

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD NOVEMBER 15, 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, Larry Gardner, Duncan Murray, Ray McCandless, Julie Davis, Paul Brockbank, Nathan Nelson

OTHERS: Jamey Gansen, Lane & Michelle Bodell, David & Shirley Primeau, Jeff Bernson, Aaron Greenberg, Russel Weiser, Jake Hone, Kathy Bangerter, Michelle Aubrey, Elky Wong, Farzad Mohebbi, Andrew Bollschweiler, Chris Haertel

The briefing meeting was called to order by Dan Lawes. The agenda was reviewed and clarifying questions were answered. Bill Heiner stated that he has a business relationship with one of the property owners in Item #3, but has no financial interest in the project.

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

1. Consent Calendar
Approve Minutes from November 1, 2016

MOTION: Josh Suchoski moved to approve the minutes as presented. The motion was seconded by Matt Quinney and passed 7-0 in favor.

2. Business Item
2017 Planning Commission Calendar

MOTION: Josh Suchoski moved to approve the 2017 Planning Commission Calendar as listed in the packet. The motion was seconded by Judy Hansen and passed 7-0 in favor.

3. Gansen Carriages; Continued from 11-1-15; 8679 South Redwood Road; Future Land Use Map Amendment for 6.25 acres from Professional Office to High Density Residential and Rezone from RR-1A (Rural Residential 1-acre lots) Zone to PRD (H) (Planned Residential Development – High Density) Zone; Oakwood Homes/Jake Hone (applicant) [#GPA11283, ZC11284; parcels 27-03-201-004 thru 009, 039, 040]

Jake Hone, Oakwood Homes, briefly reviewed the request for a rezone and general plan amendment for a residential use with a more traditional single-family lot layout in order to provide a better use to the property.

Kelvin Green asked what amenities are planned for the development. He also asked about property owner permission from all owners.

Jake Hone said the PRD code requires 15% open space. The particular amenities will be finalized with the subdivision application, but they hope to provide some kind of playground amenity and perhaps a sports amenity.

Larry Gardner said staff has the owner affidavits. He explained that the request is for a land use amendment from Professional Office to High Density Residential and a rezone from P-O to PRD(H). The PRD code requires a concept plan in association with a zone change. He explained that the current concept plan differs and is less dense than the one submitted two weeks ago. This plan is for 7 units per acre instead of 10 units per acre and is laid out as a more traditional subdivision. The majority of the open space is between the homes and Redwood Road and offers a buffer in this concept. The connection to Gardner Lane will be finished out, which will occur no matter how the property is developed. That road is shown as a collector on the streets master plan and is vital for circulation of the area. He reviewed the current densities on the surrounding properties.

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 General Plan Land Use Map from Professional Office to High Density Residential and Rezone 6.25 acres from RR-1A (Rural Residential –One Acre Lot) Zone to PRD(H) (Planned Residential Development –High Density) Zone.

Dan Lawes asked if Gardner Lane was always planned to go through.

Nathan Nelson said yes.

Dan Lawes asked what kind of barrier would be along Redwood Road.

Larry Gardner said there would be a wall and street trees every 25 feet.

Dan Lawes opened the public hearing.

Russel Weiser, West Jordan resident, stated he is the president of the Dove Meadows HOA and his home backs the fence where the houses will be. An extension of Gardner Lane will cause traffic and noise on an existing quiet street separated by only a vinyl fence. When Dove Meadows was built the plan had this property tied in and it also showed a traffic signal on Redwood Road, which isn't shown on these plans. There isn't a turn lane going into Dove Meadows and cars could back up if the gate is not working. The irrigation ditch to the south has caused mosquito problems and he asked if it would be piped. He didn't think a playground made sense along Redwood Road. If more green space was between Dove Meadows and the development it would provide more distance between the homes.

Lane Bodell, West Jordan resident, said there will be eight homes across the east property line with the new concept plan. He asked what the required setback is. If the new homes are two stories it will be like facing a sound wall and they would lose their privacy. He recommended that the lots be lengthened and widened.

Dan Lawes asked for an explanation regarding the time frame for a traffic signal.

