

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD SEPTEMBER 6, 2016 IN THE WEST JORDAN COUNCIL CHAMBERS

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

STAFF: Scott Langford, Larry Gardner, Nannette Larsen, Nathan Nelson, Paul Brockbank, Duncan Murray, and Julie Davis

OTHERS: Wayne Burton, Ryan & Christy Kitterman, Spencer Moffat, Scott Thomas, Casey Call, Dan Milich, Helen, and Kelly Moore

The briefing meeting was called to order by Dan Lawes. The agenda was reviewed. Clarifying questions were answered. Commissioner Quinney noted that he has a professional interest in Item #3 and will step down from the dais.

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

**1. Consent Calendar
Approve Minutes from August 16, 2016**

MOTION: Josh Suchoski moved to approve the minutes from August 16, 2016. The motion was seconded by Judy Hansen and passed 6-0 in favor. Bill Heiner was absent.

2. Oakridge Park Subdivision; 6700 West 8200 South; Preliminary Subdivision Plat (146 lots on 40 acres); R-1-8E Zone; The Boyer Company/Spencer Moffat (applicant) [#SDMA20160010; parcel 20-34-100-020]

Spencer Moffat, applicant, has been working with city staff to resolve engineering issues. The property was rezoned to R-1-8 by the City Council with an 'E' home size.

Larry Gardner gave the history of the property that was declared surplus by the Jordan School District. The applicant will construct the trail along 8200 South with that phase of development. He pointed out the retention pond located north of the 10-acre school site. The proposal meets all of the zoning requirements and criteria and preliminarily meets the engineering requirements.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission approve the Preliminary Plat for Oakridge Park located at approximately 8200 South 6700 West 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. All applicable city departmental requirements must be met prior to recordation of the final plat.
3. Update the Final Oakridge Park Subdivision Plat to address all existing and future planning, engineering, fire and all other City redline corrections pertaining to the Oakridge Park

Subdivision Plat. Before the final plat is stamped for construction purposes by the West Jordan Engineering Department, all redline comments shall be completely addressed.

4. All homes constructed within the Oakridge Park subdivision shall comply with the requirements of the zoning ordinance.
5. 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 Mr. Gardner had received any further information from the school district. He would like to know how the school district plans to service the students.

Larry Gardner said the general practice is for him to email the school district with the proposal as well as a site plan and plat. The school district was aware of the project, because they are selling the property. There were no other comments other than they can service students in the area with schools.

Dan Lawes opened the public hearing.

Scott Thomas, Jordan School District, said they entered into an agreement with all of the cities, and one requirement was to evaluate and assess which properties could be deemed surplus. He said that half of this property was purchased in 1959, and cities and master planning changes over time. They understand there is rapid growth in the area, so they retained 10 acres for a future elementary school. Ten to 20 years ago 50 acres was suitable for a high school site, but now they need closer to 60 acres.

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

Clarification was given regarding the proposed fencing locations and points of access.

MOTION: Dan Lawes moved to approve the Preliminary Subdivision Plat for Oakridge Park Subdivision; 6700 West 8200 South; The Boyer Company/Spencer Moffat (applicant) with the conditions 1 through 5 as listed in the staff report. The motion was seconded by Josh Suchoski and passed 6-0 in favor. Bill Heiner was absent.

3. **Walker Tape; 9312 Prosperity Road; Preliminary Subdivision Plat (1 lot on 3.1 acres); M-1 Zone; Tom Stuart Construction/Casey Call (applicant) [#10169; parcel 26-02-351-001]**

Matt Quinney recused himself from the discussion and left the dais at 6:11 p.m.

Casey Call, Tom Stuart Construction, gave a brief overview of a proposed business-owned property for Walker Tape Company.

Nannette Larsen said a subdivision plat was required in order to dedicate 0.32 acres property to the City of West Jordan.

Based on the positive findings of fact in the staff report, staff recommended that the Planning Commission grant Preliminary Major Subdivision approval of Walker Taper Subdivision Plat A

located at 9312 South Prosperity Road 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.

MOTION: Josh Suchoski moved based on the positive findings set forth in the staff report and information received during the meeting to approve Walker Tape Subdivision Plat A; 9312 Prosperity Road; Tom Stuart Construction/Casey Call (applicant) with the conditions 1 through 3 as set forth in the staff report. The motion was seconded by David Pack and passed 5-0 in favor. Bill Heiner was absent and Matt Quinney was excused for the item.

