

**MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD AUGUST 17, 2010 IN THE WEST JORDAN COUNCIL CHAMBERS**

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

**STAFF:** Tom Burdett, Julie Davis, Robert Thorup, Greg Mikolash, Scott Langford, Jennifer Jastremsky, Paul Brockbank, Bill Baranowski and Nathan Nelson.

**OTHERS:** LaMar Coon, Mark Isaac, John Clayton, James McConnell, Faramarz Jabbari, Liz Nielsen, Ryan Hales, Tom Sielaff, Kim Norris, Lanese Hendrickson, Kelly Lewis, Barry Nash, Shelly Carlile, and Janis McClellan.

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The briefing meeting was called to order by Justin Stoker.

The agenda was reviewed. Temporary use permit time limits were briefly discussed. Staff distributed an additional condition of approval for three of the applications in Item #3, which was briefly explained.

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

**1. Consent Calendar**

**A. Approve Minutes from August 3, 2010**

**B. Arepas In & Out Food Service; 1624 West 7800 South; Temporary Use Permit (150 days); CC-F Zone; Noel Diaz (applicant) [#TUP20100023; parcel 21-27-453-015]**

Staff recommended that the Planning Commission grant Temporary Use Permit approval for Arepas In & Out Food Service located at 1624 West 7800 South in a CC-F 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. Dates of operation are from August 18, 2010 to January 14, 2011, or shall not exceed 150-days consecutive.
2. A \$300 site restoration bond shall be placed with the City. The bond will be released after the use has ceased operation and the site has been cleaned and restored to previous conditions.
3. Maintain the temporary stand in good order and the parking lot free of trash and debris during the extent of the temporary use.
4. The stand and all associated equipment/materials shall be removed from the site, and the site fully restored, within five days of permit expiration.
5. Obtain and maintain a valid West Jordan City Business License.
6. Obtain approval from the Salt Lake County Health Department.
7. Provide for a safe pedestrian standing area next to the temporary stand. This area must be blocked off to prevent vehicular traffic from entering by either traffic cones or by other appropriate device, as approved by staff.

**MOTION: David McKinney moved to approve the Consent Calendar Items #1A and 1B. The motion was seconded by Ellen Smith and passed 6-0 in favor. Nathan Gedge was absent.**

No one wished to speak against Item #1B.

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2. **21<sup>ST</sup> Century Business Park Land Use Amendment and Rezoning; Lot 14 - 6099 West New Bingham Highway and Lots 10 and 11 – 6250 West Dannon Way; General Plan Land Use Amendment for 28.84 acres from Light Industrial to Regional Commercial and 9.99 acres from Neighborhood Commercial to Light Industrial and Rezone 28.84 acres from M-P (Manufacturing Park) to SC-3 (Regional Shopping Center) and 9.99 acres from SC-1 (Neighborhood Shopping Center) to M-1 (Light Manufacturing); LaMar Coon (applicant) [#ZC20050028 & GPA20050013; parcels 26-02-300-016, 031, 032]**

Jennifer Jastremsky explained that this item was first heard on July 20, 2010, and continued with minimal discussion in order for staff to revise the staff report and to provide additional noticing to reflect the inclusion of Lots 10 and 11 within the request. She pointed out the larger regional commercial land use area to the east of Lot 14. This area will be divided by the Mountain View Corridor, so the addition of Lot 14 will make a larger commercial district on the west side of the corridor and may lend itself to have better access points off of 9000 South and a more efficient layout. Removal of the SC-1 zones will eliminate potential conflicts between the SC-1 and SC-3 zones, and Lots 10 and 11 may be more viable as manufacturing property as they are directly adjacent to existing M-1 property. New Bingham Highway and 6400 West will create a bifurcation between the manufacturing uses and the commercial and residential uses.

