

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD JANUARY 21, 2014 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Dan Lawes, Sophie Rice, David Pack, Zach Jacob, Lesa Bridge, Ellen Smith, and Bill Heiner

STAFF: Tom Burdett, Greg Mikolash, Ray McCandless, Todd Johnson, Paul Brockbank, Julie Davis, Robert Thorup, and Bill Baranowski

OTHERS: Mike Lopez, Boyd Brown, George and Helen L., Richard and Heather Beeson, Eric Tuttle, Joe Long, Paul Colosimo, Kerry Groebs, Heidi Snow, Lynn Snow, Ben Watson, Ron Parsons, Lynn Watterson

The briefing meeting was called to order by Dan Lawes.

The agenda was reviewed. There was a typographical error noted on page 4 of the minutes. Ray McCandless clarified where the barrier fence is to be placed on Item #2, which is next to the playground. Staff provided clarifying information for Item #3. There was a discussion regarding signage.

The regular meeting was called to order at 6:04 p.m.

**1. Consent Calendar
Approve Minutes from January 7, 2014**

MOTION: Zach Jacob moved to approve the Consent Calendar, the minutes from January 7, 2014, with the correction as noted in the pre-meeting. The motion was seconded by Lesa Bridge and passed 7-0 in favor.

2. Jordan Meadows Park Subdivision; 7544 South 2200 West; Preliminary Subdivision Plat (5 lots on 1.69 acres); R-1-8B Zone; MAR Holdings/Boyd Brown (applicant) [#SDMA20130025; parcel 21-28-430-033]

Boyd Brown, applicant, 8098 South Maio Drive, stated that they had spent quite some time working out access issues, providing utilities to the site, and working with staff and the neighborhood for a plan that works well and will add to the neighborhood. They propose five lots that will face the park. All lots comply with the minimum lot size and all other code requirements.

Ray McCandless gave an overview of the proposed subdivision that will connect to 2230 West. A portion of the park space was authorized by City Council in January to be changed to public right-of-way upon final plat approval. The City Council asked that the applicant work with staff to make sure the area between the playground and cul-de-sac is safe. It was not staff's intent in the conditions to have the entire length of road fenced, but only the area near the playground.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant preliminary subdivision approval of the proposed Jordan Meadows Park Subdivision located at 7544 South 2200 West in an R-1-8B zoning district subject to the following conditions of approval:

1. All lots must comply with the applicable requirements of Title 13, Zoning Regulations and Title 14-Subdivision Regulations including, but not limited to lot area, width and frontage requirements.
2. All applicable City departmental requirements must be met prior to recordation of the final plat.
3. The applicant shall install decorative fencing, wall or other barrier between the playground and street and along any new retaining wall to make the area safe for park users. All improvements must be approved by all applicable City departments.

Dan Lawes opened the public hearing.

Richard Beeson, West Jordan resident, asked if the access is off of 2200 West.

Zach Jacob said it comes from 2230 West and extends to the north.

Richard Beeson said that would go right in front of his house, and the street is only 25 feet wide, which isn't wide enough to add even five homes. There are already parking issues on his street.

Heather Beeson, West Jordan resident, said there are little kids that live on their street that play in the street, so they don't need any more traffic. The road had been a cul-de-sac since they moved there and they don't want it opened up.

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

There was a discussion regarding the current road width for 2230 West as well as the disposition of the turnaround. It is a 40-foot right-of way with 25 feet of asphalt, which is standard. The stub road was installed with the intent of connecting to the property in the future. The turnout will remain in asphalt at this time as public right-of-way.