Matt Quinney returned to the dais at 6:13 p.m.

4. **Dealeo; 8533 South 2940 West; Preliminary Site Plan and Conditional Use Permit for Outdoor Storage; M-1 Zone; Dealeo/Ryan Kitterman (applicant) [#10552; parcel 21-33-377-004]**

Ryan Kitterman, applicant, gave a brief overview of the proposal to build a shop with office space. They also need a conditional use permit to have outdoor storage of equipment related to concrete pumping supply and sales dealership. The building was designed with architectural features that will add some harmony to the area and make the building functional and safe to use based on the size and shape of the lot.

Josh Suchoski noted that the back of the building faces the apartment complex and he asked what types of materials will be stored in that area. He thought the building looked great.

Ryan Kitterman said storage will mostly be parts related to equipment and will be mainly in containers. They will also have a dumpster and a steel recycling bin. The equipment will not be stored higher than allowed within 20 feet of permitted area. They will have no chemicals.

Nannette Larsen said the site plan is coming to the Planning Commission because there are two loading bay doors that face 2940 West. The doors either need to be architecturally integrated into the building or they need to be screened with a fence or landscaping. The applicant chose to integrate the doors with two decorative gable ends using timber. Staff's opinion is that they are sufficiently integrated to meet the intent of the ordinance. The conditional use permit is needed for outdoor storage.

The conditions of approval will help to mitigate any possible negative impacts from the outdoor storage.

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 Dealeo site plan located at 8533 South 2940 West 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.

Conditional Use Permit:

Based on the positive findings set forth in the staff report, staff recommended that the Planning Commission approve the Conditional Use Permit to allow for outdoor storage located at 8533 South 2940 West in an M-1 zoning district, with the conditions of approval as listed below.

1. All changes to the site shall be consistent with the submitted Conditional Use application, letter of intent, elevations, and site plan.
2. The proposed use shall meet all applicable Zoning, Building, Engineering, and Fire Department's requirements.
3. The 6' solid fence to the east must be maintained.
4. A 16' landscape buffer along the east property line must be installed with no less than one tree per 400 square feet of required buffer area.
5. Any vehicles stored on the property shall be stored on a paved area.
6. A solid fence or gate shall screen the outdoor storage area from the street.
7. A chain-link fence with slats is required to screen the storage area from adjoining properties.
8. All storage on the site may not be stored at a height greater than the fence to the east, unless such storage is setback from the fence no less than 20'.
9. The Conditional Use Permit shall be subject to review/revocation as per section 13.7E.10.

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 the information received during the meeting to approve the Preliminary Site Plan for Dealeo; 8533 South 2940 West; Dealeo/Ryan Kitterman (applicant) with the conditions 1 through 3 set forth in the staff report. The motion was seconded by Matt Quinney.

David Pack said this project isn't going before the Design Review Committee, so he asked if any of the Commissioners had comments regarding either the outdoor storage or the design.

Dan Lawes liked the overall renderings.

Josh Suchoski liked the gable ends which make the entire building face look nice. He felt that with the setback requirement for the storage and the fact that most of the items will be in containers that it will be alright.

Kelvin Green asked how some of the conditions can be enforced.

Josh Suchoski said if there are complaints then a code officer will investigate and make sure it is enforced. He also felt that with the applicant's attention to detail on the project that the property will be maintained.

Scott Langford said even if the conditions weren't specifically listed, they are part of the code. They are listed as a courtesy and heads-up to the applicant of the code requirements. If it becomes a problem in the future they will have the teeth to enforce on it.

VOTE: The motion passed 6-0 in favor. Bill Heiner was absent.

MOTION: Josh Suchoski moved based on the positive findings set forth in the staff report and the information received during the meeting to approve the Conditional Use Permit for Outside Storage for Dealeo; 8533 South 2940 West; Dealeo/Ryan Kitterman (applicant) with the conditions 1 through 9 set forth in the staff report. The motion was seconded by Matt Quinney and passed 6-0 in favor. Bill Heiner was absent.

