

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD JULY 7, 2015 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Dan Lawes, Kelvin Green, Matt Quinney, David Pack, Zach Jacob, Bill Heiner, and Josh Suchoski

STAFF: Larry Gardner, Ray McCandless, Nannette Larsen, David Cottle, Paul Brockbank, Robert Thorup, Julie Davis

OTHERS: Dan Milich, Clint Hutchings, Chad Devereux, Jackie Kingston, and Richard Welch.

The briefing meeting was called to order by Dan Lawes. The agenda was reviewed and clarifying questions were answered. The density of Addenbrook Village was clarified. A reminder was given to the commission regarding the Redwood Road Corridor Stakeholders Workshop on July 14th at 5:00.

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

1. Consent Calendar
Approve Minutes from June 16, 2015

MOTION: Zach Jacob moved to approve the Consent Calendar. The motion was seconded by Matt Quinney and passed 7-0 in favor.

2. Center Park Drive Residential; continued from June 16, 2015; 6822 S. Center Park Dr.; General Plan Land Use Amendment for 15.10 acres from Professional Office to High Density Residential; P-O Zone; Foursquare Properties/Dan Milich (applicant) [#GPA20150001; parcels 21-19-400-007]

Staff recommended that the Planning Commission continue the request for a change to the Future Land Use Map to the August 18, 2015, meeting.

MOTION: David Pack moved that the Center Park Drive Future Land Use Map amendment be continued to the August 18, 2015 meeting at the request of the applicant and recommendation from staff. The motion was seconded by Zach Jacob and passed 7-0 in favor.

3. Addenbrook Village; Approximately 6111 West and 7800 South; Preliminary Development Plan establishing a density of 6.30 units per acre, Preliminary Subdivision Plat (180 units on 28.7 acres), and Preliminary Site Plan; MFR Zone; Garbett Land Investments, LC/Richard Welch (applicant) [#SDMA20140007, SPCO20140006, DP20140004; parcels 20-35-100-022, 023; 200-037]

Richard Welch, Garbett Homes, applicant, described the location of their product within the Highlands development. This development will provide a transition from the already approved Englefield single family development to the commercial component and high density Gladstone area. Addenbrook Village will have 180 units. There will be 41 single family lots in a continuation from Englefield with

a transition to 36 duets (twin homes) and 103 for-sale townhome units. He showed a photo of a model home and drawings of the townhome and duet buildings. The Design Review Committee requested a color palette that more closely matched the single family. Within the WSPA there is a base density with the opportunity to provide design improvements for a buy up. Their proposal is for 6.2-6.3 dwelling units per acre. They aren't asking for the maximum density, which would be 9 units per acre. Staff's review gives them a 65% buy up, while they feel their designs allow for 68%. Only 40% is needed for the 180 units as submitted. He further explained how the garages are oriented on the duet and townhome units. Regarding guest parking, the site plan shows that every unit has at least an 18-foot driveway. They have this same discussion with almost every city. With 108 units this project will always demand a professional property manager and the CC&Rs will not allow a garage to become storage. Anyone in violation will be fined if the problem continues. Mr. Welch explained that twin homes and townhomes are similar from a legal perspective. Since a townhome is not a stacked unit, the lot is owned in the same way as a single family lot and it is the same with the twin home. Some duplexes that are intended as rentals meant that there were two units on one lot. But with their duets/twin home it is one unit on one lot with a zero lot line where the units connect. He stated that Garbett's designer, Chad Devereux, was also in attendance.

Ray McCandless gave an overview of the area and pointed out where the different housing types will be located, which will be subject to the WSPA requirements. The project will have five phases. Ratification of the density will be by the city council. There are some open space areas and detention facilities. Fencing along the townhomes is decorative metal and staff is asking for masonry columns every 20 feet. On the north side by the twin homes there will be a RhinoRock wall to 7800 South and behind the lots along 7800 South. Buy up numbers from staff and the applicant were similar. The actual density is 6.22 gross and 6.30 net units per acre. There was a possible 7.44 dwelling units per acre. The proposed density is consistent with the general plan.

