

**MINUTES OF THE REGULAR MEETING (ELECTRONIC) OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD REMOTELY ON MAY 5, 2020**

**PRESENT:** Matt Quinney, Kent Shelton, Jay Thomas, Trish Hatch, Corbin England, Bob Bedont, and Ammon Allen

**STAFF:** Larry Gardner, Kent Page, Duncan Murray, Ray McCandless, and Lisa Elgin.

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

**1. Approve Minutes from April 21, 2020**

**MOTION:** Ammon Allen moved to approve the minutes from April 21, 2020 as listed. The motion was seconded by Jay Thomas and passed 7-0 in favor.

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**2. Les Schwab Tire Center; 5796 West 7800 South; Final Site Plan; SC-2 Zone; Cushing Terrell/Zack Graham (applicant) [#20898; parcel 20-26-456-001]**

Ray McCandless gave an overview of the project. The revised site plan shows a narrower building with all bay doors on the west side. The site also includes a tire storage area and storm water detention pond. Access to Highlands Loop Road and 7800 South remain unchanged. He showed the landscape plan. Staff recommended that trees be added on the north boundary, and the applicant would like to relocate three trees from the east side to accomplish this. A variety of materials and colors are proposed. There is a covering over the entrance and trellises on the east side of the building for variety.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant final site plan approval for the Les Schwab Tire Store, located at approximately 7800 South Highland Loop Road in the SC-2 (Community Shopping Center) zone with the conditions listed below.

1. The proposed development shall meet all applicable Zoning Ordinance requirements.
2. The final site plan must meet all requirements of the Engineering and Fire Departments.
3. 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).
4. Install additional trees and shrubs in the landscape area along the north property line.

Trish Hatch liked how the new site plan was more consolidated.

Ammon Allen raised questions regarding the tree closest to the access from 7800 South, which might be a safety concern for visibility, whether there was adequate parking for this type of use so street parking would not be an issue, and regarding contamination of the storm basin from oil.

Ray McCandless said it is common to have street trees in front of businesses, and as they mature the branches are high enough not to block vision. He verified that the entrance from 7800 South is right-in/right-out. There is no parking allowed on 7800 South, but it is on Highlands Loop Road. The parking requirement has been met.

Larry Gardner said engineering standards for oil/water separation will have to be met, and the plan will be reviewed for compliance.

Zack Graham, applicant, explained the overall plan for 7800 South. An access at the north property line will extend to future development. Les Schwab feels that their sites have typically been over parked, so they are scaling down while still exceeding the minimum requirement. The stormwater pond outlet goes to a sand/oil separator north of the pond and discharges to the public system to the east. There is another sand/oil separator to the west of the service bays that discharges into the sanitary sewer. Grading at the east lot line needs to match the adjoining parcel, so the stormwater pond shouldn't impact Lot 2. He clarified that they struggled to meet the frontage requirement for trees partly due to utilities, so there are more trees in the detention pond area. They would like to move some of those trees to the north area, which could include one or more from the 7800 South access area.

Ray McCandless said that parkstrips are required to have one tree per 25 feet, which staff would like provided. One per 2,000 square feet of landscape area is required for the rest of the site. Only five trees are required, so there are enough to relocate.

There was a discussion regarding the amount of street frontage and number of trees, design of the sidewalk, consideration of utilities, and options for relocating trees. The code allows the zoning administrator to consider an application to modify landscaping from the strict interpretation. The Planning Commission is an administrative body and can grant that modification, or they can direct the zoning administrator to review the new design.

Matt Quinney said the applicant would like to move three trees from the pond area to the seeded area on the north. If they move one tree from the entrance to 7800 South as well for a total of four, then that will open up the view of the building.

Ammon Allen agreed. We want businesses to be successful, so the building and signage shouldn't be blocked.

Trish Hatch agreed and said that moving the tree away from the entrance and to the north made sense.

Matt Quinney was in favor of letting the applicant submit the paperwork to the zoning administrator.

Kent Shelton asked if Lot 2 will have access to the road that goes to Highlands Loop Road.

Zack Graham said they will coordinate with Peterson Development for that access agreement and the approach will be coordinated through city staff.

**MOTION: Ammon Allen moved, based on the findings in the staff report, to approve the Final Site Plan for Les Schwab Tire Center; 5796 West 7800 South; Cushing Terrell/Zack Graham (applicant) with the conditions 1 through 4 in the staff report and to grant the zoning administrator the ability to work with the applicant to relocate the trees in order to create a more effective landscaping plan. The motion was seconded by Trish Hatch and passed 7-0 in favor.**

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**3. West Jordan Business Park; 6580 South Airport Road; Preliminary Subdivision Plat; M-1 Zone; WJBPD LLC/Eugeni Stoyanov (applicant) [#20222; parcel 21-19-100-024]**

Eugeni Stoyanov, applicant, said they have 10 acres of M-1 property that will have two office/warehouse buildings with 100,000 square feet each. They are looking to attract multiple tenants of possibly 6-10 tenants per building. Their construction company will occupy up to 35% of one of the buildings. They are working with QES to the north in the design and construction of a similar project.