Boyd Brown said they will build their portion of the road to meet all City standards. They had originally considered a private lane and keeping the large garage that is on the property, but the city ordinance discourages the use of private lanes. So they worked hard to include a public road and went to the city council for the additional property. He felt that the existing road is less than what they would consider a standard public road, but their project will make that better. There could potentially be more traffic, but instead of having the turnaround in this area with the cars parked there, people will be able to park on the new portion of the road and use the park. The cul-de-sac is also a better situation for fire and emergency access. Their proposal is an improvement as far as safety, but he understood why the people who live there don't want traffic in their neighborhood. He said they were discouraged from using an access from 2200 West because they would have to cross the canal.

Ellen Smith asked clarifying questions on the road width. The existing road looks different because there isn't a sidewalk on one side. She was sensitive to the fact that children play in the area, but she didn't think the problem is with five new homes, because they will be part of the neighborhood. She liked the plan, but her only worry is that the people coming in the area to use the park might not be sensitive to the residents.

Sophie Rice said the layout will also provide better access to the park for the children in the neighborhood.

Ellen Smith pointed out that the street will still be a cul-de-sac, but it will just be a little bit longer.

MOTION: Zach Jacob moved based on the findings set forth in the staff report and with the evidence and explanations received today to approve the Preliminary Subdivision Plat for the Jordan Meadows Park Subdivision; 7544 South 2200 West; MAR Holdings/Boyd Brown (applicant) with the conditions 1 through 3 as listed in the staff report. The motion was seconded by Sophie Rice and passed 7-0 in favor.

3. The Station at Gardner Mill; 7659 South 1300 West; Preliminary Subdivision Plat, Preliminary Site Plan (224 units on 11.039 acres); Preliminary Development Plan and establish residential density of 20.29 units per acre; P-C (TSOD) Zone; Colosimo Brothers (applicant) [#SDMA20130009; SPCO20130009; DP20130007; parcels 21-26-351-020, 017, 022, 21-35-101-004]

Paul Colosimo, applicant, 4972 Boabab Circle, part-owner and partner with his two brothers in the projects and they had been working on the challenging project for 18 months. They feel that Gardner Village is a tremendous asset and they want to do it right. It is unique to have a mixed-use development where the commercial use comes before the residential. Some of the land challenges include the slope. Geotechnical engineers have looked at the property and they feel confident that their plan will work. The change in elevation is an advantage with the view of the Wasatch mountains. Their philosophy from the beginning was to appeal to renters who rent on purpose; those who don't want a home right now or at all. The whole area has about 38 acres. Their residential piece is about 11 acres, Gardner Village has about 18 acres, there are 4 acres for potential commercial on the corner, and 4 acres to the west of their property that could be a nice senior housing or office condo project in the future. This project will not only give life to Gardner Village, but it will bring in a new sewer line and water line. There will be trails throughout the system leading to light rail and into Gardner Village.

Sophie Rice asked if the trail could be widened from 5 feet to an 8-foot multi-use trail.

Paul Colosimo said this has been a collaborative effort including staff, the DRC, and now the Commission. He said they updated the colors based on the comments from the DRC. He said it is very possible that the trail could be widened, and they will look at that.

Sophie Rice indicated that she liked the new colors.

Dan Lawes said staff was concerned with the gap behind the garages on the west side and asked if that is the only possible location. That space could be a gathering place for garbage or illicit activities.

Paul Colosimo said they already moved them once. They would be willing to put them right against the property line, which would take care of the gap issue.

Greg Mikolash said the subdivision plans show a 5-foot trail, but he and Bill Baranowski both feel that a trail coming off of the TRAX station or the Jordan River Parkway should be 8 feet wide for a multi-use trail. Regarding the gap behind the garages, staff is concerned with the potential for weed and garbage collection. If a tree should grow in that space then it blocks the view of the whole length,

which is a concern with crime prevention. He said if the garages remain at that location they could mitigate against any problems by installing a hard surface or crushed gravel as a weed barrier so the area remains clear. The structures can't be pushed back to the property line because of maintenance and drainage issues.

Paul Brockbank said the building code also has certain setback requirements.

