

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD AUGUST 6, 2019 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Matt Quinney, Jay Thomas, Trish Hatch, Kelvin Green, Nichole Luthi, Corbin England, and Bob Bedont

STAFF: Scott Langford, Lisa Elgin, David Cottle, Duncan Murray, Paul Brockbank, and Julie Davis

OTHERS: Greg Wall, Steven & Debra Eckman, Matthew Cox

The briefing meeting was called to order by Matt Quinney and the agenda was reviewed. Clarifying information was given regarding a reduced landscape buffer and staff requests that the Commission make a condition of approval regarding fencing on the north.

There was a discussion about a possible overlay/zone that would allow conditions for areas transitioning between residential and industrial uses.

Scott Langford gave an update on the status of some planning projects.

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

**1. Consent Calendar
Approve Minutes from July 16, 2019**

MOTION: Corbin England moved to approve the minutes from July 16, 2019. The motion was seconded by Jay Thomas and passed 7-0 in favor.

2. Redwood & Beamon Restaurant Building; 7173 South Redwood Road; Preliminary Site Plan and Conditional Use Permit for Restaurant, Fast Food; C-G (ZC) Zone; Avenue Consultants/Greg Wall (applicant) [#18850; parcel 21-27-201-178]

Greg Wall, 6605 South Redwood Road, Avenue Consultants, representing the property owner, Rob Dahle, distributed a letter of support from the neighbor to the north. The parcel to the south is currently being developed as a car wash. Beamon Street is an access easement that leads to Somerset Villas Condominiums. The building has 1200 square feet for retail on the north and 1700 square feet for drive-through restaurant on the south. Those uses are permitted, except the drive-through is a conditional use. Parking requirement for the restaurant and retail area is 22 stalls, which they have provided. Drive-through stacking requires six and nine are provided. The Design Review Committee reviewed the proposal and voted 5-0 in favor. Since that time, they finalized the specification on some of the stucco colors that will be shades of gray instead of tans and beiges. The lap siding is now a maroon color instead of tan. The updated rendering was distributed. The drive-through window is on the south side of the building.

Lisa Elgin gave an overview of the project within the C-G zoning district. The owner of this parcel also owns the property two parcels to the north and has the first right of refusal for the parcel directly

to the north. The Zoning Administrator has approved a reduction in the landscape buffer on the north to facilitate access to the other two parcels in the future, since they will not be given access from Redwood Road. The applicant has asked to use the existing chain-link fence to the north, with slats installed, instead of building a masonry wall. The letter of support from the Velarde's asks that the slats be required.

Staff recommended that the Planning Commission approve the preliminary site plan and conditional use permit for Redwood & Beamon Restaurant; 7173 South Redwood Road with the conditions of approval 1 through 4 listed in the staff report and adding a condition regarding the fencing requirement.

1. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.
2. Per section 15-5-3: Appeal may be made to the city council from any decision, determination or requirement of the planning commission or board of adjustment by filing a written notice of appeal, and payment of a fee as established by resolution of the city council, with the city clerk/recorder within fifteen (15) days from the date such decision, determination or requirement was made. Such notice shall set forth in detail the action and grounds upon which the owner/developer, or other interested persons, deems themselves aggrieved.
3. Additional trees shall be required in the northerly landscape buffer.
4. Overhead utilities shall be buried underground.
5. (fencing requirement)

Matt Quinney opened the public hearing.

Steve Eckman, West Jordan resident and HOA board member for Somerset Villas, said Beamon Street is very small for the traffic of a car wash, this restaurant, and all the community residents. He asked if there is a stipulation for how much traffic can come through. He asked what type of fast-food restaurant this is and the hours of operation.

Matthew Cox, West Jordan resident, said making a left turn from Redwood Road onto Beamon Street at rush hour is extremely difficult, but the rest of the day isn't a problem. He said the statement that there will be no other entrances from Redwood Road to the properties to the north was new to him. He said another access from Redwood Road should be allowed for those properties. He explained how the traffic becomes congested in the turn lanes in front of this development and the Deseret Industries.

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

Lisa Elgin said the proposed hours of operation are 4:30 a.m. to 9:00 p.m.

David Cottle said the traffic impact study found no issues with this current design. Redwood Road is a UDOT road and access is very restricted. If all three parcels to the north were to develop then access could be reviewed again with UDOT.

Nichole Luthi pointed out that there is an access by the credit union to the north, which could possibly have a cross access agreement to these properties in the future, if another access isn't allowed.

David Cottle said that could be a discussion point for future development, because they also must address access spacing requirements.

There was a discussion regarding the letter of support that agrees to slats in the chain-link fence. The request for additional trees is up to the Planning Commission to either make a condition or allow staff to approve the landscape plan.

David Cottle clarified that Beamon Street is not a public right-of-way. It is a street that resides on a permanent easement in favor of the car wash lot, the subject lot, and each owner in Somerset Villas.

Kelvin Green said the subject property owner has an easement into the property. As he understood it, if the City won't allow that access then the property couldn't be used because UDOT won't allow access from Redwood Road. He asked if the code regulates the intercom for fast food restaurants.

Lisa Elgin said there isn't anything in the code for mitigation.

MOTION: Corbin England moved to approve the Preliminary Site Plan and Conditional Use Permit for Redwood & Beamon Restaurant Building; 7173 South Redwood Road; Avenue Consultants/Greg Wall (applicant) with the conditions of approval 1 through 4 as listed in the staff report, adding:

5. Either slats or screening are required in the existing chain-link fence and provide appropriate trees as per staff.

The motion was seconded by Nichole Luthi.

Kelvin Green said he understood the residents' concerns of traffic on Beamon, but the zoning allows for this type of use and UDOT isn't allowing this business to have an access from Redwood Road. If the City doesn't allow them to use the easement into the property it would be a taking. Hopefully in the future there will be another access connection when properties to the north are developed.

VOTE: The motion passed 7-0 in favor.

Scott Langford clarified that code Section 13-4-12B.6.g allows the Zoning Administrator to reduce landscape buffer widths and gives the option to require the same number of trees and vegetation that would have normally been required without the reduction.

MOTION: Corbin England moved to adjourn.

The meeting adjourned at 6:25 p.m.

MATT QUINNEY
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Services Department

Approved this _____ day of _____, 2019