Lisa Elgin said the site plan review is underway at the staff level. This subdivision plat application is required to dedicate 149 square feet of frontage on Airport Road.

Staff recommended that the Planning Commission approve the Preliminary Subdivision Plat for West Jordan Business Park Development located at 6580 South Airport Road with the conditions of approval listed below.

1. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.
2. Per section 15-5-3: 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.
3. An approved preliminary subdivision plat shall remain valid for one (1) year. 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.

Matt Quinney opened the public hearing.

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

**MOTION: Trish Hatch moved to approve the Preliminary Subdivision Plat for West Jordan Business Park; 6580 South Airport Road; WJBPD LLC/Eugeni Stoyanov (applicant) with the conditions of approval 1 through 3 listed in the staff report. The motion was seconded by Ammon Allen and passed 7-0 in favor.**

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**4. Oakridge Park Phase 5; 8082 South 6700 West; Preliminary Subdivision Plat (35 lots on 10.58 acres) and amending Oakridge Park Lots 301, 302, 404; R-1-8E Zone; Ivory Development/Skylar Tolbert (applicant) [#20591]**

Skylar Tolbert, applicant, said the property was recently rezoned to allow for this residential subdivision. He clarified that the total number of lots is 35. Ivory Development put three lots from the prior phases on hold in anticipation of this phase. One lot was eliminated and the other two lots absorbed additional property to make lots #525 and 524, which had been part of phases 3 and 4.

Staff recommended that the Planning Commission approve the Preliminary Subdivision Plat for Oakridge Park Phase 5; 8082 South 6700 West; Ivory Development (applicant).

Kent Shelton asked if street parking is allowed.

Kent Page said it is.

Matt Quinney opened the public hearing.

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

Ammon Allen asked for an explanation of Parcel A.

Skylar Tolbert said the drainage ditch will be piped for health and safety reasons. This 22-foot wide area will serve as a trail with a meandering sidewalk. The City will have access and it will be HOA maintained.

Ammon Allen said if every house installs a fence it could become like an alley. Other cities have said that situation could create a potential crime area. He asked if staff had any concerns in that way.

Kent Page had heard that same argument, but studies have proven that properties adjacent to an attractive and well-maintained trail have less crime.

Ammon Allen didn't foresee an issue since it is HOA maintained and will be kept attractive.

**MOTION: Ammon Allen moved to approve the Preliminary Subdivision Plat for Oakridge Park Phase 5; 8082 South 6700 West; Ivory Development (applicant). The motion was seconded by Jay Thomas and passed 7-0 in favor.**

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- 5. MJ – Project 1; 6835 West New Bingham Highway; General Land Use Map amendment for approximately 9 acres from Parks and Open Land to Light Industrial and rezone approximately 60 acres from A-20 (Agricultural 20-acre lots) Zone to M-1 (Light Manufacturing) Zone; Gardner Company/Ben Seastrand (applicant) [#21036; parcel 26-10-100-005]**

Ben Seastrand and Mark Murdock, applicants with Gardner Company, were in attendance. Mr. Murdock said they are working with Mike Jones to develop the property and they are excited to be part of the project.

Larry Gardner gave an overview of the application and explained that there is a ribbon of parks and open lands designation, which is a low spot in the property. The intent to designate this area as a trail corridor was good, but it isn't practical for an industrial area, so the drainage will be piped. There may have been a drainage corridor that connected at one point, but the roadway has changed it. The rezoning request is for approximately 60 acres to accommodate a 250,000 square foot distribution center, which is suitable for the M-1 zone. The property is designated as light industrial on the future land use map. He explained that most agricultural properties retain that zoning until there is a

development proposal. Mr. Gardner stated that there were two phone calls received from residents of the Echo Ridge subdivision. They were concerned that the rezoning would include the property designated as future park adjacent to the subdivision. However, that area is not included in this rezoning and the land use designation is not being changed at this time. The warehouse property will be approximately ½ mile west of the existing homes.

Staff recommended approval of the General Plan Land Use Map Amendment on 9 acres from Parks and Open Land to Light Industrial and rezone approximately 60 acres from A-20 (Agricultural 20-acre lots) Zone to M-1 (Light Manufacturing) Zone.

