MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD JUNE 7, 2011 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Justin Stoker, Kathy Hilton, Nathan Gedge, David McKinney, John Winn, Jesse Valenzuela, and Dan Lawes.

STAFF: Greg Mikolash, Scott Langford, Ray McCandless, Jennifer Jastremsky, Todd Johnson, Paul Brockbank, Tom Burdett, Robert Thorup, Mark Forsythe, and Julie Davis

OTHERS: Cathy Clift, Rita Sutton, John Pappadakis, Dave Killpack, Steve Bagley, Mark Isaac, Claudia Burdette, Carol Bartz, Joe Long, Kaylen Nichols, Don Harward, John Watts, Jared Andersen, Matt Schutjer, John Clayton, James Sperling, Dan Betts, Leonard Holmquist, David Belnap, Bob Morgan, John Bartz, and Robert Butterfield.

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The briefing meeting was called to order by Justin Stoker.

The agenda was reviewed. An updated site plan on item #5 was received. It was pointed out that Items #7 and #8 are modified applications from a previous meeting. Clarification was given on the master plan for Item #9. Materials were distributed concerning Item #11.

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

1. Consent Calendar
Approve Minutes from May 24, 2011

MOTION: Nathan Gedge moved to approve Consent Calendar Item #1 the minutes from the May 24, 2011 meeting. The motion was seconded by Kathy Hilton and passed 7-0 in favor.

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2. Glenwood Business Park Condominium Conversion; 1423 West 8120 South; Preliminary and Final Condominium Plat; M-1 Zone; Glenwood Properties, LLC/Steven Bagley (applicant) [#SDMI20110007; parcel 21-34-277-015]

Ray McCandless stated the subject site has two existing buildings. The property was subdivided some time ago without going through a formal subdivision process. This application allows for the current owner to divide the building as separate units and will acknowledge the subdivision that previously occurred. It meets all code requirements.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission approve the Preliminary and Final Glenwood Business Park Condominium Conversion generally located at 1423 West 8120 South in a M-1 zone with the following conditions:

1. Address applicable Engineering Department Redlines.
2. The Condominium Conversion Plat, Condominium Declaration, Report of Existing condition, and By-Laws to be recorded with Salt Lake County upon final approval by the City of West Jordan.
3. The final plat approval shall expire on June 7, 2013 unless the final plat is recorded.

David McKinney asked if unit #1 extends across the property line or if there are two buildings with a zero clearance.

Ray McCandless said there is a division in the building, but there are no setback requirements in the M-1 zone.

Steven Bagley, applicant, 1421 West 8120 South, clarified that there is a hashed area between the buildings noted on the site plan that indicates an open area. He wanted to give a public commendation to Development Assistance Coordinator Loretta Grundvig. Because he is not a developer, this has been a frightening and confusing process for him, but she helped him through it step-by-step, which he thanks her for.

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

MOTION: **David McKinney moved based on the findings presented by the city staff and the information presented this evening to approve the Preliminary and Final Condominium Plat for Glenwood Business Park; 1423 West 8120 South; Glenwood Properties, LLC/Steven Bagley (applicant). The motion was seconded by Dan Lawes.**

AMENDED MOTION: **Nathan Gedge moved to amend the motion to include the 3 conditions of approval listed in the staff report. The amendment was accepted by Commissioners McKinney and Lawes and the amended motion passed 7-0 in favor.**

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3. BNB Medical Office Building; 7532 South Center View Court; Preliminary Site Plan; P-O Zone; Don L. Harward Associates, LLC (applicant) [#SPCO20110008; parcel 21-29-301-009]

Ray McCandless gave an overview of the item for a new 8100-square foot medical office building. The entrance will be from the cul-de-sac, and the property has good circulation. The overall landscaping percentages still need to be worked out for final approval. The applicant proposed a white metal roof, but staff is asking them to reconsider those materials to be perhaps architectural shingles. Staff's concern is that over time metal roofs tend to oxidize.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant Preliminary Site Plan approval of a new medical office building located at approximately 7532 South Center View Court in a P-O zoning district with the conditions of approval as listed below. Staff also recommended that the Planning Commission grant final approval authority of the final site plan to staff. 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 applicable City of West Jordan Municipal Code standards in effect at the time of this approval.
2. The landscaping plan must be revised to meet current landscaping code requirements.
3. An avigation easement shall be recorded if required by the Airport.
4. The applicant must address all engineering redlines.
5. Approval of a Final Site Plan shall become null and void if development does not commence within two (2) years of final site plan approval (Section 13-7B-5).
6. A photometric lighting plan be submitted showing that there will be no light glare from this site to adjoining properties.

Nathan Gedge asked if there were letters from the airport with regards to condition #3 or if there were any concerns.

Ray McCandless said he hadn't heard from them, but it is standard that they obtain an avigation easement to allow for aircraft over flight.