Greg Mikolash gave an overview of the proposed subdivision and site plan. Passive and active open space is calculated at 36.6%. Five, 4 ½-story buildings are shown along with 395 parking stalls and 11 garage structures.

Subdivision Plat:

Based on the positive findings set forth in the staff report, staff recommended that the Planning Commission grant approval of the Station at Gardner Mill Preliminary Subdivision for the property located at the northeast corner of 1300 West 7800 South in a P-C (TSOD) zoning district with the conditions of approval as listed below.

1. The applicant shall address and adhere to all City of West Jordan Municipal Code standards and adhere to all departmental comments, conditions of approvals as identified in this staff report.
2. 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.

Preliminary Site Plan:

Based on the positive findings set forth in the staff report, staff recommended that the Planning Commission grant approval of the Station at Gardner Mill Preliminary Site Plan for the property located at the northeast corner of 1300 West 7800 South in a P-C (TSOD) zoning district with the conditions of approval as listed below.

1. The applicant shall address and adhere to all City of West Jordan Municipal Code standards and adhere to all departmental comments, conditions of approvals as identified in this staff report.
2. An approved Preliminary Site Plan 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.

Preliminary Development Plan:

Staff recommended that the Planning Commission grant approval of the Preliminary Development Plan for the Station at Gardner Mill Preliminary Site Plan for the property located at the northeast corner of 1300 West 7800 South in a P-C (TSOD) zoning district subject to the conditions of approval for the Preliminary Site Plan and Preliminary Subdivision being met.

Ellen Smith pointed out that the required number of parking spaces is 409 and there are only 395 provided.

Greg Mikolash said the Zoning Administrator can give a -5% or +5% adjustment in parking. He continued the review by addressing the slope of the property, the landscape plan, elevations, and architecture.

David Pack asked if there are traffic calming measures within the development.

Greg Mikolash said the street layout is a traffic calming measure due to the slopes. The clubhouse design is impressive. A suggested element for the garage structures was to include a trellis on each end cap so there aren't any blank walls visible. They could do that on the rear elevations as well. The monument entry sign, infinity pool, park furniture, sand volleyball court, grills, and street lights were shown. A precast RhinoRock wall will be provided along the west property line and a wrought iron fence along the east property line.

Lesa Bridge said the applicant will be responsible for improvements to the access on 1300 West, because the current access is not adequate, and she asked if the applicant was prepared for that.

Greg Mikolash said the portion that fronts 1300 West should have an acceleration and deceleration lane or flaring instead of an abrupt entrance.

Ellen Smith asked if there had been a traffic study for this area of 1300 West.

Bill Baranowski said the traffic study adequately reviewed this area. He said that 1300 West currently has 11,000 to 12,000 vehicles per day and it has enough spare capacity for 6,000 to 8,000 additional cars per day.

Lesa Bridge asked about the median width.

Bill Baranowski said the two-way left turn median on 7800 South is only about seven or eight feet wide, which can be restriped to at least an 11-foot width on 7800 South.

It was clarified that the access on 1300 West would be a full access.

Dan Lawes opened the public hearing.

Mike Lopez, West Jordan resident, was concerned with traffic. The traffic is very heavy now, and from the sewer facility to 7800 South it is nothing more than a two-lane country road without sidewalks on the east side. Residents in the area will be locked into their subdivision until rush hour is over. It was stated that the apartments are going to have nice views, but what kind of view will the current residents have after the apartments are built.

Kerry Groebs, West Jordan resident, said access is a huge problem, as well as the views. He asked why the city wants such high density when there are thousands of units east of Gardner Village. He favored single-family dwellings to match the existing homes on 1300 West so those won't become islands of residential. He said that four to six years ago a petition was circulated, which he signed, to kill high density. He felt the plan was poor, and it didn't include all properties. Improvements to 1300 West will not be installed, and there isn't room for a center turn lane in that area. It isn't the best use of

the property. Traffic is heavy on 1300 West and it is difficult for the current residents to exit the subdivision during rush hour.

