

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD JANUARY 8, 2013 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Nathan Gedge, David Pack, Ellen Smith, Dan Lawes, John Winn, Lesa Bridge, and Zachary Jacob.

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

OTHERS: John Clayton, Greg Simonsen, Patrick Moffat, Becky Smart, James Lynch, Sunney Lynch, Ron Tyson, Lane Walton, Trevor Hull, Rob Dahle, Bart Fullmer Ramon Beales, Sandra Beales, Adam Milner, June Christiansen, Randy Tyson, Jerry Wallace, David Barber, Jason Harris, Barrett Peterson, Spencer White, Lynn Rasband, and Cathy Sandberg.

The briefing meeting was called to order by Nathan Gedge who welcomed new Planning Commissioners Pack and Jacob. The agenda was reviewed and clarifying questions were answered. A revised plat for Fullmer Subdivision was distributed and proposed fencing was discussed.

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

1. Oath of Office for New Commissioners

City Clerk Melanie Briggs administered the Oath of Office for newly appointed Commissioners David Pack and Zachary Jacob.

2. Election of Chair and Vice Chair for 2013

Nominations were opened for Chair.

John Winn made a nomination that Nathan Gedge serve as Chair. The nomination was seconded by Lesa Bridge and accepted by Nathan Gedge.

Ellen Smith made a nomination that Dan Lawes serve as Chair. The nomination was seconded by Zachary Jacob and accepted by Dan Lawes.

Voting by secret ballot was conducted with Commissioner Gedge receiving the majority vote.

Nominations were opened for Vice Chair.

John Winn made a nomination that Ellen Smith serves as Vice Chair. The nomination was seconded by Nathan Gedge and accepted by Ellen Smith.

Lesa Bridge made a nomination that Dan Lawes serve as Vice Chair. The nomination was seconded by Zachary Jacob and accepted by Dan Lawes.

Voting by secret ballot was conducted with Commissioner Lawes receiving the majority vote.

3. Approve Minutes from December 18, 2012

MOTION: John Winn moved to approve the minutes from the December 18, 2012 meeting. The motion was seconded by Lesa Bridge and passed 7-0 in favor.

4. **Highlands Master Plan; approximately 7800 S. 5600 W.; Master Plan approval for approximately 370 acres; MFR, HFR, LSF, SC-2, R-1-10D/E(ZC) Zones; Peterson Development, LC/Justin Peterson (applicant) [#DP20120001; parcels 20-35-200-006,024, 025, 027, 031; 2035100001, 014, 018; 2034200010, 013, 014, 020, 022, 023, 025 to 027 036; 2034276001, 002, 003; 2026400011, 012 014, 016, 018, 020, 021; 2026200008, 020]**

Scott Langford gave an overview of the master planned area. The proposed plan has been updated to reflect the Loneview sub-area plan. Density buy-up tables for the overall plan have also been updated to reflect the Loneview project. As each village (subdivision) is submitted there will be additional refinement to the master plan. The general framework will provide a guiding document for future development of the sub-areas. Because of its large size of approximately 370 acres it is divided into three pods. The plan is based on the newly updated 2012 Comprehensive General Plan and the master plans for road networks and utilities were consulted. Also, this plan is supported by the existing zoning which provides that entitlement.

Based on its compliance with the city's 2012 Comprehensive General Plan staff recommended that the Planning Commission approve the Highlands Master Development Plan for approximately 370 acres of property generally located at 7800 South 5600 West and forward a positive recommendation to the City Council to adopt the master plan through resolution, with the following condition of approval:

Condition of Approval:

1. The Highlands Master Development Plan shall be updated to reflect any changes/modifications created by each sub-area preliminary development plan, with the updated Highlands Master Development Plan submitted with each sub-area preliminary development plan.

Barrett Peterson, Peterson Development, 225 South 200 East, said most of the commissioners had seen the plan before, and after many years they are excited to bring it forward. They have been working closely with staff to get the right mix of commercial uses and residential densities. The area is somewhat of a gateway to West Jordan with the Mountain View Corridor and 5600 West that will be connected from 7800 South to 7000 South. For both the City and Peterson Development they want this to be a great development.

Dan Lawes noted that Englefield Heights was asking for 100% buy-up and asked if that were correct.

Barrett Peterson said it sounded high. But the idea is that each village will be brought in and based on the proposed amenities the City Council will determine what the ultimate density is. He said it is possible to go from 2.01 to 4 based on buy-ups. He said over the next few months they will be presenting a plan for Englefield Heights and Addenbrook Village where they will address that more fully. In Boyer Company's application for Loneview they are not asking for 100% buy-up.

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

MOTION: John Winn moved based on the compliance with the West Jordan 2012 Comprehensive General Plan and the information and explanations received to approve the Highlands Master Development Plan for approximately 370 acres generally located at 7800 South 5600 West; Peterson Development (applicant) and forward a positive recommendation to the City Council to adopt the Master Plan by resolution including the one condition of approval in the planning commission packet. The motion was seconded by Dan Lawes and passed 7-0 in favor.