Nathan Nelson said the city has a corridor access agreement with UDOT. UDOT will install the signal when it meets warrants following a traffic study that the city could request at any time. The neighbors in the area of 9000 South and 10th West had the same concerns and asked for a study, and it didn't meet the warrants. This location probably wouldn't meet the warrants now, but it might once the road is constructed. If it meets the warrants then UDOT would put it on their queue for signal projects.

Larry Gardner said the setbacks in the PRD zone are based upon the development plan that will be submitted with the subdivision. He said this is a concept plan and if it gets to the subdivision phase then staff will discuss all of these concerns.

Michelle Aubrey, West Jordan resident, asked for timing on the construction and if the plan to open Gardner Lane is a final decision. People speed on that road as it is and if it is opened up then speed bumps will be needed. She said this area has worked fine all these years without the road connection and she didn't see the logic or need.

Kathy Bangerter, West Jordan resident, asked when the residents will hear responses to their concerns.

Dan Lawes explained that tonight's discussion is only for changes to the future land use map and zoning. It would come back at a different phase for the subdivision layout, amenities, etc.

Judy Hansen was excused from the meeting at 6:20 p.m.

Elky Wong, West Jordan resident, said there isn't any visitor parking provided and if the road goes through then a sidewalk needs to be built on the north side of the road.

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

David Pack appreciated the public comments and explained that the commission needs to look at only the applications before them. A project goes through different phases of approval and many of those answers will be provided at the subdivision phase.

Kelvin Green was opposed to the project. He referred to pages 4, 5, and 6 of the staff report. He said although the concept plan can be modified some, it is the guide to the PRD development. The proposal is for seven units per acre but the applicant said the only amenity proposed at this time is 15% open space. He read from 13-5C-8B that states if no density bonuses can be applied then the density reverts to the lowest density of 1 to 3 units per acre. He didn't think that this project could provide enough amenities to get to the density of seven units per acre. Referring to the overall intent section of the code, he didn't think it met #2 that asks for a variety of uses and structures with imaginative concept and design; it doesn't meet #6 to provide a balanced and coordinated mixture of uses and related public and private facilities; #7 isn't met because it doesn't encourage a broad range of housing types; #9 because it does not encourage and provide for open land for the general benefit of the community, as it is all fenced in; and #12 the PRD is best realized in a large-scale development. If this development is too small to meet those goals, then it shouldn't be in the PRD. He would rather see it stay professional office than putting more walls along Redwood Road. He didn't like the location of open space along Redwood Road. He didn't think this project works for this property.

Josh Suchoski agreed in large measure with Commissioner Green. He also felt that it is a safety issue for pedestrians with a wall against Redwood Road. He read from 13-5C-1A that refers to optimum land planning with greater efficiency, convenience and amenity than may be possible under the procedures and regulations of conventional zoning classifications. He said this looks like a conventional residential zoning idea only it is compacted into a much smaller package. He didn't see

amenities or anything that would improve upon a conventional zoning layout. He felt that office zoning is a more efficient use of the space than a compacted housing development.

Matt Quinney also felt that putting a wall on Redwood Road detracts from the goal of the Redwood Road corridor. Housing could be behind the businesses, but businesses should be on Redwood Road.

Josh Suchoski agreed. There are few major arterial routes through the city and that is where we want businesses. If this is sold for residential then they are selling themselves short.

Bill Heiner asked if there was a compromise that would provide commercial development along Redwood Road as a buffer and residential behind. He didn't know if six acres of office space would work, because there is already a lot of office space in the area. It could also create more traffic than the homes.

Larry Gardner said the Commission should only consider the application before them and not try to redesign it. He also asked the Commission to remind those in the audience that they will get another notice for the City Council meeting as this is only a recommending body.

Josh Suchoski said the PRD doesn't allow for business uses. If this is changed to PRD then it allows for a lot of this type of infill in the area, and he thought it is better suited as office space.