Staff recommended that the Planning Commission forward a positive recommendation to the City Council for the request to amend 28.84-acres of property located at 6099 West New Bingham Highway from Light Manufacturing Land Use to Regional Commercial Land Use, and amend 9.99-acres of property located at 6250 West Dannon Way from Neighborhood Commercial Land Use to Light Industrial Land Use, based on the findings for the land use amendment criteria set forth in the Zoning Ordinance, as follows:

1. The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan when the proposed changes to Lot 14 are coupled with the proposed changes to Lots 10 and 11, in that the General Plan calls for the preservation and logical grouping of industrial land, seeks to place regional commercial centers at major arterial nodes and calls for a restriction on continuous commercial uses along major transportation corridors.
2. The development pattern contained on the land use plan adequately provides the appropriate optional sites for regional commercial and industrial uses; however, the proposed changes provide for a more efficient land use pattern between the subject sites and adjacent properties at the intersection of Prosperity Road and New Bingham Highway.
3. The proposed amendments will be compatible with the other land uses located in the vicinity; whereas the proposed changes will eliminate some existing conflicts and provide for greater division via the street system between the various zoning districts in the area
4. The proposed amendment is an overall improvement to the adopted general land use map in that it creates a more efficient layout of industrial uses while providing for an expanded nodal commercial district.
5. Public infrastructure improvements would be required to accommodate the proposed changes and any commercial development in the vicinity, including roads, water, wastewater, and public safety facilities. 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 amendments are consistent with other adopted plans, codes and ordinances in that the combined changes will isolate the manufacturing uses from the proposed commercial and existing residential uses with the main street system. The expanded size of regional commercial on the west side of the Mountain View Corridor may provide for a more efficiently planned commercial district.

Staff recommended that the Planning Commission forward a Positive recommendation to the City Council for the request to rezone 28.84-acres of property located at 6099 West New Bingham Highway from M-P (Manufacturing Park) to SC-3 (Regional Shopping Center), and rezone 9.99-acres of property located at 6250

West Dannon Way from SC-1 (Neighborhood Shopping Center) to M-1 (Light Manufacturing), based on the findings for the zoning amendment criteria set forth in the Zoning Ordinance, as follows:

1. The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan when the proposed changes to Lot 14 are coupled with the proposed changes to Lots 10 and 11, in that the General Plan calls for the preservation and logical grouping of industrial land, seeks to place regional commercial centers at major arterial nodes and calls for a restriction on continuous commercial uses along major transportation corridors.
2. The proposed amendments when combined will provide for a more efficient industrial district and add to the existing regional commercial district creating a commercial area on the west side of Mountain View Corridor which is more conducive to the large scale of regional commercial development.
3. The proposed amendments will further the public health, safety and general welfare of the citizens of the city in that the amendments will provide an overall improvement to the development of the subject properties and their relationship to adjacent properties. New Bingham Highway and Prosperity Road will separate the various uses from each other, including manufacturing and commercial from the residential uses to the north.
4. Public infrastructure improvements would be required to accommodate the proposed changes and any commercial development in the vicinity, including roads, water, wastewater, and public safety facilities. 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.

LaMar Coon, applicant, would like to change the zoning as proposed in order to bring in some great things. He reviewed many of the projects that he had brought to West Jordan in the past. He felt that the property is laid out in such a way to be a good commercial site with access to the new freeway.

Liz Nielsen, West Jordan resident, said her main concern is that no one will speak out against development and they will be left with a traffic problem. She felt that infrastructure needs to be completed such as connecting 9000 South. She is excited for the future road improvements, but wants to make sure they think about how the shopping center will be accessed before 9000 South is completed. She wondered what types of businesses are allowed in the light industrial zone, because she currently gets a lot of noise with the construction and wouldn't want noisy businesses.

Lanese Hendrickson, West Jordan resident, said along with the previous concerns, it was her understanding that a portion of New Bingham Highway was scheduled to close following the completion of 9000 South, and that will make a difference in what kind of boundary there is between the industrial and the residential uses. She is also curious as to the types of businesses, hours of operations, noise, and traffic that they can expect.

