

REQUEST FOR COUNCIL ACTION

SUBJECT: The applicant for Redwood Professional Plaza is requesting a modification to ordinance 02-51#e allowing carports in the 50 foot setback area established as a zoning condition.

SUMMARY: Redwood Professional Plaza Amended Zoning Conditions; 8800-8860 South Redwood Road; Amend Zoning Ordinance 02-51 Zoning Conditions #e to allow for structures, apart from actual building, to be constructed within 50 feet of the property line; SC-2(ZC) Zone; Clark Chamberlain (applicant) [Larry Gardner #MISC20150007; parcels 27-03-178-001-107; 27-03-176-035]

FISCAL IMPACT: None.

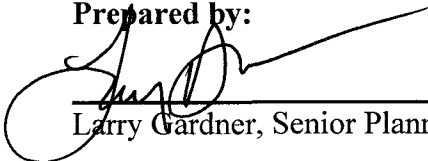
STAFF RECOMMENDATION: Based on the findings set forth in this staff report, staff recommends that the City Council approve Ordinance 15- 11 amending #e of Ordinance 02-51 thus reading: “e. *Building set back from north and west property lines 50 feet, not including the loading docks, and dumpsters and carports constructed in the established parking lot area. Setback from south and east property lines as required in SC-2 zone. (Setback and Buffer)*”

PLANNING COMMISSION RECOMMENDATION: On May 5, 2015, the Planning Commission in a 5 to 1 vote recommended that the City Council approve the request to amend #e of Ordinance 02-51 thus reading: “e. *Building set back from north and west property lines 50 feet, not including the loading docks, and dumpsters and carports constructed in the established parking lot area. Setback from south and east property lines as required in SC-2 zone. (Setback and Buffer)*”

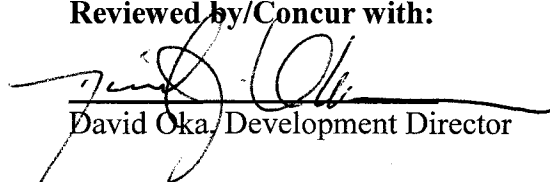
MOTION RECOMMENDED: “Based on the information and findings set forth in this staff report and upon the evidence and explanations received today, I move that the City Council approve Ordinance 15- 11”

Roll Call vote required

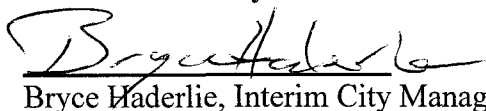
Prepared by:


Larry Gardner, Senior Planner


Reviewed by/Concur with:


David Oka, Development Director

Recommended by:


Bryce Haderlie, Interim City Manager

Reviewed as to legal form:


Robert Thorup, Deputy City Attorney

I. BACKGROUND:

The subject property was rezoned to SC-2 (Community Shopping Center Zone) with zoning conditions on December 3, 2002 by the City Council. The zoning conditions passed with the rezone established that:

- a. Eight 8 foot high barrier wall to be constructed and maintained on the property line around the west and north boundaries with residential property prior to construction. The materials of the wall are to match the existing wall. (Buffer)
- b. Twenty feet 20 of landscaping to meet West Jordan code around west and north perimeters to include trees and thorny-type shrubbery to discourage human contact with the commercial side of the wall. Tree spacing along north and west property lines to be minimum of 1 tree every 40 feet. (Buffer)
- c. Parking lot lighting to be diffused/directed away from residential property and turned off between the hours of 12 midnight and 7 AM except for required security lighting. (Buffer)
- d. No dumpsters may be placed against the west and north landscape boundaries of the property unless fully enclosed. All restaurant dumpsters on the property shall be fully enclosed and lockable. (Setback)
- e. Building set back from north and west property lines 50 feet, not including the loading docks and dumpsters. Setback from south and east property lines as required in SC-2 zone. (Setback and Buffer)
- f. No delivery trucks before 6 AM or after 10 PM and no overnight tractor trailer parking on site. (Uses)
- g. Exclude uses that would normally be allowed as conditional uses in SC-2 zone: major utility structures, commercial parking, liquor stores, secondhand stores, gasoline service stations, vehicle and equipment rental and sales, new car and truck rental and sale (used car and truck rental and sales as an accessory to use to new vehicle sales) protective service, (except a West Jordan Cop Shop) and check cashing service that includes cash loans quick cash and check cashing services. Pawnbrokers are not a conditional or permitted use in S2C zones. A conditional use permit cannot be obtained for more than one fast food restaurant. (Uses)
- h. All exterior mechanical equipment will be screened and/or landscaped according to West Jordan Code. (Building and Architecture)
- i. Sit-down restaurant to be located near the southeast corner of the property. (Uses)
- j. Maximum roof line height of any retail building on the property to be thirty five feet (35'). (Height)
- k. Speed control measures to be installed in drive aisle behind building on west end of property. (Building and Architecture)

After the rezone the property was developed into professional offices, retail stores and a restaurant. The applicant wishes to build six carports, for the tenants in the north professional

building, within the 50 foot setback area on the west side of the property directly in back of the main two story professional office buildings. To allow the carport construction the applicant is proposing to modify letter (e) of the zoning conditions as follows:

*Building set back from north and west property lines 50 feet, not including the loading docks, ~~and~~ dumpsters **and carports constructed in the established parking lot area.** Setback from south and east property lines as required in SC-2 zone. (Setback and Buffer)*

The applicant feels that the 50 foot setback was for the main structure so the mass of the building would not overwhelm the adjacent residential uses and that the car-ports will not be obtrusive to the adjacent neighborhood. The carports would be less than eight feet in height and would be buffered by the existing landscaping buffer and eight foot wall on the west side of the project.