Heidi Snow, West Jordan resident, said the access onto 1300 West is directly across from her driveway. It is difficult for her to exit her driveway during certain times of the day already, and this project will add much more. Her garbage cans get hit when they are placed on the street. She doesn't want headlights shining into her house at night. She felt that all of the main roads leading into West Jordan already have high density housing. She didn't want the quality of the community to go down when people entering the city see that West Jordan is a bunch of apartment complexes. They will bring down home values. She would rather elevate West Jordan and attract good people. Renters don't have an investment in West Jordan so they aren't committed. She doesn't want West Jordan to be a low income place. She said her home has been broken into many times and apartments will drive up crime and problems in the community.

Lynn Snow, West Jordan resident, agreed with his wife's comments. Traffic is a big issue being across from the access point. Over the years they have talked about this corner and asked if this is how we want West Jordan to be represented with high density at every eastern access point. At the council meeting a few months ago one of the members stated that they wouldn't want this in their backyard; but this will be in their front and back yard.

Ben Watson, West Jordan resident, echoed the comments. It is obvious there is already a concern with the project and the access to 1300 West, as there is an inducement for the residents to avoid the 7800 South access and use 1300 West. Nothing in the staff report indicated the height of the units looking from the ground level across 1300 West. The biggest issue is this type of development, while laudable by bringing development to support Gardner Village and West Jordan, ignores the fact that the Bingham Junction development does the same thing and also includes units for sale. This transient population changes the nature of the neighborhood. The potential impact of the project to the single-family properties on both sides of 1300 West has been ignored in the staff report. Those properties will be impacted with property values and the traffic access, and that should be taken into consideration. The argument that the majority of the residents will use TRAX has not been realized in any other TOD development in West Jordan.

Ron Parsons, West Jordan resident, said he will be looking at a three-story building from his back door and he won't see the mountains. He said no one will want to live in this area when they see the massive structures of this development. The traffic during commute hours is backed up to the sewer plant, and the only way to fix that is to take half of his front yard. Adding an extra two lanes won't fix the problem that will only increase with this development. He thought single-family homes in this area would be best.

Lynn Watterson, West Jordan resident, said he lives on the east side of 1300 West. The area had traditionally been ½-acre lots with irrigation. The irrigation water usually goes from his property to the canal. There are seven places where the runoff from the city streets goes to the irrigation ditch. He wanted to make sure that the water in the irrigation ditches gets down to the canal.

Joe Long, West Jordan property owner and managing member of Gardner Village, said the biggest concerns seem to be traffic and density. He said the City has a master plan for the community and they placed this property in the Transit Station Overlay District to encourage high densities around TRAX

stops to encourage use of the public transportation system. That will obviously take hold over time as the system is developed out. Traffic studies were completed that indicate 1300 West will support the project. The bottlenecks they referred to are around areas that haven't been developed. There are sidewalks on the west side of the road because a subdivision was developed. As this property on the east develops out that will come as well. The applicant has met with all of the required criteria, and they have also studied school capacities, which are adequate. He said the Colosimo's have worked for a long time to identify the issues and have determined that it is feasible and that it meets all of the planning and zoning criteria.