Jennifer Jastremsky stated that the M-1 zone allows for an array of businesses such as general manufacturing with the majority being indoors, but it allows for outdoor storage with a conditional use permit. Other uses include offices, schools, vehicle repair, etc. and just more of what is already in the area. The short-term realignment with New Bingham Highway will end at 5600 West and be realigned to 9000 South and then connect back in to the existing alignment for New Bingham Highway. With the Mountain View Corridor they will close New Bingham Highway with a dead end at Ron Wood Park and 9000 South will be fully improved from where it currently dead ends at 5600 West to Lot 14 where it will then curve into the existing New Bingham Highway. There are no plans to connect to 9000 South from where it exists along Copperfield Subdivision to the improvement area. Then 9000 South is planned to continue west from that per the city's master plan.

David McKinney mentioned that in preparation for hearing the item the commission intentionally expanded the area of noticing to include more of the residents. He thought the proposal made sense in order to put similar

zonings next to each other. Regarding the proximity of the industrial pieces to the residential, he stated that the right-of-way for New Bingham Highway is fairly wide in that area, so new businesses are likely to be a substantial distance from the residential neighborhood. He also thought that the addition of the commercial on the west side of the Mountain View Corridor will be a benefit to residents. He encouraged anyone who had other questions to contact staff.

Construction of the Mountain View Corridor should begin in Spring 2012.

**MOTION:** David McKinney moved to forward a positive recommendation to the City Council for 21<sup>st</sup> Century Business Park for the request to amend 28.84 acres of property located at 6099 West New Bingham Highway from Light Manufacturing land use to Regional Commercial land use and amend 9.99 acres of property located at 6250 West Dannon Way from Neighborhood Commercial land use to Light Industrial land use based on the findings of fact 1 through 6 as presented in the staff report. The motion was seconded by Jesse Valenzuela and passed 6-0 in favor. Nathan Gedge was absent.

**MOTION:** David McKinney moved to forward a positive recommendation to the City Council for 21<sup>st</sup> Century Business Park to rezone 28.84 acres of property located at 6099 West New Bingham Highway from M-P to SC-3 and rezone 9.99 acres of property located at 6250 West Dannon Way from SC-1 to M-1 based upon the staff review and the findings 1 through 4 presented in the staff report. The motion was seconded by Kathy Hilton and passed 6-0 in favor. Nathan Gedge was absent.

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**3. Jordan Valley Transit Oriented Development; 3295 West 8600 South; Preliminary PRD Subdivision Plat (41.25 acres), Preliminary Site Plan Review, Preliminary Development Plan; Modification to Design Standards to reduce the width of public utility easements in a TOD; ARK Architects, Inc./James McConnell (applicant) [#SPCO20100005, PRD20100001, DP20100002; parcel 27-05-227-010, 008; 27-05-251-016, 017]**

Scott Langford gave a brief history and overview of the subject property. UTA has purchased the property and is partnering with a development company to design a new transit oriented development. The design review committee reviewed the general site layout and more specifically the parking structures to be built on the north side during the first phase. The committee's only recommendation was to incorporate more cylindrical openings at spaced intervals in order to break up the standard square parking structures, and the architect had added those features. The proposal is for 1,396 dwelling units with a proposed density of just less than 40 units per acre. The city council recently passed a text amendment that would allow up to 75 units per acre for this area. The plan shows eight 4-story residential buildings. The structured parking helps UTA meet their parking requirements as well as provides the needed parking for guests and residents. Currently the office space is proposed at approximately 83,000 square feet and commercial is estimated at 22,000 square feet. Residential uses will be located above certain commercial areas. He showed the private and public open space that includes a 1-acre pedestrian plaza, which allows for flexible uses. The plan complies with the requirement for open space with 15% in usable open space, which does not include many of the landscaped areas. Mr. Langford showed the proposed roadways and access points. Phase 1 will include the main road and some of the secondary roads. As the residential units are constructed, the main road will extend south to connect to 9000 South. He highlighted the traffic circulation for the bus station, which has a bus lane that is separated from the 2-way vehicle traffic in the kiss-and-ride area. The subdivision plat was reviewed, which includes a request of modification to design standards to waive a part of the code that requires lots to have easements at certain locations. He explained that in some areas the buildings will be right next to each other with zero lot lines, so an alternative is proposed to have easements located within parkstrips and adjacent roadways where sufficient utility access can still be maintained without hampering the design of the development.