II. GENERAL INFORMATION & ANALYSIS

Table A. The subject property's surrounding zoning and land uses

	Future Land Use	Zoning	Existing Land Use
North	Medium Density Residential	R-1-10F	Single-Family Residential
South	Community Commercial	SC-2	Smith's Marketplace and other retail shops
East	Professional Office	PO (ZC)	Office Complex
West	Medium Density Residential	R-1-10F	Vacant agriculture land

III. FINDINGS OF FACT

Section 13-7D-7(A): Amendments to the Zoning Map

Amendment to the zoning map shall be approved only if:

Criteria 1. *The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan.*

Discussion: The applicant's business is located within an area that is on the General Plan land use map as neighborhood commercial. The amendment to the zoning ordinance will not affect any of the uses on the property, by changing them or making the uses more intensive. The zoning amendment is sought to enhance the commercial viability of the development by making the property more in line with current and prospective tenant's expectations. The main concern is if the buffering and setback conditions established can be altered to meet the needs of the property owner without creating a nuisance to neighboring property owners.

The General Plan (Page 28) discusses buffering between incompatible uses.

Goal 2, Policy 1, number 6 states: *“Continue to administer and refine development standards requiring buffers between incompatible uses. Buffers may include a combination of landscaping and open space, and where appropriate, permanent walls and fences. Separation and buffering between incompatible uses should occur most frequently at rear property lines, occasionally at side lot lines, but discouraged at street lines.”*

The twenty foot landscaping buffer and eight foot wall installed with the development will not be changed. The carports will be constructed in the existing parking area. The height of the carports at (7’6”) will not be overbearing on adjacent properties to the west. The carports will be painted and will match the colors of the office building.

In the commercial section of the General Plan Goal 3, Policy 1, implementation #3 States:

“Encourage existing business to improve general maintenance and appearance of buildings and grounds”.

The applicant will not be reducing the landscaped area or creating an unsightly condition with the addition of the carports. The carports are for a tenant who requires covered parking as part of their contract.

In the same section of the Plan implementation item 10 states:

“Maintain the landscaping and fencing buffer requirements between residential and commercial uses.”

As stated earlier the applicant will not be encroaching into the existing twenty foot landscaped area and will not be altering the existing wall in any way. The applicant maintains their property and landscaping in a professional, clean and pleasing manner. The addition of carports will be visible but should not be a nuisance to adjacent property owners.

Finding: The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan.

Criteria 2. *The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.*

Discussion: The compatibility between the commercial property and the adjacent residents will not be altered or intensified with the amendment to the zoning condition. The applicant states:

“There do not appear to be any adverse impact on adjacent land owners because the requested placement of the carports would be 20’ away from the wall that separates the west boundary of the project from adjacent property owners. The wall will create a buffer that will shield the carports from view. The carports will have a single slope roof with minimal pitch and be constructed of galvanized steel (no rust). The powder coat finish will closely match the existing building color.”

Storm water runoff from the carports will be contained on the property and will not flow on to neighboring properties. The carports will not create additional heat, odors, noise or glare for neighboring properties and will not create a hiding place for criminals, because the carports can be seen through.

Finding: The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.

Criteria 3. *The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.*

Discussion: The zoning condition amendment adding carports into a parking area will not create an impact to the health and safety of the residents of West Jordan. As stated storm water runoff from the carports will be contained on the property and will not flow on to neighboring properties. The carports will not create additional heat, odors, noise or glare for neighboring properties and will not create a hiding place for criminals, because the carports can be seen through. The 20 foot travel lane in back of the buildings will not be encroached upon or obstructed in any way. This travel lane also serves as a fire lane. The carports will be constructed in the established parking stalls adjacent to the landscaped buffer. The applicant does address the need for the zoning condition amendment which will directly affect his ability to conduct business and overall the welfare of the community. The applicant states:

“Without this zone change Redwood Medical Plaza stands to lose one of its largest and longest occupying tenants. Without their presence at the Plaza, existing tenants will suffer as a result of losing synergy and loss of referrals that they currently receive as a direct result of the tenant’s presence. Also, there are other new businesses who have expressed interest in locating at Redwood Medical if the tenant in question were to remain on campus.”

Finding: The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.

Criteria 4. *The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.*

Discussion: The zoning condition amendment adding carports into a parking area will not have any impact on or change the adequacy or amount of public services and facilities required on the site such as public safety, water, sewer or roadways. As stated in the previous section travel lanes around the buildings will not be obstructed when the carports are constructed which will allow fire and police to travel around and have access to the rear of the building.

Finding: The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

Criteria 5. *The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.*

Discussion: The proposed site is located within the Redwood Road zoning overlay district. This application meets all requirements of the Redwood Road Overlay District.