MOTION: Josh Suchoski moved based on reading the staff report and evidence and discussions today to forward a negative recommendation to the City Council for Gansen Carriages; 8679 South Redwood Road; Oakwood Homes/Jake Hone (applicant) to amend the Future Land Use Map for 6.25 acres from Professional Office to High Density Residential based on Finding A has not been met because it doesn't conform to the General Plan for the benefit of the City. Finding C that the proposed amendment will be compatible with other land uses, existing or planned in the area, and Finding D isn't met because it doesn't constitute an overall improvement to the adopted General Land Use Map. The motion was seconded by Matt Quinney.

Bill Heiner agreed in part with the motion because if the application is given a positive recommendation for PRD it would definitely take out the commercial component. However, he still felt there could be another option down the road.

VOTE: The motion passed 6-0 in favor of a negative recommendation. Judy Hansen was absent.

MOTION: Josh Suchoski moved considering the zoning to forward a negative recommendation to the City Council for the Gansen Carriages; 8679 South Redwood Road; Oakwood Homes/Jake Hone (applicant) to [rezone 6.25 acres from RR-1A Zone to PRD (H) Zone] specifically that the findings on pages 4 through 6, Items 1, 2, 6, 7, 9, 11, and 12 have not been met based on the discussion in the meeting. The motion was seconded by Kelvin Green and passed 6-0 in favor of a negative recommendation. Judy Hansen was absent.

4. Text Amendment – Sections 13-12-1 Purpose and Scope; 13-13-8 Parkstrip Landscaping; 13-13-6 Materials and Standards; and 13-14-3 General Provisions and Regulations to allow certain exceptions for Food Manufacturing Facilities; City-wide applicability; Maxim’s Utricare Inc./Papa Pita Bakery (applicant) [#11200]

Andrew Bollschweiler, AE URBIA Architects, explained that Papa Pita is SQF Level 3 certified by an independent body and is a requirement for national customers such as Costco, Kroger, Walmart, etc. In order to be certified they have to comply with certain certifications regarding public food safety and reducing any and all risk of Food Defense Program requirements. The amendments address controlled access to the site with the gate and fence, and also reducing landscaping in order to keep birds from flying into the facility.

Josh Suchoski asked if it is a big problem to clear out bird nests periodically.

Farzad Mohebbi, owner of Papa Pita bakery, said whenever there is a tree a lot of birds go in it for protection from the sun and weather. Theirs is a 24/7 operation and as soon as the dock doors open they fly in. They do everything they can not to harm them, but once they get into a food facility they become very difficult to catch and release. Most of the time they have to shoot the bird, which causes other problems for a food facility. Food safety is very important, and SQF Level 3 is the highest food safety programs you can have. When the product is sold nationwide there are a lot of safety issues. They have two unannounced audits per year and if there is bird it is a major violation. With two major violations they can lose their certification. He isn’t opposed to having trees for beautification, but having any kind of trees or tall shrubbery attracts birds. At times there are so many birds you would think there is a major food source for them. They’ve had this certification for the last 4 years. Certain national programs require it when you put their name on the product, and the reason they are expanding is due to the acquisition of these national accounts.

Dan Lawes asked why they didn't bring this issue forward at the time they applied for street facing bay doors with screening.

Andrew Bollschweiler said after discussions with staff they proceeded to show the trees on the plan so they could move forward with construction with the idea of asking for the text amendment later to solve the bird problem. They are aware of the screening requirement.

Dan Lawes said the trees were a specific condition. He asked if it is a make or break situation.

Farzad Mohebbi said they have invested \$400,000 so far. When he came here six years ago from Salt Lake City they met with the Economic Development Committee and the City and felt that West Jordan was understanding and accommodating of his type of business, so he proceeded in good faith that this wouldn’t be an issue. It is still a beautiful property. He didn't know if it is a make or break and would have to consider it after the decision is made.

Dan Lawes referred to Dunford Bakers in West Jordan that has trees near the loading doors.

Farzad Mohebbi said Dunford is not SQF Level 3 certified, but they are local, and he didn't know if they are a 24/7 operation. He couldn't speak for Dunford, but his is only one of two bakeries in Utah that have this certification.