Preliminary Subdivision Plat

Staff recommended that the Planning Commission approve the Preliminary Subdivision plat for the Jordan Valley TOD Plat A and B located at 3295 West 8600 South in a Planned Community (P-C) zoning district with a Transit Station Overlay District (TSOD), based on the findings in this report and the following conditions of approval.

1. Prior to Final Subdivision Plat approval, show all proposed easement locations and provide approval letters for proposed easement locations from Rocky Mountain Power, Questar Gas, Comcast Cable, and Qwest Communications and obtain a Modification of Design Standards from the City Council for all easements not consistent with Section 14-5-9A of the City Code.
2. Per City Code all existing overhead utilities must be undergrounded prior to Final Subdivision approval.
3. All staff redline comments must be met prior to Final Subdivision Plat approval.
4. Update plans to show all recommended on-site and off-site road improvements as stated in the Traffic Impact Study, including but not limited to a new right turn pocket for the westbound approach at the Haun Drive / 3200 West intersection.

Modification of Design Standards

Staff recommended that the Planning Commission forward a recommendation of approval to the City Council for the requested Modification of Design Standards to §14-5-9A Utilities and Utility Easements of the Subdivision Ordinance for the Jordan Valley TOD Preliminary Subdivision Plats “A” and “B” located at 3295 West 8600 South in a Planned Community (P-C) zoning district with a Transit Station Overlay District (TSOD), based on the findings in this report and the following condition of approval.

1. Meet all preliminary plat conditions of approval for Jordan Valley TOD Plats “A” & “B”.

Preliminary Development Plan

Staff recommended that the Planning Commission forward a recommendation of approval to the City Council for the Jordan Valley TOD Preliminary Development Plan located at 3295 West 8600 South in a Planned Community (P-C) zoning district with a Transit Station Overlay District (TSOD), based on the findings in this report and the following conditions of approval.

1. Update all plan sheets to reflect two-way vehicular traffic circulation adjacent to the UTA bus station and kiss and ride drop-off area.
2. Update cover page to state “Preliminary” development plan, instead of “Final” development plan.
3. All staff redline comments must be met prior to Final Development Plan approval.
4. Remove all the fertilizer and soil guides from the Preliminary Development Plan and submit it as a separate document during Final Site Plan submittals.

Preliminary Site Plan

Staff recommended that the Planning Commission approve the Jordan Valley TOD Preliminary Site Plan located at 3295 West 8600 South in a Planned Community (P-C) zoning district with a Transit Station Overlay District (TSOD), based on the findings in this report and the following conditions of approval.

1. Update all plan sheets to reflect two-way vehicular traffic circulation adjacent to the UTA bus station and kiss and ride drop-off area.
2. Final Site Plan approval will not be granted until Phase 1B, as shown in the Preliminary Development Plan is completed, which is the connection of “A” Street to 9000 South.
3. Reduce the light standard height to 15 feet (including lamp, pole, and base) for all parking lot lighting within 150 feet of a residential district per section 13-12-6E of the Zoning Ordinance.
4. Final landscape plans shall be amended to show tree placement at a minimum of one street tree for every 25 feet of private or public street right-of-way per Section 13-6G15.