Finding: The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

IV. SUMMARY:

Staff supports the proposed Zoning Condition amendment to # e of Ordinance 02-51 in that the request meets all of the criteria for an amendment to the zoning map and that the proposed amendment will be compatible with adjoining land uses and with the neighborhood.

If the moving Council Member disagrees with the staff's findings and conclusions and finds substantial evidence supporting a different result, the following motion may be given:

“Based on the information and findings set forth in this staff report and upon the evidence and explanations received today, I move that the City Council deny Ordinance 15-_____”
Specifically, I disagree with Staff and find that the following required criterion for a Zoning Map Amendment has not been met:

Zoning Map Amendment Findings:

1. The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City's General Plan.
2. The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.
3. The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.
4. The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.
5. The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Which criteria has been met or not met? Why?

Note: All applicable criteria must be met to support a positive action by the City Council.

VIII. ATTACHMENTS:

- Exhibit A – Development aerial
- Exhibit B – Zoning and Land Use Map
- Exhibit C - Ordinance 02-51
- Exhibit D – Letter of Intent
- Exhibit E – Application
- Exhibit F – City Council Minutes December 3, 2002
- Exhibit G – Planning Commission Minutes
- Exhibit H – Proposed Ordinance



City Clerk's Office
City of West Jordan
8000 South Redwood Road
West Jordan, Utah 84088
(801) 569-5115
Fax (801) 565-8978

May 11, 2015

Clark Chamberlain
2235 South 2300 East
Salt Lake City, UT 84109

Dear Mr. Chamberlain,

A Public Hearing will be held before the City of West Jordan City Council on Wednesday, May 27, 2015, at the hour of 6:00 p.m., in the City Council Chambers at 8000 South Redwood Road, Third Floor, West Jordan, Utah, to receive public comment prior to considering an amendment to the zoning conditions in Ordinance 02-51 #e to allow for structures, apart for the actual building, to be built within 50 feet from the property boundaries for Redwood Professional Plaza located at approximately 8800-8860 South Redwood Road; Clark Chamberlain (applicant). You are invited to attend the Public Hearing and take part in the discussions and voice any support or concerns you may have. The Council reserves the right to consider other zoning classifications based on information presented at the Public Hearing. If you have any questions, please contact the Planning and Zoning Department at 801-569-5060.

I have enclosed a copy of the **Notice of Public Hearing** that has been sent to property owners in the 300-foot radius of said property.

If you have any questions, please feel free to call me at 801-569-5116.

Sincerely,

Carol Herman
Deputy City Clerk

cc: Planning Department

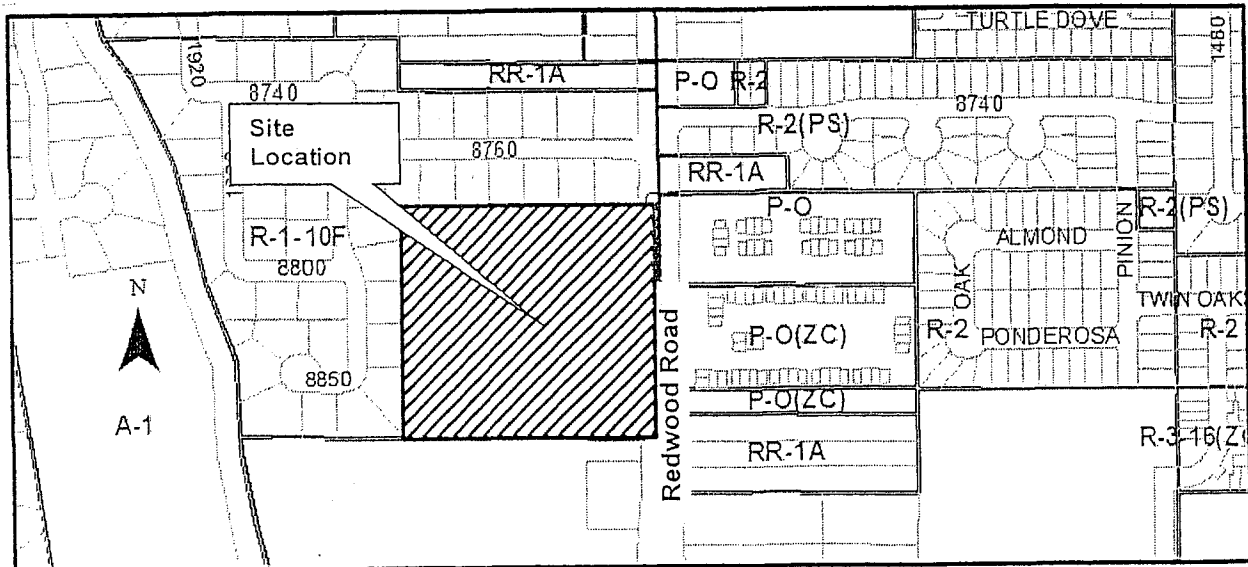


300' mailing

City Clerk's Office
City of West Jordan
8000 South Redwood Road
West Jordan, Utah 84088
(801) 569-5115
Fax (801) 565-8978

THE CITY OF WEST JORDAN, UTAH NOTICE OF PUBLIC HEARING

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The City of West Jordan, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call the City Recorder at 569-5115, giving at least three working days notice.



