

**Planning Commission Meeting of
March 2, 2021**

Item No. 1B

PLANNING COMMISSION STAFF REPORT

SUBJECT: The applicant is requesting Temporary Use Permit approval to conduct a drive-through medical testing center for up to 150 consecutive days.

SUMMARY: COVID Clinic; 7983 South Redwood Road; Temporary Use Permit (150 Days); CC-C Zone; Adrienne Dremel (applicant) [Mark Forsythe #23377; parcel 21-34-201-049]

STAFF RECOMMENDATION: Staff recommends that the Planning Commission approve the Temporary Use Permit for COVID Clinic, located at 7983 South Redwood Road in a CC-C zone, with the Conditions of Approval listed on page 2 of this report.

MOTION RECOMMENDED: “Based on the information and findings set forth in this staff report and upon the evidence and explanations received today, I move that the Planning Commission approve the Temporary Use Permit for COVID Clinic, located at 7983 South Redwood Road in a CC-C zone, with the Conditions of Approval listed on page 2 of this report.”

Prepared by:



Mark Forsythe
Assistant Planner

Reviewed by:


Larry Gardner (Feb 25, 2021 09:02 MST)

Larry Gardner, AICP
City Planner

Reviewed by:


Nate Nelson (Feb 25, 2021 08:48 MST)

Nate Nelson
City Engineer

Reviewed by:


Duncan Murray (Feb 25, 2021 09:07 MST)

Duncan Murray
Assistant City Attorney

I. CONDITIONS OF APPROVAL

1. *The business activities shall be consistent with the submitted application, letter of intent and site plan. Deviations from these documents shall be reviewed and approved by the City of West Jordan.*
2. *The Temporary Use Permit is valid from March 3, 2020 through July 31, 2020, or shall not exceed 150 consecutive calendar days.*
3. *Hours of operation shall be from 9:30 AM through 4:30 PM.*
4. *Patients shall not be admitted unless they have a previously scheduled appointment.*
5. *Temporary toilets shall be maintained in a sanitary manner.*
6. *Permission from the Jordan School District shall be obtained prior to any expansion onto the Jordan School District property.*
7. *All equipment and directional signs shall be securely anchored to the ground in a manner that prevents wind or other severe weather from collapsing or moving the equipment or sign.*
8. *The site shall be kept free of trash and debris at all times.*
9. *All medical waste shall be properly contained and disposed of in accordance with all applicable County, State and Federal health requirements.*
10. *One, 32 square-foot sign is allowed with the Temporary Use Permit and must be securely attached to temporary poles in a landscaped area.*
11. *The storage vehicle, testing stations, temporary toilets, signs and all associated equipment shall be completely removed from the site when the Temporary Use Permit expires. The site shall be fully restored to its original condition within 5 days of permit expiration.*

II. BACKGROUND:

The proposed temporary use will be conducted on the west end of the Jordan School District parking lot, which has existed since the property was initially developed as a commercial shopping center in the mid 1970's. The Jordan School District moved on to the site in 2011 and made extensive renovations to the interior and some of the exterior of the building. This particular area is host to a fireworks sales tent that typically operates every year during the summer months. This fireworks stand is typically approved administratively for 60 days and the most recent permit expired on July 26, 2020. During the other times of the year, this parking lot is completely vacant and very few, if any, vehicles park in this area.

III. GENERAL INFORMATION & ANALYSIS

The surrounding zoning and land uses are as follows:

	Future Land Use	Zoning	Existing Land Use
North	City Center, Transit Oriented Development	CC-C	Wells Fargo (bank)
South	City Center, Transit Oriented Development	CC-C	Federal construction offices, vehicle storage
East	City Center, Transit Oriented Development	CC-C	Jordan School District (district offices)
West	City Center, Transit Oriented Development	P-F	Redwood Road

The applicant is requesting approval of a 150-day Temporary Use Permit to operate a drive-through testing center for COVID-19 within the parking lot that is directly west of the Jordan School District office building. This testing center will form a circular drive-through lane with a seating area at the end for 2-4 testing technicians. This area will be confined to the ½-acre parcel owned by Kimball Chase/Sundborn because the applicant has thus far been unable to obtain permission from the Jordan School District to operate on their property. Adjacent to the seating area will be a large van that will serve as a mobile storage unit for supplies. Patients will be required to make an appointment online before coming to the testing site.

