

MINUTES OF THE REGULAR MEETING (ELECTRONIC) OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD REMOTELY ON MARCH 16, 2021

PRESENT: Trish Hatch, Jay Thomas, Corbin England, Ammon Allen, Pamela Bloom, Kent Shelton, Matt Quinney

STAFF: Larry Gardner, Scott Langford, Lisa Elgin, Ray McCandless, Mark Forsythe, Julie Davis, Duncan Murray, Nathan Nelson, Bill Baranowski, Paul Brockbank

OTHERS: Mayor Burton, Brad Johnson, Fred Cox, Sargis Mnatsakanyan, Christie Hutchings, Danielle Cota, Richard Azer, Johnny Anderson, John Fitzgerald

Trish Hatch read the statement regarding Utah Code 52-4-207(4).

The briefing meeting was called to order by Trish Hatch. The agenda was reviewed and clarifying questions were answered. Scott Langford provided some information regarding the change in categorization for planning commission and board of adjustment members. The joint meeting with city council will include discussions on ADU's, revisions to the IOZ, and any codes suggested by the commission that are challenging to work with. A brief discussion was held that concerned an email sent to the commission by a resident of Sommerglen Heights and if a written response could be sent. Larry Gardner said staff is trying to get the applicant of Park Valley Townhomes to work together with the residents in the area for an amiable solution. Final grading hasn't been determined for that site.

The regular meeting was called to order at 6:02 p.m.

Trish Hatch read the statement regarding Utah Code 52-4-207(4).

1. Consent Items
Approve Minutes from March 2, 2021

MOTION: Corbin England moved to approve the Minutes from March 2, 2021 as contained in the packet. The motion was seconded by Matt Quinney and passed 7-0 in favor.

2. Maverik; 3202 & 3258 West 7800 South; Preliminary Site Plan and Preliminary Subdivision Plat; C-G Zone; Maverik, Inc./Christie Hutchings (applicant) [#20647, 20649; parcels 21-29-479-033, 034]

Christie Hutchings, applicant, said the site is rough graded in preparation for a 4,425 square foot Maverik store. The site has 37 parking stalls and seven fuel pumps. Improvements on 3200 West and 7800 South will help to square off the intersection. The eastern two-thirds of the western lot will be developed as part of this project with the remainder one-third staying as surplus to either sell or for expansion. A shared access easement will be included as part of the subdivision plat so that whatever is developed in the future will have access.

Lisa Elgin added that the property is within the conical zone of the airport overlay, but there are no restrictions as far as this use is concerned. There is no fencing required and none is proposed.

Architecturally, the building is typical of a Maverik store. The proposal meets all standards and ordinances of the city.

Staff recommended that the Planning Commission approve the preliminary site plan and preliminary minor subdivision plat located at 3202 & 3258 West 7800 South with the conditions of approval listed in the report.

1. Appeals to the board of adjustment may be taken by any person aggrieved by any administrative decision or action of city staff or the planning commission on matters pertaining to the interpretation and application of title 12, 13, 14, or 15 of this code. The appeal shall be filed within thirty (30) days following the decision at issue. The person filing the appeal shall file written notice with the zoning administrator and with the board of adjustment specifying the reasons for the appeal. The city staff associated with the issues of the appeal shall, without delay, transmit to the board of adjustment all papers constituting the record upon which the action appealed from is taken.
2. Applicant must obtain UDOT approval within the UDOT right-of-way.
3. All staff comments shall be addressed by applicant to the satisfaction of staff before final approval.

Matt Quinney asked for more information as to the road improvements.

Larry Gardner said there have always been turn pocket issues on 7800 South and 3200 West, so that will be widened to help improve traffic flow.

Bill Baranowski added that UDOT required the improvements on 7800 South and West Jordan required the widening on 3200 West. This is one of the oldest intersections in West Jordan, so it is a great opportunity to improve it.

Nathan Nelson said improvements to the handicap ramp will also be made.

Ammon Allen asked if the right turn lane east of this intersection will offer through traffic now that there will be a third lane on the west side going into Maverik.

Bill Baranowski said it will remain a right turn only. The new right turn lane is to handle traffic for Maverik.

Ammon Allen said access to the parcel is east of the existing traffic signal. He asked if there would be any changes to the signal or traffic pattern once that parcel develops.

Bill Baranowski said there is a potential to have a full intersection at Old Bingham Highway that would close that driveway and create one off of the new road going north into the vacant property and possibly connecting to 3200 West. That was a possible configuration with this project, but the applicant could not get enough property for the right-of-way since that owner is not ready to develop.