Don Harward, applicant, Harward Associates, stated that general contractor John Watts and civil engineer Jared Anderson were also in attendance. He said the redlines and comments are being incorporated into their drawings. There are no outstanding concerns with the exception of the comments regarding the roof. He noted that a bank in the area has a metal roof. They are hoping to get as much efficiency for the mechanical people to have a lighter roof, which is why they show the metal roof. However, after they get their bids in they will review the item to make sure they are efficient and cost effective.

Justin Stoker noted that it was a recommendation and not a condition, so it is up to them.

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

MOTION: **Nathan Gedge moved based on the findings presented in the staff report and the testimony received today to approve the Preliminary Site Plan for BNB Medical Office Building; 7532 South Center View Court; Don L. Harward Associates, LLC (applicant) with final site plan approval authority granted to staff and with the conditions of approval as listed in the planning commission packet. The motion was seconded by John Winn and passed 7-0 in favor.**

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4. T-Mobile Jordan Landing Storage; 7062 South Airport Road; Conditional Use Permit for new Wireless Communication Facility in the Airport Overlay Zone; T-Mobile/Matt Schutjer (applicant) [#CUPA20110007; parcel 21-30-126-003]

Jennifer Jastremsky gave the overview of the request for a new 80-foot cell tower. Because of the close proximity to the airport, the applicant will be required to obtain approval from the FAA and SLCAA. The tower is proposed to be in the northwest corner of the property and the antenna will be flush-mounted. All of the ground equipment will be placed in one of the storage units. The current site is fully fenced and secured so no other fencing will be required. The visual impact of the tower can be a concern. The site is 250 feet from the nearest residential structure to the west. T-mobile had looked at other sites on Airport Road in the past, which had the same visual concerns. The surrounding neighborhoods are fairly developed, so chances of finding a site without the visual impacts is minimal. The flush-mounted antenna will lessen the visual impact, and staff is recommending that the pole and equipment be a gray color in order to blend in with the color of the sky. She showed a rendering of what it will look like on the site as well as photos of the site and photos taken from the residential properties looking toward the site.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant Conditional Use Permit approval for T-Mobile Jordan Landing Storage located at 7062 South Airport Road for a new 80-foot Wireless Communications Monopole in an M-1 (AH) zoning district with the conditions of approval as listed.

Conditions of Approval:

1. Obtain a Determination of No Hazard to Air Navigation letter from the Federal Aviation Administration.
2. An Avigation Easement is executed with SLCAA and recorded with the Salt Lake County Recorder's Office.
3. All cabling and wiring for the communications tower shall be undergrounded.

4. The applicant shall obtain a building permit for the tower facility and comply with all Building and Safety Department Regulations concerning design and construction of the tower and ground equipment.
5. The Administrative Conditional Use Permit is subject to review and/or revocation as per City Code Section 13-7E-10.
6. The site shall conform to the site plan and elevations contained within this report.
7. Approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.

David McKinney asked if the installation of flush-mounted equipment is only a recommendation.

Jennifer Jastremsky said that is what the applicant proposes, but it is not listed as a condition.

Justin Stoker asked if this tower would service other carriers besides T-Mobile.

Jennifer Jastremsky said it is capable of co-location.

Matt Schutjer, applicant, T-Mobile, said they had received conditional use permit approval on two other sites in the immediate vicinity, but for reasons of foreclosure on one of the properties they were unable to locate there. They have tried to stay with the same conditions and guidelines that they received on the other approvals, such as flush-mounted antenna, and they would be happy to have that as a condition of approval. He confirmed that it will be a co-locatable pole, and the ground equipment will be located in the same storage unit.

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

MOTION: **John Winn moved based on the findings set forth in the staff report and upon the evidence and explanations received today to approve the Conditional Use Permit for T-Mobile Jordan Landing Storage; 7062 South Airport Road; T-Mobile/Matt Schutjer (applicant) with the conditions of approval 1 through 7 as listed in the staff report. The motion was seconded by Nathan Gedge.**

David McKinney spoke on his concerns with view obstruction that are associated with this site as well as the others that they had seen in the past. He wondered how many residences fell within the noticing boundary.

Jennifer Jastremsky estimated on the map how many of the buildings would have been notified. [Approximately 50 property owner notices were mailed.]

David McKinney said this site seems to be closer to the residential than the others were.

Justin Stoker pointed out that there is a drop in elevation of about 20-30 feet as well.

David McKinney said they have probably done the best they can, but he felt that they are treading the same ground over and over again and there are still unaddressed concerns.