IV. FINDINGS OF FACT

Section 13-7F-5: Temporary Use Criteria.

Prior to approving any application for a temporary use, the Planning Commission shall find that the use meets the following criteria:

Criteria 1: *The duration of the use is appropriate.*

Discussion: The maximum allowable time frame of operation for a Temporary Use Permit that is approved through the Planning Commission is limited to a single period of 150 consecutive days for the current calendar year at a specific location. Although the applicant’s letter of intent does state that the use will cease in November, staff has explained multiple times to the applicant that their clinic can operate no longer than 150 consecutive days from the start date. The applicant has now specified a start date of March 3rd, which would place the expiration date on July 31st. The applicant has explained to staff that most of the COVID Clinics in the State of Utah operate 7 days a week from 7:00 to 9:00. However, the proposed clinic is a microsite that will operate every day from 9:30 AM to 4:30 PM, which are fairly typical business hours and should help to keep traffic down.

Finding: The duration of the use is appropriate.

Criteria 2: *The requested use will not have any detrimental effects on adjacent properties and will be compatible with surrounding uses.*

Discussion: The neighboring businesses consist of an office building for a Federal agency to the south, the Jordan School District offices to the east and a Wells Fargo bank to the north. These businesses will be closing down for the day just before the traffic for the COVID-19 testing center will begin to increase after business hours. During business hours, traffic for the testing center will be minimal due to the limited number of available appointments offered to the patients and confined to an out-of-the-way location. The clinic will be closest to the Federal agency building, which has few employees on site.

The proposed COVID clinic will meet the minimum 400' separation standards of the Temporary Uses ordinances because the only other COVID-19 testing center is located 1½-miles away on 9000 South. A fireworks sales tent typically sets up in the proposed location beginning in June, and would need to be located at least 100 feet away from the proposed drive-through testing clinic. This separation will be verified if and when the applicant for the firework sales tent applies for their Temporary Use Permit.

Finding: The requested use will not have any detrimental effects on adjacent properties and will be compatible with surrounding uses.

Criteria 3: *The requested use will not create excessive traffic hazards on adjacent streets.*

Discussion: The proposed use will be accessible from Redwood Road using the southeast 2-way entrance/exit of the Jordan School District parking lot. Most of the parking for the Jordan School District offices is concentrated toward the east end of the parking lot near the building entrances. This east half of the parking lot rarely reaches half capacity and will be unaffected by the clinic drive through lanes on the other end of the parking lot. The Federal agency to the south confines most of their parking to a fenced yard on the south side of the building, which should be unaffected by the traffic of the clinic. In the event that traffic does back up to the exit onto Redwood Road, the trucks have the option to use the exits further to the north.

In order to keep traffic to a minimum, the testing center will be accepting patients by appointment only and will control the number of available appointments per hour. They will also be limiting their hours to 9:30 AM through 4:30 PM, which avoids morning and evening rush hours.

Drive-through lanes are required to have no less than 6 stacking spaces per lane. The proposed clinic will have a single long lane that wraps around the parking lot and has enough space for 14 stacked cars on site, which meets the minimum stacking requirements. In the event that traffic demand does become larger than anticipated, the clinic could be expanded into the east parking lot if the applicant is able to obtain permission from the Jordan School District.

Finding: The requested use will not create excessive traffic hazards on adjacent streets.

