

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD AUGUST 16, 2016 IN THE WEST JORDAN COUNCIL CHAMBERS

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

STAFF: Scott Langford, Ray McCandless, Nannette Larsen, Nathan Nelson, Craig Kleinman, and Julie Davis

OTHERS: Mike Kelly, Patrick Todd, Jason Nageli, Andrew Bollschweiler, and Travis Perry

The briefing meeting was called to order by Dan Lawes.

The agenda was reviewed and it was suggested that the public hearings be heard before the business item. Clarification was given on Items 3 and 4.

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

Dan Lawes stated that the agenda will be rearranged with Public Hearings Items #3 and #4 before Business Item #2.

**1. Consent Calendar
Approve Minutes from August 2, 2016**

MOTION: Josh Suchoski moved to approve the minutes from August 2, 2016. The motion was seconded by Kelvin Green and passed 6-0 in favor. David Pack was absent.

3. Papa Pita Expansion; 6250 West Dannon Way; Preliminary Subdivision Plat (1 lot on 5 acres) and Preliminary Site Plan; Papa Pita/Farzad Mohebbi (applicant) [#SPI20160002, SDMA20160009; parcel 26-02-300-031]

Nannette Larsen reviewed the application for preliminary site plan for an expansion and a preliminary major subdivision. The Planning Commission should determine whether or not the loading bay doors facing New Bingham Highway and Prosperity Road are sufficiently screened from the street to warrant approval. Proposed landscaping on the north and northeast sides include evergreen trees and a 3-foot berm. A 7-foot high wrought iron fence is also shown. Staff didn't feel that this fence was sufficient enough to screen the two loading bay doors that face the street; however, the landscaping should provide sufficient screening. She recommended that Condition #5 be amended to state, "A 3-foot high landscaping berm and Norway spruce evergreen trees are required to be installed along New Bingham Highway to screen the single loading bay door facing New Bingham Highway".

Andrew Bollschweiler, AE URBIA Architects, applicant, was available for questions.

Preliminary Site Plan:

Based on the positive findings of fact in the staff report, staff recommended that the Planning Commission grant Preliminary Site Plan approval for Papa Pita Expansion site plan located at 6250 West Dannon Way in an M-1 zoning district, with the conditions of approval as listed below.

1. The proposed development shall meet all applicable Subdivision and Zoning Ordinance requirements found in Titles 13 and 14 of the City Code.
2. The final site plan must meet all requirements of the Engineering and Fire Departments.
3. Approval of a Preliminary Site Plan shall become null and void upon one year of the date of approval.
4. Prosperity Subdivision Plat A must be recorded prior to Final Site Plan approval.
5. A 3' high landscaping berm and a 3' wrought iron fence shall be installed along New Bingham Highway to screen the loading door facing this street.

Preliminary Subdivision:

Based on the positive findings of fact in the staff report, staff recommended that the Planning Commission grant Preliminary Major Subdivision approval of Prosperity Subdivision Plat A located at 6250 West Dannon Way within the M-1 zoning district, with the conditions of approval as listed below.

1. The proposed development shall meet all applicable Subdivision and Zoning Ordinance requirements.
2. The Final Subdivision Plat must meet all requirements of the Engineering and Fire Departments.
3. An approved Preliminary Subdivision plat shall remain valid for one (1) year following the date of approval.

Dan Lawes opened the public hearing.

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

Kelvin Green asked if a sidewalk is required on New Bingham Highway.

Nathan Nelson stated that the City received a grant for safe school routes and will install the sidewalk.

David Pack arrived at 6:06 p.m.

MOTION: Kelvin Green 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 Papa Pita Expansion 6250 West Dannon Way; Papa Pita/Farzad Mohebbi (applicant) with the conditions 1 through 5 as listed, amending:

5. A 3-foot high landscaping berm and Norway spruce evergreen trees are required to be installed along New Bingham Highway to screen the single loading bay door facing New Bingham Highway.

The motion was seconded by Josh Suchoski and passed 6-0 in favor with David Pack abstaining.

MOTION: Kelvin Green moved based on the positive findings set forth in the staff report and the information received during this meeting to approve the Preliminary Subdivision Plat for Prosperity Subdivision Plat A; 6250 West Dannon Way; Papa Pita/Farzad Mohebbi (applicant) with conditions 1 through 3 as listed in the staff report. The motion was seconded by Josh Suchoski and passed 7-0 in favor.

David Pack indicated that he wasn't present for the entire discussion, but he had studied the information and was fine with both of the items.

