

**MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD MAY 3, 2016 IN THE WEST JORDAN COUNCIL CHAMBERS**

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

**STAFF:** Scott Langford, Larry Gardner, Darien Alcorn, Nathan Nelson, and Julie Davis.

**OTHERS:** Joe Long, Justin Peterson, Rick Magness, Malorie Brask.

\*\*\*\*\*  
The briefing meeting was called to order by Dan Lawes. The agenda was reviewed. Background information was given and clarifying questions were answered. Attorney's office had several questions regarding the proposal in Item #4, which might be too many to address tonight. It was recommended for continuation.

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

**1. Consent Calendar**  
**Approve Minutes from April 19, 2016**

**MOTION:** Matt Quinney moved to approve the minutes from April 19, 2016. The motion was seconded by Judy Hansen and passed 6-0 in favor. Josh Suchoski was absent.

\*\*\*\*\*  
**2. Maverik Convenience Store; NE Corner 7800 South 1300 West; Preliminary Site Plan and Amended Subdivision Plat; SC-1 Zone; Better City/Malorie Brask [#SPCO20150029, ASP20160002; parcel 21-26-351-022]**

Rick Magness, representing Maverik, gave an overview of the project location and site plan. Maverik's business plan provides greater parking and drive aisles than typical, because the store model is to have 50% of their profit from fuel and 50% from non-fuel items. They include Cinnabon, covered outdoor dining and a pedestrian entrance to the west. They have worked with staff on the setbacks to allow for road expansion opportunities. Traffic ingress and egress reflect the traffic study. There is a continuation of the street to the north that will connect to the Gardner Village area, so there will not be a solid perimeter wall. He showed the building elevations and explained features such as automatic doors and paving level to the front door. The Design Review Committee suggested that the single color on the rear of the building be broken up, so they added some vertical features. The landscaping conforms to code and is throughout the site. He pointed out the proposed wrought iron fence location that will bring continuity between this site and the apartments. They were challenged by staff to incorporate the look from Gardner Village. They found their design features repeat the Gardner Village theme, such as timbers, stone columns, trellis with outdoor seating, and lighting types.

Preliminary Site Plan:

Based on the findings of the staff report, staff recommended that the Planning Commission approve the Preliminary Site Plan for Maverik Retail Store located at NE Corner 7800 South 1300 West in the SC-1 (Neighborhood Shopping Center) 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).

Amended Subdivision:

Based on the findings set forth in the staff report, staff recommended that the Planning Commission approve the Amended Subdivision Plat for The Station at Gardner Village located at the NE corner of 7800 South 1300 West, with the following conditions:

1. The proposed development shall meet all applicable Zoning Ordinance requirements.
2. The amended subdivision plat must meet all requirements of the Engineering and Public Works Departments.

Dan Lawes asked about the traffic study and the entrance to 1300 West.

Rick Magness stated the traffic study indicated a need to push north on the site that would allow for a full access movement. The dedication of extra right-of-way on 1300 West helped with that. This also provides another east/west flow for the surrounding development, and will give the needed turning movement for service vehicles. The fuel deliveries are typically off hours for traffic. Their drive aisles are wide because people like separation from fueling stations and it seems to be safer.

Judy Hansen appreciated the change in the rear elevations that make it a much better looking building.

There was further clarification regarding the north access and the delivery pattern. There had been a consideration for a sidewalk along that access, but instead there is a walkway connecting to the site and moving them to the south. The pedestrian access will cross the drive aisles, but they are usually raised a bit and made of a different material and color. Traffic generally travels at a safe speed in the parking lot.

Dan Lawes opened the public hearing.

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

Kelvin Green said he was approached by a neighbor to this area who made a suggestion for a historic theme or plaque to be incorporated in the patio area to reflect the historic prior business.

Larry Gardner said it was a button factory.

Kelvin Green said his biggest concern was with the sign. Although it is within code, this is the only gateway into West Jordan that would have a tall sign. He was concerned that if they install a 20-foot

sign then other businesses at that intersection will want the same. He can't vote against the project just because of the sign, so he asked if they could look at the design so it could enhance their reputation and visibility for the community.