Criteria 4: *Arrangements have been made by the applicant to have the requested use inspected by the police, fire and building departments prior to the operational use, as applicable.*

Discussion: As a seasonal business, the proposed testing facility will need to be inspected by the West Jordan Fire Department as part of the business licensing process. The Fire Marshall and City Engineer have already looked over the proposal and have found no issues relating to the Fire Code or Engineering Standards. The on-site inspections will be scheduled by the business license coordinator and will occur after the Temporary Use Permit has been approved by the Planning Commission. The Building Official has nothing to review, as there will be no structures on site.

Finding: Arrangements will be made via the Business License Coordinator, per the Business License Code, to have the requested use inspected by the Fire Department prior to the operational use.

Criteria 5: *The requested use provides for a safe and appropriate use of the land.*

Discussion: Although a drive-through medical testing center is not a typical temporary use (such as a fireworks stand or a snow cone shack), it is appropriate and needed in regards to the current pandemic. It will be located in a large and underutilized parking lot that is typically used only for a fireworks stand in the summer. The clinic will not generate any loud noises, offensive odors, noxious fumes, dust, or other nuisances. Medical waste will be properly disposed of in specialized biohazard containers, which will be stored inside the business vehicle and disposed of off-site. The drive aisles will be delineated through the use of A-frame directional signs, which will need to be securely anchored to the ground while in use.

Finding: The requested use provides for a safe and appropriate use of the land.

Criteria 6: *A document showing that the applicant has the right to establish the temporary use on the lot and that sanitary facilities are available has been submitted.*

Discussion: The applicant has provided a signed and notarized copy of a property owner affidavit authorizing him to operate the proposed COVID-19 testing center on their property. Temporary restroom facilities will be provided for employees but will not be necessary for the patients, who will be confined to their vehicles.

Finding: A temporary sanitary facility will be brought to the site and will be available for use by the applicant(s).

Criteria 7: *The requested use will not create pedestrian safety conflicts due to traffic circulation and /or location of parking lots serving the use.*

Discussion: The testing center will occupy an underutilized parking area that will not have any pedestrian traffic. Any pedestrian traffic in this area will likely come from the TRAX station to the south, which is minimal and will be confined to the public sidewalk along Redwood Road. All patients will be tested from their vehicle and there will be no need for them to leave their vehicle. Employees will have a small station area near the drive aisles and traffic will move slow enough as to not present a safety hazard.

Finding: The requested use will not create pedestrian safety conflicts due to traffic circulation and /or location of parking lots serving the use.

Criteria 8: *An adequate financial guarantee to assure the restoration of the site upon termination of the temporary use has been or will be provided to the city.*

Discussion: Section 13-7F-4K of the West Jordan Municipal Code states that a cash escrow or other financial guarantee *may* be required to ensure that the site is restored to its prior condition once the permit expires. This is typically collected on an as-needed basis by the West Jordan Business Licensing Department at the time of application submittal. The Business Licensing Coordinator has determined that the proposed use is classified as a small seasonal business and is therefore not required to post a clean-up bond. The applicant has provided a copy of their business's liability insurance, which will provide adequate financial coverage for the site if any accident or other calamity occurs.

Finding: An adequate financial guarantee to assure the restoration of the site upon termination of the temporary use has been provided to the city.

V. CONCLUSION:

Staff concludes that the proposed drive-through medical testing center meets all requirements for approval provided that the Conditions of Approval listed on page 2 of this report are met.

VI. ATTACHMENTS:

- Exhibit A – Aerial Map
- Exhibit B – Zoning & Future Land Use
- Exhibit C – Site Plan