VOTE: **The motion passed 6-1 in favor with David McKinney casting the negative vote.**

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5. Airport Center Outlet Lot 4; 7651 South Jordan Landing Boulevard; Preliminary and Final Site Plan; SC-3 Zone; Foursquare Properties, Inc./Mark Isaac (applicant) [#SPCO20110007; parcel 21-29-351-016]

Scott Langford gave an overview of the application for a 4800-square foot commercial pad building. He stated that an updated site plan had been submitted that includes a sidewalk that addresses staff's concerns about pedestrian connectivity with the rest of the development. All findings have been met.

Based on the findings of the report, staff recommended that the Planning Commission grant Preliminary and Final Site Plan approval of a new commercial retail building located at approximately 7651 South Jordan Landing Boulevard 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 landscaping plan must be revised to meet current landscaping code requirements.
3. A sidewalk and stamped colored crosswalk shall be required to connect the site with the existing sidewalks located south of the main driveway leading from Jordan Landing Boulevard to the main anchor tenants.
4. Approval of a Final Site Plan shall become null and void if development does not commence within two (2) years of the approval (Section 13-7B-5).

Mark Isaac, regional manager for Foursquare Properties, 5850 Avenitas Encinas, Carlsbad, CA, agreed with staff recommendations and appreciated their hard work.

Justin Stoker asked if this would be retail.

Mark Isaac said it is a Mattress Firm.

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

MOTION: Dan Lawes moved based on the findings as set forth in the staff report and upon the evidence and explanations received today that the planning commission grant Preliminary and Final Site Plan for Airport Center Outlet Lot 4; 7651 South Jordan Landing Boulevard; Foursquare Properties, Inc./Mark Isaac (applicant) with the conditions of approval as listed in the staff report. The motion was seconded by Kathy Hilton.

There was a brief discussion regarding whether or not condition #3 should be removed since it had been provided on the site plan. It was determined to leave it in.

VOTE: The motion passed 7-0 in favor.

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6. Dahle Property Rezone; approximately 7141 South Redwood Road; Rezone 6.21 acres from R-3-12 (ZC) to PRD (MF); Clayton Homes, Inc./John Clayton (applicant) [#ZC20110005; parcel 21-27-201-061, 063, 064, 086, 087, 089, 090, 091, 093]

Jennifer Jastremsky gave an overview of the item. The current zoning includes a zoning condition that restricts the development to 5-plex or smaller townhome condominium dwelling units. The land use for the property is very high density residential. The PRD (MF) zoning district allows for residential densities of 10.1 to 24 du/ac, which is the same density range as found with the very high density land use designation. However, the applicant is proposing a density that is very similar to the existing density at 12.5 du/ac, which would equate to 4 additional dwelling units. The PRD allows for greater flexibility in the design and layout of the building and the lot and bulk standards can be approved on a case-by-case basis within the development plan. The PRD also contains more specific standards to what would be found in the typical R-3 zone and allows the city greater review standards for the development to ensure more compatibility with adjacent neighborhoods. The PRD has density bonuses with the base density set at 10.1. The concept site plan appears to have enough density bonuses to meet the proposed 12.5 du/ac, however, the actual bonuses to be awarded will come at the development plan and site plan review. She showed concept elevations of the single-family row homes and the 7-unit attached courtyard homes. The current zoning would not allow for the courtyard homes. Adjacent residents have expressed concerns with potential traffic associated with the project. She said it is too soon to address potential traffic generated from the development, but regardless of the zone, any development on this property will require a full traffic impact study. It will be reviewed by staff, who will provide comments addressing traffic concerns in the neighborhoods and along Redwood Road.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to rezone the property generally located at 7141 South Redwood Road from R-3-12(ZC) (Multi-family Residential, 12 dwelling units per acre maximum) to a PRD(MF) (Planned Residential Development, Very High Density) zone.

The two access points to the property were pointed out.

Kathy Hilton was concerned that if the property were changed, the project could potentially get 24 du/ac if it meets the requirements. She asked if they could tie in the density now.

Jennifer Jastremsky said there is that potential for density bonuses. She knew of PRD zones in the city that have a restricted density.

Robert Thorup didn't think the density could be capped at the rezone. As a practical matter, because density is earned, economics would probably say they couldn't rise to the level of 24 du/ac without giving up a huge amount of land.

John Clayton, applicant, 5207 South Saddleback Drive, was available for questions.

Kathy Hilton understood that their plan is just a concept, but it indicates 12.5 du/ac.

John Clayton said they don't have any intention to go any higher than that. They could have removed four units and gone in with the same zoning structure that is in place, but they like the courtyard concept that provides for a more desirable product for the consumer. Besides the zoning condition restriction, they also feel the PRD zone will be easier to work with for their product.

Clarification was given that access to Redwood Road from this property will be developed.

James Sperling, West Jordan resident, was concerned with the traffic that will be generated by the development. The proposed access onto Callie Drive is next to a curve in the road with limited visibility. There is also an access to a church on one side and one to a condominium development on the other side. Also, the roads that this access point will feed onto are very narrow and hard to navigate. The most important issue was the close proximity of an elementary school where at three times per day there are a lot of children walking in the area and a number of parents parked there to pick up their children.

