

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD JULY 2, 2013 IN THE WEST JORDAN COUNCIL CHAMBERS

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

STAFF: Tom Burdett, Robert Thorup, Greg Mikolash, Ray McCandless, Mark Forsythe and Julie Davis.

OTHERS: Jordan Taylor, Justin Peterson, Brian Hall, Larry Haggerty, and Jerry Wallace

The briefing meeting was called to order by Nathan Gedge.

The agenda was reviewed. A discussion regarding fencing was held. Item #4 will be continued at the request of the applicant.

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

1, Consent Calendar

A. Approve Minutes from June 18, 2013

B. Rojas Farms Produce Stand; 2863 West 7800 South; Temporary Use Permit (150 days); SC-2 Zone; Juan Rojas (applicant) [#TUP20130032; parcel 21-33-126-001]

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant Temporary Use Permit approval for Rojas Farms Produce Stand located in a SC-2 zoning district with the conditions of approval as listed below.

Conditions of Approval:

1. Prior to a Business License being issued, a \$300 refundable cash bond shall be posted with the City Treasurer to ensure the proper and timely removal of the materials associated with the use.
2. A sign permit is required for any signage associated with the temporary use.
3. All temporary materials, including gravel for temporary parking areas, associated with the use will be removed and the site returned to its original condition within 5 days of the expiration date of the Temporary Use Permit.
4. The applicant shall obtain approvals from the Building and Safety, Business Licensing and Fire Departments.
The Temporary Use Permit shall commence on August 2, 2013 and shall expire on October 31, 2013.
5. The days and hours of operation shall be daily from 9:00 a.m. to 7:00 p.m.
6. The site shall be kept free of litter.
7. No parking shall be allowed on the adjacent Arby's property. A temporary sign shall be erected at the gravel parking area for the produce stand stating: "Parking for Produce Stand".
8. A temporary sanitary facility (portable toilet) shall be provided on the site, a safe distance from the produce stand.

There were none in attendance to speak on Item #1B.

MOTION: John Winn moved to approve the Consent Calendar including the minutes from June 18, 2013 and Item #1B Rojas Farms Produce Stand. The motion was seconded by Dan Lawes and passed 6-0 in favor. Ellen Smith was absent.

2. Three Forks Subdivision Phase 7; 8520 South 6100 West; Preliminary Subdivision Plat (36 lots on 15.266 acres); R-1-10E Zone; Peterson Development Co., LLC/Victor Barnes (applicant) [#SDMA20130011; parcels 20-35-300-031, 032]

Ray McCandless gave an overview of the item. The proposed subdivision consists of 36 lots that range from 10,000 to 13,000 square feet with an average lots size of 11,181 square feet. As part of the subdivision plat 8600 South and a part of 6000 West streets will be completed. The plat includes a portion of Barneys Creek and a 100-foot wide section through the creek will be dedicated. Trail improvements will extend along the south side of the creek, and a small walkway between lots 715 and 716 will access the trail. The LDS Church will provide a masonry wall on its west and south borders. Fencing along the streets outside of the subdivision will be vinyl with masonry pillars consistent with the approval in the other phases. Staff recommended a wrought iron fence along the four northern lots that abut the creek. However, the applicant would prefer a split-rail fence. A split-rail fence helps to delineate the public/private ownership boundary, but wrought iron would allow for more options for privacy and it is more durable.

Based on the positive findings set forth in the staff report, staff recommended that the Planning Commission approve the Three Forks Phase 7 Preliminary Subdivision Plat located at 8520 South 6100 West in an R-1-10E zoning district with the conditions of approval as listed below:

Conditions of Approval:

1. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.
2. Address all preliminary redline comments prior to submitting for Final Subdivision Plat.
3. An approved preliminary subdivision plat shall remain valid for one year following the date of approval. One 6-month extension may be granted by the zoning administrator if, upon written request by the owner/developer, the zoning administrator finds that the extension will not adversely affect the public health, safety or welfare of the city. (City Code 14-3-8A)
4. All standards and requirements of the City's Municipal Code in affect at the time of this approval shall be adhered to.
5. Installation of required trail and landscaping improvements as required by City Code Section 14-5-11.
6. A 6' high wrought iron fence be installed along the trail corridor and access connection.