Aerial Map

Exhibit A

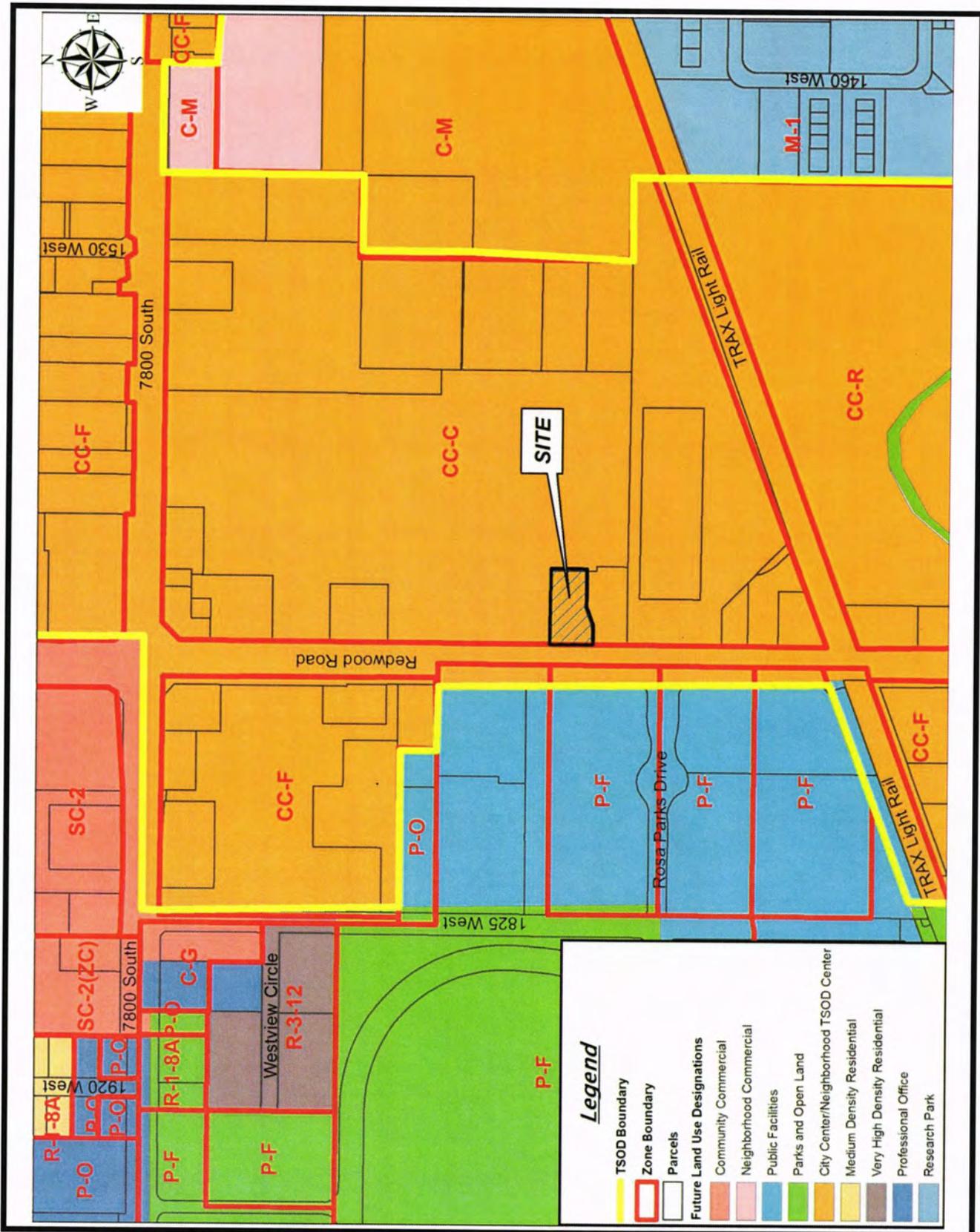
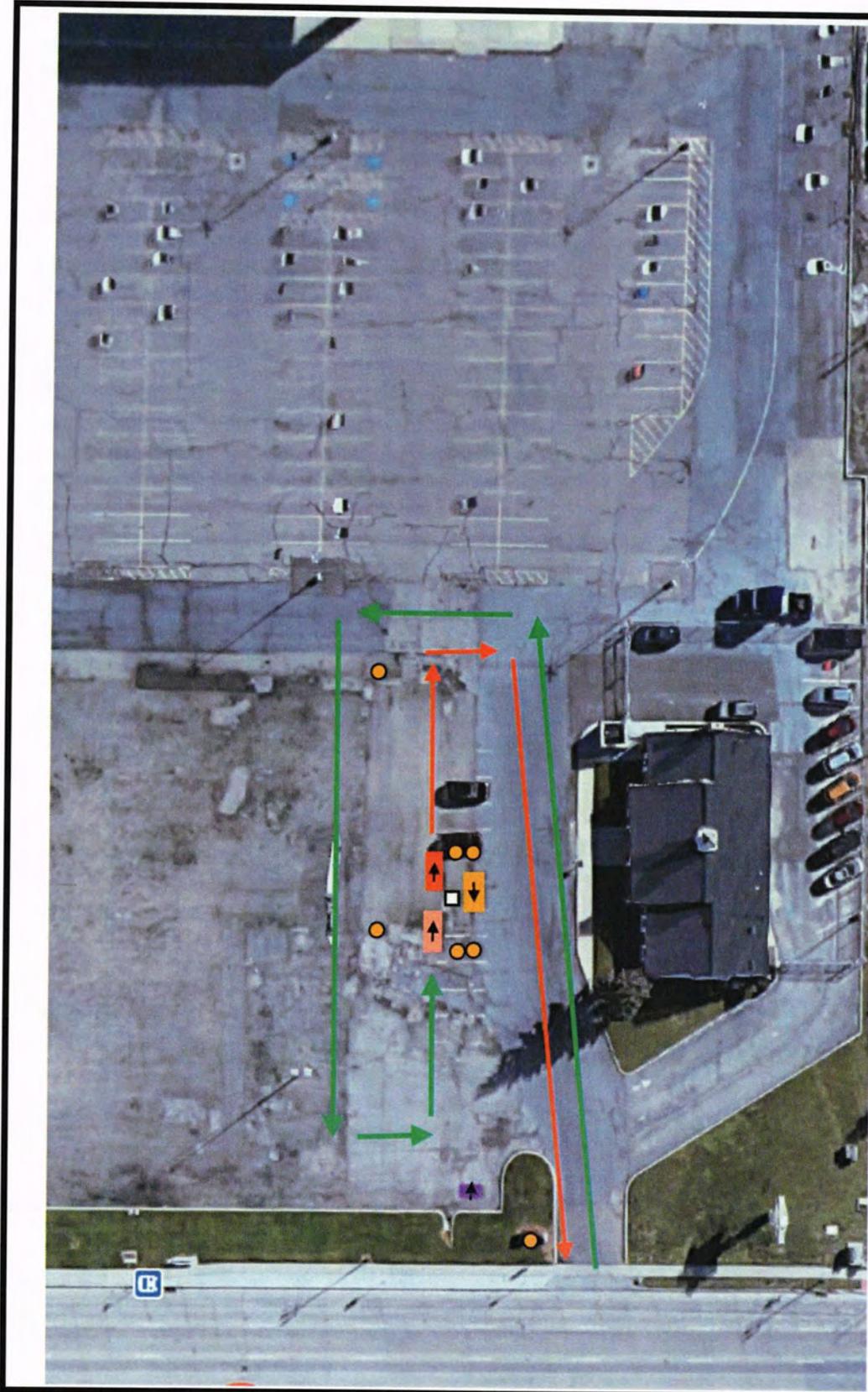


Exhibit B Zoning & Future Land Use Map



- RESTROOM TRAILER
- REGISTRATION PATIENT VEHICLE POSITION
- TESTING PATIENT VEHICLE POSITION
- TESTING LANE TRAFFIC FLOW
- EXIT TRAFFIC

- TESTING VEHICLE
- REGISTRATION CART
- DIRECTIONAL SIGN



COVID CLINIC

WEST JORDAN, UT
 7983 S Redwood Rd
 West Jordan, UT 84088

Site Plan

Exhibit C