5. **Loneview North; 7800 S. 6500 W.; Preliminary Subdivision Plat (108 lots on 33.43 acres) and Preliminary Development Plan; LSFZ Zone; The Boyer Company (applicant) [#SDMA20120014, DP20120006; parcels 2034200022; 2034200020; 2034200023; 2034200010; 2034200036; 2034200037; 2034200025 - 027]**

Scott Langford corrected the agenda by stating that the applicant is requesting 108 lots. This subdivision is located within the Highlands West portion of the Highlands Master Plan. Approval tonight will include the preliminary development plan and preliminary subdivision plat. Density is proposed at 3.6 du/ac, and the current LSFZ zoning allows a range from 2.01 to 4 du/ac. Based on that density the applicant is required to get at least 68% in the WSPA buy-up system. The applicant has requested up to 74% with their submitted amenities. There are no specific findings of fact for development plans but there is an amenity table in the zoning code for the West Side Planning Area. This is the first single-family residential development to test the waters of the WSPA and is the first development within the Highlands master plan, so this project is setting the benchmark. He referred to the table on page 3 of the staff report.

He pointed out the Rasband and Lynch properties in the area. The Lynch property has an existing home and accessory structures and will remain as it is today on its own parcel, but it will be incorporated into the development. The property is located just north of No Name (high school) Wash, which is included in West Jordan trails and open space plan as a trail system. The applicant's plan intends to tie sidewalks into that area. Their open space area next to the trail corridor will include a common green, covered pavilion, and two picnic tables. Staff recommended 3% buy-up for those options. The applicant is dedicating additional land to the city to open up the trail corridor and staff allocated 6% buy-up for that improvement.

There are three principal reasons for staff's recommendation for a condition of approval for a roundabout at the northern intersection on 6400 West. 1) A transition from a 90-foot to 70-foot width on 6400 West will be required. 2) Children in this subdivision will be walking to Fox Hollow Elementary, and the roundabout provides traffic calming and a safe walking route. 3) It allows for flexibility in the development of the property to the east, because the spur could be modified to address those designs.

Staff is recommending a 9% buy-up for the proposed monument signs that will tie in with the streetscape walls on the perimeter. The applicant has worked with city staff and proposes an additional 8-foot wide landscape buffer on 7800 South next to the 6-foot tall wall, for which staff granted a 2% buy-up. Another buy-up is the alternative load garage configuration. The applicant has a unique situation where they won't be the homebuilder. So they have provided a list of scenarios that other builders will choose from in order to meet the minimum number. With that list and with the architectural review committee that the applicant proposes, they will achieve a buy-up of 14%. Staff felt that the development plan addressed staff's concerns and meets the minimum buy-up of 68% to allow for 108 lots.

Mr. Langford reviewed the preliminary subdivision plat that meets the requirements with a few exceptions. The code requires a 6-foot high masonry wall along 7800 South and 6400 West. Instead of a full-on masonry wall they have proposed the RhinoRock wall, which the planning commission seemed to be in favor of at a previous discussion. In addition, there are a number of lots directly adjacent to open space. The applicant is proposing no fences or walls at this time. However, if the homeowners so choose to install a fence along the open space it will be locked down to either split rail or wrought iron in order to maintain the open feel. The applicant has also been working with the owners of the Rasband property to continue the RhinoRock, which is not a condition of approval but staff is in support. He reviewed the condition of approval regarding streetscape wall maintenance, which needs to be clarified in the development plan. If the Commission approves the development plan, then it will move forward to the City Council where they will decide whether or not to ratify the densities.

Loneview Sub-area Preliminary Development Plan

Based on the requirements listed in the Zoning Ordinance, staff recommended that the Planning Commission approve the Loneview Sub-area Preliminary Development Plan generally located at approximately 7800 South 6400 West with a residential density of 3.38 units per acre for a total of 108 single-family residential lots, subject to the following conditions:

Conditions of Approval:

1. Update the Final Development Plan to address all city redlines pertaining to the Loneview Subdivision Plat.
2. The Final Development Plan shall be updated to state: Once the streetscape walls along 7800 South and 6400 West have been installed by the applicant and the warranty period expired, maintenance of these streetscape walls shall be the responsibility of the adjacent property owners.
3. The applicant shall provide a list of the specific design requirements, as approved in the sub-area preliminary development plan, to all future home builders within this development to ensure compliance with these adopted architectural standards.
4. The applicant shall update the sub-area preliminary development plan to specifically show which lots must have a front covered porch greater than 50 square feet in size.
5. A Development Agreement between the developer and city shall be approved prior to or concurrent with approval of the final sub-area development plan.