Rick Magness said they could easily accommodate the first comment, but he will have to discuss the sign issue internally. He will report back on the result of that discussion.

**MOTION: Judy Hansen moved based on the findings set forth in the staff report and the information received this evening to approve the Preliminary Site Plan for Maverik Convenience Store; NE corner 7800 South 1300 West; Better City/Malorie Brask (applicant) with the conditions 1 through 5 as listed in the staff report. The motion was seconded by Bill Heiner and passed 6-0 in favor. Josh Suchoski was absent.**

**MOTION: Judy Hansen moved based on the findings set forth in the staff report and the information received during this meeting to approve the Amended Subdivision Plat for The Station at Gardner Village; NE corner 7800 South 1300 West; Better City/Malorie Brask (applicant) with the conditions 1 and 2 as listed in the staff report. The motion was seconded by Bill Heiner and passed 6-0 in favor. Josh Suchoski was absent.**

\*\*\*\*\*

**3. Loneview West Land Use Amendment and Rezone; 8174 South 6540 West; Future Land Use Map Amendment for 5.01 acres from Low Density Residential to Medium Density Residential and Rezone from LSFR (Low Density Single-family Residential – WSPA) to R-1-8C (Single Family Residential 8,000 square foot minimum lots); Peterson Development LLC/Barrett Peterson (applicant) [#GPA20160005, ZC20160008; parcel 20-34-200-008]**

Justin Peterson, Peterson Development, 225 South 200 East, applicant, explained that the LDS Church is selling this infill piece and would like to have it used for a product that will complement the stake center, and they endorse this plan. The property is technically in the medium density range, but in reality it is almost completely consistent with the surrounding lots in the WSPA with less than one-half of a percent difference in size. The use is consistent with the surrounding neighborhood and doesn't create any undue impacts.

Larry Gardner said the five-acre parcel is surrounded by the Highlands and Jordan Hills Villages. He showed a comparison of lot sizes in the area. This proposal would average 8,900 square feet, Loneview South to the east is at 9,200 and is associated with the WSPA. To the south the lots are less than 8,000 square feet. The proposal is for 8,000 square feet at a minimum. The road on the concept plan shows a connection to the north and east properties but no access to the south. Current zoning is LSFR, which is only applicable to the Highlands.

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 Low Density Residential to Medium Density Residential and rezone 5.01 acres of property from LSFR

(Low Density Single Family Residential) to a R-1-8C (Single-family Residential, 8,000 square foot minimum lots) for property generally located at 6700 West 8200 South.

Dan Lawes opened the public hearing.

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

Kelvin Green reviewed the lot size comparison map. He expressed his disapproval with the trend to ask for small lot sizes with C-sized homes.

Dan Lawes said in general he agreed, but he didn't know that half-acre lots were appropriate for this property.

David Pack echoed the sentiments of Commissioner Green. This application fits the parameters of the ordinance, but he wanted to note for the City Council the concern that digressing away from low density is becoming a trend overall.

Judy Hansen recognized that the Highlands is grandfathered in the WSPA, but she asked that Peterson Development consider larger lot sizes when they develop in other areas of the City. There is a demand for 1/3-acre and 1/2-acre lots. West Jordan has become known as a cheap place to live because of the small lots, but we have a great opportunity to make the City a much better place as they move west.

**MOTION:** Bill Heiner moved based on the information and findings set forth in the staff report and upon the evidence and explanations received today to forward a positive recommendation to the City Council to amend the General Plan Future Land Use Map for 5.01 acres from Low Density Residential to Medium Density Residential for Loneview West; approximately 6700 West 8200 South; Peterson Development LLC/Barrett Peterson (applicant). The motion was seconded by Matt Quinney and passed 6-0 in favor. Josh Suchoski was absent.

