

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD DECEMBER 1, 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, Ray McCandless, Larry Gardner, Todd Johnson, Julie Davis, and Robert Thorup

OTHERS: Marilyn Bawden, Dean Bawden, Spencer Moffat, Fred Cox, Li Chen, David Stevens, Richard Piggot

The briefing meeting was called to order by Dan Lawes. The agenda was reviewed. Dan Lawes referred to an email from a citizen that had comments, which he will read in the meeting.

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

**1. Consent Calendar
Approve Minutes from November 18, 2015**

MOTION: David Pack moved to approve the minutes from November 18, 2015, as contained in the staff packet. The motion was seconded by Josh Suchoski and passed 7-0 in favor.

2. Business Item - Loneview North Phase 3; Recommendation on Deferment of Improvements for 34 feet of pavement, curb, and gutter on 7800 South; Boyer Company (applicant) [#DA20140004]

Spencer Moffat, The Boyer Company, explained they are currently constructing the last phase of Loneview North subdivision and they ran into an issue with Rocky Mountain Power when they relocated the poles along their frontage. There is one pole in the area that they cannot move, because it is not on their property. So they cannot complete the road at this time. They can provide funds to the city so that when the road to the east comes in there will be adequate funds to complete their section of the road.

Larry Gardner said the property to the east isn't being developed at this time and the city can't compel someone to move something that is off-site. Rocky Mountain Power isn't willing to procure an easement at this time on someone else's property. The solution in the code is to allow a deferment until the property develops. The applicant will deposit the full cost of the improvements with the city so the money will be there to complete the construction.

Based on the required findings listed in the 2009 City Code, staff recommended that the Planning Commission forward a positive recommendation to the City Council to approve a timing of construction deferral for 7800 South Street and all required associated utility improvements adjacent to the Loneview North Phase 3 development.

Zach Jacob said the five-acre parcel to the east may never be developed, and he asked if it's possible that 7800 South may never develop in that area.

Todd Johnson said the city will be looking to acquire the necessary property to build the frontage in the near future.

MOTION: Zach Jacob moved based on the findings set forth in the staff report and the discussion this evening to forward a positive recommendation to the City Council to approve the timing of construction deferral for 7800 South Street and all required associated utility improvements adjacent to the Loneview North Phase 3 development. The motion was seconded by David Pack.

Zach Jacob asked for clarification of the wording 'all associated utility improvements' and not just for the 34 feet in question.

Larry Gardner said the motion could indicate the 34 feet.

It was pointed out that the other improvements are completed, and funds will be held for the area in question.

VOTE: The motion passed 7-0 in favor.

3. Gardner Lane Retail Strip Mall; 1715 West Gardner Lane; Preliminary Site Plan; SC-1 Zone; Phong Nguyen & Li Chen (applicant) [#SPCO20150027; parcel 27-03-128-008]

Fred Cox, architect for the applicant Li Chen, gave an overview of the project. The applicant and the city have been working for some time to get the right-of-way, sidewalk, and utilities to a point where they will work. The applicant has donated some right-of-way to the city for any future widening of Gardner Lane for a traffic signal. The sidewalk will be at the correct location for when the widening occurs. He originally sketched the building close to Redwood Road, but because of the possibility of widening with a signal and the location of the access to the business to the north it didn't make sense. So they located the building toward the west side, which is an approved option in the code. They have also been working on a concern with the lighting. The parking lot will be small enough that they don't propose using light poles. Instead they have lamps on the building that are just over 10 feet tall. The elevations show that the light will be cut off before it goes over the wall in order to minimize any light pollution to the neighbors. The building colors are more muted in order to fit with the other new businesses in the area. The building could have up to five retail spaces, but it could also be used by only one tenant.

Ray McCandless said this went to the Design Review Committee. Glass has been added to the north and south elevations so it will work well in the area. Colors will be earth tone, and a 20-foot landscape buffer will be on the south and west sides next to the residential uses. The city is still working on the Redwood Road corridor study, so there is no adopted plan at this time.

Based on the findings of the staff report, staff recommended that the Planning Commission approve the Preliminary Site Plan for the proposed commercial building located at 1715 West Gardner Lane in a SC-1 (Neighborhood Commercial) zoning district subject to the following conditions:

1. The proposed development shall meet all applicable Zoning Code requirements.
2. All changes to the site shall be consistent with the Preliminary Site Plan application and site plan.
3. An approved preliminary site plan shall remain valid for one year following the date of the approval.
4. The preliminary and final site plan must meet all requirements of the Engineering and Fire Departments.
5. Approval of a Final Site Plan shall become null and void if development does not commence within two (2) years of final site plan approval (13.7B.5).