5. A photometric light plan shall be submitted with every final site and development plan to make sure onsite lighting provides a safe and inviting pedestrian environment, while at the same time not exceeding one foot-candle power at the property lines.
6. All staff redline comments must be met prior to Final Site Plan approval.
7. Construct a sidewalk on the west side of 3200 West from Haun Drive to the UTA crossing in order to provide safe route to schools.
8. Building IX must be moved to the south approximately 25 feet to accommodate the future extension of the master planned roadway, which will extend from the project to the west.

Robert Thorup said an additional condition is recommended for the subdivision plat, site plan, and development plan. He explained that the land subject to the development was acquired by UTA from the prior project, South Station LLC. The city is now aware of a pending lawsuit brought by South Station LLC against UTA and some lenders that challenge the legitimacy of UTA's purchase of the property. The potential of the lawsuit is significant enough that the condition states that it must be resolved as a condition to the final approvals.

The current state of the access roads was reviewed. It was pointed out that the P-C zoned industrial property to the west is not currently part of the request, but there could be eventual redevelopment of that area.

John Winn asked what was proposed to lessen or mitigate anticipated traffic impacts on 9000 South.

Ryan Hales, Hales Engineering, said the Wasatch Front Regional Council identified in the long-range plan widening 9000 South from five to seven lanes, which will help to alleviate that congestion. He said it is currently a city road, and he didn't know if it would require additional property acquisition or just the use of wide shoulders. He also said that currently the Jordan Valley Hospital access is constrained, so another mitigation is the reconfiguration of the signal to the community college and the hospital that will allow another access and will provide a larger gap between the access and the light at Bangerter Highway. They anticipate that in 2012 with the project the traffic will still function at an adequate level of service, but if those improvements are not made before 2015 the level of service will deteriorate along 9000 South. However, with the mitigation the service level will remain adequate.

Kathy Hilton said it is anticipated that a lot of the people who live in the TOD will use Trax. She asked what basis they used when calculating the number of trips generated.

Ryan Hales said they looked at studies throughout the country to see what kinds of transit reductions are associated with a TOD development. There are residential, office, and commercial reductions. He reviewed the report that lowered the number of trips on site from 1600 to about 1400 trips. He said the office buildings took nearly 10%, mixed use reduction for people who may live, work, and shop in the area, the apartments were reduced to 437, the townhouses to about 87, shopping center down to 196 trips, and restaurants to 50 trips and 43 trips all taken during the peak p.m. hours.

John Winn noted that the Jordan School District indicated that they didn't feel that the development would pertain to families with children, but he said there will be children here. He asked what discussions were held with the school district.

Scott Langford said the Jordan School District received copies of the site plan and he also spoke to Sherry Devenberg from the district who said they anticipate getting more students, but they understand that this type of development will typically cater to empty nesters, couples with no children, and singles. They took into account the safe school route and asked for the connection across the railroad. He can't answer to how the district calculates the needs, but the district does feel they can support the student population that can be generated from the site.

Kathy Hilton said that this area would attend Westvale Elementary, which is losing numbers, so she felt that they could handle the number of students.

Faramarz Jabbari, architect, 11855 Sorrento Valley Road, San Diego, CA, stated that the TOD is designed to create a connected residential area mixed with office and commercial uses in order to reduce the carbon footprint and trip generations through the city. He reviewed the layouts and designs as presented in the proposed development plan. Specific features pointed out were the street connections, view corridors, main promenade and plaza, bike lanes, pedestrian and safe school routes, parking structures, dynamic signage, skyline and roof styles, and pedestrian friendly stoop features.

David McKinney pointed out the proposed curb cut to facilitate future connection to the west and asked if it might be too narrow.

Faramarz Jabbari said the size had been increased as required by a condition of approval.

David McKinney asked if there had been consideration of pedestrian access between the developments to the south and east to allow access to the Trax station.