Loneview Preliminary Subdivision Plat

Based on the required findings listed in the Subdivision Ordinance, staff recommends that the Planning Commission approve the Loneview Preliminary Subdivision Plat generally located at approximately 7800 South 6400 West, subject to the following conditions:

Conditions of Approval:

1. The Loneview Final Subdivision Plat shall show a roundabout constructed at the intersection of 6400 West 7950 South. The design of the roundabout shall be at the direction of the city engineering staff.
2. The Loneview Final Subdivision Plat shall integrate traffic calming design within the interior of the subdivision as directed by the city engineering staff.
3. The RhinoRock precast fiberglass/concrete wall system, as shown in the associated preliminary development plan, is approved for all required streetscape walls along 7800 South and 6400 West.
4. The Loneview Final Subdivision Plat shall have streetscape walls running along the boundary of the subdivision between all residential lots and 6400 West right-of-way. The wall should match the style and color of the wall approved along 7800 South and should be appropriately designed to tie in with the proposed monument signage as well as designed to respect the sight visibility requirements as determined by the City's Traffic Engineer.
5. The Loneview Final Subdivision Plat shall address all engineering redline comments.
6. A Development Agreement between the developer and city shall be approved prior to or concurrent with approval of the final subdivision plat of the first phase.

Dan Lawes asked if the fencing on the south will be addressed in the CC&Rs.

Scott Langford said language will be in the development plan and could be included in the CC&Rs as well.

Dan Lawes asked how the city will ensure that the minimum numbers on items such as porches and garages are being met in order to obtain the full buy-up.

Scott Langford said Boyer will establish a separate, third-party architectural review committee that will review each house plan according to the development plan and only after it is approved will they apply for a building permit. The City will also keep a list of all the requirements in the development plan and review it on a case-by-case basis. Staff did a very similar thing on a much larger scale with the Jordan Hills Villages.

David Pack referred to the discussion on traffic calming design in the report and said he is in agreement with reasons 1 and 3 for the roundabout, but he asked how it would make a safer walking route for the children. It is his experience that when people haven't learned how to navigate a roundabout it can be troublesome. He also asked what other traffic calming measures are recommended.

Scott Langford said the other traffic calming items mentioned such as bulb-outs are internal to the subdivision, especially along 7950 South because it is wider than the other residential streets.

Bill Baranowski, city traffic engineer, said the city will definitely provide a crossing guard at that location to cross 6400 West as well as reduced school speed zone flashers, which will make it a very good crossing location. For times outside of the school periods it will be a preferred location to cross because of the reduced vehicle speeds caused by the roundabout. This location wouldn't warrant a 4-way stop, so there would be a two-way stop condition with a free flow north and south if there isn't a roundabout. With a roundabout the speed will be reduced to at least 20 mph 24-hours a day, which is like having a policeman there to monitor the speed all day. This is an additional benefit to the whole neighborhood and not only to the school children.

Zachary Jacob asked if 6400 West will be completed to 7800 South.

Scott Langford said subdivision code requires the roads be installed that are contiguous to their development. He pointed out the length of 6400 West that the development is responsible for, which does not extend to 7800 South.

Ellen Smith spoke about the roundabout and safe walking route and the comment that West Jordan will have a crossing guard at that location, but it is just an assumption that there will be money for crossing guards. In other circumstances crossing guards have been pulled away from situations where they are very needed in order to have them in other locations. She was concerned about approving something on the assumption that there will be funds. She would not feel comfortable having her children cross at that location, even with a crossing guard.

Dan Lawes asked what the alternative would be.

Ellen Smith said there will eventually be a solution when it builds out, but they might think of lights like those in front of West Jordan High School. They might need some other ideas for safe walking routes.

Spencer White, consultant for The Boyer Company, said that during the process over the past five months both Scott and Greg have been great to work with. Most of the issues had been addressed prior to this meeting. He explained that Boyer is not a homebuilder so they will develop the property and sell lots, mostly to individuals. In the past they have formed the architectural control committee where numbers are monitored to ensure the correct percentage of homes with front porches, semi-recessed garages, trim, windows, etc. prior to applying for a building permit with the city. Regarding open space fencing, they are still weighing the options because some people would want it left open while others would want the privacy. Whatever is decided it will be the same for all of the properties (either all with a fence or none with a fence). Their traffic impact study did not say anything about a roundabout, but they are working with city to see if it works best for all parties. If it is a condition of approval they will do it. He felt the best route for safe passage to the school would be through their common green and following the trail to the no name wash, which will have a trail all the way to the elementary school. He wasn't sure how many kids would cross at the roundabout anyway.

Dan Lawes asked for clarification for the wall along the Rasband property.

Spencer White said they are working with the property owners and it will most likely be RhinoRock, but there is still talk of eliminating the access into the five-acre piece.

Lesa Bridge asked who will maintain the landscape buffer on the north.

Spencer White said the maintenance for the entire Highlands master plan area will be through a special assessment area.

David Pack asked if they knew which homes would have covered porches.

Spencer White said they will add that as well as the semi-recessed garages to the architectural control review sheet and they will keep track as each home comes in for review to make sure they at least meet the minimums.

Jim Lynch, West Jordan resident, said there are some contingencies that haven't been mentioned regarding development of the area around there and hooking the prior property up to utilities. He wants that reviewed and acknowledged by the Commission. Also, he wasn't aware of any clearances or anything else associated with the subject development and wanted to make sure there are no surprises regarding the boundaries, etc. and that they will meet the city's requirements.