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

Paul Colosimo, applicant, understood the concerns of the neighborhood. His company is trying to be straight forward with their project. They completed a traffic study and took the advice from Bill Baranowski by adding a deceleration and acceleration lane in the design along 1300 West. He said the study indicates that 1300 West has level of service A, but 7800 South has level D, so a lot of the discussions were relating to that road. He recognized that the 1300 West access will be used a lot, but they won't be backing onto 1300 West. He didn't think that many of the residents would turn left onto 1300 West to go to work. There are three access points into the project, so residents will use whichever way it most convenience to them. He sympathized with the person who lives on 1300 West who will have the biggest impact; but he didn't know how much more you could mitigate for a property that is on 1300 West. This project will offer a chance for people to try West Jordan. His brothers and he are going to own the project, and they care about it. It will be an upscale project with rents at \$1200 per month, and he won't rent to anyone who will be detrimental to his project or not pay rent. They have gone to great lengths to have a state-of-the-art swimming pool and fitness center. Upscale people will want to live here and they will ride light rail. Fifty percent won't ride it, but over time more people will use it as they find it to be convenient; but they will still own a car. Regarding blocking the views, they will be 500 feet from 1300 West and then it will drop down and it will be a cool, multi-level project with a pretty design. It isn't low income housing. He is making a \$30 million investment. He is happy to answer their questions and will be for 20 years after it is built. As the population grows we need places with density, so if not here then where? It is close to light rail and transportation, it is not in a neighborhood and it complements Gardner Village. He hoped that the people here tonight will eventually see all of the positives of the project. He stated that he and his brothers will be accountable for any issues.

Questions were answered regarding the pedestrian ramp to the pool and clubhouse. Irrigation water will have to be contained in an appropriate site through proper city standards. The structure height from the west side of 1300 West will appear as three stories.

Bill Baranowski answered questions regarding traffic mitigation on 1300 West, especially during peak flow hours. He said there is congestion in that intersection. The City has a \$1 million project planned in the next two to three years to slightly widen the roadway at the intersection without buying any of the lots to the north. They will replace the traffic signal and add turn lanes in all directions. There currently isn't a good right turn lane southbound from 1300 West to 7800 South. There is a master plan for the road to be widened in the future similar to what is by the sewer plant, but that will take more funding.

David Pack said the agenda noted that this is a legislative decision. He thought both arguments were compelling and he would like to respect both the property owner's right to develop as well as the established residents of the area. The project complies with zoning, general plan, master plan, TSOD, etc. He felt that it is a nice-looking development and not low-income; but it does increase traffic. He asked if there was a way to help mitigate the headlights at night on the adjacent properties.

Ellen Smith didn't know if there was. It is the same as if someone else bought the property and installed a driveway at that location.

David Pack understood the recurring idea for single-family homes, but where do we put multi-family? This project is consistent with the general plan.

Robert Thorup clarified that the subdivision and site plan approvals are quasi-judicial decisions with specific findings. If the applicant has met the criteria then he is entitled to approval, but if not then he is not entitled to approval.

Zach Jacob asked if the future land use map was amended when the zoning was changed to P-C.

Greg Mikolash said it was previously very high density residential land use with an R-3 zone, which was changed to P-C zone with the Town Center land use. It all still remains in the Transit Station Overlay District as well.

Zach Jacob said a resident mentioned a petition opposing high density and wondered how long ago that was.

Tom Burdett said staff could research that, but he thought it was a different application with different circumstances.

Ellen Smith said even so, they need to go by the current general plan, which was approved last year. Even if a petition was submitted several years ago, the Commission is still bound by what it says in the general plan.

Tom Burdett said the general plan is a guide and the zoning ordinance implements that guide.

Zach Jacob said when this came before them for rezoning last year they looked at a concept plan, and he commented at the time that this is a gateway to the City and asked what do we want people coming into the City to see? It is true that the apartments east of Gardner Village are in Midvale, but just because we are next to Midvale doesn't mean we always want to look like Midvale. He had a chance to speak to a lot of people in the city has year, and they all asked how he felt about high density. He would tell them that high density has its place, next to an arterial street, next to employment opportunities, shopping, and should be next to transit. This project really kind of fits the envelope, so he is torn. He doesn't like it, but he doesn't know where else he can put it.

Ellen Smith agreed that this is a gateway into the city, but 7000 South, 9000 South, and Bangerter Highway get more traffic. 7800 South comes into the City, but it isn't a main entrance. She thought this is a beautiful development, and she had mixed feelings about it. She wanted the 8-foot trail width to be included as a condition in the preliminary development plan.

