

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD MARCH 15, 2016 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Dan Lawes, Kelvin Green, Matt Quinney, David Pack, Bill Heiner, and Judy Hansen. Josh Suchoski was excused.

STAFF: Scott Langford, Larry Gardner, Robert Thorup, Paul Brockbank, Nathan Nelson, and Julie Davis.

OTHERS: Annette Scott, Spencer Moffat

The briefing meeting was called to order by Dan Lawes.

The agenda was reviewed and clarifying questions were answered. Kelvin Green asked that the commissioners provide some feedback on the proposed Wall Art Text Amendment. Scott Langford said he forwarded the draft ordinance to the City Attorney for review.

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

**1. Consent Calendar
Approve Minutes from March 1, 2016**

MOTION: David Pack moved to approve the minutes from March 1, 2016 as written in the staff report. The motion was seconded by Judy Hansen and passed 6-0 in favor. Josh Suchoski was absent.

2. Scott Rezone; 7544 South 2200 West; Rezone .51 acres from R-1-8B (Single-family Residential 8,000 square foot lots) and R-1-10B (Single-family Residential 10,000 square foot lots) to R-1-8C (Single-family Residential 8,000 square foot lots); Annette Scott (applicant) [#ZC20160003; parcels 21-28-430-034, 038, 042]

Annette Scott, applicant, explained that there are three parcels she wished to divide into two lots with an R-1-8 zoning.

Larry Gardner gave an overview of the parcel location and request. The three parcels are remnants from previous subdivision practices and they are all in the medium density land use designation. The applicant wants to consolidate the lots through a subdivision process in order to create two lots; one will retain the existing home and the other will be for new construction. The request matches zoning in the area.

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 from R-1-10B (Single Family Residential 10,000 square foot lot minimum house size "B") and R-1-8B (Single-family Residential, 8,000 square foot lot minimum house size "B") to R-1-8C (Single-family Residential, 8,000 square foot lot minimum house size "C") Zone for the property generally located at 7544 South 2200 West.

Larry Gardner clarified for the Commission that the minor subdivision process will be administrative. Access to the existing home will remain from 2200 West and the new lot would come from 2230 West.

Dan Lawes opened the public hearing.

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

MOTION: Judy Hansen 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 Scott Rezone; 7544 South 2200 West; Annette Scott (applicant) to rezone .51 acres from R-1-8B (Single-family Residential 8,000 square foot lots) and R-1-10B (Single-family Residential 10,000 square foot lots) to R-1-8C (Single-family Residential 8,000 square foot lots) Zone. The motion was seconded by Bill Heiner and passed 6-0 in favor. Josh Suchoski was absent.

3. Oakridge Park; 8200 South 6700 West; Future Land Use Plan Amendment for 40 acres from Public Facilities to Medium Density Residential and Rezone from P-F (Public Facilities) to R-1-8C (Single-family Residential 8,000 square foot minimum lots); The Boyer Company/Spencer Moffat (applicant) [#GPA20160002, ZC20160005; parcel 20-34-100-020]

Spencer Moffat, The Boyer Company, said they are currently developing in the Loneview subdivision and they have enjoyed working in this area of West Jordan. The opportunity to purchase the school district property was presented and they felt it could be a successful project. They want a future land use plan amendment to medium density residential and rezone from P-F to R-1-8C zone. The reason they are asking for the R-1-8C designation is because the Serengeti apartments are to the north and Baccus Highway is to the west. Also, most of the people in this area are going for an 8,000 square foot lot. In Loneview they have built on 6,500 to 7,500 square foot lots and the feedback is that they want a little more area up to 8,000 square feet in order to get a third car garage.