Dan Betts, West Jordan resident, had some of the same concerns. He stated that the access from Compass Cove was originally supposed to be an emergency access, but it is used all night long. He mentioned the curve in the road as well as cars on the street waiting to pick up the children, which makes it difficult to access property three times a day. He asked if the access to Redwood Road would be the primary access and if UDOT had already granted permission.

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

John Clayton said in the discussions with staff, the concerns haven't been so much the traffic generated by the residents of the new development as much as the residents in the existing area. There is more concern that it will be an escape route to Redwood Road. The natural flow of traffic in all the developments he had done is the path of least resistance. He felt that Callie Drive is more of a secondary access, partly because of the narrow roads. He felt the morning traffic rush will go to Redwood Road and north to I-215, so he doesn't think it the traffic would have as large an impact as the neighbors might think. They will be required to have two entrances, and they will emphasize Redwood Road as the primary access. They have discussed the Redwood Road access with UDOT and they are preliminarily approved.

Dan Lawes asked about the concept plan that shows gates on both ends.

John Clayton said they have talked about it. Because this is a PUD, they would like to keep the roads private, so they have discussed gating the project on both ends.

Kathy Hilton wanted it known on the record that if the zone isn't changed that the property owner could develop the property right now with essentially the same density. She felt that if the zoning is changed the city will have a little more control over the design.

Justin Stoker agreed that the PRD zone allows buffering for a softer transition to the residential areas to the north and south with units that are little less dense than the ones in the center. They wouldn't be able to see those types of units with the R-3-12 zone.

David McKinney was inclined to agree. The current zoning has 12 units per acre maximum density and the proposal is for 12.5. He felt that they can rely to a large extent on the applicant's representation that they don't intend to seek more density, and he felt that it would be unlikely to get much more than that. The traffic issues will be addressed with the required traffic impact study. If it is a gated community they won't have problems with through-traffic. He felt that Redwood Road would be the big draw for traffic, and even though turning left will be a chore, it is true no matter which exit they choose to take. He felt the request was a good solution for this piece of property.

John Winn couldn't see a better option than having one of the access points from Callie Drive. He asked if there had been other options.

Greg Mikolash said there would be no other options unless they wanted to remove an existing home to the south.

Nathan Gedge said regarding the concern with parked vehicles waiting for child pick up, that area isn't a school parking lot. He wondered if, at the next phase in the process, they could work with the school to enforce with the parents to use the proper pick up and drop off spots for children.

MOTION: David McKinney moved based on the findings set forth in the staff report and the testimony and discussion that has taken place this evening to forward a positive recommendation to the City Council for the Dahle Property Rezone; approximately 7141 South Redwood Road; Clayton Homes, Inc./John Clayton (applicant) to rezone 6.21 acres from R-3-12 (ZC) to PRD(MF) Zone. The motion was seconded Dan Lawes and passed 7-0 in favor.

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7. Text Amendment <u>Continued from 5-24-11</u> – Amend the West Jordan Municipal Code Section 13-5D-2 to conditionally allow "Warehouse, Self-service Storage" in the P-O Zone, and Section 13-5D-4F General Provisions; City-Wide; ASWN+/James F. Allred (applicant) [#TA20110002]

Scott Langford gave an overview of the request for a text amendment to the P-O zone. At a previous meeting the applicant requested to add this use in the C-M zone and to rezone a specific property to C-M. The commission heard the discussion and forwarded a favorable recommendation for the text amendment; however, the recommendation for the rezoning was negative. Based on the comments from that meeting the applicant re-evaluated the request and modified the application to add it to the professional office district, which is a better use adjacent to residential neighborhoods.

The current definition for this use supports the applicant's idea for a business incubator. This text amendment would be for all professional office districts city-wide. It was also pointed out that in their research on the business incubators, that when the office component fails they are often left with only the self-storage areas, which the applicant also acknowledges. A regular self-service storage business next to residential isn't the wisest planning move. The professional office district is an optimal transition use between commercial and residential uses. In order to make sure the use is appropriate next to a residential area, a footnote would be added to the use table to cross reference additional standards or provisions for these developments. The general provisions add heightened requirements for architecture, buffering, screening, and form and design for the product. Staff felt that the criteria can be met, and if done properly in a restricted fashion, this type of use could prove beneficial to businesses and neighbors.

Based on the findings of the report, staff recommended that the Planning Commission forward a ***<u>positive</u>*** recommendation to the City Council for the proposed Text Amendments to Section 13-5D-2 to conditionally allow "Self-service storage warehouse" in the P-O Zone, and adding Section 13-5D-4F General Provisions to the Zoning Ordinance.