Faramarz Jabbari pointed out some physical barriers such as Bingham Creek. There is a trail that extends to the east side of 3200 West and can connect at any point, but he didn't know of any possible connections from the existing single family lots.

David McKinney said he would like to see some provision for the possibility of two pedestrian access points. His other concern was with the close proximity of the high density residential to the vacant single-family lots directly to the south of the property.

Faramarz Jabbari noted that the parking structures are at the most two stories high. Everything is pulled back at least 50 feet from the property line, and the ends of the residential portion of the buildings have a very narrow frontage along the single-family areas with the majority of the building facing toward another building. He didn't feel there was an immediate or obvious encroachment and the massing of buildings is mitigated by the increased setback.

Justin Stoker asked if they had considered the need for a neighborhood grocery store or market.

Mr. Jabbari said there isn't enough real estate available for a large grocery store, but there will be enough retail space to accommodate a neighborhood convenience store.

Barry Nash, 5463 Chaparral Drive, was representing the Southwest Industrial Center and Granger Medical Clinic. They are excited about the project, but they are also considering the implications. He estimated that they could easily be introducing 4,000 to 5,000 people per day to this 40-acre quadrant. He stated that a business currently on Norris View Lane is often served by large tractor trailer units and traffic is often backed up with traffic from the hospital as well. If this area is connected to the proposed development it could cause even more conflict with the traffic from the development as well as people coming from the college and other businesses in the area who want to avoid traffic on 9000 South. The property works well as an industrial park at this time, but if they convert it to something that complements the TOD there needs to be a way to access it. He encouraged the commission to look at another means of getting over the tracks to Old Bingham Highway in order to relieve some of the congestion so they can develop the industrial park efficiently. His first concern is the impact on the ability for that project to function as it is now and secondly if the property is locked with traffic they won't ever be able to do anything other than what is there.

David McKinney asked if it was his desire that the street is not connected to Norris View Lane.

Barry Nash said they are not asking that, but that there should be another solution for unloading the 40-acre project. If there is an effort to widen Norris View Lane then the lots will not be functional. They would rather that another means be provided for getting over or under the Mid-Jordan Trax Line directly north. He said that they want the connection to Norris View Lane so they can eventually develop to complement the TOD, but they are concerned with how the traffic will restrict their options. If he had to choose between connecting or not, as a developer he would rather not have the connection as it gives him flexibility to develop the property.

Mark Isaac, Boulder Ventures, 3755 West Center Park Drive, said there is difficulty in tying into the adjacent industrial property because of the topography. It had always been their desire to terminate the connection west to avoid further conflicts with the Trax line. The city's desire is to have the connection. They cannot accommodate locations on the south end of the site because of significant grade changes, so they have come up with the resolution of the proposed curb cut. Their idea of keeping Norris View connected was more for emergency vehicles than project access. They have gone to great lengths to secure the five acres that connects the property to 9000 South.

David McKinney asked if they want the connection to Norris View Lane.

Mark Isaac said they have worked with the transportation issues and they have a site plan that works. He said that industrial traffic through residential is not good land planning. They feel they have solved the traffic issue to the best of their ability without knowing what the plans are for the property to the west by providing a curb cut and future tie in. Ultimately, in their opinion they didn't think the connection to Norris View Lane was necessary.

Janis McClellan, West Jordan resident, was concerned with the lack of water pressure in that area and wondered how that issue will be addressed.

Justin Stoker knew that there would be a number of utility upgrades that will occur as part of the project, and he suggested that she contact staff regarding the specific improvements.

John Clayton, developer of the property to the southeast of the project, said he would like to see a footbridge across Bingham Creek and he would be happy to provide access to his property.

Justin Stoker asked about the possibility of connecting from 3200 West so they wouldn't need an expensive bridge.

John Clayton explained that their retention basin is in that area, so it would be more convenient to use at the southwest portion.

Justin Stoker suggested that they work with the project developers.