Larry Gardner said the 50-acre piece has a multi-family development to the north, to the east is a portion of the Highlands master-planned community (Orchard Heights yet to be developed), to the south and to west are parts of the now expired Jordan Hills Villages master plan. Lots directly west of U-111 are approximately 5,000 square feet and those to the south are about 8,000 square feet with an average of around 8,500 square feet in the Oaks. The future land use map is public facilities, which met the intent of the Jordan School District for a future high school. The wash flows through the property and connects to the Highlands. The applicant would like to change the land use map designation to medium density residential and rezone to R-1-8C. A 10-acre piece will be retained by the school district for a future elementary school. The current property doesn't meet the Jordan School District models for a high school, which now requires about 65 acres. The conceptual plan was shown. The wash will run next to a road and behind a row of homes, which allows for storm water to percolate and recharge the groundwater rather than going straight into a pipe. The wash will terminate at the school site. The trail system will be accommodated along 8200 South. Because of the property

location adjacent to multi-family and U-111, staff felt that the R-1-8 request meets the criteria for the changes as proposed.

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 change the Future Land Use Map from Public Facilities to Medium Density Residential and rezone 40 acres of property from P-F (Public Facilities) to a R-1-8C (Single-family Residential, 8,000 square foot minimum lots) for property generally located at 6700 West 8200 South

Kelvin Green said it appears that everything to the immediate south and east is low density, to the north is high density and to the west is medium density.

Larry Gardner said the lots to the south really don't meet the definition of low density. Jordan Hills Villages had a lot of 4,000 and 5,000 square foot lots. Recently a large piece of property to the southwest was changed from low to medium density. The feeling was that along the U-111 corridor it was most appropriate. He felt that as properties go farther west on the west side of U-111 they should be low or very low density, partly because that property becomes more difficult to develop.

There was a brief discussion regarding the wash. Nathan Nelson said it is dry about 99.9% of the time and handles storm water. According to the models it will and can have heavy flows. Landscaping hasn't been determined at this point, but it could be a channel lined with rocks and the side slopes and banks with grass and trees. The wash could either be deflected around the school or piped underneath, but that will probably be the developer's determination. It had been piped under another elementary site to the east, and that is what the school district prefers. The wash has not been fenced anywhere else in the city, so it is unlikely that fencing would be required in this location.

Dan Lawes opened the public hearing.

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

Judy Hansen said she was not a proponent of this application. She felt that there is so much of the R-1-8 in the city and West Jordan is at an advantage by having a large amount of undeveloped property to the west. If they continue on the path with R-1-8 then it will continue up the hill. The higher properties are more valuable and will have a view of the valley, so they need to look to the future and what they have to offer. Unless Kennecott expands Daybreak there is no other city that will be able to build west of their current city boundaries like we do. She would feel better with an R-1-10 zone with larger homes.

Kelvin Green agreed with Commissioner Hansen. There is medium density in the area, but they are trying to throw another 140 homes in an area that doesn't really match. He asked if the homes in Daybreak were R-1-8. He was trying to visualize R-1-8 with a 3-car garage.

Scott Langford said the lots in Daybreak are about half that size.

Larry Gardner said about 60% of the lots in Loneview have a 3-car garage.

Spencer Moffat said the Loneview lots average 7100 square feet.

Dan Lawes asked those who were not in favor of the request which criteria weren't being met.

Larry Gardner clarified that both the land use amendment and the rezoning are quasi-judicial items that need to meet specific criteria.

David Pack said that limits what they can say that they 'would like' to see versus what is already 'allowed'. So they need to have objective criteria on what is not met versus subjective saying what they would want.

Kelvin Green said it doesn't meet Finding D on page 4 because medium density is not an overall improvement since everything to the east is low density. With criteria two the proposal might be compatible with adjacent properties, but he could also say that it is not.

Larry Gardner said they would have to argue that lot size is incompatible, because it is the same use.

Judy Hansen asked if they will have to upgrade the sewer system.

Larry Gardner said they will have to upgrade the sewer system downstream for about half of the lots at the developer's expense. Half of the lots drain into one system and half will drain into another. The utility modeling for the area considered 50 acres for a school site, which impacts the system less.

Bill Heiner noted that the lots to the west are smaller than 8,000 square feet, so this request would be an upgrade by increasing the lot size.