Sub-area Preliminary Development Plan

Based on the requirements listed in the Zoning Ordinance, staff recommended that the Planning Commission approve the Addenbrook Sub-area Preliminary Development Plan located at approximately 6111 West 7800 South with a residential density of 6.30 units per acre net (41 single-family dwellings, 36 twin homes and 103 town homes) for a total of 180 dwelling units, subject to the following conditions:

1. The Final Development Plan shall be updated to reflect the buy up points and densities approved by the Planning Commission and City Council.
2. The Final Development Plan shall be updated to show all other requirements as approved by the Planning Commission.
3. Approval of the Preliminary Subdivision Plat and Preliminary Site Plan shall be subject to City Council Approval of the Preliminary Development Plan. The project density shall be approved by the City Council as part of the Preliminary Development Plan approval.

Preliminary Subdivision Plat

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

1. All areas not maintained under the terms of the Highlands Assessment Area must be owned and maintained in perpetuity by a homeowner's association or other legal entity.
2. The Final Subdivision Plat, Final Development Plan and Final Site Plan shall show the following information related to fencing:
 - a. A 6' high Rhino Rock, or pre-cast masonry street wall, along Fallwater Drive and 7800 South as discussed in this report.
 - b. The decorative street wall fencing along Fallwater Drive in front of the townhomes must be 6' in height and include decorative pillars spaced at 20 feet o.c. The pillars must match the street wall fence in front of the two-family dwellings.
 - c. A 6' high vinyl fence must be installed on all interior perimeter property lines per City Code, Section 13-14-3E.
 - d. Show all approved fencing and define installation, ownership and maintenance responsibilities for each fence.
3. Landscape and irrigation plans shall be submitted detailing installation and maintenance responsibilities of all landscaping and irrigation systems.
4. The final subdivision plat shall integrate traffic calming design within the interior of the subdivision as directed by the city engineering staff.
5. The Final Subdivision Plat shall address all engineering requirements.
6. The option of a tot-lot be removed from the development plan, site plan and subdivision plat drawings.
7. Preliminary subdivision plat approval shall be valid for one year until July 7, 2016 per City Code, Section 14-3-8.

Preliminary Site Plan

Based on the required findings listed in the Zoning Ordinance, staff recommended that the Planning Commission approve the Addenbrook Preliminary Site Plan for property located at approximately 7800 South 6400 West, subject to the following conditions:

1. All areas not maintained under the terms of the Highlands Assessment Area must be owned and maintained in perpetuity by a homeowner's association or other legal entity.
2. Preliminary site plan approval shall be valid for one year until July 7, 2016 per City Code, Section 14-3-8.

The 200-foot roundabout with five connecting roads was discussed. The width includes the street.

David Pack asked if staff felt that all requirements of the Design Review Committee had been met.

Ray McCandless said yes. The applicant distributed the amended plans to the DRC members and the feedback was positive.

Kelvin Green asked Josh Suchoski if the requested visual color palettes were emailed to the committee.

Josh Suchoski said yes. The applicant did an excellent job in working well with the Design Review Committee and took into account all of their recommended changes even though it required the applicant to spend many hours to make new drawings. David Pack concurred.

Zach Jacob asked about the 7800 South improvements with Englefield and Addenbrook phasing.

Ray McCandless thought that Englefield Phase 2 was coming in soon, so it should all come together.

Dan Lawes opened the public hearing.

Clint Hutchings, West Jordan resident, said he lives in the adjacent Bloomfield Heights subdivision near the duet portion of this development. He asked about the square footage of the duet homes. He said that most of the existing homes along Fish Lake Drive had installed fencing, and he wondered if Garbett had any plans for additional fencing or if it would be a shared common fence. He asked if they could expect any reimbursement on the shared fencing. He asked how large the buffer area is between the duets and the Fish Lake properties. He would like to see additional landscaping and trees along that fence line.

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

Chad Devereux, Garbett Homes, said the lot size is indicated on the preliminary plats and the units are between 1500 - 1600 square feet plus an unfinished basement of an additional 600-700 square feet. Each home will have a 2-car garage. They offer an option for a fence, but it isn't automatically included. If there is an existing fence on the property line or just inside of it then he would expect that the buyer wouldn't opt to have another one. If they do want a fence installed they offer a six foot vinyl privacy fence that would be installed on their property. He said they couldn't ask the homeowner to share the cost of an existing fence. The front yard will be landscaped and they offer rear yard landscaping. A buffer shows shrubs and perennials around the home with irrigation and sod.

Larry Gardner said the rear yards are almost 40 feet from the back of the unit to the fence.