June Christiansen, West Jordan resident, said she is an owner of the Rasband/Christiansen parcel. They are concerned with the roundabout at the south that will flex the road around their property, which if it doesn't happen that changes borders. They've talk about property swap and if it doesn't clear that side of the property there is 20 to 40 feet that needs to be adjusted and extended on the other side, which will change the subdivision immensely. They like the idea of the roundabout, but that is a full width road on the east side of their property and it is unacceptable that it will be going from 90 feet to 70 feet. She said it won't be too many years before the traffic increases and the city will look at the available open space instead of the developed property to widen it back to 90 feet. They have a well on that side of their property so they do not want that to happen. She said there is no purpose for the stub road on her west property line and it will be nothing but a nuisance where someone will park and throw trash. There are issues about the utilities, which they would like reviewed. Currently electricity goes the full length of the property along the west border on telephone poles. She said it would be wonderful if they could have electricity run into their property underground coming off of the south side of the subject parcel since it would only be a 30-foot span to have the hookup. They had concerns with the durability of the RhinoRock wall since they have animals, and she would like to clarify that first with Boyer.

Lane Walton, West Jordan resident, spoke about the roundabout on 8200 South and 6400 West and said you need to be careful using it because people going east/west hardly ever stop for it. He had concerns with the safety of the kids walking to school through the subdivision where traffic speeds can be fast.

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

Spencer White said they are aware of all the issues, which are partially through Peterson Development who is working out the agreements, and they are talking with the landowners. He said that Boyer would probably be willing to extend the power 30 feet.

Dan Lawes asked if the application would trigger undergrounding of the utilities as discussed.

Scott Langford said those utilities are not within the boundaries of the subdivision, but it is a private service line.

MOTION: Dan Lawes moved based on the findings in the staff report and the design shown in the development plan to approve the Loneview sub-area Preliminary Development Plan; approximately 7800 South 6400 West; The Boyer Company (applicant) with a residential density of 3.38 units per acre for a total of 108 single-family residential lots with conditions

1 through 5 as listed in the staff report. The motion was seconded by Lesa Bridge and passed 7-0 in favor.

MOTION: Dan Lawes moved to approve the Loneview Preliminary Subdivision Plat; approximately 7800 South 6400 West; The Boyer Company (applicant) subject to conditions of approval 1 through 6 as listed in the staff report. The motion was seconded by Lesa Bridge and passed 7-0 in favor.

6. Somerset Villas; approximately 7200 S. Redwood Road; Preliminary Site Plan, Conditional Use Permit for a gated community, Preliminary Subdivision Plat (64 lots on 6.72 acres), and Preliminary Development Plan; PRD (MF 12.5) Zone; Clayton Homes/John Clayton (applicant) [#SPCO20120008, SDMA20120010, DP20120005 and CUP20120006; parcel 21-27-201-097]

Jennifer Jastremsky gave an overview of all applications associated with this two-phased project. Two gated access points are proposed with one at Redwood Road and one on Callie Drive. Both access points require a turnaround; the one on the west is proposed to be temporary with the permanent turnaround provided when the adjacent commercial property develops. Staff is still reviewing the exact mechanism that will allow the temporary turnaround to be eliminated. The applicant proposes that the access road and turnaround be done through easement instead of on the plat. Staff is recommending that it be noted on the plat, but either way those items have to be installed. The open space is in a central courtyard and includes a 620 square foot plaza. The traffic impact study update letter recommended a speed table about midway on 7125 South, because the study expected half of the traffic to use 7125 South and the other half to use Redwood Road. The city traffic engineer will determine the location of the speed table. An extensive pedestrian network will connect all residential units to the courtyard and public sidewalks on Redwood Road and Callie Drive. The pedestrian access points will also be gated. Approximately 91,000 square feet of landscaping is proposed with most of it on the outskirts of the property and within the central courtyard and plaza area. The minimum buffering requirement next to existing single-family residential has been met. The proposal is to install a 6-foot vinyl fence along the south and east property lines that matches the existing one installed in the Compass Cove development, but masonry is required unless the planning commission approves an alternative. They will be installing a 6-foot masonry wall along the western property line adjacent to future commercial. The townhomes will have a mixture of front-loaded and alley-loaded garages. She showed the color palette and stated that all units will follow the same craftsman style architecture. The storage units will match the residential units in style, materials, and colors.

Preliminary Development Plan

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant Preliminary Development Plan approval for Somerset Villas located at approximately 7200 South Redwood Road in a PRD (MF 12.5) zoning district, with the conditions as listed.

Conditions of Approval:

1. Provide two updated versions for city records which contain an updated title page and final versions of the final site plan drawings and final subdivision plats.
2. Sidewalk may be provided on one side of the street when located along the access streets into the community and passing through the pedestrian entrance gates. Sidewalks shall be located on both sides of the streets when adjacent to residential units.
3. Final Development Plan to be approved at staff level.