Jay Thomas asked if there are any recommendations for relocating the parks and open lands acreage to another area.

Larry Gardner said the Jones Ranch area will have a spectacular connection to the Oquirrh mountains and another one north of that that. These two major trail sections will be developed sooner than one in the industrial area would be. When Echo Ridge subdivision was built there was no attempt to extend that corridor through the subdivision. There are many trails planned throughout the city.

Clarification was given that the section of the drainage corridor on the land use map that is north of the future park should not be included with the amendment. That distinction will be made at the time of the city council meeting. The land use map amendment is for the ribbon going from Baccus Highway to the water tank property.

Matt Quinney opened the public hearing.

Mike Jones, representing the Merlin Jones family who are the property owners, thanked staff and the team that had been working with them on the project. He said this will be a great benefit to the city and to the family.

Amy Knudsen [received via phone message] was against a zone change that would remove green space. The Echo Ridge area is lacking greenspace on the south side of New Bingham Highway. The area already has so much industrial and they need more services like gas stations and eating establishments. She was also concerned that property values would decrease. This neighborhood was approved by the city, so the city should consider their concerns.

Richard Bezanson [received via phone message] was not in favor of the zone change.

Richard Bezanson also spoke at the hearing. He hoped that there would be some thought and consideration given as to the looks of the development adjacent to the future park. He enjoys the open space, wildlife, and views that he has now.

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

**MOTION: Trish Hatch moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to forward a positive recommendation to the City Council to amend the future land use map for approximately 9 acres from Parks and Open Lands to Light Industrial for MJ-**

**Project 1; 6835 West New Bingham Highway; Gardner Company/Ben Seastrand (applicant). The motion was seconded by Corbin England and passed 7-0 in favor.**

**MOTION: Trish Hatch moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to forward a positive recommendation to the City Council to rezone approximately 60 acres from A-20 Zone to M-1 Zone for MJ- Project 1; 6835 West New Bingham Highway; Gardner Company/Ben Seastrand (applicant). The motion was seconded by Corbin England and passed 7-0 in favor.**

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**6. West Jordan Engineering Policies and Design Criteria; Recommendation to City Council to approve updated Landscape and Irrigation Policies and Design Criteria, Appendices and other related provisions; City-Wide Applicability; City of West Jordan (applicant)**

[This motion was made after Item #2]

**MOTION: Corbin England moved to postpone the West Jordan Engineering Policies and Design Criteria to a future unknown date. The motion was seconded by Jay Thomas and passed 7-0 in favor.**

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**7. Text Amendment - Amend 2009 City Code Title 13-6D Hillside Development Overlay Zone - establishing a hillside classification map that shows areas where the overlay is in effect; city-wide applicability; City of West Jordan (applicant)**

Larry Gardner said the Hillside Overlay was adopted years ago with the assumption that it would be overlaid on the entire city boundaries, but that has never been illustrated. The purpose of the overlay is to protect the hills from development on slopes of 30% or greater, destruction of hillside, cutting the toe, building on ridgelines, from flooding, and to maintain the beauty of the hillsides against the Oquirrh mountains. On the advice of the legal department the area will be designated on the land use map and is generally described as the area from the west side of Baccus Highway to the west boundary of the City and from the current north boundary to the southern boundary (Old Bingham Highway).

Staff recommended that the planning commission forward a positive recommendation to city council.

There was a brief discussion. This code may be more relevant as development comes into this area. Any areas that are annexed into the overlay area will be designated at the time that zoning is determined. Without a map, there has been some ambiguity as to applicability, so this will provide clarification.

Larry Gardner explained that cities used to create overlays because a city could prevail in legal cases under State Law. But under the new LUDMA rules, if the distinction is not clear then the decision goes to the developer or property owner.

Duncan Murray said the changes in 2015 to LUDMA requires us to be more specific.

Ammon Allen asked if there are any other overlays in the city that need to be more specific.

Larry Gardner said the other overlays have been designated.

Duncan Murray pointed out that although his signature wasn't on the staff report, he agrees with the proposed action.

Matt Quinney opened the public hearing.

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

**MOTION: Jay Thomas moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to forward a positive recommendation to the city council Amend 2009 City Code Title 13-6D Hillside Development Overlay Zone - establishing a hillside classification map that shows areas where the overlay is in effect; city-wide applicability; to rezone the area illustrated to the Hillside Overlay. The motion was seconded by Kent Shelton and passed 7-0 in favor.**

**MOTION: Jay Thomas moved to adjourn.**

The meeting adjourned at 7:14 p.m.

MATT QUINNEY  
Chair

ATTEST:

JULIE DAVIS  
Executive Assistant  
Community Development Department

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020