Josh Suchoski was aware of systems with strips of screening that get pushed out of the way when trucks back in.

Farzad Mohebbi said they have put spikes on the building so birds can't perch. The strips can damage or squeeze their product, because the majority is fresh delivery going to a store and not in boxes. They do have these strips at their entrances but not on the dock doors.

Andrew Bollschweiler said they are installing dock seals and doing everything they can to eliminate the problem.

Dan Lawes said the text amendment can't relieve a particular hardship nor confer any special privilege to a single property owner or cause.

Andrew Bollschweiler said everything they have talked about with staff was for food manufacturing and distribution type of facilities in general. It isn't for this property alone.

Kelvin Green asked for an explanation regarding the request for xeriscape and how it relates to birds, instead of using sod or something else. He asked about the reduction from 40% to 20% plant coverage when there are many types of low growing plants.

Farzad Mohebbi said xeriscape is more expensive than landscaping and it adds to beautification with the decorative rocks, but they prefer anything that prohibits or reduces bird shelter. Lawn is not water conserving and most lawns in industrial parks aren't well cared for.

Andrew Bollschweiler said they have listed ornamental grasses because they can't perch in the grass. Birds don't necessarily have nests nearby, but they will find anything they can to perch on and wait until the doors open. The reduction in plants along the docks is just to help eliminate birds, but they could do 40% shrubs in front. He thought there was a provision in the proposed ordinance that would keep the percentages, but allow them to be clustered on other parts of the property.

Farzad Mohebbi said his initial request was for xeriscape only. But after meeting with staff they decided to ask for a reduction instead. Twenty percent provides for half the opportunities for birds. It won't eliminate every chance. Another amendment would allow them to close the gate during non-business hours, which is only a few days a year. The Food Terrorism Act changed a lot of laws, and one was that there is no access to places where food could be tampered with. Their bakery has multiple silos, flour, various liquids that are in bulk, which are locked, but they are outside. So they need to shut down access to them. Many facilities have a full-time gate and guard to monitor all in and out, but they are not at that level yet.

Ray McCandless said it is important to recognize that any time the code is amended it applies city-wide. In Section 13-12-1 it talks about gated and secured sites, staff didn't see a reason that the applicant can't secure the facilities as long as the fence meets height and setback provisions and the fire department has access in case of emergency. Staff recommended no change to this part of the code.

Section 13-13-8 addresses the concern of trees. Staff is neutral on the change and felt if the loading doors are within 300 feet of the parkstrip then an equivalent number could be located elsewhere on the site. Section 13-13-6 has a request to reduce it to 20%, but if the Planning Commission thinks there are other types of plants that will remedy the bird situation then staff didn't see the need to change that. In Section 13-14-3 the applicant is recommending that if the doors are greater than 100' from the public way screening is not required. Staff felt this is more of a site plan or conditional use related issue, and staff didn't think 100 feet is adequate for no screening.

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 to allow certain exceptions for Food Manufacturing Facilities.

Scott Langford said as other industrial projects for street facing bay doors have come before the Commission, they have recommended other solutions such as architectural enhancements to the doors and building, which is available to the Commission along with distance from right-of-way.

Dan Lawes asked if a combination of architectural enhancements to the door and a decorative wrought iron fence would come close to meeting the intent of the screening requirement.

Scott Langford thought that it would. He also pointed out that the plant coverage and tree requirements are different.

Dan Lawes opened the public hearing.

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

Josh Suchoski said it bothered him that the Commission reviewed this item for screening of front loading doors and now they are asking for it to be modified. However, he did see where there would be an issue with the birds. The city should be looking at the health and safety for everyone including residents and businesses. So, anything they could do to help businesses it would be in the best interest of the city. He was leaning toward some of the changes since it would benefit all of those businesses.