Kathy Hilton said the construction of a bridge would require the approval of the Army Corps of Engineers and wetlands, and it is a lengthy process.

Kim Norris, Norris Brothers Inc., was concerned with the current traffic congestion leaving the hospital and coming through the industrial area to cross the railroad. If they could get a traffic signal or light at the crossing then that would take care of a lot of the traffic issues.

Nathan Nelson said UTA had recently stalled a signal at that location in order for vehicles to safely cross.

Mark Isaac said the density and scope of the development is allowing for critical regional upgrades to a lot of the city infrastructure. Required with this site are \$1.7 million of off-site sewer that will tie in to 7800 South. Without this project the vacant industrial property to the west is not developing and the hospital expansion is limited. The waterline will critically improve water servicing to the hospital and the water pressure will be significantly improved. The transit oriented design component in the long run will diminish some traffic impacts in the area by allowing for students at the Jordan Valley Campus and employees of surrounding businesses to have an option in addition to driving. The project will have adverse impacts, but they also hope that it will be a model TSOD that will be the impetus for economic development for the community. They also took 10 acres of non-taxable parking and condensed that into two acres and created \$200 million of property valuation that will have a tremendous net benefit gain to the Jordan School District with nominal student impact. The net gain to the city for fees and off-site facilities is also immense and will allow for industrial development to the west. They are proud to have the opportunity to partner with West Jordan and UTA on a true public/private partnership.

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

Ryan Hales confirmed that the widening of 9000 South is scheduled for 2015, the drop in traffic volumes from 1625 to 1400 was 14% based on studies using conservative figures. Regarding the comment that there could be 4,000 people in the area per day, they estimate the average household size at 1.78, but acknowledge there will be other uses on the site that will bring additional people. He stated that they did use the Granger Medical Clinic traffic data in their analysis, and they also accounted for future development of the property to the west and estimated a higher density use than previously estimated. Eventually the intersection at 3200 West and B street will need to be signalized, and an additional improvement will include a right turn pocket on westbound Haun Drive. Upgrades to the traffic signal at 9000 South and 3400 West are also recognized. A very limited amount of traffic is projected to use the back road.

David McKinney asked about how much traffic would be diverted to Norris View.

Ryan Hales said about 10% or about 140 trips during the peak p.m. traffic.

David McKinney asked about the option with respect to the connection with Norris View Lane.

Bill Baranowski said about 3 years ago they looked at the option of crossing the tracks, but it was removed as an option mainly because of the difficulty of crossing the tracks, the cost, and the time it would take to get a crossing. From prior discussion with UTA it would be extremely difficult if not impossible to accomplish. Previously he worked on a project in California that cost \$50 million to put a four lane road under some tracks. Regarding the option to not connect to Norris View Lane, they estimate only 5% to 10% of the traffic will use Norris View Lane, which can certainly handle that traffic during the p.m. peak hour. The new traffic signal that is being installed across the tracks can handle that traffic. He felt that to focus on Norris View is ignoring a lot of other issues on other streets where a higher percentage of traffic will be going such as 3200 West, 9000 South, and Haun Drive. Not discounting the traffic on Norris View, but he sees it as a big advantage for neighborhood access to the station. One possible concern might be with congestion caused by people dropping off riders on Norris View Lane instead of going to the platform, but they will look at that as the train comes into operation along with possible 'no parking' restrictions on that lane to encourage people to park in the UTA garages. There are no sidewalks in that area, but if it were redeveloped they could be added at that time. They could also restrict trucks from going from Norris View Lane into the development as well.

Robert Thorup added that the construction of Norris View serves as legal consideration for the release of a city easement that is part of the Trax project. The city council would not want to give away city property without getting something in return, and the Norris View extension as shown on the plan is important consideration for that ultimate request to the city council to release a city-owned easement. The release benefits the city because of the connectivity provided to the Norris View extension and it also benefits the Trax station.