City Clerk's Office
City of West Jordan
8000 South Redwood Road
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THE CITY OF WEST JORDAN, UTAH
NOTICE OF PUBLIC HEARING

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Posted this 11th day of May, 2015

A handwritten signature in cursive script that reads "Carol Herman".

Carol Herman
Deputy City Clerk



Aerial

Exhibit A

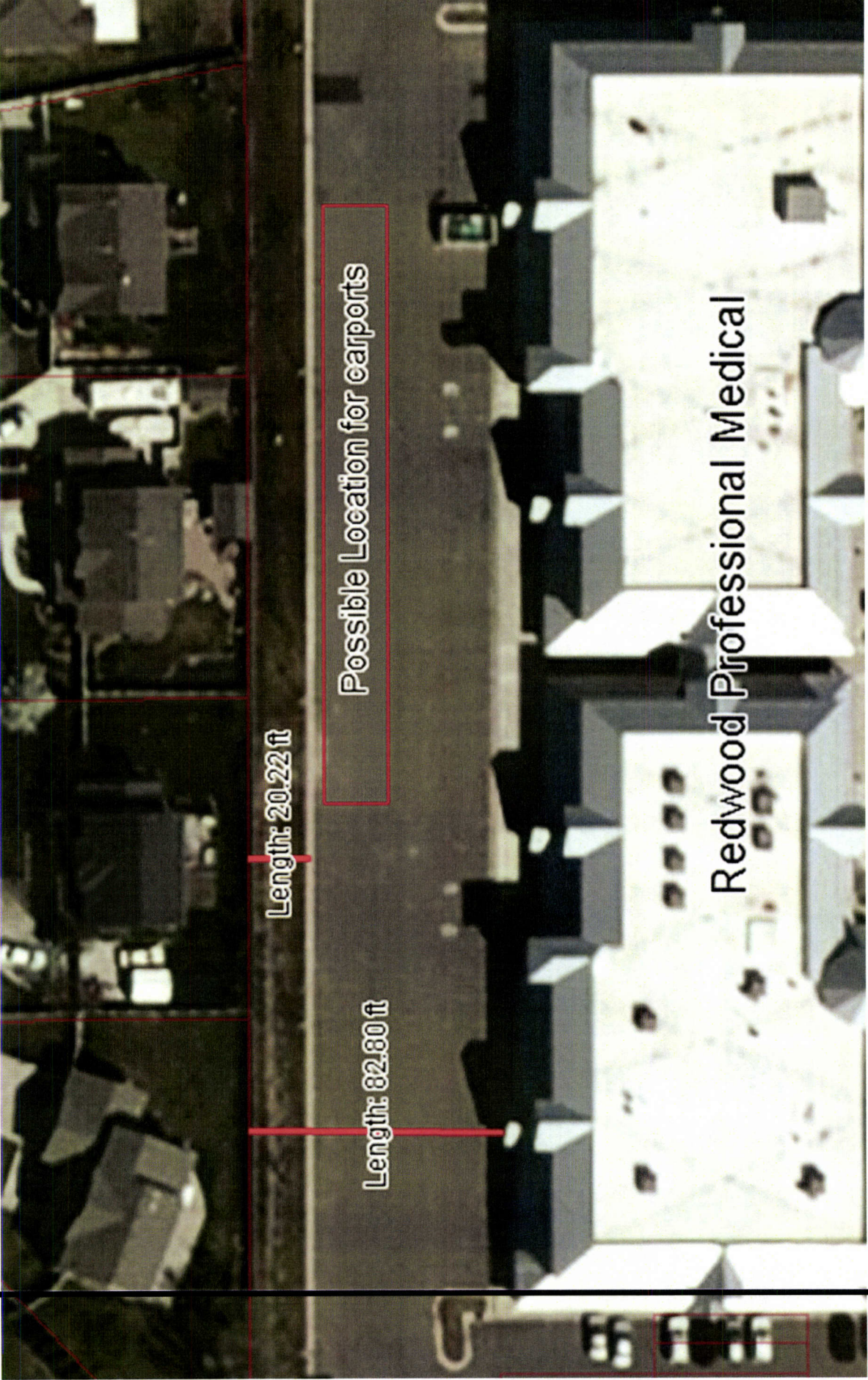
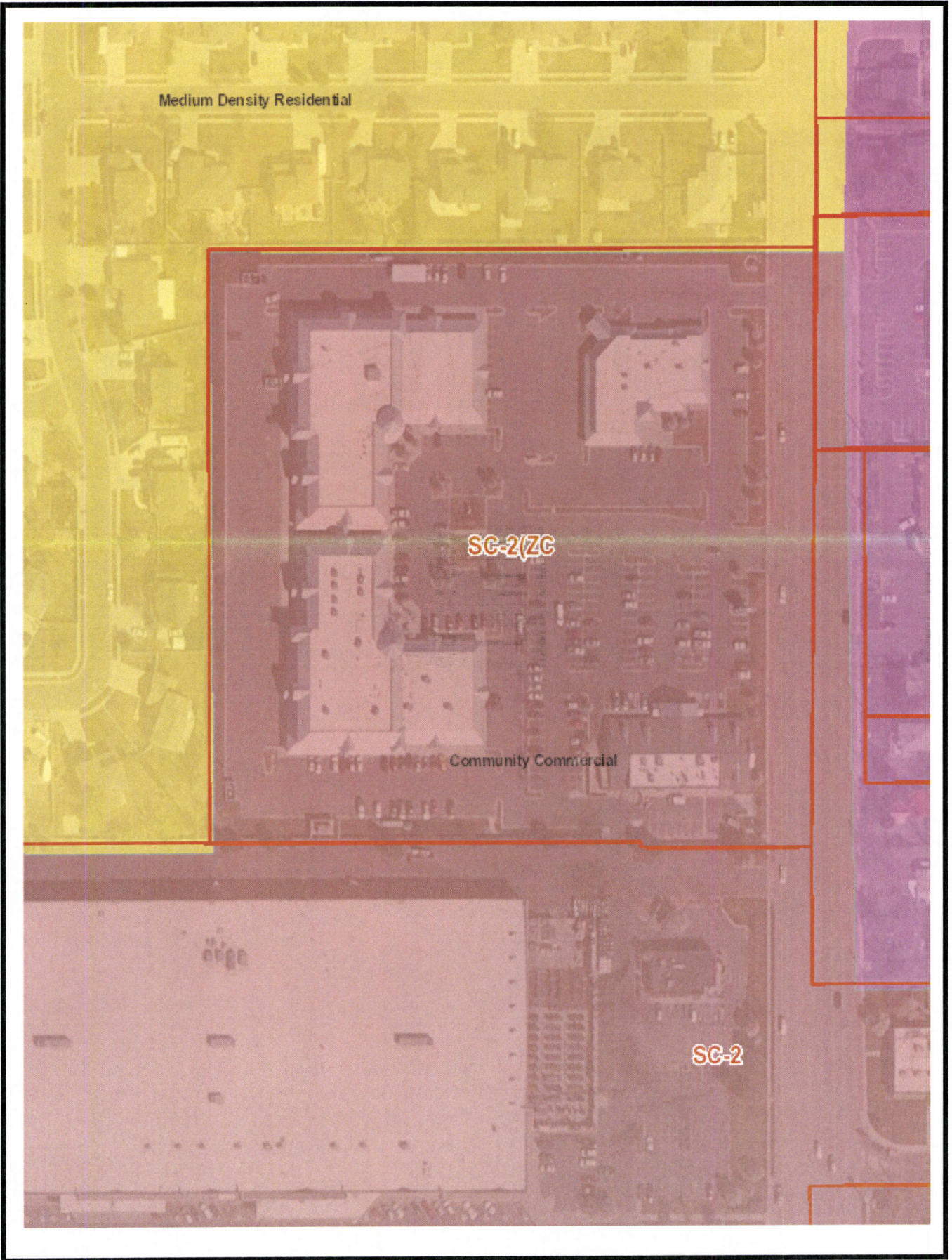