Staff explained that there is no access from Redwood Road as it is controlled by UDOT and has limited access and spacing. The design allows for an opportunity to connect to the south if that property develops, with a possible shared access to Redwood Road.

Clarifying questions were answered regarding a requirement for a sidewalk to access the rear of the building. They would need at least a landing. The building code would also require that with their permit. Signage is not being reviewed tonight. Parking requirements are designed to consider both employees and customers. The calculation is being based on a retail use, but as uses and tenants change the parking is reviewed as business license applications are received.

Dan Lawes opened the public hearing.

David Stevens, West Jordan resident adjacent to the west, said he was 100% against the retail strip mall. If it is going in then he hoped the fence line will be improved so he doesn't have to look at it and he wanted ample security for the property without light shining onto his property. There is a lot of traffic in the area and he would prefer the access from Redwood Road, because there are always cars lined up on Gardner Lane. He wanted to know the type and height of the fencing.

Dan Lawes read a comment from Andrew Clegg, which had been emailed to the commission. He was glad the lot was being improved but had concerns with the proximity of the entrance to the intersection. Mr. Clegg would like to see integrated developments on Redwood Road rather than isolated one-building developments.

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

Fred Cox addressed the comments. If they had designed it closer to Redwood Road then the parking lot would be closer to Mr. Stevens' house and the traffic would be closer to his house. Staff gave them options for solid vinyl, concrete block, or concrete fence at least six feet in height. The applicant prefers something that will be durable, so the elevations note a concrete block wall to match the building. That will provide some privacy and security to the residents to the west. They are using lights lower on the building that will light inside the property. He is very familiar with dark sky light fixtures and they will do what they can to minimize the impact to neighbors.

It was pointed out that the block wall was shown on the elevations but not on the site plan, so that should be added as a condition of approval.

Kelvin Green was concerned with the access location and proximity to the corner, but he didn't know what they could do given all of the factors.

Josh Suchoski said it appears to be over 60 feet from the corner to the entrance, which is tight but at least 2 1/2 car lengths. The traffic flow in the current location would be better than having it in another place. The building location also addresses better the concern of the western property owner.

There was additional discussion regarding the lighting and access to the back of the building. Motion detectors were suggested. The proposed type of lighting won't have much upward splash. There is a lot of lighting on the ground without horizontal or vertical light pollution. Access to the rear of commercial buildings is usually for loading and activity during odd hours, so the fewer doors and less activity on the west side will be better for the neighbors. It will be in the best interest of the business owner to make the property secure, so they will do what is necessary to mitigate problems that arise.

There was a brief discussion regarding the zoning designation for the property to the west, which is divided between commercial and residential.

MOTION: Josh Suchoski moved based on the findings in the report and information received during this meeting to approve the Preliminary Site Plan for Gardner Lane Retail Strip Mall; 1715 West Gardner Lane; Phong Nguyen & Li Chen (applicant) with the conditions set forth, adding:

6. The wall at the rear of the project be split faced concrete that is described on the south elevation on Page 14 of the staff report.

The motion was seconded by Dan Lawes.

Kelvin Green explained to the residents that the property is zoned SC-1 and the proposed plan is consistent with the regulations for that zone. We don't like retail outlets in residential backyards, so they are trying to mitigate the impacts. Given the zoning it would be difficult for him to vote against it.

VOTE: The motion passed 6-1 in favor with Bill Heiner casting the negative vote.

4. Dollar Tree; 6271 South Dixie Drive; Preliminary Site Plan; C-G Zone; DS Dixie Valley LC/Peter Dreyfuss [#SPCO20150028; parcel 21-20-129-003]

Richard Piggot, Galloway and Company, explained that the project is a 9200-square foot core and shell building which will be finished as a Dollar Tree. They have provided the improvements for additional retail stores to be developed in the future. They have met all of the city requirements for parking and landscaping, and they agree with all of the findings in the staff report.

Larry Gardner said the site plan had been updated to show that the entire frontage, with the exception of the curb cuts, will have curb, gutter and sidewalk. There will no longer be an ingress point to the north that has been used by 7-Eleven customers, but the new improvements will allow for access from their parking lot. The north building will be developed at this time with the southern portion remaining vacant for now. It meets all general site plan requirements of the code. The project was reviewed by the Design Review Committee.

Based on the findings of the staff report, staff recommended that the Planning Commission approve the Preliminary Site Plan for Dollar Tree located at 6271 South Dixie Drive in the C-G (Commercial General) zoning district, with the following conditions:

1. The proposed development shall meet all applicable Zoning Ordinance requirements.
2. All changes to the site shall be consistent with the Preliminary Site Plan application and site plan.
3. An approved preliminary site plan shall remain valid for one year following the date of the approval.
4. The preliminary and final site plan must meet all requirements of the Engineering and Fire Departments.
5. Approval of a Final Site Plan shall become null and void if development does not commence within two (2) years of final site plan approval (13.7B.5).