Conditional Use Permit

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant Conditional Use Permit approval for Somerset Villas located at approximately 7200 South Redwood Road in a PRD (MF 12.5) zoning district, with the conditions as listed.

Conditions of Approval:

1. A turnaround or turnout shall be provided in front of both gates in cases where a vehicle is denied entry per Code Section 13-8-19E.
2. Vehicular and pedestrian access gates shall be approved by the city and contain a fail-open device to open the gates during power failures and be equipped for emergency access. All emergency access systems must be approved by the Fire and Police Departments per Code Section 13-9-19E.
3. Vehicular access gates must automatically open for vehicles exiting a gated community per Code Section 13-8-19E.
4. No Conditional Use Permit shall be valid for a period longer than twelve-months, unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion, or unless a certificate of occupancy is issued and a use commenced within that period, or unless a longer time is requested and granted by the Planning Commission as per City Code Section 13-7E-9.
5. The Conditional Use Permit is subject to review and/or revocation as per City Code Section 13-7E-10.

Preliminary Site Plan

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant Preliminary Site Plan approval for Somerset Villas located at approximately 7200 South Redwood Road in a PRD (MF 12.5) zoning district, with the conditions as listed.

Conditions of Approval:

1. Provide a copy of the CC&Rs for staff review with final redline submittals.
2. Fencing adjacent to commercial zoning districts shall be 6-foot tall masonry walls, and fencing adjacent to residential zoning districts may be 6-foot tall vinyl fencing.
3. Address all redline comments from Planning, Engineering, Fire, Public Works and Legal Departments.
4. Final Site Plan to be approved at staff level.
5. An approved preliminary site plan shall remain valid for one year following the date of the approval per City Code Section 13-7B-5.

Preliminary Subdivision Plat

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant Preliminary Subdivision Plat approval for Somerset Villas located at approximately 7200 South Redwood Road in a PRD (MF 12.5) zoning district, with the conditions as listed.

Conditions of Approval:

1. Provide street lights as required within Engineering Standards, or obtain approval from the City Engineer for an alternative lighting plan. Documentation for an alternative lighting plan shall be provided for review, including the provision of a photometric plan prepared by a licensed electrical engineer and lighting details.
2. Provide a speed table along 7125 South Street as recommended within the Traffic Impact Study Update Letter dated December 5, 2012 by A-Trans Transportation Engineering. The specific location of the speed table shall be as recommended by the West Jordan Traffic Engineer and it shall follow West Jordan City Engineering Standards.
3. Address all redline comments from Planning, Engineering, Fire, Public Works and Legal Departments.
4. Final Subdivision Plat to be approved at staff level.
5. A preliminary subdivision plat consisting of phases will remain valid provided a final plat on at least one phase is approved, recorded and developed within twelve (12) months of the date of preliminary approval and provided each successive phase is approved, recorded and developed within twelve (12) months of the previous phase's recording date per Code Section 14-3-8.

Lesa Bridge asked about the location of the commercial property, its ownership, and the access easement.

Jennifer Jastremsky said ownership could be verified by the applicant. The proposal is for an access easement. Staff is reviewing that, but it needs to be shown on the plat.

John Clayton, applicant, 5207 South Saddleback Drive, explained that all of the property, including the commercial, was originally owned by one partnership or group of owners, and they still own all of the property. He had entered into an agreement for the six acres for the residential development, and they have formed another LLC, but he is a partner and they are also owners in the property. So they have control of all the property on the west. They have a written easement at this time and they can show that on the plat.

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

There was a brief discussion regarding a recommendation on the architecture and color board. The commissioners felt that the proposal was nice. The current fencing was reviewed. An existing chain link fence runs along the LDS Church property. The applicant would like to have vinyl along the southern property lines and masonry next to the future commercial.

Ellen Smith wondered if the durability of a vinyl fence would be appropriate next to the high-traffic church parking lot.

Greg Mikolash felt that there needed to be a discussion regarding the existing 60-foot cell tower where the homes are within the fall zone. Literal interpretation of the code would require a separation. If the tower came in after the residential development the separation requirement would be 150 feet. This cell tower already has a conditional use permit prior to the PRD zoning.

With the proposed layout the closest residential unit is approximately 20 feet, but the plans don't actually show the tower location.

Dan Lawes asked for staff's recommendation to remedy the situation.

Greg Mikolash said the use has become the nuisance, and the ordinance assumes that the tower would be installed after the residential. He would feel comfortable if at least the fall zone is met (65 feet) and then they can amend the code to address this situation in the future. He suggested that the legal department speak on it as well.

Lesa Bridge asked if it is the applicant's responsibility.

Jennifer Jastremsky said previous to making an application the applicant had looked into removing the tower, and he could verify the status.

MOTION: Nathan Gedge moved to suspend the rules and allow the applicant to speak on the issue. The motion was seconded by Ellen Smith.

Nathan Gedge withdrew the motion in order to hear from the attorney.

Robert Thorup said it needs more study since it isn't addressed by the code per se, but it is a serious issue should the tower fall.