Zach Jacob asked what type of fencing abuts the trail in Phase 5 to the west, because he thought they should try to be consistent along that stretch.

Ray McCandless said it was approved with a split-rail fence.

Dan Lawes asked what the path between lots 715 and 716 would look like and who would maintain it.

Ray McCandless said the city would maintain the standard sidewalk that has fencing on both sides.

Justin Peterson, applicant, Peterson Development, 225 South 200 East, said this issue will be discussed by City Council on July 10th. His interest in having the split-rail fence is more for consistency, because Phase 5 isn't the only one in the area that has it, but there are multiple phases. The open lands committee and previous planning commissions have already made this determination. He acknowledged that the City Council is trying to accommodate the constituency who want to change their fences, but for tonight he hoped the split-rail fence can be approved.

Nathan Gedge opened the public hearing. Seeing that no one wished to speak, further public comment was closed at this point for this item.

Nathan Gedge said he would like consistency throughout the entire development, and especially where it is coming back to the City Council who can change it if they choose. He thought the options would be to either change condition of approval #6 to split-rail fencing, or fencing to be consistent with other phases in the area, or to just remove the condition altogether.

Zach Jacob agreed for the sake of continuity. Regarding privacy he said there are only four of the 36 lots in the subdivision that have this issue, so people can buy one of the others if they don't like the fencing.

David Pack asked if there are any areas with wrought iron fencing.

Staff said no.

Lesa Bridge agreed with the option of a split-rail fence and City Council can change the policy if they want to.

MOTION: Dan Lawes moved to approve the Preliminary Subdivision Plat for Three Forks Phase 7; 8520 South 6100 West; Peterson Development Co., LLC/Victor Barnes (applicant) with the conditions of approval 1 through 6, modifying:

6. A split-rail fence consistent with the adjacent developments be installed along the trail corridor and access connection.

The motion was seconded by Zach Jacob and passed 6-0 in favor. Ellen Smith was absent.

3. 1980 West Senior Apartments Rezoning; 1980 West 9400 South; Rezone 2.98 acres from R-3-20 (PD) (Multi-family Residential 20 units per acre maximum density – Performance Development Overlay) Zone to R-3-20 (SHO) (Multi-family Residential 20 units per acre maximum density – Senior Housing Overlay) Zone; D & H Development/Howard Schmidt (applicant) [#ZC20130005; parcel 27-03-351-012]

Ray McCandless gave an overview of the request to change the overlay zone of the property to the Senior Housing Overlay. The property is three acres in size located between senior housing developments and apartments. The code was amended about a year ago to address senior housing. There is no difference between the existing and proposed allowable density, which is 20 units per acre. The only difference is the amount of required parking. There are some advantages for the proposal, because traffic and noise will be less than what they might expect from a typical apartment complex. The proposal meets the current designation of very high density on the future land use map. He showed a conceptual plan for a single three-story building. The site plan will be reviewed in the future if the request is approved by City Council.

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 1980 West 9400 South from an R-3-20 (PD) zone to an R-3-20 (SHO) zoning district as requested by the applicant.

Jordan Taylor, 9184 South Redwood Road, representing Howard Schmidt of D & H Development, said they are not looking for a density increase, but rather to be included in a senior housing overlay. Their company also has the Willow Cove Apartments to the east, which would be their other option if they don't build senior apartments. He stated that they have a senior complex in Riverton that is a higher-scale, nicer building. In their experience the senior housing developments have less noise and traffic, and they felt that it will be a great addition to the city.

Dan Lawes asked how the ratio for parking compares between this development and their Riverton facility.

Jordan Taylor said there is a lot of empty parking in Riverton that they have to maintain even though there is a reduced allowance for parking stalls at that facility. The reduction in parking also allows them to have a little more landscaping and a larger building.