Kelvin Green echoed the direction this was going, but he didn't want to create too many exceptions in the code. He couldn't see the difference between 20% and 40% plant coverage and there are a lot of plants that can be incorporated in xeriscape, so that section is unnecessary. The section regarding the gate is unnecessary. He thought that moving the trees to another location is fine. He personally didn't care whether or not dock doors are screened in an M-1 zone, but the intent is to make them more pleasant. He agreed that architectural additions help alleviate the issues that screening was to prevent. He didn't like berming 'where possible', because you either do it or don't. He didn't like the verbiage regarding doors greater than 100' have no screening required, because the intent and purpose of the ordinance is for some screening, so they could use a combination of something like wrought iron fencing and architectural features, etc.

David Pack said he wants to be business friendly and the applicant has made a significant investment in the City of West Jordan. He could see the fear of exceptions, but not one size fits all. There are pertinent reasons why food manufacturing would be different than sheet metal roofing in terms of

cleanliness and food certification quality. He is for allowing the trees to be moved to other areas. There is double the chance of birds with 40% shrubbery than with 20%.

Josh Suchoski felt as laws change with the Food Security Act and such we have a responsibility to look at our laws to see if they mesh. There are a lot of antiquated laws and when one changes and other stay the same it becomes a problem. He wanted to strike the wording in Section 13-14-3 regarding no screening for distances 100 feet or greater. He would like to say that when front loading doors are viewed from the street then they may be screened by vegetation and trees or they may have a combination of design elements that would be approved by both the Design Review Committee and the Planning Commission.

MOTION: Kelvin Green moved to forward a recommendation to the City Council that the amendment regarding gates in 13-12-1 is unnecessary; Section 13-13-8 about xeriscaping to adopt the optional staff's recommendation on trees located on the bottom of page 3 and the top of page 4 of the staff report. Recommending that Section 13-13-6 not be approved. And recommending that 13-14-3 be approved with the following modification: "Loading areas for delivery or freight vehicles shall be designed to provide sufficient area for the vehicles to be completely screened from the public view during loading/unloading process. Exception: if the doors are in view of the street they be screened with trees and shrubbery or have a combination of decorative design elements that are approved by both the Design Review Committee and the Planning Commission". The applicant's exception regarding doors more than 100' from the public way be stricken. The motion was seconded by Josh Suchoski.

MOTION: Josh Suchoski moved to dispense with rules to allow the applicant to comment on the motion. The motion was seconded by Kelvin Green and passed 6-0 in favor. Judy Hansen was absent.

Andrew Bollschweiler wanted to clarify that staff told them they needed the amendment regarding gating in front of the public parking. He said that the Commission's recommendations will be helpful to their operations.

Scott Langford said since that time he made an interpretation that it can be gated and the amendment isn't needed.

Farzad Mohebbi said this was his first experience with the Commission and there were some great points made. He wanted to make sure they knew that from the beginning there was never intent to do one thing and then change. From the beginning he met with the City and expressed his concerns. But because of the delay that it would cause for construction of their project it was recommended that he get site plan approval first and then do the text amendment. He also liked the point that was made regarding antiquated laws and that they should mesh together. Building a gate is more expensive for him, but in the end this and the other changes provide for food safety. He thanked them for their consideration.

VOTE: The motion passed 6-0 in favor. Judy Hansen was absent.

5. Text Amendment – Secured Self Storage in SC-2 Zones; Amend the West Jordan Municipal Code Title 13 to allow Indoor Secured Self-storage as a Conditional Use in the SC-2 Zone; City-wide applicability; JHB Realty Advisors/Jeffrey H. Bernson (applicant) [#11089]