Tom Burdett said the code in 13-16-2C4 stated that the pole shall not be located within 150 feet of a residential structure. That was the city's intent. They want to research why 150 feet was chosen and when that took place

before they look at the options, which could include altering the site plan, relocating the tower, a variance, or a combination. This should be resolved before final development plan approval.

Greg Mikolash felt that this issue could be taken care of between preliminary and final approvals.

MOTION: Nathan Gedge moved to approve the Preliminary Development Plan for Somerset Villas; approximately 7200 South Redwood Road; Clayton Homes (applicant) with the three conditions of approval listed in the planning commission packet. The motion was seconded by John Winn and passed 7-0 in favor.

MOTION: Nathan Gedge moved to approve the Conditional Use Permit for Somerset Villas; approximately 7200 South Redwood Road; Clayton Homes (applicant) with the five conditions of approval listed in the planning commission packet. The motion was seconded by John Winn and passed 7-0 in favor.

MOTION: Nathan Gedge moved to approve the Preliminary Site Plan for Somerset Villas; approximately 7200 South Redwood Road; Clayton Homes (applicant) with the five conditions of approval as listed in the planning commission packet. The motion was seconded by John Winn and approved 7-0 in favor.

MOTION: Nathan Gedge moved to approve the Preliminary Subdivision Plat for Somerset Villas; approximately 7200 South Redwood Road; Clayton Homes (applicant) with the five conditions of approval as listed in the planning commission packet. The motion was seconded by John Winn.

AMENDED

MOTION: Dan Lawes moved to amend the motion to add staff's recommendation:
6. Include within the plat the turnaround and access road on the west side of the property.
The amendment was accepted by Commissioners Gedge and Winn and the amended motion passed 7-0 in favor.

7. Fullmer Subdivision; 9304 S. 2200 W.; Preliminary Subdivision Plat (19 lots on 7.36 acres); R-1-12F Zone; Hard Rock Homes/Trevor Hull (applicant) [#SDMA20120013; parcels 27-04-479-023, 024]

Ray McCandless gave an overview of the application for a 19-lot subdivision. The rezoning was approved in June 2012 with a minimum lot size of 12,000 square feet. The subdivision had gone through a number of iterations. The property on the west is angled, which made the subdivision layout difficult. The existing home on the northeast corner of the property will remain and a detention pond next to it will be for the subdivision and will be maintained in perpetuity by the owner of that lot. Our Parks, Recreation and Trails master plan shows a future trail access along the canal corridor, and the cul-de-sac on the north will serve as an access to that. Staff gave an updated plat to the commission in the pre-meeting that corrected a lot that was under the minimum lot size. Originally a Simtek fence was proposed along 2200 West, but the applicant revised that request to be RhinoRock. They propose vinyl along the south and west property lines. Staff felt that a chain link fence would be more durable along the canal. The planning commission should determine which fence to approve. With the changes that have been made since the staff report it is recommended that final approval be reviewed by staff.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant preliminary subdivision approval for the proposed Fullmer Subdivision located at 9304 South 2200 West in an R-1-12F zoning district subject to the following conditions of approval:

Approval Conditions:

1. Install a 6' high chain-link fence along the west property line between the homes and parcel "A".
2. Install a vinyl fence along the south property line as proposed.
3. Install a masonry wall per Section 13-14.3.G. Streetscape Walls: for the lots along 2200 West and providing cross section drawings, elevation drawings and a colored rendering detailing the height and materials used.
4. Detail the ownership and perpetual maintenance of the proposed detention pond on the final plat.
5. All lots must comply with the applicable requirements of Title 13, Zoning Regulations and Title 12, Subdivision Regulations including, but not limited to lot area, width and frontage requirements.
6. Place a note on the plat detailing the ownership, purpose and perpetual maintenance of parcel "A".
7. Any power lines under 69kv must be buried.
8. All applicable city departmental requirements must be met prior to recordation of the final plat.
9. The final subdivision plat must be brought back to the Planning Commission for final approval.

Trevor Hull, applicant, 4543 Holladay Blvd., said he personally had gone through 22 variations of the layout and nine with city staff. He said he looked into the specs for RhinoRock and agreed with using that for 2200 West. His personal preference and experience is that vinyl would be better than chain link along the west boundary because the canal would be visible through chain link and it can be climbed. Also, he felt that the homeowners would want to install a solid fence anyway in the future when the trail is developed, which will create a hodgepodge look and double fences that collect weeds, etc. However, they will do whatever is recommended.

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

Several commissioners agreed that vinyl would be preferred for the canal boundary. Staff preferred chain link for the durability factor.

David Pack agreed that chain link is more durable because vinyl fencing can be damaged by rocks, but he was more in favor of vinyl. He wondered if there was another alternative.

Dan Lawes said there is a reinforced vinyl.

Lesa Bridge felt that vinyl was better than chain link for appearances.

MOTION: Nathan Gedge moved based on the testimony received and the findings in the staff report and the evidence and explanations to approve the Preliminary Subdivision Plat for Fullmer Subdivision; 9304 South 2200 West; Hard Rock Homes/Trevor Hull (applicant) with conditions 1 through 8, striking condition #9 and altering:

1. Install a 6' high vinyl fence along the west property line between the homes and parcel "A".

The motion was seconded by Zachary Jacob.