David Pack asked how many parking stalls per unit were required in their Riverton facility; is it comparable.

Jordan Taylor said he didn't know the number but it is comparable.

Nathan Gedge opened the public hearing.

Larry Haggerty, South Jordan resident of the Springfield subdivision, said the Schmidt's apartment development has been expanding their high density zoning piece-by-piece against his desire. He cited increased crime rate and traffic problems as his concerns. He commended them for wanting to build a senior community, but the concept elevation looked very similar to the existing apartments. There is senior development to the north and west and he wondered if this will blend in with those developments. He wondered if elevators will be provided since it is a multi-story building. He asked the Commission to consider something that blends in with the rest of the senior community instead of blending in with the existing apartments. Whatever happens on this property will affect his property.

Nathan Gedge noted that if the request is approved by the City Council the site plan review will address the site issues in detail.

Brian Hall, West Jordan resident, agreed that there are enough multi-level apartments in the area and they don't need another one. It brings crime, and he was concerned that it was a multi-level building since it would be for seniors. He also asked if there would be garages or only parking spaces. He was against the proposal.

Nathan Gedge stated again that site issue would be addressed in the next phase of the approval process.

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

Jordan Taylor said they originally looked at building smaller condominium style units, but since that type of product is being built to the north on a much larger scale they decided not to compete with those. They have taken great care to match the look of the senior housing development to the north and will continue the exact style of fencing around the rest of the property. The exterior finishes will be similar to the developments to the north and west. The Willow Cove Apartments are a yellow lap siding and the proposal is for stone, stucco and other masonry products. It is designed with elevators and covered parking. He understood the crime rate is a concern, but the crime rate is very low at their property in Riverton and the traffic and noise is greatly reduced. They felt that this option had the lowest impact across the board.

Zach Jacob said he was in favor of the proposal not because they need more high density housing in West Jordan, but because there is high density to the east and west and it wouldn't make sense to have a three-acre luxury home on the property. The property is already zoned for a three-story, high density unit, so it makes sense and anything else would not work.

Nathan Gedge said that there is an assumption with the addition of the senior overlay that traffic and crime would be reduced and would be better for the neighborhood, and the property is already zoned for this density.

Lesa Bridge felt it was a good fit for the location.

MOTION: Nathan Gedge moved based on the testimony received today in the staff report to forward a positive recommendation to the City Council for the 1980 West Senior Apartments Rezoning; 1980 West 9400 South; D & H Development/Howard Schmidt (applicant) rezoning 2.98 acres from R-3-20 (PD) Zone to R-3-20 (SHO) Zone as requested by the applicant. The motion was seconded by Dan Lawes and passed 6-0 in favor. Ellen Smith was absent.

4. **Coldstream Commons/Gladstone Place (Highlands West) Rezoning and Future Land Use Amendment; 7800 South 6200 West; General Plan Land Use Map Amendment for 3.12 acres from Community Commercial to High Density Residential and Rezone from SC-2 (Community Shopping Center) to HFR (High Density Multi-family Residential) Zone and General Plan Land Use Map Amendment for 3.11 acres from High Density Residential to Community Commercial and Rezone from HFR (High Density Single-family Residential) to SC-2 (Community Shopping Center) Zones; Peterson Development/Barrett Peterson (applicant) [#ZC20130006; GPA20130001; parcels 20-35-100-014, 018]**

Nathan Gedge said the applicant requested that the item be continued to July 16th.

There were none in attendance who wished to speak on the item.

MOTION: Zach Jacob moved to continue Item #4 Coldstream Commons/Gladstone Place Rezoning and Future Land Use Amendment to July 16, 2013. The motion was seconded by Lesa Bridge and passed 6-0 in favor. Ellen Smith was absent.

Tom Burdett gave an update on recent city council actions.

Nathan Gedge invited everyone to attend the Western Stampede/West Jordan Independence Day events.

MOTION: Dan Lawes moved to adjourn.

The meeting adjourned at 6:32 p.m.

NATHAN GEDGE
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2013