Clarification was given that all storage would be indoors with no drive up to the units.

David McKinney asked staff to point out the provision that addresses that use of storage is limited to those who rent office space.

Scott Langford said it boils down to enforcement. In other cities it was clear that although the original intention was to have the component in conjunction with office they were unable to enforce it. In general provision #5 it sets a minimum 10% of the overall square footage for office space, which attempts to physically design a dedicated office space. It will come down to enforcement. It gives them something to fall back on if it is in the code.

David McKinney interprets that to say that making the requirement that it can only be leased to people who are also leasing office space is very impractical to enforce, so instead they will just say that at least 10% of the area has to be office space. He hopes this concept works, but what would happen if it doesn't work and now they have a self-storage facility next to a residential area. It is indoors and looks nicer than industrial storage, but it is still self-storage next to residential.

Scott Langford said that is a fair assessment, and that is why they are paying close attention to the design. They will have to go before the design review committee prior to the planning commission. He also pointed out the provision that would limit spacing of the uses in a P-O zone where they have to be more than 2,000 feet from any other self-service warehouse development, regardless of the zoning district. He showed a map that indentifies the current professional office zones and indicated that the provision would limit the uses to maybe 7 to 10 of these at the very most with the current zoning.

Justin Stoker asked if there was anything in the general provisions that would limit outside access points with roll up doors.

Scott Langford said the design review committee will look at that. Also, there are other provisions that don't allow roll up doors to face residential areas or public streets.

Provision #3 was read and clarified that the term 'residential' only applies to the zone. So the roll up door can't face any residential zoning districts or any streets.

David Killpack, applicant, ASWN, 5151 South 900 East, said they have been upfront with staff from the beginning that the units will be used by residential people as well as business people. They were concerned with the condition for 10% office area, because they can't park that much on their particular site and also because these offices are shared and several people might use one office space throughout the day. This isn't a traditional office building and use but they feel like they will bring in the same amount of people as a traditional office with the limited space. They hoped to have that requirement reduced to 5%. Regarding what he felt was an appropriate number; he felt the market will drive it. The idea of the incubator is good and 5% is good for them. He thought that if these are in an area where other office buildings are located, then those office uses will take advantage of the storage.

Justin Stoker said they don't want to create monstrous self-storage facilities in the professional office zones with a 10 x 10 area for an office.

David Killpack thought that a lot of the issues will be taken care of with the architectural review.

Kathy Hilton didn't think they would have a problem meeting the 10% requirement, because they could use the areas used for office storage (file cabinets, etc.) as part of the office area calculations.

It was clarified that the temperature controlled component is air conditioning and not cold storage.

Justin Stoker reminded those in attendance that this item is specifically concerning the text amendment and is not site specific. A rezoning request will be addressed on the next item.

Leonard Holmquist, West Jordan resident, didn't think it was possible for this facility to have a roll up door that doesn't face a street or residential. He asked the commissioners if they lived in Bateman Farms and if they did would they vote for this. This is an exclusive, well maintained area and the project would only benefit the Bateman's and would hurt their community. He didn't think it would be a nice office building that blends in with the homes, but it would be a warehouse.

Cathy Clift, West Jordan resident, asked for clarification on provision #7.

Justin Stoker explained that the provision would limit the number of these facilities in the P-O zone by restricting the minimum distance from this type of use in any zoning district.

David Belnap, West Jordan resident, stated that provision #5 should have a higher percentage of office space such as 30-40%, which would promote business and office space.

Bob Morgan, West Jordan resident, said this text amendment is a way to deviate from the professional office concept. He felt the business incubator idea is good, but it doesn't belong in a residential area. This belongs in a business park or somewhere with proper access. A lot of people already have computers in the homes and run their businesses from them. He didn't think this was compatible and felt the text amendment should be on a conditional basis.

Justin Stoker pointed out that it would be a conditional use and would require the extra approval.

Bob Morgan felt there would be safety issues with the traffic near the residential areas. He though they should explore other areas that are more suited for business parks.

John Bartz, West Jordan resident, wondered what the business hours would be with access at all hours of the night. He also didn't feel that it belongs in a residential neighborhood.

John Pappadakis, West Jordan resident, lives just north of the subject property and he would be facing a 2-story building all day. He didn't think it would stay an office use but would be another junky storage area. He said the traffic is bad already, and this shouldn't be in a residential area.

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

The applicant had nothing to add.

Nathan Gedge felt that the text amendment would give the city more review control than they would have today.

Justin Stoker recapped the previous hearing that asked for the heavy commercial zone. The commission wasn't happy with that use next to residential and felt that professional office is more appropriate. They also considered how they could accommodate the business incubator use without having the incidental heavy commercial uses as a possibility in the area.