AMENDED

MOTION: Ellen Smith moved to amend the motion to change condition #3 to be a RhinoRock wall instead of masonry. The amendment was accepted by Commissioners Gedge and Jacob and the amended motion passed 7-0 in favor.

8. Paige Meadows Subdivision (2012); 7480 S. 2540 W.; Preliminary Subdivision Plat (6 lots on 3.09 acres); R-1-10B Zone; BB Sold PC (applicant) [#SDMA20120017; parcel 21-28-403-027, 029]

Ray McCandless said the property had a lengthy history. They propose a 6-lot subdivision with each lot being just over 15,000 square feet. There is an existing home that will remain. The Board of Adjustment previously granted a variance that reduced the lot sizes of lot 2 and 5 and the side yard setback of the existing home on the north side. Fire department turnarounds are provided on the two flag lots.

Staff recommended that the Planning Commission grant preliminary subdivision approval for the proposed Paige Meadows Subdivision located at 7480 South 2540 West in an R-1-10B zoning district with the following conditions:

1. The proposed development shall meet all applicable Subdivision and Zoning Ordinance requirements.
2. The final subdivision plat must meet all requirements of the Engineering and Fire Departments.
3. The lot width of lot 5 be revised to at least 82.04' as approved by the Board of Adjustment and width of lot 4 be greater than 85' to meet the R-1-10B zone minimum lot width standard.
4. The remnant parcel along the north property line must be in the applicant's ownership prior to final subdivision approval.

Jason Harris, applicant, 4423 North Countywood Drive, said they are simply bringing back something that had already been proposed.

Ray McCandless wanted to clarify that there is a small triangular piece of property across the top of the subdivision that is not owned by the developer. He is looking to purchase that to complete the connection.

Becky Smart, West Jordan resident, said there are no stop signs in the neighborhood so traffic goes quickly on the street and once the road is completed it opens it up to the entire subdivision without any stop signs. She didn't feel that some of the lots were big enough to plan for an aesthetic home. She said her home will now have a road on three sides and others will have one in front and in back. She didn't think 20 feet would be wide enough for fire access. She was concerned with road maintenance since she has to maintain the road in front of her own home. She said lot 6 will not be able to have a basement, so the home will probably have to be built up, which will bring down the home values. She said the elevation of the property has not been addressed. There is a three-foot drop on the side of her lot and she had to install things to keep dirt from going into the field, and there are a lot of homes in that situation.

Cathy Sandberg, West Jordan resident, said she was at the meeting four years ago and the neighborhood came out in full force. She thought more people would be in attendance if they knew what the proposal was. She had no objection to having nice houses built that will increase the property value and make it nice. But she felt like there were too many homes for this property. The lots are very odd and unattractive, and she thought the homes will also be unattractive in order to fit on the property. The roads are too narrow for proper traffic and for fire access. She didn't think it would be maintained with proper snow removal. She didn't think there was enough parking area for guests, so they will be spilling out into her neighborhood and streets. She proposed giving consideration to beauty and to public walkways with cement and paths and trees and grass like they have throughout Colorado. She had a serious question about lot 6 and the plumbing that can or cannot be put there.

Sandra Beales, West Jordan resident, spoke representing her neighbor on lot 13 who initially bought their home with only one road on their lot and now they will have roads on both sides of the property. She asked if it is fair to initiate new neighbors over the existing neighborhood.

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

Trevor Hull clarified that the dark red areas shown on the overhead site plan are driveways and not roads. The gray area down the middle of the subdivision is a public right-of-way and is sufficient for traffic. He noted that the average lot size is a half-acre, which is much larger than what would be required. As a developer they generally create a site plan for what the zoning allows, which would be 10,000 square foot lots. But this is an infill property and there are constraints, so the larger lot design is a nice fit for the property.

Zachary Jacob asked what the existing and proposed fencing is between the driveways and the existing homes.

Trevor Hull said they will keep the existing fencing along the private driveways. Most of the properties have chain link, some have wood fences, and there are some with block walls.

Dan Lawes asked for clarification on the elevation issues.

Trevor Hull said the distance for sewer on lot 6 is too far to have a basement, so a two-story home would be the sensible product type. There is a beautiful two-story home on lot 7 behind it.

Lesa Bridge asked about landscaping, sidewalks, and internal fencing.

Trevor Hull said sidewalk requirements are the same as with any other dedicated right-of-way. They will meet whatever landscaping is required.

John Winn asked about the ability for a fire truck to access the properties.

Paul Brockbank said the two turnarounds match exactly what is consistent throughout city and meets fire code. Their drivers are well trained and can get in and out without a problem.

Nathan Gedge felt that the application meets the four criteria they need to consider. Also, previous commissions had approved the plan pretty much as it stands today.

Ellen Smith said the lot sizes are comparable or a little larger than those adjacent.

Nathan Gedge said living not too far from the property he thought it would be nice to have something there besides a vacant field.