MOTION: David Pack moved based on the findings set forth in the staff report and the design shown in the Addenbrook sub-area preliminary development plan and upon the evidence and explanations received today to approve the Preliminary Development Plan for Addenbrook Village sub-area; 6111 West 7800 South; Garbett Land Investments, LC (applicant) with the residential density of 6.3 units per acre net consisting of 41 single-family dwellings, 36 twin homes, and 103 townhomes for a total of 180 dwelling units, subject to the three conditions of approval listed in the staff report. The motion was seconded by Matt Quinney and passed 7-0 in favor.

MOTION: David Pack moved based on the findings set forth in the staff report and upon the evidence and explanations received today to approve the Preliminary Subdivision Plat for Addenbrook Village; 6111 West 7800 South; Garbett Land Investments, LC (applicant) subject to the seven conditions listed in the staff report. The motion was seconded by Kelvin Green and passed 7-0 in favor.

MOTION: David Pack moved based upon the required findings set forth in the staff report and the information gained in the public hearing tonight to approve the Preliminary Site Plan for Addenbrook Village; 6111 West 7800 South; Garbett Land Investments, LC (applicant) subject to the two conditions in the staff report. The motion was seconded by Bill Heiner and passed 7-0 in favor.

4. Brinkerhoff Property Removal of TSOD Designation; 7655 South 1300 West; Amend the West Jordan Future Land Use Map and Zoning Map to remove the TSOD designation from 10.21 acres of property; RR-.5D Zone; City of West Jordan (applicant) [#ZC20150005, GPA20150003; parcels 21-26-351-021, 002]

Larry Gardner gave an overview of the item and surrounding properties. In the course of review of the Station at Gardner Mill development, the City Council determined that they want to shrink the size of the TSOD boundary by 10.21 acres, which encompasses the entire Brinkerhoff property listed. The TSOD is only an overlay and the underlying zoning on the property is Rural Residential with half-acre lots, which will not change. Removal of the TSOD boundary would also remove any design guidelines and additional uses that the TSOD boundary brings. The primary reason the City Council wanted to reduce the boundary was that higher density development is more appropriate in this area along the corner of the arterial street and not so much back along 1300 West where it is largely surrounded by single family residential.

Zach Jacob asked if the other rural residential parcels will remain in the boundary.

Larry Gardner said it was only for the specific 10.21 acres and the others would remain within the TSOD. He explained that one of the agreements Colosimo made was that the corner of 1300 West and 7800 South will be reserved as a commercial piece.

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 remove the Transit Station Overlay District (TSOD) from 10.21 acres of property generally located at 7653-7655 South 1300 West.

Dan Lawes opened the public hearing.

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

Kelvin Green wanted everyone to know that the request came from the City Council who listened to the neighbors as part of restructuring in the area to remove some of the high density to help make the area flow better. He felt that it would be a good buffer and an appropriate reduction to the TSOD.

Bill Heiner asked if the property owner was involved in those discussions.

Kelvin Green didn't know if they were involved in the discussion. What he had heard is that the Brinkerhoff's have said they will never sell the property.

MOTION: Zach Jacob moved to forward a positive recommendation to the City Council to remove the TSOD designation from 10.21 acres of property generally located at 7633-7655 South 1300 West; City of West Jordan (applicant). The motion was seconded by Josh Suchoski and passed 7-0 in favor.

5. Text Amendment – Amend the West Jordan Municipal Code Title 13 to allow “Gasoline Service Station” in the C-M (Heavy Commercial) Zoning District; City-wide applicability; Foursquare Properties, Inc./Dan Milich (applicant) [#TA20150003]

Dan Milich, applicant with Foursquare Properties, said the purpose of the request is to move forward with the vacant parcels within the Jordan Landing property holdings. While this application isn't specific to any particular property, they have a C-M parcel west of Jordan Landing with a party who is interested in a gasoline service station use. They are in support of staff's recommendation and have worked closely with staff to process the application. They have been pleased with the efficient manner in which staff has been working with them. He said they talked about all of their alternatives with staff during a pre-application meeting. The C-M zone is a heavy commercial zone and the only commercial zone where gas stations are not permitted outright. So they felt that a text amendment was appropriate rather than a rezoning.

Nannette Larsen said the proposal is to allow gas station services as a permitted use in the C-M zone, which is to correct an oversight. They currently aren't allowed in this district even though it is considered a more intense type of use than Neighborhood, Community, or Regional Shopping Center zones, which do permit them. There are three separate C-M districts within the city with approximately 32 separate parcels.