Dan Lawes asked if this area is considered in the future interchange work on Bangerter Highway and if this site will be affected.

Richard Piggott stated that they were required to complete a traffic study, and they had conversations with UDOT. He explained that the Jordan Valley aqueduct is on the east side of this property and for UDOT to do anything in that area they would have to relocate it, which is very unlikely. Joe Perrin with A-Trans told him that this particular intersection hasn't been designed. It is very far down on UDOT's schedule. More than likely if something does happen with the intersection it would be on the east side of Bangerter Highway because of the aqueduct.

Dan Lawes opened the public hearing.

Dan Lawes read a comment from Andrew Clegg, which had been emailed to the commission. He asked about adequate space for a possible freeway onramp in that location.

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

MOTION: Josh Suchoski moved based on the findings set forth in the staff report and the information received during this meeting to approve the Preliminary Site Plan for Dollar Tree; 6271 South Dixie Drive; DS Dixie Valley LC (applicant) with the conditions 1 through 5 as set forth in the staff report. The motion was seconded by Kelvin Green and passed 7-0 in favor.

5. **Copper Valley Estates West Rezone and Land Use Amendment; 5951 West 8502 South; General Plan Land Use Amendment for 15.30 acres from Low Density Residential to Medium Density Residential and Rezone from LSFR (Low Density Single Family Residential – WSPA) to R-1-10E (Single-family Residential, 10,000 square foot lots minimum); Marilyn Bawden et al (applicant) [#GPA20150006, ZC20150012; parcel 20-35-400-030]**

Dean Bawden, applicant, noted that the zoning on adjacent properties are consistent with their request for R-1-10E zoning.

Larry Gardner gave an overview of the proposal and the surrounding area. It is currently the only low density designation in that area and the request is for medium density. The zoning is a WSPA zoning, which now only applies to the Highlands and this property is outside of those boundaries. The R-1-10E zone will exactly match the property to the west and to the north with the exception that the required home size is larger.

Future Land Use Map Amendment

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 amend the Future Land Use map from Low Density Residential to Medium Density Residential for approximately 15.30 acres of property located at 5951 West 8502 South.

Zoning Map Amendment

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 approximately 15.30 acres of property generally located at 5951 West 8502 South from LSFR (Low Density Single Family Residential) to R-1-10E (Single-family Residential 10,000 square foot lots "E" size homes) zone.

Bill Heiner said even though they are larger lots, if they have a larger home requirement it can seem too crowded if the home fills the whole lot, which can look the same as a higher density zone.

Larry Gardner said the homes will fit in the setback, and that is why the ordinance includes setbacks. There is also maximum lot coverage in the code.

Dan Lawes opened the public hearing.

Dan Lawes read a comment from Andrew Clegg, which had been emailed to the commission. He was glad that the request wasn't for high density, but he would like larger lots so that the homes don't go right up to the setbacks. He wondered if the development would address the gap in 6000 West and if 8600 South would be constructed next to the property.

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

Josh Suchoski liked that West Jordan has made an area where homes of a nice size can be on a modest lot. He would love his kids to be able to stay in the area after they are grown. The proposal is consistent with the zoning in the area. Not everyone can afford low density lots, and right now they aren't consistent with the sustainable approach of the city. He liked the proposal.

The future plans for 8600 South were briefly discussed.

Kelvin Green agreed with Commissioner Suchoski regarding R-1-10 zoning being a good compromise that allows for an affordable lot with a decent-sized home while being able to stay in the Salt Lake Valley.

MOTION: Zach Jacob moved based on the findings in the staff report and the discussion this evening to forward a positive recommendation to the City Council for Copper Valley Estates West; 5951 West 8502 South; Marilyn Bawden et al (applicant) to amend the future land use map for 15.3 acres from low density residential to medium density residential. The motion was seconded by Matt Quinney and passed 7-0 in favor.

MOTION: Zach Jacob moved based on the findings in the report and the evidence and explanations received this evening to forward a positive recommendation to the City Council for Copper Valley Estates West; 5951 West 8502 South; Marilyn Bawden et al (applicant) to rezone 15.3 acres from LSFR Zone to R-1-10E Zone. The motion was seconded by Matt Quinney and passed 7-0 in favor.

MOTION: Josh Suchoski moved to adjourn.

The meeting adjourned at 7:00 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2015