5. Trampoline Park; 7288 South Campus View Drive; Preliminary Site Plan and Conditional Use Permit for Personal Instruction Service; P-O Zone; The Amber LLC (applicant) [#10475, 10795; parcel 21-29-152-008]

Wayne Burton, applicant, said he is proposing a trampoline park/ninja warrior obstacle course. Part of their plan is to also have a tutoring opportunity during the three-hour gap between the end of school and the end of work. Kids will receive some instruction for one hour and then be allowed to use the park for fun and exercise.

David Pack read from the letter of intent and asked how much will be private instruction and how much is a general admission situation.

Wayne Burton said the first hour of the three-hour period will be in classroom instruction. They will also have early morning exercise instruction for aerobics on the trampolines.

Judy Hansen asked if the ninja course will have instructional lessons. She asked if the tutors will be educators.

Wayne Burton said there will be staff to instruct clients on the ninja equipment if they need it. The tutors will be people who are knowledgeable in math, science, or English. Regarding transportation, each person will make their own arrangements to get to the park.

Dan Lawes asked if they need a daycare license from the State based on the age of the children.

Mr. Burton said they are not a daycare.

Scott Langford said the conditional use permit is for personal instruction service. A lot line adjustment was recently recorded for the project. It was staff's understanding that the use fits the definition of personal instruction service based on the information they received. The use is determined by how the majority of the time is spent; doing personal instruction or indoor recreation service. Based on the information they received it could qualify, however, based on some of the comments from the applicant he recommended that the Commissioners determine if it meets that definition. He read the definition of personal instruction service, indoor recreation, and office uses for the benefit of the Commission.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant Conditional Use Permit and Preliminary Site Plan approval for Trampoline Park located at 7288 South Campus View Drive in a P-O zoning district with the conditions of approval as listed below:

Conditional Use

1. The Conditional Use Permit is subject to review and/or revocation as per City Code Section 13-7E-10.
2. Approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.

Preliminary Site Plan

1. The proposed development shall meet all applicable Zoning Ordinance requirements.
2. Any 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).
6. The applicant must provide a lighting plan demonstrating that light will not 1.0 foot-candle at property line.

David Pack thought this could be a mix of the two uses, but he didn't know if it fits the purpose and intent of the office zone based on large volumes of traffic, parking issues and potential noise. It comes down to an acceptable ratio of patrons coming in just to jump versus instruction.

Scott Langford noted that the code permits a 'recreational' use in the P-O zone. Other high intensive uses are allowed in the P-O zones such as restaurants, which can also generate large amounts of traffic.

Judy Hansen said there is a safety issue without adequate supervision for 5-year olds. Also, there is only one hour of instruction. She thought that there would be more instruction on the equipment itself and not just people using it on their own.

Dan Lawes asked what the implications are to the conditional use application if they determine it is more of an indoor recreation use.

Scott Langford said indoor recreation is allowed in the commercial zonings, but not in association with P-O and BR-P zones.

Matt Quinney asked the applicant to clarify the times for instruction.

Wayne Burton said there is only one hour of classroom instruction, and the rest of the time there will be people who can train them and then they will be turned loose to practice what they've learned. There will be at least three people who are certified. The public will be allowed to come in to use the equipment, but there will be instructors to teach them how to use the equipment if they need it.

Josh Suchoski asked if they would offer training at the facility to people who want to become certified to train.

Wayne Burton said he hadn't thought of it, but he would if needed.

David Pack asked how many people are allowed in a group receiving instruction and how it would be regulated. He has found that the maximum ratio of 6 students to one instructor is a best.

Wayne Burton said he hadn't thought about that, but they would hire more people if it got to be too much.

Kelvin Green said personal instruction service includes health and fitness studios and he asked if that would be allowed on Campus View drive.

Scott Langford said yes, with an administrative conditional use permit.

Kelvin Green said the code permits 'recreational' in the P-O zone. It allows for fast food restaurants, pre-schools, hospitals, hotels, and schools, etc. There is a blurring of recreation and fitness as ordinances get antiquated. His bigger concern was with a warehouse-looking building in the P-O zone and wondered if it fits for the long term purposes of the area. He didn't have a concern with the use.

Josh Suchoski didn't think that trampoline parks really fit into most zoning. It would be odd to have one next to a grocery store or next to office. He felt they need to look for the highest and best use in an overall area. This is a professional office area, but it is just one street away from the Jordan Landing Entertainment area so it kind of fits within the overall area. There are 106 parking stalls, so it seems that parking and traffic congestion won't be an issue. Because it is all contained within the building it won't be disturbing to the surrounding tenants, so he felt that it would work here.