Zach Jacob read Criteria 2 in the site plan findings of fact and said that after hearing the testimony tonight it would be hard to make the case that it isn't at least somewhat detrimental to the neighborhood or the persons residing there. The people who came tonight said the project would injure or inconvenience them, so whose side do they take? The Colosimo family has property rights, and the project kind of fits all of the pieces except for Criteria 2.

Ellen Smith referred to Criteria 5 regarding traffic impacts. She said the Colosimo brothers only have the capacity and ability to take care of certain things. The City or UDOT has to take care of other impacts.

Lesa Bridge agreed that the applicant is doing what is required pursuant to the traffic study requirements. The study said 1300 West can handle the traffic. In accordance with the drawings she saw today, the proposed improvements to 1300 West are traffic-calming measures to provide adequate access onto 1300 West. The City will implement measures in the future when the budget allows. She didn't see any other measures the applicant could provide at this time.

It was brought up that standard sidewalk width is five feet with a six-foot width on arterial streets. Trail widths, vary but eight feet is typical.

Bill Heiner asked if the traffic signal at 1300 West could be timed so it isn't as long.

Bill Baranowski said the traffic signal operates in a coordinated fashion, but there isn't much to coordinate with since the closest light is more than a mile away. They do recognize issues with the left turn phasing during peak hours. It was brought to their attention that one of the cameras that detect traffic hadn't been working for several months, but that had been corrected. They propose to completely replace the traffic signal with a new one, add turn lanes, and correct a lot of the issues with storage for left and right turn; however, that won't be happening for two to three years. So the best they can do in the meantime is to keep the phasing adequate for the peak hours. The commercial corner will probably be developed within the next year or two, and at that time they will be able to add the right turn pocket going southbound. The signal timing favors 7800 South at the detriment of 1300 West. He said UDOT studied that street and identified it as a very important corridor as an alternative to Redwood Road and I-15 going north and south, so they've identified \$11 million worth of needed improvements. We currently only have \$1 million so they have a ways to go to be able to fix all of the problems.

MOTION: Lesa Bridge moved based upon the findings set forth in the meeting today to approve the Preliminary Subdivision Plat for the Station at Gardner Mill; northeast corner 7800 South 1300 West; Colosimo Brothers (applicant) subject to conditions 1 and 2 as stated in the staff report. The motion was seconded by Dan Lawes and passed 7-0 in favor.

MOTION: Lesa Bridge moved based on the positive findings set forth in the meeting today to approve Preliminary Site Plan for the Station at Gardner Mill; northeast corner 7800 South 1300 West; Colosimo Brothers (applicant) with conditions 1 and 2 as noted in the staff report. The motion was seconded by Ellen Smith.

AMENDED

MOTION: Ellen Smith moved to amend the motion to add condition #3 that the trail have an 8-foot width. The amendment was accepted by Lesa Bridge.

AMENDED

MOTION: Dan Lawes additionally moved to amend the motion to add condition #4 to add a hard base for a weed barrier behind the two garages on the west side of the property. The amendment was accepted by Commissioners Bridge and Smith.

Zach Jacob said he would speak against the motion because of criteria 2 as he mentioned earlier that it would be detrimental to the neighborhood.

VOTE: The amended motion passed 6-1 in favor with Zach Jacob casting the negative vote.

MOTION: Lesa Bridge moved to approve the Preliminary Development Plan for the Station at Gardner Mill; northeast corner 7800 South 1300 West; Colosimo Brothers (applicant) subject to conditions of approval as noted in the staff report. The motion was seconded by Ellen Smith and passed 7-0 in favor.

Tom Burdett gave an update on recent and upcoming city council actions. He also explained the duties of the CDBG/HOME Committee and said a representative will be needed from the Planning Commission.

David Pack asked to be excused from the next meeting.

MOTION: Zach Jacob moved to adjourn.

The meeting adjourned at: 7:50 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2014