4. Discus Major Subdivision; NE corner Old Bingham Highway and Bacchus Highway; Preliminary Subdivision Plat (1 lot on 239.28 acres); Psomas/Travis Perry (applicant) [#10536; parcel 26-10-300-003]

Travis Perry, Psomas, applicant, expressed his appreciation to the commission for their service to the City. The property is currently made up of two lots, which will be subdivided into one lot. The current boundary roads will receive some improvements as a result of the project and they will be constructing 9800 South and 6500 West on the north and east sides. The applicant had no concerns with the conditions in the staff report. He noted that the required easements are either obtained or in the process.

Scott Langford said this is a unique subdivision due to the acreage. A new collector road at 9800 South will be installed by the applicant because it is a subdivision boundary road. They will also improve Old Bingham Highway adjacent to the project. A future looped road system is also associated with the project. The utilities will be reviewed as part of the site plan review.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission approve the Preliminary Plat for the Discus Subdivision located at approximately Old Bingham Highway U-111, subject to the following conditions:

1. All lots must comply with the applicable requirements of Title 13, Zoning Regulations and Title 14, Subdivision Regulations including, but not limited to lot area, width and frontage requirements.
2. Sidewalks on the street sides adjacent to Lot 1 shall be waived.
3. Developer shall be required to secure all off-site easements (i.e. utilities, construction access, etc.).
4. The Final Subdivision Plat must meet all applicable city departmental requirements prior to recordation of the final plat.
5. An amendment to the Transportation Master Plan shall be approved prior to Final Plat approval.
6. An approved Preliminary Subdivision plat shall remain valid for one (1) year following the date of approval. An approved, unrecorded final subdivision plat shall remain valid for two (2) years. One 6-month extension may be granted by the zoning administrator if, upon written request by the owner/developer, the zoning administrator finds that the extension will not adversely affect the public health, safety or welfare of the city.

David Pack asked if 9800 South will continue to the west and connect to New Bingham Highway in the future, requiring a sidewalk.

Scott Langford said the applicant needs to file a separate application to amend the Transportation Master Plan and that will be reviewed by the engineers.

Nathan Nelson said the future is uncertain, but the applicant is dedicating the necessary land so a sidewalk could be installed in the future, if needed.

Kelvin Green asked what has to be amended in the Transportation Master Plan.

Scott Langford explained that it is an element of the General Plan. The current alignment for Wells Park Road doesn't contemplate a collector road to the south, so the update would address that slight realignment of the arterial and collector roads. Even though it is not on the subject property, the new road to the east is part of the development agreement for this specific user and is currently being discussed and negotiated.

Josh Suchoski asked if Wells Park Road will still connect to 9800 South.

Nathan Nelson said yes.

Dan Lawes opened the public hearing.

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 upon evidence and explanations received today to approve the Preliminary Subdivision Plat for Discus Subdivision; NE Corner Old Bingham Highway and Bacchus Highway; Psomas/Travis Perry (applicant) subject to the conditions 1 through 6 set forth in the staff report. The motion was seconded by Judy Hansen and passed 7-0 in favor.

2. **Oquirrh West; 7800 South & Hwy U-111; Future Land Use Map Amendment for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, Medium Density Residential, and Commercial Designation and Rezone 138.5 acres from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to P-C (Planned Community) Zone; Holmes Homes/Patrick H. Holmes (applicant) [#ZC20140003; GPA20140006; parcel 20-28-400-005-4002, 4001]**

Dan Lawes explained that this business item was tabled from a previous meeting in July.

Mike Kelly, applicant, said they made changes to the plan based on comments from the Planning Commission. The current request is now for low and medium density residential instead of low and high density residential. They have reduced the total number of lots and reduced the number of 5,000

and 6,000 square foot lots and increased the number of 8,000 to 10,000 square foot lots. He reviewed the previous concerns:

1. Variety of lot sizes: The current plan has 320 units in medium density and 115 in low density with a ratio of medium to low at 2.78:1, which falls within the expected range of densities.
2. Excessive number of 5,000 – 6,000 sq. ft. lots that aren't compatible with surrounding properties: The Maples and Sycamores in this same area have lots that are smaller than their proposal. The Sycamores has about 3.7 units per acre and this proposal is asking for 3.5 units per acre. It appears that the Sycamores have 226 lots of the same size as their smallest lots, but this project has only 99. The Maples has been developed at 5.3 units per acre with 257 lots that appear to be 4,000 to 5,000 square feet and 225 lots that are as small as 2,000 square feet.
3. The number of 5,000 to 6,000 square foot lots need to be reduced with more 7,000 and 8,000 square foot lots: The plan they presented last time had 135 5,000 to 6,000 square foot lots and now it is at 99. The number of 8,000 to 10,000 square foot lots went from 14 to 45 lots.
4. Smaller lots have shorter driveway lengths and sidewalks become blocked by vehicles: West Jordan ordinance requires a minimum setback of 20 feet with the garage 5 feet back from the front of the home. He showed a floor plan of their smallest lot, which showed plenty of space to park a truck. He showed how the lot sizes are varied throughout the new concept
5. Inclusion of a school or church site: A 3.28-acre church site was added along with detail to the commercial site showing a concept layout and required parking and open space.
6. Six points of the development plan not met: 1) the legal description is provided and complete; 2) a topographic map is included; 3) the concept plan now shows locations of parks and open spaces, playgrounds, the extension of New Sycamore Road, emergency fire access from U-111, and the roundabout; 4) General location of dwellings and/or institutional and commercial structures are shown on the concept plan including the church and the commercial site. Proposed population densities based on the 2010 projected household sizes in the general plan is 1,505 residents. If they use the 2020 projections then it is about 1,449 residents; 5) the preliminary development schedule has been included with a phasing plan and summary. The commercial phase will be the 16th and last phase projected for completion by 2026; 6) a draft declaration of covenant has been provided.
7. Home designs don't meet the setback requirement for the garage: The plans that don't meet this requirement can be easily amended by extending the porch. These adjustments can be made with the preliminary plat approvals.
8. Open space acreages documented: A map shows the location and acreage of the open space. Tabulation shows acreage as well as the deduction of properties that have 30% and greater slopes. With the reduction of lots for the church site they also reduced some townhome units to keep their ratio at 83/17%.
9. Integrate commercial into the project: The commercial property is easily accessed by all of the trail systems on the concept plan. There is also a connection to the master planned trail to the east on U-111. This is the last phase expected to be completed by 2026.

Kelvin Green had some questions regarding the acreages of open space #1 and locations/use of open space #7, 9, and 10.

Mike Kelly said the numbers on the open space table are more accurate than the map. He explained that the corridor through the townhomes carries part of the overall trail system. The property line is 5 feet in front of the townhome unit and the space beyond that is counted as open space.

David Pack said he hadn't addressed the previous concern of lack of the mixed use component.

Mike Kelly said the mixed use element on the land use plan was taken out of their proposal and they have different types of residential housing and a commercial component. They can't accommodate the type of mixed use that Commissioner Pack was speaking of with the cap and grade ordinance.

Scott Langford clarified that mixed use in the general plan and WSPA doesn't necessarily require vertical mixed use with ground floor retail, but it can be horizontal. The closest thing West Jordan has to the vertical integration is the Jordan Valley TOD.

Josh Suchoski complimented the applicant for providing such a large amount of information to the commission to easier understand the intent. He asked for clarification on which elevations will be used on the townhomes.

Mike Kelly said they have shown three alternative elevations for that product and they haven't made the decision yet. It could be that they will use one type in some locations and another elsewhere so they aren't all the same.

Kelvin Green asked if the townhomes would meet the 35-foot maximum height requirement.

Mike Kelly said the tallest unit is about 32 feet.

Dan Lawes also appreciated the effort to address the Planning Commission concerns.

Ray McCandless made a correction to the agenda that should have a request for medium density residential instead of high density residential. He asked them to keep in mind that this is a concept plan that will be taken to the Design Review Committee and to the Planning Commission for preliminary review of the overall project and each phase.

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 for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to a Low Density Residential, Medium Density Residential, and Commercial Designation on property generally located at the northwest corner of 7800 South and U-111.

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 138.5 acres of property generally located at 7800 South U-111 from MU (Mixed Use), HFR (High Density Multi-Family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to a P-C (Planned Community) Zoning District.

Judy Hansen asked if the number of 5,000 and 6,000 square foot lots could change since this is a concept plan.

Ray McCandless said the overall density is formally set at the preliminary stage by the City Council. They need to keep the ratios and it is ultimately a council decision whether or not more units are added.

Judy Hansen had been against 5,000 square foot lots, but she congratulated the applicant on their presentation. Her concern for the residents was that this development all empties onto 7800 South, which is a very busy road. She also said that although the neighboring communities have lots smaller than 5,000 square feet they are no longer allowed.

Dan Lawes noted that the public hearing was held during the last meeting.

Kelvin Green said the code requires a preliminary development schedule with approximate completion dates or timeframes. He asked if they could even consider the application if that isn't provided. He also felt that the commercial isn't really integrated in the plan and Holmes Homes has no plan to develop the commercial site.