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.

Dan Lawes said there is a C-M zone on 1300 West and 7800 South that currently has a gas station, and he asked if staff was aware of any concerns or complaints regarding that more intensive use.

Nannette Larsen said she hadn't heard of anything.

Kelvin Green said the C-M zone is commercial/manufacturing. He asked how much analysis was done to determine if the exclusion from the C-M zone had to do with the proximity of manufacturing uses next to a gas station that may be hazardous. He asked if this could have been excluded on purpose because of the manufacturing nature of the area.

Nannette Larsen said she wasn't involved in the initial creation of the C-M district, so she can't say for certain. However, it seemed to her that it was an oversight because even in the C-G (General Commercial) districts that are also located close to manufacturing types of uses gasoline service stations are permitted. Also, on page 4 of the staff report it shows that gasoline and fuel storage and sales is a conditional use in both the C-G and C-M zoning districts.

Larry Gardner clarified that gasoline storage and sales is storing larger amounts of fuel stored on a site.

David Pack asked if granting this would set a precedent or create any liability or problems down the road.

Larry Gardner said he didn't see any detrimental effect unless they didn't want more gas stations in other areas of the city. Gas stations are based upon market, need, and proximity; he didn't see the entire zone becoming a gas station.

Dan Lawes opened the public hearing.

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

Zach Jacob followed up with the question regarding concerns with gas stations being near manufacturing areas.

Dan Lawes felt that it would support that kinds of use based on the nature of the traffic that goes through a manufacturing district.

Larry Gardner said gas stations are permitted in the M-1 zone.

Josh Suchoski said if you are allowed to store fuel tanks for your own industry in a C-M zone already, then he felt it would only be a benefit to the area and not a detriment.

MOTION: Josh Suchoski moved based upon the findings set forth in the staff report and upon the evidence and explanations received today to forward a positive recommendation to the City Council for the proposed text amendment to Title 13 of the 2009 City Code as addressed in the staff report relating to the Heavy Commercial C-M district. The motion was seconded by Zach Jacob and passed 6-1 in favor with Kelvin Green casting the negative vote.

6. Legacy Grove Subdivision; 7292 S. Redwood Road; Preliminary Subdivision Plat (5 lots on 2.78 acres); R-1-8A Zone; IPS/Joshua Peterson (applicant) [#SDMI20140004; parcel 21-27-178-014]

Jackie Kingston, representing the applicant, said they are interested in building a small community that will have a common area with a pool, pavilion, parks, and playground. They wanted the community on a cul-de-sac where it is safer for kids to play. The 2.7-acre property was affordable so they purchased it quickly before going through the application process since the zoning was residential. Not being developers, they didn't understand everything that was involved with approvals, and they have been in the process for almost a year. She said the code can be interpreted in different ways. They want to work toward the city goals, which are to provide a safe and healthy living environment to the citizens and to ensure safety, accessibility, and walkability between neighborhoods, implement street design standards for residential subdivisions that provide interconnected street system, greater distribution of traffic and allow flexibility, etc. Traffic calming measures where appropriate and street systems should eliminate dead ends and hammerheads and cul-de-sacs except in areas where there is no alternative for connectivity. It also says that the city wants to plan and support an efficient residential development pattern that enhances and establishes neighborhoods and creates new neighborhoods in identified (infill) growth areas. The city wants them to connect to the property to the north for a better designed city, which they understand. But because the undeveloped area is so small it doesn't offer the other property owners any benefits that they can see. Because both properties are located on Redwood Road there won't be much difference. In fact, there will be less unnecessary traffic entering a private road than a 'no outlet' dead end street, which is the worry of the planning staff. It also makes it easier for the mail and garbage to enter and turnaround and exit. The city likes

streets to be public for maintenance reasons, which they understand. But in this zoning district each lot has to be at least 75 feet wide. With the width of the road and sidewalk there is only 43 feet left. Because of that they need to make a private road so it is an easement and still part of the parcel. They feel that it will add value to the community and increase tax dollars to the city, it fits within the current zoning, and it does provide a safe and healthy environment to all citizens. This may seem like just another project for the Commissioners, but to them it is very personal and a huge investment that cannot be accomplished without their help.

Zach Jacob asked if they had been in contact with the property owners to the north.

Ms. Kingston said the property owner for the house next to theirs along Redwood Road is not interested in selling. The property next to that one just sold or they are trying to sell, and none of the others are interested in selling at this time.