**MOTION:** Bill Heiner move based on the information and findings set forth in the staff report and upon evidence and explanations received today to forward a positive recommendation to the City Council to Rezone 5.01 acres from LSFR (Low Density Single Family Residential) Zone to R-1-8C (Single-family Residential 8,000 square foot lots) Zone for Loneview West; approximately 6700 West 8200 South; Peterson Development LLC/Barrett Peterson (applicant). The motion was seconded by Matt Quinney and passed 6-0 in favor. Josh Suchoski was absent.

Judy Hansen referred to a citizen comment from the Loneview South subdivision regarding construction traffic, and she asked that they consider it for this development as well.

Larry Gardner said they will work that out during the preconstruction meeting.

\*\*\*\*\*

**4. Text Amendment; Continued from April 19, 2016 – Amend the 2009 West Jordan City Code regarding “Mural or Wall Art”; City-wide applicability; City of West Jordan (applicant) [#TA20150006]**

Dan Lawes said they discussed this in the pre-meeting and in order to give legal counsel the opportunity to vet some questions with Commissioner Green, who is the author of the proposed amendment, they are looking to continue the item to the June 7<sup>th</sup> meeting.

**MOTION: Dan Lawes moved to continue the Text Amendment regarding “Mural or Wall Art” to the June 7, 2016 meeting. The motion was seconded by Judy Hansen and passed 5-1 in favor with Kelvin Green casting the negative vote. Josh Suchoski was absent.**

\*\*\*\*\*

**5. Text Amendment – Amend the 2009 West Jordan City Code, Section 13-2-3, regarding the definition of “Warehouse”; City-wide applicability; City of West Jordan (applicant) [#TA20160003]**

Scott Langford said data centers typically have far fewer employees than even a warehouse. The precedent had been set with the Oracle data center. When that came in they used the current definition of warehouse, which has been sufficient. This is a digital age and the computers demand data centers. These corporations have mentioned that it would be good to clarify that data centers are included in the definition of warehouse.

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 amendments to Title 13 of the 2009 West Jordan City Code.

Dan Lawes opened the public hearing.

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

**MOTION: Matt Quinney 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 to Title 13 as addressed in the report. The motion was seconded by Dan Lawes and passed 6-0 in favor. Josh Suchoski was absent.**

\*\*\*\*\*

**6. Text Amendment – Amend the 2009 City Code, Section 13-5C Planned Development Zones, Section 13-5J West Side Planning Area, Section 15-3-8 Permitting Procedures – Development Plan Review; City-wide applicability; City of West Jordan (applicant) [#TA20160002]**

Scott Langford said in March the City Council asked staff to revise the process in which development plans are reviewed and approved. Specifically the Council requested to be the approval body instead of the ratifying body as it relates to preliminary development plans. This would affect several sections of

the code since it applies to all development plans that are reviewed by the city. The Planning Commission will still be involved in the review as a recommending body. An ordinance is created at the time that a development plan is ratified, which establishes density and the particulars that pertain to the development. This change will be more consistent with other legislative types of procedures in the City. He noted one amendment on page 20 of the legislative draft under Street Design in B.1.e that strikes the words 'site plan and/or subdivision plat' to make it more consistent with the purview of the Council.

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 amendments to Title 13 as addressed in the report.

Dan Lawes opened the public hearing.

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

Kelvin Green noted that there should be a comma after 'conditionally approved' on page 37 Section 13-5J.10.B.2.

Scott Langford said he would change that for the council packet.

**MOTION: Dan Lawes moved to forward a positive recommendation to the City Council for the proposed text amendments to Title 13 as addressed in the report, and striking the words 'site plan and/or the subdivision plat' in Section 13-5J-6B.1.e. as discussed in the meeting. The motion was seconded by Matt Quinney and passed 6-0 in favor. Josh Suchoski was absent.**

**MOTION: Judy Hansen moved to adjourn.**

The meeting adjourned at 6:47 p.m.

DAN LAWES  
Chair

ATTEST:

JULIE DAVIS  
Executive Assistant  
Development Department

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2016