Exhibit A

Aerial



Zoning and Land Use Map

Exhibit B

Please find Ordinance 02-51 attached.

Exhibit C **Ordinance No. 02-51**

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 02-51

AN ORDINANCE REZONING APPROXIMATELY 8.15 ACRES OF TERRITORY, LOCATED AT APPROXIMATELY 8800-8860 SOUTH REDWOOD ROAD, FROM RR-1A (RURAL RESIDENTIAL, 40,000 SQUARE FOOT LOTS, "A" HOME SIZE) TO SC-2(ZC) (COMMUNITY SHOPPING CENTER WITH ZONING CONDITIONS), ALEX CARR, CORRAL WEST, APPLICANT.

Whereas, approximately 8.15 acres of territory, located at approximately 8800-8060 South Redwood Road, has been zoned to be in zone classification RR-1A (Rural Residential, 40,000 square foot lots, "A" home size); and

Whereas, the owner of the said territory has requested the territory be rezoned to be in zone classification SC-2(ZC) (Community Shopping Center with zoning conditions); and

Whereas, on November 20, 2002 the zoning of the property has been considered by the Planning and Zoning Commission, which has made a positive recommendation to the City Council concerning the zoning classification to be applied to the territory; and

Whereas, a public hearing, pursuant to public notice, was held before the City Council on December 3, 2002; and

Whereas, the City Council finds and determines that the rezone promotes the goals and policies of the General Plan and that the public health, welfare and safety of the community will be protected and that property values will be preserved and improved if the property is rezoned,

NOW THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF WEST JORDAN, UTAH:

Section 1. The ZONING MAP OF THE CITY OF WEST JORDAN, UTAH, as adopted pursuant to Section 88-5-206 of the West Jordan Municipal Code, is amended, by removing from zone classification RR-1A (Rural Residential, 40,000 square foot lots, "A" home size) to SC-2(ZC) (Community Shopping Center with zoning conditions) the territories and conditions described in Exhibit A.

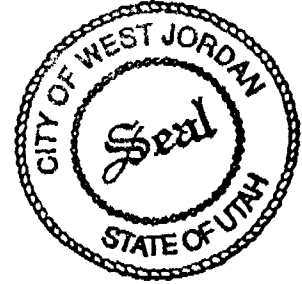
Section 2. This Ordinance shall become effective upon publication or posting or upon the expiration of twenty days following passage, whichever is earlier.

