out the existing regional commercial area that contains 86 acres with 21 acres being on the west side of the Mountain View Corridor. Jennifer stated that staff took a more in-depth look at the alternatives and is now recommending Alternative 1 as a more viable option. This would change the existing SC-1 zone of Lots 10 and 11 to light manufacturing, which will eliminate potential conflicts between the SC-1 and SC-3 zones and will work well as manufacturing uses. She pointed out the commercial and manufacturing uses that will be bifurcated by 6400 West, which will create a buffer. She reviewed the street improvements that will be required in the area for any development of regional commercial whether on the subject property or the existing commercial areas. Along with the development of the Mountain View Corridor, 9000 South will be continued to New Bingham Highway and fully widened in that area. In the short term New Bingham Highway will be diverted down 5600 West and over to 9000 South. If the planning commission would like to forward a positive recommendation for Alternative 1 it would require that the meeting be continued so that proper noticing for Lots 10 and 11 could take place.

Motion 1:

Staff recommended that the Planning Commission forward a negative recommendation to the City Council for the request to amend 32.2-acres of property located at 6099 West New Bingham Highway from Light Manufacturing Land Use to Regional Commercial Land Use, based on the findings for the land use amendment criteria set forth in the Zoning Ordinance, as follows:

1. The proposed amendment does not conform to and is not consistent with the adopted goals, objectives, and policies set forth in the City General Plan in that the General Plan calls for the preservation of industrial land, the infill development of vacant commercial land prior to rezoning, and seeks to place regional commercial centers at major arterial nodes.
2. The development pattern contained on the land use plan adequately provides the appropriate optional sites for regional commercial uses and therefore may make the proposed change imprudent.
3. The proposed amendment will be compatible with the other land uses on a case by case basis; however,

the area is already saturated with commercial uses, as found in the existing Regional Commercial district and the adjacent Neighborhood Commercial property, and the inclusion of the subject property would add to the stripping out of commercial development along 9000 South.

4. The proposed amendment is not an overall improvement to the adopted general land use map in that it does not promote nodal commercial development.
5. Public infrastructure improvements would be required to accommodate the proposed changes, including roads, water, wastewater, and public safety facilities, than would otherwise be needed without the proposed change. The planned street improvements which will occur with the construction of the Mountain View Corridor will improve the areas capabilities to handle a regional commercial development.
6. The proposed amendment is not consistent with other adopted plans, codes and ordinances in that the location does not provide for a region of people due to the undeveloped nature of the area and the proposed zoning designation is different than the adjacent commercial districts limiting the ability to provide a unified shopping center complex, as called for in the SC-3 zone.

Motion 2:

Staff recommended that the Planning Commission forward a negative recommendation to the City Council for the request to rezone 32.2-acres of property located at 6099 West New Bingham Highway from M-P (Manufacturing Park) to SC-3 (Regional Shopping Center), based on the findings for the zoning amendment criteria set forth in the Zoning Ordinance, as follows:

1. The proposed rezone does not conform to and is not consistent with the adopted goals, objectives, and policies set forth in the City General Plan in that the General Plan calls for the preservation of industrial land, the infill development of vacant commercial land prior to rezoning, and seeks to place regional commercial centers at major arterial nodes.
2. The proposed amendment may adversely impact the already existing regional shopping center zone within the vicinity due to additional acreage on an already undeveloped regional shopping center district and may negate the need for the already planned for smaller scale neighborhood commercial district.
3. The proposed amendment does not further the public health, safety and general welfare of the citizens of the city in that the subject property is not located at a major arterial intersection and will contribute to strip commercial along an arterial corridor.
4. The proposed amendment will impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change.

Alternative 1:

If the Planning Commission finds that a larger regional or community commercial district is warranted in the area, then the Planning Commission may want to forward a positive recommendation to the City Council for the rezone and land use amendment as proposed, with an additional recommendation to amend the two adjacent properties located at 6250 W Dannon Way (Lots 10 and 11 of the 21st Century Business Park) from SC-1 (Neighborhood Commercial) to M-1 (Light Manufacturing) zoning district and amend the land use from Neighborhood Commercial to Light Industrial, based on the following findings.

1. The General Plan encourages “the provision and preservation of prime industrial land” (p. 120). It also seeks to increase the number of industrial jobs within the City (p. 120). Lots 10 and 11 will provide 9.99-acres of industrial land within 21st Century Business Park.
2. The location of Regional Commercial directly next to a Neighborhood Commercial may potentially negate the need for a smaller scale neighborhood center. By removing the SC-1 zoning designation and Neighborhood Commercial land use designation, the potential conflicts between the incompatible districts will be eliminated.
3. The inclusion of an industrial land use on Lots 10 and 11 may make adjacent manufacturing properties more desirable for development, by reducing perceived industrial/commercial conflicts and providing potential manufacturing businesses larger areas of land on which to develop.
4. The alternative may address the sometimes undesirable effect of commercial strip buildings along 9000 South in favor of a better planned shopping center in a Regional Commercial district.

Alternative 2:

If the Planning Commission agrees with the original Planning Commission findings and believes that the applicant's request for the subject property is in conformance with the General Plan, then the Planning Commission may want to forward a positive recommendation to the City Council to amend 32.2-acres of property located at 6099 West New Bingham Highway from the Light Industrial Land Use designation to a Regional Commercial Land Use designation and rezone the property from M-P (Manufacturing Park) to SC-3 (Regional Shopping Center) zoning designation, based on the findings as determined by the Planning Commission on December 20, 2006. Staff has reviewed the findings from 2006, as found below, and has determined they are inadequate. If the Planning Commission wishes to forward a positive recommendation as found in Alternative 2, staff suggests the Planning Commission establish new findings.

1. This is more needed because of the way things have not developed in some of the other properties even though they are earmarked.
2. Many of the people have opted out of the Westside Plan.
3. Regional Commercial should be more of a distance from the Mountain View Corridor than sitting right on the intersection of it.
4. It could alleviate some congestion and start getting things going out west.

Justin Stoker said he would be in favor of continuing the hearing in order to focus more on Alternative 1 and to extend the noticing to 600 feet in order to get more of the residential properties in the discussion.

There was a discussion regarding the extended noticing and options for the motion.

MOTION: Nathan Gedge moved to continue the 21st Century Business Park Lot 14 request to August 3, 2010, that they re-notice Lot 14 and provide new notice for Lots 10 and 11 to the area of 600 feet. The motion was seconded by Ellen Smith.

Clarification was given as to the properties that would be included in the 600-foot radius. It was determined to remain with the motion as stated.

VOTE: The motion passed 7-0 in favor of continuation to August 3, 2010.

LaMar Coon, applicant, said his intent with the rezoning is to continue to develop the best he can and to bring a great product to West Jordan.

MOTION: Nathan Gedge moved to adjourn.

The meeting adjourned at 6:21 p.m.

Justin Stoker
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2010