

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD OCTOBER 6, 2015 IN THE WEST JORDAN COUNCIL CHAMBERS

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

STAFF: Scott Langford, Larry Gardner, Mark Forsythe, Nathan Nelson, Julie Davis, Robert Thorup

OTHERS: Spencer Burt, Billy Smith, Jeremy Sorensen, David Barber, Brandon Mathews, Brian Rentmeister, Randy Bowler, Brett Glassey

The briefing meeting was called to order by Dan Lawes. The agenda was reviewed. Clarifying questions were answered. A memo and map from the Engineering Department providing information for Item #3 were distributed and explained.

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

**1. Consent Calendar
Approve Minutes from September 15, 2015**

MOTION: David Pack moved to approve the minutes from September 15, 2015. The motion was seconded by Zach Jacob and passed 6-0 in favor. Kelvin Green was absent.

2. Glassey SteelWorks, Inc.; 5368 West Axel Park Road; Conditional Use Permit for Metal Fabrication in the Drinking Water Source Protection Overlay; M-1 Zone; Glassey SteelWorks, Inc. (applicant) [#CUP20150012; parcel 26-12-126-009]

Brett Glassey, applicant, was appreciative of staff's help on the project. They have a structural and miscellaneous fabrication and erection company that has been in business since 1997. Their previous location was on Leo Park Road but their size has tripled in just two years necessitating a move. He agreed with the findings and conditions and will be in compliance. The main change is to the fencing.

Zach Jacob referred to the conditions and asked if 30 gallons was enough.

Brett Glassey said yes. The building is fully fire sprinklered, so they will meet both options of the condition. They typically keep about five gallons of xylene and between 10 and 15 gallons of primer.

Mark Forsythe said this project is located within the Wells Park Industrial area and is the only area that is subject to the drinking water source protection due to four artesian wells in the area. The subject property is within the 15-year recharge area, which means if the groundwater is contaminated it would take 15 years for the contamination to reach the aquifer. The conditional use permit is required for certain types of uses and when certain chemicals are on-site. Most of the fabrication will be within the existing structure. The fire department has limited the primer and xylene (industrial solvent) to a total of 30 gallons; 60 gallons if the building has fire sprinklers and alarms.

Based on the positive findings set forth in the staff report, staff recommended that the Planning Commission grant Conditional Use Permit approval for Glassey Steelworks, located at 5368 West Axel Park Road, to conduct metal fabrication in the Drinking Water Source Protection Overlay Zone and in an M-1 zoning district with the following Conditions of Approval. Conditional Use Permit approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.

Conditions of Approval

1. Annual fire inspections shall be obtained for any chemicals stored on site which may require such an inspection, as required by Fire Department regulations.
2. Best Management Practices shall be followed at all times including, but not limited to, chemical recycling and proper disposal, establishment of a spill cleanup plan, fluid storage and containment, proper and regular maintenance of equipment, and any other needed or required response plans, training, or equipment that will assist in containing an unexpected release on-site.
3. Dispose of all products properly, including those requiring disposal at approved disposal sites under the Resource Conservation and Recovery Act.
4. No more than thirty (30) gallons of flammable chemicals may be stored on site. Up to sixty (60) gallons may be stored on site if fire sprinklers and alarms are installed in the building or if listed flammable liquid cabinets are installed.
5. Install privacy slats in the existing chain-link fence, running along the east and south property line.
6. The Conditional Use Permit is subject to review and/or revocation, in accordance with Section 13-7E-10 of the West Jordan 2009 City Code.

Kelvin Green arrived at 6:07 p.m.

Bill Heiner asked if inspections are conducted throughout the year to monitor spills.

Mark Forsythe said they are required to follow best management practices in the event of a spill, which will mitigate impacts.

Kelvin Green asked if the spill cleanup plan requires notification to the city in the event of a spill.

Mark Forsythe said there is nothing in the zoning ordinance that specifically references that.

Scott Langford said when dealing with hazardous spills there are other layers of government with the EPA, etc. that would likely be involved if the spill triggers a certain amount and would regulate the cleanup, but there is nothing specifically listed in the zoning code.

Dan Lawes opened the public hearing.

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

MOTION: Zach Jacob moved to approve the Conditional Use Permit for Glassey SteelWorks; 5368 West Axel Park Road; Glassey SteelWorks, Inc. (applicant) for metal fabrication in the Drinking Water Source Protection Overlay Zone with the

conditions of approval 1 through 6 as listed in the staff report. The motion was seconded by David Pack and passed 7-0 in favor.

- 3. Bella Estates Land Use Map Amendment and Rezone; continued from 9-15-15; 7481 South 5490 West; Future Land Use Map Amendment for 5.01 acres from Very Low Density Residential designation to Low Density Residential designation and Rezone 5.01 acres from RR-1D (Rural Residential 1-acre lots) to R-1-12F (Single-family Residential 12,000 square foot lots) Zone; Bowler Properties, L.C. (applicant) [#GPA20150004, ZC20150006; parcel 20-25-300-026]**

Dan Lawes said this item was continued from the September 15, 2015 meeting, and the information that the commission requested was presented tonight in the pre-meeting.

Nathan Nelson explained that a memo and map prepared by Tim Heyrend were presented to the Commission. Following the last meeting staff discussed the project and did some computer modeling. Under the current condition without any new development the modeling confirmed that some of the downstream pipes from this development are currently running at or near capacity. To verify that conclusion, they physically measured the depth of flow in several pipes. He pointed out one section of pipe on the map that is at capacity and to add more would put it above capacity. In order to accommodate additional growth and additional connections to the system, that 175-foot section of pipe would need to be upsized from 10" to 12". By upsizing that one section of pipe, an additional 20 acres of property could be accommodated along with the subject 5 acres. That would spread the cost of upsizing by having other contributors.

Larry Gardner said this information answered the planning commission's question about utilities from the previous meeting. With this data staff can recommend that the planning commission forward a positive recommendation to city council.

Zach Jacob asked for an explanation on cost sharing.

Nathan Nelson explained that the cost and timing doesn't need to be addressed right now, but that would occur when they review an actual application. Upsizing this pipe is not on the city master plan and is not a need of the City. But to connect a new area that wasn't part of master plan causes the need for upsizing. Typically when a development comes in and an offsite improvement is needed, if it benefits other properties then they can seek a pioneering agreement. Generally the first in is the pioneer and is responsible to bear the cost of the improvement. The agreement identifies other benefiting properties which, through a reimbursement agreement, will reimburse the pioneer when they come in to develop.

Dan Lawes said the commission held the public hearing at the last meeting and it was continued just to receive the additional information from staff, so they don't need to reopen the public comment unless the commission felt it was needed.

MOTION: Josh Suchoski moved to forward a positive recommendation to the City Council for Bella Estates; 7481 South 5490 West; Bowler Properties, LC/Randy Bowler

(applicant) to rezone 5.01 acres from RR-1D to R-1-12F. The motion was seconded by Bill Heiner and passed 7-0 in favor.

MOTION: Kelvin Green moved to forward a positive recommendation to the City Council for Bella Estates; 7481 South 5490 West; Bowler Properties, LC/Randy Bowler (applicant) to modify the future land use map for 5.01 acres from Very Low Density Residential to Low Density Residential. The motion was seconded by Zach Jacob and passed 7-0 in favor.

MOTION: Zach Jacob moved to adjourn.

The meeting adjourned at 6:18 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2015