Jeff Bernson, applicant, said he has 42 years of real estate experience and has seen the growth of West Jordan. He feels there is an opportunity to move the city to the next step with the changing demographic, retail tenant requirements, and what the community supports now. The purpose of the amendment is to change the complexion of some of the retail centers. The staff report said indoor self-storage will eliminate sales tax dollars, but a severely blighted shopping center doesn't bring sales tax dollars. They would like to help some of the vacant big box spaces. Statistics say that 50% of Christmas sales will be done online. Community centers are going more toward events, attractions, and entertainment. He addressed some of the comments from staff by saying that ceiling height, open floor space area, and parking is not subjective. For example, the former RC Willey building has 76,000 square feet with parking for only 40,000 square feet. If a retailer can get past the ceiling height and support column spread within the space they still can't park for it. He listed some of the vacant commercial buildings within the city. He pointed out the Jordan School District property that was vacant for a number of years but now doesn't generate sales tax or property tax. This amendment will allow some of this space to be used for needed indoor self-storage. Self-storage is the number one investment vehicle in the United States for real estate with a 19% increase in value year to year, which is significant to property tax dollars. A 40,000 – 50,000 square foot storage facility could be valued around \$4.5 - \$5.5 million. The owner of the units would be required to add retail space concurrent with the storage complex, which generally pay more rent and generate needed business. Shortening the parking field reduces the heat island effect of unused parking lots. He believed that this would be in the very best interest of the community. He suggested that they read from the General Plan Goal 2 under Policy 3 zoning ordinances and Goal 4 of the Commercial goals and policies regarding reuse, rehabilitation, and revitalization of vacant and/or obsolete buildings. This would allow for revitalization of the property and structure without cost to the city or the need to create an RDA.

Chris Haertel said they did a survey and West Jordan is 500,000 square feet deficient within a five mile area of the RC Willey site. He listed other cities such as Bountiful, Centerville, and Ogden that had buildings such as this remain vacant for more than 10 years. The storage units will not only eliminate some parking need, but they will add 12,000 square feet of retail to the front of the building. He referred to sites in Farmington and Murray that did this kind of project. There can be elements written into it to make it a win for the City instead of a loss. This is a new, clean and professional side of the self-storage industry and looks like any other store front.

Dan Lawes asked how many sites in Utah have replaced these types of buildings with self-storage.

Chris Haertel said they are aware of the old K-Mart in Farmington and in Murray on Van Winkle. The parking field needs to be addressed on some of the larger buildings. He said they need to think of the long term effect and ask if not this then what else will they do to fix the blighted buildings.

Kelvin Green asked why Murray City changed its code and why other cities don't allow it if it is such a good idea.

Jeff Bernson said he didn't know why but in his 42 years in the business he has heard councils say that they will 'never do' something and now they are. They need to think out of the box and take the first step toward this change. Any kind of development will create a synergy or excitement for other areas as well.

Chris Haertel thought that the Murray location turned out well. There are other cities that have allowed it with a conditional use.

Jeff Bernson showed a perspective of the property on 9000 South.

Josh Suchoski said it is commendable that they are trying to reuse a building rather than demolish it. His issues are on page 4 where subjective language is used such as 'smaller shops' and 'expand the building toward the street'. He thought that 'vacated building' is open ended.

Jeff Bernson said staff recommended a 2 year vacancy, which he could accept.

Josh Suchoski referred to #6 and asked if the storage sales office is included in the 40% limit facing the public right-of-way.

Jeff Bernson said it does. The actual retail has been bumped out and creates relief and entices people to come in. There are hundreds of apartments next door to the RC Willey site that could use this facility.

Josh Suchoski referred to #5 that says the area not being used for secured self-storage has to be commercial and retail and he thought the verbiage should be amended to include office uses as well.

Scott Langford said this is an intriguing idea and it is great to see people coming to them with possible solutions for the dark stores. He reviewed the history of storage units in the City. Historically from 1980 to 2000 they were allowed in the C-G, M-1, and M-2 zones. In 2000 there were concerns that these would continue to occupy commercial and heavy industrial areas so they were removed from the C-G and M-2 zones. He said there are four active storage development applications and five currently seeking building permits. They have had a dozen in the past eight months, so there is a need and a market for them. The SC-2 properties are the most widely used commercial districts in the city. If this proposal was for the C-M zone there might not be so much concern, but the SC-2 zones are throughout the city and on some of the most prominent corners. Even with the conditions and restrictions they could lose some valuable real estate for other types of redevelopment. As he researched other communities around the country it is evident that it does work as an initial jump start to the community, but at what expense. His job is to look at the long term vision for the city and make that recommendation to the policy makers. He thought there are other options to jump start dead centers. Once the storage centers are built they will remain, because they are such money generating entities.