David McKinney said the main issue is the professional office zone is highly compatible with being adjacent to residential areas. Generally there is traffic associated with professional office usually during the daytime. However, that isn't guaranteed. The character of the P-O zone has a less intense use. Provision #5 requiring 10% minimum area dedicated to office use is entirely appropriate, because the less office space the further they get from the character of the professional office zone. He felt the provisions will help with the appearance of the structures so they don't look like a junky self storage space, but he still has misgivings and doesn't favor this type of use in a P-O zone.

There was a discussion regarding hours of operation. Since this is a city-wide text amendment, staff felt that hours of operation could be considered site-by-site with the conditional use permit. There are some professional office areas that wouldn't have impacts with expanded hours of operation. It was pointed out that provision #1 considers hours of operation.

Kathy Hilton wasn't too concerned with the appearance of the buildings since they would be reviewed by the design review committee who will consider compatibility to the surrounding uses.

Scott Langford reviewed the design review process. Community members with a broad background will review the projects in detail regarding site layout, landscaping, architecture, lighting, colors, etc.

Tom Burdett felt that the design review committee should have some direction with established design guidelines for this particular use so it has the office appearance.

Scott Langford referred to provision #8 and said the commission could build upon the guidelines if they wish.

David McKinney thought that the provisions still fall short, which is the trouble with trying to shoehorn something into a P-O zone that doesn't belong.

Scott Langford referred to the beginning of provision #8 that says the structures shall be constructed to complement office-type structures in that the scale, massing, and appearance of the storage structure shall be similar to an office structure. He said that architecture is very subjective, and one office building can look totally difference from another one but still be attractive and blend with the community. They want to give the developers some guidelines and general direction so they can get going on the project, but as they do so they can lean on their professional expertise to bring something forth for review to see if it looks like an office building. The design review committee will forward their recommendation to the commission who has the final say.

MOTION: **Nathan Gedge moved based upon the discussion and the testimony received and the findings set forth in the staff report to forward a positive recommendation to the City Council for the proposed text amendments to Section 13-5D-2 that will conditionally allow "Self-service Storage Warehouse" in the P-O Zone and adding Section 13-5D-4F General Provisions to the zoning ordinance. The motion was seconded by Dan Lawes.**

AMENDED MOTION: **Justin Stoker moved to amend the motion to reword provision #3 to say, "Loading areas and garage doors shall not face any adjacent streets or residential zones". The amendment was accepted by Nathan Gedge and Dan Lawes and the amended motion passed 5-2 in favor with Commissioners McKinney and Valenzuela casting the negative votes.**

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8. Work-Store-Send Land Use and Rezone; <u>Continued from 5-24-11 -</u> approximately 6933 South 1300 West; General Plan Land Use Amendment for approximately 1.43 acres from Community Commercial Land Use to Professional Office Land Use and Rezone approximately .79 acres from SC-2, R-1-10D, and C-G to P-O Zone; ASWN+ Architecture and Engineering (applicant) [Scott Langford #ZC20110002; parcels 21-23-353-002, 21-23-352-095]

Scott Langford gave an overview of the site, which includes three parcels. A portion of the property has been used as outdoor storage for a number of years. Staff is in support of the rezoning and land use amendment. This is a down zone since the back parcel is currently zoned SC-2, and P-O would allow for a better transition to the residential area.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a <u>positive</u> recommendation to the City Council to amend the General Plan Future Land Use Map of property generally located at 6933 South 1300 West from Community Commercial to Professional Office.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to rezone property generally located at 6933 South 1300 West from C-G (General Commercial), SC-2 (Shopping Center-2), and R-1-10D (Single-family Residential 10,000 square foot minimum lot size) to the P-O (Professional Office) zone.

David Killpack, ASWN, 5151 South 900 East, presented their idea for the business incubator. There are 1500 home businesses in West Jordan. He gave the example of his neighbor who had a very successful home business that he soon outgrew and had to find another location. Barriers to moving your home business to an outside facility are the expensive of a long-term lease, tenant improvements, etc. Their business model will allow for the transition from home office to traditional office by being the middle-man and offering a month-by-month lease, the office is scheduled hourly, they provide business equipment, offices, and other rooms such as conference rooms and reception areas. He showed some existing facilities in the Salt Lake area that are designed as offices but have no office space. Security is high, and they are clean. He showed slides of the existing property. Everything will be indoors. The architecture of the back building will be compatible with the front building. The goal is to provide more privacy to those neighbors that back the area than they have now. There will be a 20-foot buffer area with trees, and there will be no windows on that side. At the last meeting they didn't consider carefully the C-M zone and the potential uses that could have occurred on the property. They reconsidered the zoning and are now asking to rezone the rest of the parcel to the ideal P-O buffer. On the current SC-2 area they could have a gas station, repair shop, etc. He said they want to be a good neighbor and will respond to the needs of the neighbors as they arise.