Kelvin Green agreed. Without a better definition of 'recreational' in the code, he wasn't sure if it even needed an administrative conditional use permit. It probably fits with the personal instruction service as well, and he felt that the use works.

Dan Lawes opened the public hearing.

Helen, owner of adjacent properties, said she agreed a little with Commissioner Pack with regards to the building itself. She hoped to see a circular drive for an easy pick up for the children. She didn't know how else students will get to the facility with lack of schools in the area. She asked that the city make sure of the lot boundaries as there was a situation a few years ago when a proposal was shown on one of her lots. She hoped that the business works out if it is approved. She is planning to have professional office buildings built on her lots, so she was concerned with the look of the building.

Kelly Moore, general contractor on the project, said Mr. Burton has great care for the community with his desire to offer tutoring services for the kids. She said transportation to the facility will be no different than when a child has gymnastics or another type of lesson; they have to find a way there. There is a semi-circle drop off area that will work well and more than adequate parking. The building is metal with a stucco aggregate application with insulated panels and it won't look like a metal building. They met the design criteria for bump-outs, and she felt that it will be a great addition.

Dan Milich, Foursquare Properties, subject property owner, said they created the parcel to allow this use to come before them. Foursquare Properties had discussed the applicability of this use on the property because they own surrounding property and don't want to cause a negative impact on their assets. The business plan is to have instructional services for the majority of the time with open recreation for the other portion of the time. He felt that the site plan is well developed with additional articulation to the elevations so it doesn't look so industrial. They also felt that it is a good transition next to the airport.

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

There was a brief discussion regarding the Design Review Committee review of the materials and colors, which will be in harmony with the other office uses in the area.

MOTION: Kelvin Green moved based on the findings set forth in the staff report and on the evidence presented at the public hearing to approve the Preliminary Site Plan for Trampoline Park; 7288 South Campus View Drive; The Amber LLC (applicant) the with the conditions 1 through 6 as listed in the staff report. The motion was seconded by Josh Suchoski and passed 6-0 in favor. Bill Heiner was absent.

MOTION: Kelvin Green moved based on the findings set forth in the staff report and on the evidence presented at the public hearing to approve the Conditional Use Permit for Personal Instruction Service for Trampoline Park; 7288 South Campus View Drive; The Amber LLC (applicant) the with conditions 1 and 2 as listed in the staff report. The motion was seconded by Josh Suchoski and passed 6-0 in favor. Bill Heiner was absent.

The Commission took a break at 7:10 p.m. and reconvened at 7:16 p.m.

6. Jordan Landing Entertainment Village; 7301 South Jordan Landing Blvd.; Preliminary Site Plan; SC-3 Zone; Foursquare Properties, Inc./Dan Milich (applicant) [#SPCO20160012 (10116); parcel 21-29-176-003 thru 011; 21-29-177-002]

Dan Milich, Director of Development for Foursquare Properties, explained that they had been working on a redevelopment effort for the last two to three years. Recently the Commission reviewed their amended sign package that will provide signage opportunities for about 70 additional tenants in the reconfigured area. Jordan Landing came to West Jordan in the late 1990's with the Cinemark theater being one of the first components. The center needs a facelift in aspects of signage, exteriors, architecture, etc. He showed a video with concept renderings of the new area. There will be 120,000 square feet of new area, because some of the existing structures will be removed and rebuilt. They propose a system of portal entries in key locations to draw people into the entertainment area. They will add soft scape with gathering points in a village concept. As they continue to redevelop Jordan Landing there will be other villages. The fountain design is \$1 million and a focal point in front of Cinemark. There will be a new 'downtown' street that is a walkable and includes street trees and furniture. He pointed out a fire access route that allows for emergency vehicles while still keeping a plaza view. He reviewed the positive impact that Jordan Landing has on West Jordan's sales tax revenue. With this \$40 million investment that will increase.

Josh Suchoski said it was a beautiful design and thanked Foursquare for what they had done for West Jordan. He asked what was intended for the gap between new stores and the Cinemark building.

Dan Milich said that area needs to remain open for required exits from the new buildings and the theater. The marquee signage will be moved to the front of the theater.