Passed by the City Council of West Jordan, Utah this 3rd day of December, 2002.

Bryan Holladay
Bryan Holladay
Mayor

ATTEST:

Melanie S. Briggs
MELANIE S. BRIGGS, CMC
City Recorder



Voting by the City Council:	"AYE"	"NAY"
Councilmember Allison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Argyle	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Hilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Richardson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Nelson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Summers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Holladay	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CITY RECORDER'S CERTIFICATE OF PUBLICATION

Ord No #02-51

I, Melanie S. Briggs, certify that I am the City Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was posted at the following locations on the 12 day of December, 2002: West Jordan City Hall, 8000 South Redwood Road, West Jordan, Utah; West Jordan Library, 1970 West 7800 South, West Jordan, Utah; and the Community Oriented Policing Substation, 7061 South 1700 West, West Jordan, Utah.

Melanie S. Briggs
MELANIE S. BRIGGS
City Recorder

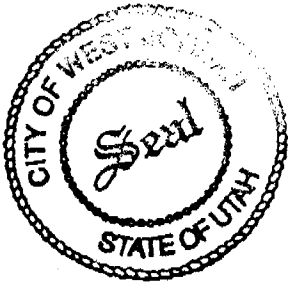


EXHIBIT A

Golden Corral Property Description

Beginning at a point on the West line of Redwood Road, said point of beginning being West 53.00 feet and South 1,195.62 feet from the North Quarter Corner of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and thence running South along the said West line of Redwood Road 583.14 feet; thence South 0 deg. 48' 47" West along the said West line of Redwood Road 5.00 feet; thence North 89 deg. 51' 13" West 138.00 feet; thence North 0 deg. 08' 47" East 5.00 feet; thence West 470 feet; thence North 583.14 feet; thence East 608 feet to the point of beginning.

- a. Eight (8) foot high barrier wall to be constructed and maintained on the property line around the west and north boundaries with residential property prior to construction. The materials of the wall are to match the existing wall. (Buffer)
- b. Twenty feet (20') of landscaping to meet West Jordan code around west and north perimeters to include trees and thorny-type shrubbery to discourage human contact with the commercial side of the wall. Tree spacing along north and west property lines to be minimum of 1 tree every 40 feet. (Buffer)
- c. Parking lot lighting to be diffused / directed away from residential property and turned off between the hours of 12 midnight and 7 AM except for required security lighting. (Buffer)
- d. No dumpsters may be placed against the west and north landscape boundaries of the property unless fully enclosed. All restaurant dumpsters on the property shall be fully enclosed and lockable. (Setback)
- e. Building set back from north and west property lines 50 feet, not including the loading docks and dumpsters. Set back from south and east property lines as required in SC-2 zone. (Setback and Buffer)
- f. No delivery trucks before 6 AM or after 10 PM and no overnight tractor trailer parking on site. (Uses)
- g. Exclude uses that would normally be allowed as conditional uses in SC-2 zone: major utility structures, commercial parking, liquor stores, secondhand stores, gasoline service stations, vehicle and equipment rental and sales, new car and truck rental and sale (used car and truck rental and sales as an accessory to use to new vehicle sales), protective service (except a West Jordan Cop Shop), and check cashing service that includes cash loans, quick cash, and check cashing services. Pawnbrokers are not a conditional or permitted use in SC-2 zones. A conditional use permit cannot be obtained for more than one fast-food restaurant. (Uses)
- h. All exterior mechanical equipment will be screened and/or landscaped according to West Jordan Code. (Building and Architecture)
- i. Sit-down restaurant to be located near the southeast corner of the property. (Uses)
- j. Maximum roofline height of any retail building on the property to be thirty-five feet (35'). (Height)
- k. Speed control measures to be installed in drive aisle behind building on west end of property. (Building and Architecture)

ZONE CHANGE SUBMITTAL 1ST REDLINE COMMENTS

- *Purpose for the amendment in question:* One of the largest tenants at Redwood Medical Plaza has requested that it be provided six (6) covered car ports, as promised in its contract in which it has leased additional space to expand and extended its lease commitment.
- *Confirmation that the purpose is best served by the amendment in questions:* We have looked at a number of options to accommodate the tenant's request for covered parking stalls, including placing the carports next to the building, but as we further explored these options it was clear that they presented code violations.
- *Compatibility of the proposed amendment with general plan policies, goals and objectives:*
- *Adverse impacts on adjacent landowners:* There do not appear to be any adverse impacts on adjacent landowners because the requested placement of the carports would be 20' away from the wall that separates the west boundary of the project from adjacent property owners. The wall will create a buffer that will shield the carports from view. The carports will have a single slope roof with minimal pitch and be constructed of galvanized steel (no rust). The powder coat finish will closely match the existing building color.
- *Verification that the original zoning and zoning conditions (intent of the conditions) is correct for the area in question:* The original intent of the zoning was to make sure that the building itself was a minimum of 50' in distance from the surrounding properties, but not other out structures such as carports, dumpster enclosures, electrical meter boxes, etc.
- *Impact on City services such as water, sewer, storm drain, public streets, traffic, fire and police services:* There will be no impact on City services.
- *Impacts on the local economy and other factors such as ability to make the best use of property without impacting neighboring residents:* Without this zone change Redwood Medical Plaza stands to lose one of its largest and longest occupying tenants. Without their presence at the plaza, existing tenants will suffer as a result of losing the synergy and loss of referrals that they currently receive as a direct result of this tenant's presence. Also, there are other new businesses who have expressed interest in locating at Redwood Medical if the tenant in question were to remain on campus.