Josh Suchoski referred to her comment that making the connection to the northern property would limit their lot size, but lot 6 is almost 3/4 acre.

Jackie Kingston said the piece of property in the middle is a common area where the pool and other amenities will be located. The road will limit the area for the amenities and the purpose for having a private community is defeated.

Josh Suchoski said if the road isn't stubbed then the property to the north would not have room to be developed even with a cul-de-sac.

Ms. Kingston said that they measured the property and it would have the ability for a development similar to theirs with homes on one side of the street and a turnaround.

Josh Suchoski said two cul-de-sacs in a row affects the flow of the traffic and limits the number of lots for the owner to the north.

Ms. Kingston said that property is only wide enough for one road of homes, so it doesn't affect the number of homes they can have.

Nannette Larsen said the applicant is proposing six single family residential lots on 2.78 acres. Staff recommended denial of the subdivision because the property to the north includes two separate parcels with a combined total of 2.18 acres that is possibly developable. Section 14-5-5 of the ordinance states that stub roads are required. It is staff's opinion that the properties to the north still have development potential on the west portion of the property even though they each have a home on the east portion. The denial is also recommended due to the proposed private street. Title 14 requires that if at all possible they should develop with a public street.

Based on the negative findings set forth in the staff report, staff recommended that the Planning Commission deny the Preliminary Subdivision for Legacy Grove located at 7292 South Redwood Road in the R-1-8A zoning district.

Dan Lawes asked if the concern was with the stub road rather than the private street.

Nannette Larsen said it is mostly with the stub road.

Dan Lawes said there was a comment in the pre-meeting that the city council had previously spoken to that concern.

Nannette Larsen said the city council mentioned in the meeting for Amara Court Townhomes that one of the reasons for denial was that it wasn't being stubbed to the north.

Dan Lawes opened the public hearing.

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

Zach Jacob remembered when the Highlands master development plan was being approved and the property owners on a five-acre piece outside of the plan spoke against a proposed stub road that would connect to their property. They said that they weren't going to develop their property and that the city was making plans for something that may never happen. The city council removed the stub road and created a building lot. He felt that it is presumptuous of staff or the commission to decide the development potential of someone's property. The current property owners to the north of this project are happy right now to have their home and a large backyard, so they may never develop. He felt that Criteria 1 is met because right now there is no alternative for connectivity. Regarding Criteria 4 and private streets, they are permitted when the property can't be otherwise developed. The public street would make it undevelopable. He was in favor of approval.

Kelvin Green disagreed on Criteria 1. At some point the property to the north will develop. If they don't stub in then there will be multiple dead end driveways onto Redwood Road. He also wasn't sure that it is a limited infill project to justify a private street. He has a fundamental problem with private streets because the city takes care of public streets. If the HOA fails then the city is stuck with the private street. He asked if there was a way to dedicate an easement with a condition that says the property is set aside for a stub street but in the meantime it could be landscaped until the property is developed, then it would be connected. He would rather break the code to make a public road with a smaller lot size than to make it a private road.

Larry Gardner said they can't break the ordinance, but an easement is a possibility.

Dan Lawes said that in a quasi-judicial item it requires findings of fact. Section 14-5-5 states if adjacent land is undeveloped, stub streets shall be provided at useful locations to provide continuing access to future development. He said that seems to be cut-and-dried.

Zach Jacob said the definition of undeveloped is in question. Is someone's backyard undeveloped? He thought it would be a disservice to put it out there as a precedent to say that a backyard is undeveloped.

Kelvin Green agreed that it may not be developed to its full potential, but it is a developed piece of property.

Josh Suchoski said if they do stub it and the property owner to the north wants to develop their property differently than what the city intends then we are making a presumption that they will have to

follow exactly what was laid out. He is leaning more toward Commissioner Jacob's thoughts. There isn't opportunity to stub into another road, unless they lay it out exactly how the city wants it.

Zach Jacob said the property would have to be subdivided in order to stub into the street and if it is never subdivided or if it develops as something else then there is a stub street that goes nowhere. He would consider the property developed. They need to consider this application for what it is and not what may happen to some other property down the road. Regarding the driveway issue, there won't be any more driveways than what currently exists.

Kelvin Green said the 2-acre property may not even be developed as residential since it is on Redwood Road and adjacent to the storage units. It could easily be commercial or office because of the nature of Redwood Road.