Matt Quinney thought that the plan was fantastic. He asked if the portals will have anything inside.

Dan Milich said they aren't planning anything right now, but there could be small kiosks, etc. It is a covered way and entry portal to get to the Entertainment Village area. Regarding the timeframe for buildout, the project will have to be phased, and the goal is to be open in 2018.

There was a brief discussion regarding the traffic/street configuration in front of the center and options for safe pedestrian crossing.

Scott Langford gave an overview of the project. A lot of shifting of structures and phasing is critical. There will be a net increase of 80,000 square feet of commercial buildings, including entertainment and restaurant uses. Staff originally had concerns with parking impacts due to the added tenants, but the catalyst to get this moving was the remodel of Cinemark that eliminated 3300 seats from the theater. With the renovation it allowed for 412 extra parking spaces, and when the new entertainment village is completed they will have 63 spaces over the requirement. The entry portal redesign will hopefully encourage people to use the parking area to the east. He pointed out a proposed portal entry sign that will help direct patrons to the Cinemark now that it will be significantly buried within the site. The current sign code doesn't address this type of sign, so they hope to bring forward a text amendment in the future. While they are not voting on the signage tonight, he asked if the commission could provide their feedback.

Based on the findings of the staff report, staff recommended that the Planning Commission approve the Preliminary Site Plan for Jordan Landing Entertainment Village located at 7301 South Jordan Landing Boulevard in the SC-3 (Regional Commercial) zoning district, with the following conditions:

1. The proposed development shall meet all applicable 2009 City Code requirements.
2. Any modifications to the Final Site Plan shall be consistent with the Preliminary Site Plan application and site plan.
3. All signage for the development shall be reviewed independently through a separate sign permit to ensure signage meets all requirements of the 2009 City Code and is consistent with the intent of the Jordan Landing Sign Plan.
4. An approved preliminary site plan shall remain valid for one year following the date of the approval.
5. The preliminary and final site plan must meet all requirements of the Engineering and Fire Departments.
6. 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).

David Pack was glad that the Design Review Committee had already reviewed the project for pedestrian crossing safety. He was grateful for the revitalization and that they had been working with staff regarding needed infrastructure, safety, etc. He thought it was a great thing for the city.

Josh Suchoski loved the design and how it is so pedestrian with a central gathering area. His one concern was the areas against the theater look really dark and he asked that from a safety standpoint that those areas be very well lit. He thought this plan would add a lot to Jordan Landing.

Judy Hansen liked the portal entry sign, because people it will direct people who are looking for the theater as they drive along the road. She thought they are attractive and it would be a good idea to allow them.

Matt Quinney thought that the signs looked great and the project itself was a good concept.

Kelvin Green said the signs will be okay there. His biggest concern was that people will still park on the north and south and walk in from the wings. He wondered if it is better to put the main entrance on the north or south. Crossing the street is the most negative part of the design.

There was a discussion about traffic patterns along the main road and any increase in traffic because of the added shops. A traffic study was completed, but it mostly focused on parking. If some stops signs are removed for vehicular efficiency you possibly put pedestrians in greater harm due to increased speeds. Staff will continue to work with the traffic engineer and the applicant to determine if additional measures need to be taken.

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 the information received at the meeting to approve the Preliminary Site Plan for

Jordan Landing Entertainment Village; 7301 South Jordan Landing Boulevard; Foursquare Properties, Inc./Dan Milich (applicant) with the conditions 1 through 6 as contained in the packet. The motion was seconded by Josh Suchoski and passed 6-0 in favor. Bill Heiner was absent.

Scott Langford asked the Commissioners if they might be in favor of a text amendment to allow loading bay doors to face the public right-of-way. Limitations could be added for collector or arterial roads or within a certain distance where aesthetics might be more of a concern.

Several were in favor; all applications that have come to the Commission have been approved. If there is a code that says they have to be architecturally integrated with the building or properly screened. You usually expect to have loading bay doors in the M-1 zone. Legally, it is a good idea to have some standards.

Judy Hansen suggested other text amendments to require a certain percentage of evergreens to prevent bare landscape during the winter months. She would also like to see more landscaping in parking lots.

MOTION: Matt Quinney moved to adjourn.

The meeting adjourned at 7:54 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2016