It was clarified that the front building will also include storage, and the back building will also have to meet whatever the standards are for storage and office space. They will make sure that the architecture of both buildings is compatible.

Bob Morgan, West Jordan resident, thought that the drawings looked good, but if there is not enough volume of renters it might become self storage.

Justin Stoker said that is why the commission didn't want the heavy commercial zone at the previous hearing. If this business were not to succeed it would revert back to professional office rather than a commercial zone.

Bob Morgan said the sample businesses they showed are on major avenues, but this will be on 1300 West. Unless it is scheduled to be widened this will cause traffic and safety problems. He is also thinking of the tax value for his home.

Justin Stoker reminded the audience that specific site issues would be at a different meeting, but this application is for the rezoning.

Robert Butterfield, president of Bateman Farms HOA, said their CC&R's and by-laws are very well written and he has enforced them to the letter to make the community attractive and retain their resale values. He asked the commission to do their research with regards to the text amendments so they can stay on track. The reason their community still looks so nice is they stay on track with their requirements. Architecture is a big concern and enclosed storage space will be better. He agreed that an office zone is better than commercial. He invited them to visit their community.

Leonard Holmquist, West Jordan resident, asked if the current RV parking area would be an office building only or office building and storage.

Justin Stoker said the actual building plans would be reviewed at a different meeting. This request is only for a rezoning.

Leonard Holmquist said an office building only would not be an eyesore, and if that were all enclosed storage it would not be an eyesore, but if that is office and storage he felt it would be a definite negative.

Justin Stoker said they don't know what it will look like at this time.

David Belnap, West Jordan resident, asked for an explanation on the review process from this point forward.

Justin Stoker explained that if the property is rezoned the applicant would submit an application that would be reviewed by the design review committee to make sure that the architecture is up to standard. They will then be reviewed by the planning commission for a conditional use permit and site plan at a future meeting. For this rezoning application the commission will make a recommendation to the city council who will make the ultimate decision. The site plan and conditional use permit are approved by the planning commission.

David Belnap said every resident here is deeply concerned. He has a close friend that lives near the cubes unit that the applicant spoke about, and there is a lot of crime, and people are living in them. He asked them to vote for a negative recommendation.

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

The applicant had nothing to add.

Nathan Gedge felt that the change in zoning from commercial to professional office protects the area in the long term and that even if the storage facility isn't built, the P-O zone will be a better buffer. He hoped that during the other processes they will be able to address the residential concerns.

David McKinney said he didn't like the text amendment in the previous item, but as a separate matter, rezoning the property from commercial to professional office provides a better buffer between heavier commercial uses and residential areas. He asked for clarification on the pre-existing, non-conforming RV storage use and if it could stay if the zoning were changed.

Scott Langford and Robert Thorup indicated that it could remain with a change in zoning.

MOTION: **David McKinney moved based on the findings set forth in the staff report and the testimony and discussion at the hearing this evening to forward a positive recommendation to the City Council for Work-Store-Send; approximately 6933 South 1300 West; ASWN+ (applicant) to rezone approximately .79 acres of property from C-G, SC-2, and R-1-10D to the P-O Zone. The motion was seconded by Kathy Hilton and passed 7-0 in favor.**

MOTION: **David McKinney moved based on the findings set forth by city staff and upon the evidence and discussion presented in the hearing this evening to forward a positive recommendation to the City Council for Work-Store-Send; approximately 6933 South 1300 West; ASWN+ (applicant) to amend the general plan future land use map for approximately 1.43 acres from Community Commercial to Professional Office. The motion was seconded by Nathan Gedge and passed 7-0 in favor**.

MOTION: **David McKinney moved to take a 5-minute recess at 8:24 p.m.**

The meeting reconvened at 8:29 p.m.

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9. Gardner Village Land Use Amendment and Rezone; 1100 West 7800 South; General Plan Land Use Amendment for approximately 20 acres of property from Community Commercial and Research Park to Town Center and Rezoning from C-G (TSOD) and A-5 (TSOD) to P-C (TSOD) Zone, and Preliminary Development Plan approval; Gardner Village/Joe Long (applicant) [#GPA20110004, ZC20110006, DP20110005; parcels 21-26-376-003, 012, 013, 015; 21-35-126-007]