Trish Hatch asked if the remainder property is large enough to be usable.

Lisa Elgin said sites in this zoning district are only limited to setbacks and parking, so a small building could be built.

Trish Hatch opened the public hearing.

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

MOTION: Jay Thomas moved to approve the Preliminary Site Plan and Preliminary Minor Subdivision Plat for Maverik located at 3202 & 3258 West 7800 South; Maverik, Inc./Christie Hutchings (applicant) subject to conditions 1 through 3 in the staff report. The motion was seconded by Matt Quinney and passed 7-0 in favor.

3. JLCC Office Building; 7178 S Center Park; Preliminary Site Plan; P-O Zone; Jordan Landing Child Care, LLC/Johnny Anderson (applicant) [#23226; parcel 21-29-102-005]

Fred Cox, architect for the applicant, said when Mr. Anderson's childcare facility was built, an access easement was created for the subject property since access would be hard to get on that corner. He showed an updated site drawing that has an expanded three lane access onto Center Park Drive. The design includes a fire truck turnaround. Total square footage is about 18,400, which includes some second story space. There are 46 parking spaces required and provided, and there are also some shared parking spaces to the north. The landscape plan has planting by the street, parking is in the back, and there is an existing detention pond. He showed the elevations that use colors to match ABC Great Beginnings. The property is relatively flat, but he explained that to keep the parking behind the building, it created a little bit of a hill. In addition to the sidewalk around the building, there is also a sidewalk ramp from the street. The building is set up for either many tenants or just a few.

Johnny Anderson, applicant, said they plan to occupy most of the building as the corporate office for ABC Great Beginnings, and some space would be available to lease out.

Kent Shelton asked for an explanation of access into the building.

Fred Cox said there are entry doors in front as well as in the back adjacent to parking. There is an elevator inside the building for accessibility to the second floor. The ramp on the northeast portion of the site is to access the building from the city sidewalk. He explained the drive access improvements recommended by the traffic engineer. The childcare facility has an additional access drive to the north and with the way children are checked in and out, traffic shouldn't be a problem.

Johnny Anderson explained that pick-up times at the childcare center range between 2:00 p.m. and 7:00 p.m.

Ray McCandless said the layout and concerns of the Design Review Committee were covered in the presentation and addressed with the widened driveway. This is a professional building within the Professional Office zoning district. He stated that when the subdivision was originally created, this piece remained a parcel instead of a lot. The subdivision plat has a requirement that at the time this parcel develops it has to convert to a lot through a subdivision process, which is an administrative staff review.

Staff recommended that the Planning Commission approve the Preliminary Site Plan for the JLCC office building, located at 7178 S Center Park Drive in a P-O zone subject to the approval conditions listed below.

1. The proposed development shall meet all applicable 2009 City Code requirements.
2. All changes to the site shall be consistent with the Site Plan application.
3. An approved preliminary site plan shall remain valid for one year following the date of the approval.
4. Approval from the Salt Lake City Department of Airports.
5. Approval of a minor subdivision prior to issuance of any building permit.
6. Emergency vehicle turn-around will need to be shown and approved by the Fire Department.
7. Preliminary site plan approval does not include approval by the City Engineering or Fire Departments.

Trish Hatch opened the public hearing.

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

MOTION: Kent Shelton moved to approve the Preliminary Site Plan for the JLCC Office Building, located at 7178 S Center Park Drive in a P-O zone subject to the approval conditions 1 through 7 as listed in the staff report. The motion was seconded by Pamela Bloom and passed 7-0 in favor.

4. **Ground Mounted Antennas (Flexential); 7202 South Campus View Drive; Conditional Use Permit; P-O Zone/Airport Overlay District; Joe Guerriero, Danielle Cota/Black & Veatch (applicant) [#23496; parcel 21-29-102-003]**

Danielle Cota, applicant on behalf of Flexential Data Center, said the proposal is for the installation of an unmanned satellite gateway system at an existing Flexential data center. The purpose is to provide terrestrial internet to a satellite network. A total of nine Starlink Gateway antennas will be installed and concealed in a 23 x 135-foot compound along with associated equipment. The antennas are seven feet in diameter and nine feet tall. The antennas are sited on the property in a way that creates the least amount of visual impact. The installation will provide highspeed internet to West Jordan and the surrounding communities. Given the current situation with working and schooling from home there is a definite need for reliable highspeed internet.