CITY OF WEST JORDAN
COMMUNITY DEVELOPMENT APPLICATION

8000 South Redwood Road
(801) 569-5180

Sidwell # 2703178107; ⁰⁰¹⁻²⁷⁰³¹⁷⁶⁰⁸⁵ Acreage: 8.15 Lots: _____ Zoning: SC-2(ZC)

Project Location: 8800-8860 S. Redwood Rd

Project Name: Amend Ord 02-51
REDWOOD PROFESSIONAL PLAZA ZONING CONDITIONS

Type of Application: Subdivision Conditional Use Permit
 Site Plan General Land Use Amendment
 Rezone Agreement
 Condominium Other _____

Applicant: CLARK CHAMBERLAIN Company: N/A

Address: 2235 S 2200E

City: SLC State: UT Zip: 84109

Telephone: Office: _____ Cell: 801-898-3380

Email: c.chamberlain@comcast.net

Property Owner: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: Office: _____ Cell: _____

Email: _____

Engineer: _____ Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: Office: _____ Cell: _____

Email: _____

Architect: _____ Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: Office: _____ Cell: _____

Email: _____

SIGNATURE: Clark Chamberlain DATE: 4-8-15

Project #: MISC20150007 Date: 4/8/15
Received By: ODA lg PLANNING lg/gm ENGINEERING _____

Application

Exhibit E

Please find attached City Council Meeting minutes from December 3, 2002

Exhibit F City Council Minutes

~~proportionate cost of the sewer improvements at time of development of that benefiting property.~~

~~Councilmember Summers asked how much the Boys Ranch would end up spending for the water and sewer lines?~~

~~Tom Steele said it could vary from \$0 to approximately \$30,000. He indicated if the properties to the west of 5600 West were developed and used the lines, they would pay a portion of the cost. Presumably, some amount would be reimbursed, however, it would not reach 100 percent reimbursement. The capacity used by the Boys Ranch was 6.8 percent. He indicated the area between the Boys Ranch and 5600 West was Phase I of the Anderson property, which was already involved in a development contract, and therefore could not charge them for the Pioneering Agreement. He said the maximum potential was just under \$33,000.~~

~~**MOTION: Councilmember Nelson moved to approve Consent Items 'c' and 'd.'**
The motion was seconded by Councilmember Summers.~~

~~A roll call vote was taken~~

Councilmember Allison	Yes
Councilmember Argyle	Absent
Councilmember Hilton	Yes
Councilmember Nelson	Yes
Councilmember Richardson	Yes
Councilmember Summers	Yes
Mayor Holladay	Yes

~~The motion passed 6-0.~~

IV. PUBLIC HEARINGS

CONTINUED – CONSIDER FOR APPROVAL ORDINANCES 02-50 AND 02-51, REGARDING A GENERAL LAND USE PLAN AMENDMENT FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL AND A REZONE OF 8.15 ACRES FROM RR-1A (RURAL RESIDENTIAL ONE-ACRE LOTS) TO SC-2 (COMMUNITY SHOPPING CENTER) FOR GOLDEN CORRAL PROPERTY LOCATED AT APPROXIMATELY 8800 TO 8860 SOUTH REDWOOD ROAD, ALEX CARR, CORRAL WEST PROPERTIES LC, APPLICANT

Tom Burdett said on June 7, 2002, the City received a petition from Alex Carr, Corral West Properties, requesting a General Plan Land Use Amendment from medium density residential to commercial retail and a contemporaneous rezone application from Rural Residential RR-1 (A) to Community Commercial SC-2 (ZC) for 8.15 acres of property located at 8800-8860 South Redwood Road. If these amendments were approved, it was

proposed that a retail commercial center be developed on this site beginning with a Golden Corral Restaurant. Since the application was submitted the following public hearings and or meeting dates have taken place:

General Plan Committee	(Public meeting)	July 10, 2002
City Planning Commission	(Public hearing)	July 17, 2002
	(Public workshop)	Nov.6, 2002
	(Public hearing)	Nov. 20, 2002
City Council	(Public hearing)	Aug. 27, 2002
	Citizen comments	Sep.24, 2002

On July 17, the Planning Commission voted 3-2 to recommend denial of the Amendment to the General Plan Land Use and Zoning Amendments. After that hearing the applicants began working more concertedly with the Shady Lane Neighborhood. Planning Commission voted on October 2, 2002 to reconsider their recommendation for this request and conduct a Public Hearing on November 6, 2002. At the applicant's request to put the reconsideration on hold, the Planning Commission continued the Public Hearing of their reconsideration to November 20, 2002. At the November 20, 2002 meeting, the Planning Commission forwarded a positive recommendation by a 6-0 vote to amend the General Plan from "medium density residential" to "commercial retail" and to rezone the property from RR-1A (Rural Residential, 40,000 square foot lots, "A" home size) to SC-2 (ZC) (Community Shopping Center with zoning conditions).