Bill Heiner said that a stub road into that type of project could be incompatible.

Matt Quinney said the option of an easement for a stub road wouldn't work with what the applicant has in mind for their property.

David Pack referred to the staff report regarding engineering and fire requirements for multiple access points. He asked if the fire department felt that two points for ingress and egress are needed.

Paul Brockbank said two points of egress usually comes into play when there are 30 or more lots in the subdivision. In the subject development, as long as the cul-de-sac is built to the city and fire code standards, they could accept it as shown.

Bill Heiner asked if this is laid out to city standards.

Larry Gardner said the proposed plat is laid out to private road standards, and there is a considerable width difference.

Bill Heiner said it is a safety issue whether it is public or private if a fire truck can't get in or turn around.

Paul Brockbank said fire code allows for both public and private drives, and if the commission approved it as a private drive then they would have to meet those fire code standards for private drives, which still allows them access.

Larry Gardner clarified that if the road remains private then there is no requirement for a stub street.

Zach Jacob said they can have the final plat brought back to the planning commission to make sure the roads meet the standards.

Kelvin Green agreed that the property to the north is developed. He understood staff's interpretation that it is not a limited infill project, but he thought it could be considered limited infill because of the houses. He pointed out a problem with the application that wasn't signed by a corporate owner. He fought against the previous application on this property. This is a better project, but if they don't allow

it now then it may sit vacant for years while we wait for the other property to sell. He would like the entire area to develop at once, but that isn't possible.

Josh Suchoski said sometimes as a planning commission and staff, they try to make things fit all together in a tight box. They are usually developer driven because that is who makes the applications, and those applications are usually to divide and sell. But there are still people who want to be in close proximity to the city on a big lot. The property to the north is that type of property. If they approve this application it preserves the property to the north, and he didn't feel like they would be doing an injustice to the property owners or the city.

David Pack said they need findings of fact on a quasi-judicial action no matter how they feel personally about the issue. He said they can think outside the box for other ways to make it work if it fits the criteria. Initially he thought this might not meet the demands of quasi-judicial findings, but with this brainstorming he felt that they are meeting the mandates of city code and at the same time allowing someone to be able to develop to a higher and better use. He would feel comfortable in voting for approval.

Zach Jacob echoed the words of the former mayor who once said 'you get what's applied for or you get what you got'.

**MOTION: Zach Jacob moved based on his reading of the staff report and upon the discussion this evening to approve the Legacy Grove Subdivision; 7292 South Redwood Road; IPS/Joshua Peterson (applicant) and stating that he believes that all four criteria have been met as mentioned in the discussion, adding condition:
1. The final subdivision plat be brought back to the planning commission.
The motion was seconded by Matt Quinney.**

David Pack asked if they wanted to add a condition that the correct signature of the corporation be obtained.

AMENDED

**MOTION: Kelvin Green moved to amend the motion to include condition:
2. The corporate signature be included on the application prior to returning to the Planning Commission.
He also moved to add specific findings of fact that the property to the north is developed and that this is a limited infill project. The motion was accepted by Commissioners Jacob and Quinney.**

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

7. Text Amendment – Amend the West Jordan 2009 City Code, Section 13-5-5 ‘Clarification of Zoning’ and 13-5-6 ‘Zoning Conditions’; City-wide applicability, City of West Jordan (applicant) [#TA20150004]

Robert Thorup said the discovery was made that in the change from the 2001 City Code to the 2009 City Code a cross reference to indicate that there are no longer official RR-1, RR-.5, RE-1, and RE-.5 zones and that they have become RR-40, RR-20, RE-40, and RE-20. The amendment in 13-5-5 will add that statement of clarification. Section 13-5-6 dealt with zoning conditions. Since West Jordan has not for several years, and should not engage in, conditional zoning they are amending it to recognize that there are zones that have been given conditions that will remain, but that the city wants to eliminate any possibility of future conditions on zoning.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council for the proposed text amendments as discussed in the report.

Dan Lawes opened the public hearing.

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

MOTION: David Pack moved based on the findings set forth in the staff report and upon the evidence and explanations received today to forward a positive recommendation to the City Council for the proposed text amendments as discussed in the staff report. The motion was seconded by Josh Suchoski and passed 7-0 in favor.

MOTION: Matt Quinney moved to adjourn.

The meeting adjourned at 7:41 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2015