Scott Langford reviewed the request. He indicated that the Town Center land use designation is fairly limited on the land use map and is reserved for unique areas of the city and facilitates mixed-use, unique developments. Currently the Town Center land use can be found in our City Center zoned property across from City Hall as well as the Jordan Valley Transit Oriented Development, which is zoned P-C. The applicant wishes to expand the Gardner Village development, and staff has encouraged the applicant to seek this particular designation. The current C-G zoning on the east side of the development supports the existing uses, but the A-5 area needs to be changed in order to facilitate a future application for an indoor soccer facility. Rezoning the entire piece to P-C allows for flexibility in design and use and complements their future plans as well as the existing development. He showed the master site plan that includes areas outside the site, but those serve as a concept to show it can work with future development outside of the application boundaries. The preliminary development plan gives justification for the unique P-C zone. This development plan is different given the fact that a large portion of the site is already developed and the themes are well established. Since the applicant wishes to continue those themes there are photos of the existing architecture, landscaping, lighting, etc. that promote those themes. Staff felt that the amendments will enhance the existing development and facilitate future development for this area.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to amend the General Plan Future Land Use Map of property generally located at 1100 West 7800 South from Community Commercial and Research Park to Town Center.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to rezone property generally located at 1100 West 7800 South from C-G (General Commercial) TSOD (Transit Station Overlay District) and A-5 (Agricultural 5-acre minimum lots) TSOD to P-C (Planned Community) TSOD zone, with the accompanying Preliminary Development Plan.

Joe Long, applicant, managing member of Gardner Village, LC, 1100 West 7800 South, thanked staff for their support and the commission for their consideration. He was available for questions.

David McKinney asked what would happen with the vacant property should the proposed business not work out.

Joe Long said they hope to have their site plan and subdivision application for that piece come before the commission on July 5. They are under contract for the soccer facility. The expo center and other things on the hillside that will tie in and support this area will be in the future. They feel the soccer facility will be a great traffic generator into the complex to support the food service and retail. The rest of the property will be presented as the market dictates.

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

MOTION: David McKinney moved based upon the findings set forth in the staff report and the testimony and discussion this evening to forward a positive recommendation for Gardner Village; 1100 West 7800 South; Gardner Village/Joe Long (applicant) to amend the general plan future land use map for approximately 20 acres from Community

Commercial and Research Park to Town Center. The motion was seconded by Dan Lawes and passed 7-0 in favor.

MOTION: **David McKinney moved based on the findings set forth in the staff report and the testimony and information presented this evening to forward a positive recommendation to the City Council for Gardner Village; 1100 West 7800 South; Gardner Village/Joe Long (applicant) to rezone approximately 20 acres from C-G (TSOD) and A-5 (TSOD) to P-C (TSOD) Zone with the accompanying Preliminary Development Plan presented in the staff report. The motion was seconded by Kathy Hilton and passed 7-0 in favor.**

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10. Highlands Development; approximately 7800 South 5600 West; Conceptual Development Plan; MFR, HFR, LSFR, SC-2 Zones; Peterson Development Inc. (applicant) [#MISC20110004; parcels 20-34-276-001, 002, 003; 20-34-200-010, 011, 013, 014, 020, 023, 025, 026, 027; 20-35-100-001, 014, 018; 20-35-200-006, 009, 017, 019; 20-26-400-010, 011, 012, 014, 016, 018, 020; 20-26-200-008, 009]

Scott Langford said due to the large size of the future master plan, the applicant wanted to present it to the commission for some general guidance. The plan is divided into three areas, which will each have a preliminary development plan that will be brought to the commission in the future in order to set the overall densities.

Staff recommended that the Planning Commission forward a clear directive to staff and the applicant regarding this concept plan. Recommendations should relate to the various elements of the 2003 West Jordan Comprehensive General Plan; including but not limited to, housing, transportation, parks and recreation, urban design, and growth management elements.

Kaylen Nichols, Peterson Development, 225 South 200 East, indicated that the zoning and land use designations for the area are not changing, but they are adding more property to the concept. The areas are divided into phases and sub-phases, and they will be bringing in the smaller pieces for preliminary site plan and preliminary development plan review. They will probably be starting with the Highlands West area, bringing in applications comprising of about 10 acres.

Kathy Hilton asked if there are any big box commercial users interested in the property.

Kaylen Nichols said there were in the past, but because there is currently no traffic from the north onto 5600 West they have pulled back, but that could change quickly depending on development of the other areas.

David McKinney asked if they are looking to develop the residential area first in order to bring in the commercial base.

Kaylen Nichols said that is part of it. The commercial areas will be driven by the market, so as it sits right now the residential will probably come in first. The transit area will probably be last.

Kathy Hilton wanted to point out that as areas are developed it will require the improvement of roadways, such as 7800 South. She pointed out where the densities were rearranged at their previous rezoning hearing to be more compatible with adjacent zonings. Regarding school impact, the school district is aware of the area as a future project.

Justin Stoker felt it will be a great project.

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11. Wasatch Forward

Tom Burdett spoke on the Wasatch Choice for 2040 project that was kicked off last week. Wasatch Front will eventually come to West Jordan to talk about the project.

There was a brief discussion regarding the plan and the future of agricultural land. There are organizations that specialized in preserving those types of lands.

MOTION: Nathan Gedge moved to adjourn.

The meeting adjourned at 8:58 p.m.

Justin Stoker
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2011