Staff recommended that the Planning Commission accept the findings contained in the staff report and forward a negative recommendation to the City Council for the proposed text amendment to Title 13 to allow Indoor Secured Self-storage as a Conditional Use in the SC-2 Zone.

Matt Quinney said, in a vacuum, he liked the design and the concept. However, out of the vacuum they need to consider opportunity lost. He referred to page 2 of the staff report in 13-5E-5C that limits the

distance between indoor self-storage, check cashing, pawn shops, and bail bonds. He pointed out two check cashing locations that may be within 1000 feet.

Scott Langford said he would check the current business licenses prior to city council.

Josh Suchoski asked about the possibility of doing one location as a trial.

Duncan Murray said they would have to identify one zone and then give the same option to everyone within that zone. Sometimes the ordinance can limit a use within a certain proximity, etc. But there have to be iron clad rules applied to everyone uniformly.

David Pack asked staff what would be an idea for a vacated area like Kmart.

Scott Langford said there are other businesses they are trying to recruit to the area, but rooftops generate the need for business. So, if money weren't an issue he would put some higher density housing near the commercial areas to provide the need for commercial. The city continues to grow, and while shopping trends have changed there are still general daily necessities where people go to brick and mortar locations. There are also entertainment options, such as the ones that will be introduced at Jordan Landing.

Dan Lawes said the City Council just rezoned an SC-2 property that was on the market for ten years to a residential zone. He wondered if the 9000 South piece is an antiquated mall.

Scott Langford said that was a midblock commercial area, and the property they are talking about is in the crosshairs of the two largest roads in the city. He thought storage is a short term fix to a long term problem, which the city is working hard to try to solve.

MOTION: David Pack moved to take a 2 minute break.

The meeting reconvened at 8:20 p.m.

Scott Langford said the applicant approached him during the recess to explain their interpretation of Section 13-5E-5C, which is that the spacing for secured self-storage would only apply to other self-storage. However, staff interprets it to mean any of the uses must be at least 1000 feet from any other of the listed uses.

Dan Lawes opened the public hearing.

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

Kelvin Green didn't think they should pull the best retail zones out of the market.

Dan Lawes said if they are empty then how are they are best.

Kelvin Green said they are the high traffic areas, and he felt that each business had their own issues. He said they are talking about 250,000 square feet of indoor secured self-storage, which means they would put 10 to 15 in the city, which he didn't like. The city needs to ask what they need to do to

revitalize the corner, and he didn't think it is with storage units. He referred to one on 1300 East that hasn't revitalized that area and neither has the one on Van Winkle. There is one in Sugarhouse, but that area was being revitalized anyway. He wondered if there are other more appropriate zones like P-O where they can be placed midblock. There are too many questions and he felt they are leaning too far forward on this type of ordinance.

Josh Suchoski agreed with Commissioners Green and Quinney. He liked the outside the box thinking, but he didn't think there had been enough time with the new city manager to see what can be done with these areas. The comment that this is the fastest growing money maker scares him to think they would blanket the city and when an influx of self-storage comes in they will give up some valuable property. He was also concerned with the image of pad sites that are meant to shield the front of the building, which may be harmful to the success of the retail associated with the main building. He has seen this happen in an area of Sandy City. He didn't feel this was a good solution for the SC-2 zone.

David Pack referred to the general plan and the ideas discussed at the bottom of page 5 throughout page 6 concerning sales tax revenue and having an anchor development that generates adequate trips to support healthy ancillary commerce. Redwood and 90th South is a major intersection and he didn't see the proposal as the best and highest use at this time. He said it is hard to create a blanket policy for this.

MOTION: Kelvin Green moved based on the findings set forth in the staff report and upon the evidence and explanations and our discussions tonight to forward a negative recommendation to the City Council for the proposed text amendments to Title 13 Regarding Secured Indoor Self-Storage in SC-2 Zones as addressed in the report; JHB Realty Advisors/Jeffrey H. Bernson (applicant). The motion was seconded by Josh Suchoski and passed 6-0 in favor. Judy Hansen was absent.

MOTION: Josh Suchoski moved to adjourn.

The meeting adjourned at 8:33 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2016