Mark Forsythe said the applicant has done a good job of managing the aesthetics within this professional office zone. The property is also within the airport overlay zone, which requires a conditional use permit for low power radio facilities. He reviewed the surrounding uses. The decibel level is in the 50-60 range, which is equivalent to a conversation between people in a restaurant or the sound of an air conditioner at 100 feet away. Hampton Inn is approximately 280 feet away, so staff does not anticipate impacts in terms of noise. The antennas operate similar to a cell tower by using radio waves to communicate with satellites in orbit. They need to meet FAA and FCC regulations, and the applicant is working with the FCC and with Salt Lake Department of Airports to obtain an avigation easement. The facility will occupy 15 parking stalls, leaving 41 spaces. The data center only

needs eight spaces. There are seven fulltime employees at the site. Normally, the associated ground mounted equipment needs to be screened with a masonry wall, but the planning commission can approve alternate materials. The applicant would like to use a perforated metal panel wall, because a solid wall or screen interferes with the antenna function. The proposed wall allows signals to go through and provides some screening to meet the intent of the ordinance. The proposed wall height is eight feet and the antenna are nine feet high.

Staff recommended that the Planning Commission approve the Conditional Use Permit for the Ground Mounted Antennas (Flexential), located at 7202 South Campus View Drive in a P-O Zone and Airport Overlay District, with the conditions of approval listed below.

1. The antenna array shall be substantially consistent with the submitted application, letter of intent and construction drawings.
2. An Avigation Easement shall be obtained from the Salt Lake City Department of Airports and recorded at the Salt Lake County Recorder's Office.
3. The antenna array shall be fully surrounded by a perforated metal screen wall.
4. Any new utility lines coming from other properties and/or the street must be reviewed and inspected by the West Jordan Engineering Department.
5. All new utility lines must be buried underground.
6. The communications tower shall comply with all Federal Communications Commission and Federal Aviation Administration requirements.
7. The antennas and all associated equipment shall be painted in a manner that does not reflect sunlight.
8. The antennas and all associated equipment shall not generate any electrical interference that is detrimental to the operation of aircraft and/or airport instrumentation.
9. A Building Permit for the antennas shall be obtained, as required by the West Jordan Building & Safety Department.
10. The Conditional Use Permit shall be valid for a period no longer than 12 months, unless a Building Permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion, unless a longer time is requested and granted by the Planning Commission.

Kent Shelton asked how large of an area this facility will serve.

Danielle Cota said it serves about 500 km in any direction. She explained that if a user is on vacation in Europe, they can still access the internet from their home internet service.

Trish Hatch opened the public hearing.

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

MOTION: Corbin England moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to approve the Conditional Use Permit for the Flexential Ground Mounted Antennas, located at 7202 South Campus View Drive in a P-O Zone and Airport Overlay District, with the conditions of approval 1 through 10 as listed in the staff report. The motion was seconded by Pamela Bloom and passed 7-0 in favor.

5. Text Amendment – Landscaping; Continued from 3-2-21; Amend the 2009 City Code Chapter 13 Landscaping Requirements and Section 13-2-3 Definitions; City-wide applicability; City of West Jordan (applicant)

Larry Gardner said the planning commission discussed this item at the last meeting and held the public hearing. The question of harvesting rainwater was raised at that time. That topic is regulated by the State of Utah, so it doesn't need to be in this ordinance. Staff has been directed over the years that the ordinance should include things that are mandatory and regulated and not just 'encouraged'. The general plan is more of an advisory document for things that can be reflected in the ordinance.

There was a brief discussion regarding 13-13-2 Waste of Water Prohibited, who determines the definition, and how it is enforced. Staff will ask the city council if they want to make any changes to that section. The possibility of establishing watering hours was also mentioned.

MOTION: Matt Quinney moved to forward a positive recommendation to the City Council to Amend the 2009 City Code Chapter 13 Landscaping Requirements and Section 13-2-3 Definitions; City-wide applicability; City of West Jordan (applicant) with consideration of the conversation held tonight. The motion was seconded by Corbin England and passed 7-0 in favor.

The commissioners were reminded of the workshop scheduled for March 31st.

MOTION: Jay Thomas moved to adjourn.

The meeting adjourned at 6:57 p.m.

Trish Hatch
Trish Hatch (Apr 7, 2021 10:33 MDT)
TRISH HATCH
Chair

ATTEST:

Julie Davis
JULIE DAVIS
Executive Assistant
Community Development Department

Approved this 6 day of April, 2021