Justin Stoker said the project is extremely attractive and felt that it would bring a great deal of value to the city.

**MOTION:** David McKinney moved based upon the presentation and testimony given to approve the Preliminary Subdivision Plat for Jordan Valley TOD Plat A and B; 3295 West 8600 South; ARK Architects, Inc. (applicant) based on the findings of fact in the staff report and with the conditions of approval 1 through 4 presented and adding:

5. The challenge to UTA's legal title to the subject real property presented by the pending litigation styled South Station LLC v. First Interstate Financial, LLC, et al., Case No. 090916224, is finally resolved to the satisfaction of the City Attorney. The motion was seconded by John Winn and passed 6-0 in favor. Nathan Gedge was absent.

**MOTION:** David McKinney moved based on the findings of fact and the testimony given to forward a recommendation of approval to the City Council for the requested of Modification of Design Standards to Section 14-5-9a, Utilities and Utility Easements of the subdivision ordinance for the Jordan Valley TOD Preliminary Subdivision Plats A and B; 3295 West 8600 South; ARK Architects, Inc. (applicant) subject to condition #1 as presented in the staff report. The motion was seconded by John Winn and passed 6-0 in favor. Nathan Gedge was absent.

**MOTION:** David McKinney moved based on the findings of fact and the testimony given to forward a recommendation of approval to the City Council for the Jordan Valley TOD Preliminary Development Plan; 3295 West 8600 South; ARK Architects, Inc. (applicant) with the conditions 1 through 4, adding:

5. The challenge to UTA's legal title to the subject real property presented by the pending litigation styled South Station LLC v. First Interstate Financial, LLC, et al., Case No. 090916224, is finally resolved to the satisfaction of the City Attorney. The motion was seconded by John Winn.

Ellen Smith was concerned with the two-way traffic in the kiss-and-ride area because a pull out is only provided for the eastbound traffic and the westbound traffic may stop in the lane to drop off.

Scott Langford said that can be addressed and options be presented to the planning commission at the time of final approval of the development plan and site plan.

Ellen Smith said based on past projects, if she voted for this project at the preliminary but the item wasn't adequately addressed at final approval she didn't want to be locked in with her vote.

Robert Thorup said the previous situation was related to the waiver of a direct requirement of a code for two ingress and egress, and it was granted in the preliminary approval. This situation is not a code issue and will not bind her vote.

David McKinney felt that the issue is related to the site plan and not the development plan.

Scott Langford said the architect is already working on a solution to the issue.

**VOTE: The motion passed 6-0 in favor. Nathan Gedge was absent.**

There was a discussion regarding adding conditions or recommendations for the kiss-and-ride situation and pedestrian trail access to the south. The commission determined that these issues should just be a recommendation separate from the conditions of approval.

**MOTION: David McKinney moved to approve the Preliminary Site Plan for the Jordan Valley TOD; 3295 West 8600 South; ARK Architects, Inc. (applicant) based on the findings of fact and discussion with the conditions 1 through 8 presented in the staff report and adding:**  
**9. The challenge to UTA's legal title to the subject real property presented by the pending litigation styled South Station LLC v. First Interstate Financial, LLC, et al, Case No. 090916224, is finally resolved to the satisfaction of the City Attorney. And adding as recommendations that the city staff and the developer consider adjustment to the kiss-and-ride layout at the Trax Station and also that the developer and city staff consider possible pedestrian access points to the adjacent subdivisions south of the development site. The motion was seconded by John Winn and passed 6-0 in favor. Nathan Gedge was absent.**

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Tom Burdett said that he asked Mayor Johnson to consider a workshop with the city council regarding the policy for undergrounding overhead utilities in a retrofit situation.

**MOTION: David McKinney moved to adjourn.**

The meeting adjourned at 8:16 p.m.

Justin Stoker  
Chair

ATTEST:

JULIE DAVIS  
Executive Assistant  
Development Department

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