Scott Langford said with a project of this size it is a challenge to nail down the timeline, but the applicant indicated a completion date of 2026 for the last phase. If any approvals expire then they have to come back to the commission. He said a large master planned community has to be phased appropriately. We have a general timeline estimate in order to move forward with the development and bond agreements.

Mike Kelly referred to Page 17 of their document with a stated date of 2026 for the anticipated completion of Phase 16. The commercial phase is figured to be the last simply because as they talk to commercial developers they want rooftops before it becomes viable. When they originally had higher densities then that schedule was accelerated. They would like to see it come sooner, but it is based on rooftops.

Josh Suchoski said the initial plan had major concerns. He lives in the Sycamores area and knows a lot of the errors that were made. He appreciated that a lot of the concerns had been addressed. He liked the use of space, which is more appealing by integrating the townhomes among the single-family for a more inclusive feel. He understood that some things could change on the plan, but he felt that the applicant tried to address the concerns. He wasn't opposed to the plan.

Kelvin Green said they made great strides, but he still didn't think it is a planned community. It doesn't encourage imaginative concepts in the design of the housing, it doesn't create a distinctive visual character but is just another standard housing development, it doesn't meet the requirement for open land for the general benefit of the community and public at large, and it marginally meets the requirements for comprehensive pedestrian circulation network. Instead of integrating the commercial section they put a buffer to isolate it. They could have put some open space or a courtyard for gathering. They eliminated the 20,000 square foot lots and put a church there. He said Daybreak is a planned community and this is just a bunch of houses with a couple of parks and commercial added as an afterthought.

Josh Suchoski disagreed. Although the large lots were lessened it still falls in the low density range. He loved that it isn't a boxy community and it is well connected. The commercial is located on the corner, but being on the boundary of West Jordan everyone who lives in the community would pass by Phase

16 every day and could use it. The trail system that wraps around this community will also benefit the Sycamores community. He didn't see how this differs that much from Daybreak. This is a concept plan and the preliminary approvals will all come back to the Planning Commission.

Kelvin Green said the concept plan will be the guide and it can't be modified much. If they don't hold them to the concept plan and if they keep modifying it then they will wind up with a mess like they did at the TOD. The concept plan is part of the zoning approval and there has to be some accountability. The density goes hand-in-hand with the concept plan. Something he might change is the isolation of the commercial area.

Josh Suchoski argued that the commercial area provides connectivity for the Sycamores as well. If it was in the middle of the development it would be isolated from the community at large.

Kelvin Green didn't think it needed to be moved from the corner, but just more integrated for community gatherings, outdoor concerts, etc. like is provided at SoDa Row in Daybreak.

Scott Langford clarified the reason the open area to the north of the commercial doesn't have amenities or connections is because the grade drops significantly and creates a physical disconnect.

Jason Nageli, Holmes Homes, said they are bringing a Daybreak product to this location with a mixture of home types with alley-loaded home, townhomes, cottage courts, and traditional single-family. The idea is to integrate it differently than any of their other projects. Holmes Homes wants to build a great neighborhood that will last a long time with different looks and feels so it isn't the normal box row homes.

Matt Quinney also liked the new concept. He felt that most of the planned community points have been met. He said that 20,000 square foot lots could be out of place at this point.

Bill Heiner agreed with Commissioner Suchoski. He wasn't at the last meeting, but this plan shows a good mix of housing. The commercial piece made sense on the corner. He asked if there is a transfer fee listed in the CCR's, because when you sell a property in certain parts of Daybreak there are three different transfer fees, which raises the costs of selling a home. He recommended that they be kept out.

Mike Kelly said they would have the attorneys work on that.

Jason Nageli said they don't have transfer fees in their other communities, except when required for Daybreak.

MOTION: Josh Suchoski 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 Oquirrh West; NW corner 7800 South & Hwy U-111; Holmes Homes/Patrick H. Holmes (applicant) to amend the Future Land Use Map for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use and Commercial to Low Density Residential, Medium Density Residential, and Commercial designations. The motion was seconded by Matt Quinney and passed 6-1 in favor with Kelvin Green casting the negative vote.

MOTION: Josh Suchoski 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 Oquirrh West; NW corner 7800 South & Hwy U-111; Holmes Homes/Patrick H. Holmes (applicant) to rezone approximately 138.5 acres from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential) and SC-2 (Community Shopping Center) Zone to P-C (Planned Community) Zone. The motion was seconded by Matt Quinney and passed 6-1 in favor with Kelvin Green casting the negative vote.

MOTION: Josh Suchoski moved to adjourn.

The meeting adjourned at 7:11 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2016