MOTION: Dan Laws moved based on the findings and comments to approve the Preliminary Subdivision Plat for Paige Meadows; 7480 South 2540 West; BB Sold PC/Jason Harris (applicant) with the conditions 1 through 4 as listed in the staff report. The motion was seconded by Lesa Bridge and passed 7-0 in favor.

9. Text Amendment–Electronic Billboards; Amend portions of Section 12-1-4; Definitions and Section 12-3-3; Exceptions and Qualifications for specific sign types or other sections of the West Jordan Municipal Code relating to electronic billboards; City-wide; City of West Jordan (applicant) [#TA20120008]

Ray McCandless said the current city code is silent with respect to constructing new electronic display billboards and converting existing billboards to electronic displays. Because these types of billboards continually change and may have bright displays in some cases, they may or may not have impacts to surrounding properties. The code revision will give time to develop standards for these types of signs. With this

amendment they propose adding definitions that distinguish between electronic and non-electronic billboards as well as terms to convert, upgrade, and structurally modify. Digital display billboards were added to the use chart where they are not allowed in any zoning districts at this time. However, the intent is to begin the dialogue and get input to develop comprehensive standards.

Staff recommended that the Planning Commission accept the findings contained in the staff report and forward a positive recommendation to the City Council for the proposed Text Amendment.

Greg Simonsen, West Jordan resident and representative for Reagan Outdoor Advertising, appreciated the work of the planning commission and staff and appreciated what the city was trying to accomplish. Reagan is happy to work with the city and develop standards, but they had concerns with how they are going about it. He said the commission can't use the fact that this will be temporary as grounds for a positive recommendation. There is a procedure in State Code for enacting temporary regulations that doesn't require going through the planning commission and there is a sunset after six months. The city has the right and has elected to not go through that procedure, so they should look at this application as a permanent ban on these billboards. Unless a city council comes in and changes it, it will be a ban and could be on the books forever. This is a great concern to the industry. Looking at the staff report, he didn't see any grounds for a ban on the billboards. There are no adverse impacts from digital billboards. The current billboards are brighter than the ambient standards currently on the State books. The criteria in the staff report references pages 10 and 14 in the general as speaking to a safe and healthy living environment, but he could not find that reference in the general plan. He was concerned as a resident and a representative of the industry when there are only a certain number of the signs available and local businesses can advertise on them more economically than the traditional ones. Page 56 of the general plan indicates that West Jordan has an outflow of jobs with a ratio of 0.84. and states, "The city should look at ways to increase jobs to housing ratio as a means to increase its tax base and daytime population and thereby create a more self-sustaining community." There are 14 billboards allowed in West Jordan, which are always in demand and they need to make them more available to the local businesses. So he didn't think the criteria met the general plan. The industry is ready to come in and talk with the city at any time. There have been no applications for these types of billboards in West Jordan yet, and he didn't think there would be a problem with enacting a temporary regulation that expires so it won't be a permanent ban. He said there is nothing in the report that gives grounds and criteria that this is a safety issue. The State regulations dictate the brightness of the signs depending on the time of day.

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

Nathan Gedge asked about the temporary status of this ordinance and the legitimacy of it becoming permanent.

Tom Burdett said this is the city's intent to reach out to the industry and they would like to see a subcommittee with two planning commissioners, two city council members, and two members from the sign industry. As they address the digital billboards they should also review some of the other circumstances that have changed in the community since billboards were last discussed, such as changes in zoning, a new general plan, and newly constructed roads. This is a good time to take a fresh look, with the industry, and determine where digital billboards could be located within the community. He was not sure if the city could do that within 6 months.

Dan Lawes said the comment was made that no one else has approached this matter in this way and he asked why we opted for that route.

Robert Thorup said 'no one' is a pretty broad statement. This particular language was discussed quite heavily with the League of Cities and Towns. It was his recommendation to proceed tonight to close the back door so they can work together to open a front door.

Zachary Jacob asked if they could table the semi-permanent ban and proceed with assembling the subcommittee.

Tom Burdett said the city manager is in favor of the subcommittee and they want to have this same discussion with the city council to get their input and direct decision, then they can start with the committee and work on preparing maps and text to bring back a future code amendment.

Nathan Gedge would like to move forward with a positive recommendation to city council with a forced deadline of maybe 12 months and to recommend the formation of a committee.

MOTION: Nathan Gedge moved based on the discussion tonight and the evidence and explanations received to forward a positive recommendation to the City Council for the proposed Text Amendments to Title 12 and Title 13 that are addressed in the staff report related to Digital Display Billboard Signs with additional recommendations to sunset the changes after 12 months and the establishment of a city-wide committee with the City Council and Planning Commission representatives working with the billboard industry for a permanent resolution. The motion was seconded by Zachary Jacob and passed 7-0 in favor.

Tom Burdett gave an update of recent and upcoming Economic Development activities.

MOTION: Dan Lawes moved to adjourn.

The meeting adjourned at 8:21 p.m.

Nathan Gedge
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2013