MOTION: Dan Lawes moved to forward a positive recommendation to the City Council for Oakridge Park; 8200 South 6700 West; The Boyer Company/Spencer Moffat (applicant) to amend the General Plan Future Land Use Map for 40 acres from Public Facilities to Medium Density Residential. The motion was seconded by Matt Quinney and passed 6-0 in favor. Josh Suchoski was absent.

MOTION: Dan Lawes moved to forward a positive recommendation to the City Council for Oakridge Park; 8200 South 6700 West; The Boyer Company/Spencer Moffat (applicant) to Rezone 40 acres from P-F (Public Facilities) to R-1-8C (Single-family Residential 8,000 square foot lots) Zone. The motion was seconded by Matt Quinney.

Judy Hansen was opposed to the motion based on criteria two because some of the surrounding land on the land use map shows low density, and if this changes then it gives them the opportunity to come in again and change it to R-1-8. The criterion says it does not adversely affect adjacent properties, but she believed it would.

VOTE: The motion failed 3-3 with Commissioners Hansen, Green, and Pack casting the negative votes. Josh Suchoski was absent.

David Pack asked what would happen if the future land use map is changed and the zoning remains inconsistent with the land use.

Scott Langford said typically the zoning map and future land use map should be the same, but they don't necessarily have to be. The City Council could change it without changing the zoning, but that is unlikely. As far as developing the land, the entitled uses of the property are based on zoning. If the zoning remains P-F then it can't be subdivided and developed with homes.

Kelvin Green said that this applicant or another one could come back and ask for a different zoning that is in line with the land use map.

David Pack said criteria two was mentioned for the dissenting votes, and he asked for feedback from the others as to the reasoning behind their votes.

Dan Lawes asked to look again at the surrounding zoning and densities regarding compatibility.

Scott Langford explained that the adjacent Sycamores lots were 5,000 square feet, the lots to the south are 7,800 square feet and there were 10,000 square foot lots south of the middle school.

Dan Lawes agreed with the statement that this is a nice step up from the surrounding properties and brings a balance to the area.

David Pack asked if a developer could ask for lower than 8,000 square feet.

Matt Quinney said this creates a nice transition from the smaller homes to the larger homes that will be coming to the surrounding areas. Regarding criteria two, he understood Commissioner Hansen to say that we don't want to take a chance that someone in the future is going to come along and request a change of what is already out there, but we can't consider what *might* happen. However, *should* it happen, we have the ability to deny that motion at that time. He didn't think that this request would contradict criteria two.

Larry Gardner clarified that the R-1-8 zone is a minimum and the lots can't go below that. He said that usually about 40% of the lots will be R-1-8 and several will probably be 10,000 to 12,000 square feet and the upper end of 9,000 just because of how it lays out with corner lots and roads. Corner lots are required to be 1,000 square feet larger. R-1-8 is not an average size but it is a minimum size. In the Fox Creek subdivision to the southwest it averaged around 10,000 square feet and this will probably be about the same.

It was pointed out that the medium density classification is a range of 8,000 to 10,000 square feet. There was a discussion regarding the LSFR property to the east, which is part of the Highlands and will be developed as LSFR, which allows for a range of density based on buy-ups. It will probably end up a little denser in the WSPA than this proposal.

David Pack said he previously had a misconception and would be willing to reconsider.

MOTION: Dan Lawes moved to forward a positive recommendation to the City Council for Oakridge Park; 8200 South 6700 West; The Boyer Company/Spencer Moffat (applicant) to Rezone 40 acres from P-F (Public Facilities) to R-1-8C (Single-family Residential 8,000 square foot lots) Zone. The motion was seconded by Matt Quinney.

David Pack could see that there are pros and cons either way and with the additional clarification and discussion it satisfied his concerns.

VOTE: The motion passed 4-2 in favor with Commissioners Hansen and Green casting the negative votes. Josh Suchoski was absent.

Kelvin Green volunteered to serve on the CDBG/HOME committee representing the planning commission. Judy Hansen will serve if he cannot.

David Pack recognized Robert Thorup and thanked him for his service as legal counsel and wished him well as this was his last Planning Commission meeting.

MOTION: David Pack moved to adjourn.

The meeting adjourned at 6:41 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2016