City Council opened a Public Hearing on August 27, continued the Public Hearing to September 24 and subsequently continued it to November 19. Because of a delay in preparing the staff report, the item was postponed to the December 3, 2002 meeting.

General Plan Amendment

The subject property included 11 individual lots, with four different owners that are currently occupied by single-family residential and agricultural uses. The current General Plan recommended that, if these lots were redeveloped, the site would be used for "medium density residential uses." It is requested that the Plan be amended to recommend "commercial retail use."

Surrounding land uses included: single family residential to the north and west; community commercial to the south (Fred Meyer); and rural residential and professional office across Redwood Road to the east. The applicant provided the following rationale to support the requested General Plan amendment.

"The site has become undesirable for single-family residential uses since Redwood Road and 9000 South have become strong commercial corridors with high traffic counts. Retail use is best kept concentrated at sites such as this, close to intersections where there are already other large retail users."

This request was also supported by a policy of the General Plan to "encourage commercial development around major street intersections or "nodes."

Recommendation of the General Plan Committee. The General Plan Committee reviewed this petition on July 10, 2002. After discussing issues related to this request, a majority of the Committee recommended that the of the General Plan Land Use designation for this site be changed from "medium density residential" use to "commercial retail" use.

Zoning Map Amendment

The Zoning Ordinance required that a petitioner for a zone change provided "a statement setting forth the manner in which a proposed ... zone map change would further promote the objectives and purposes of this title (Zoning Ordinance) and the General Plan." Issues relating to compliance with provisions of the General Plan were addressed above.

Staff reviewed the plan and the following general issues relating to development of the property have been identified.

1. It was Staff's understanding that an easement agreement had been negotiated with Fred Meyer to permit access between the proposed development and existing commercial development to the south. Additional access to the site needed to be provided from Redwood Road. Since Redwood Road was a State road, driveway location, width, and construction standards would need to be reviewed and approved by UDOT.
2. The Engineering Division recommended the design of the primary access to/from Redwood Road included a center turn lane.
3. Since this site was adjacent to residential uses on two sides, locations of buildings and service areas would be critical. Significant screening and other buffering would be required. In order to help reduce potential impacts on neighboring properties, it had been suggested that the proposed Golden Corral Restaurant be located closer to southern portion of the site.

Neighborhood Meetings

Over the last several months a number of neighborhood meetings had been held by residents in the neighborhood to the north and west of the subject property, some with the applicants present and others without. It was Staff's understanding that the purpose for these meetings was to try to come to an agreement with the applicant about the location and types of uses that are appropriate for the site. The residents had submitted a petition supporting a denial of the requested General Plan and Zoning Map amendments on August 27. On November 6, 2002, after the neighborhood meetings, the applicants submitted a revised concept plan, General Plan Amendment Impact Report, and list of voluntary zoning conditions. The voluntary zoning conditions were proposed to be incorporated in the property owner restrictive covenants. The proposed zoning conditions

were to mitigate concerns regarding land use compatibility with the Shady Lane single family neighborhood to the north and west of the site.

Development of this property for commercial use would result in a substantial increase in both property tax and sales tax revenue.

Staff and the Planning Commission recommended the Council adopt an ordinance amending the following:

General Plan

Approve amending the General Plan Land Use designation for this site to be changed from "medium density residential" use to "commercial retail" use for 8.15 acres of property located at 8800-8860 South Redwood Road.

Zoning Map Amendment

Approve rezone application from Rural Residential RR-1 (A) to Community Commercial SC-2 (ZC) for 8.15 acres of property located at 8800-8860 South Redwood Road subject to the following conditions:

- a. Eight (8) foot high barrier wall to be constructed and maintained on the property line around the west and north boundaries with residential property prior to construction. The materials of the wall were to match the existing wall. (Buffer)
- b. Twenty feet (20') of landscaping to meet West Jordan code around west and north perimeters to include trees and thorny-type shrubbery to discourage human contact with the commercial side of the wall. Tree spacing along north and west property lines to be minimum of one tree every 40 feet. (Buffer)
- c. Parking lot lighting to be diffused/ directed away from residential property and turned off between the hours of 12 midnight and 7 AM except for required security lighting. (Buffer)
- d. No dumpsters may be placed against the west and north landscape boundaries of the property unless fully enclosed. All restaurant dumpsters on the property shall be fully enclosed and lockable. (Setback)
- e. Building set back from north and west property lines 50 feet, not including the loading docks and dumpsters. Set back from south and east property lines as required in SC-2 zone. (Setback and Buffer)
- f. No delivery trucks before 6:00 am or after 10:00 pm and no overnight tractor trailer parking on site. (Uses)
- g. Exclude uses that would normally be allowed as conditional uses in SC-2 zone: major utility structures, commercial parking, liquor stores, secondhand stores, gasoline service stations, vehicle and equipment rental and sales, new car and truck rental and sale (used car and truck rental and sales as an accessory to use to new vehicle sales), protective service, and check cashing service that includes cash loans, quick cash, and check cashing services. Pawnbrokers were not a conditional or permitted use in

- SC-2 zones. A conditional use permit cannot be obtained for more than one fast-food restaurant. (Uses)
- h. All exterior mechanical equipment would be screened and/or landscaped according to West Jordan Code. (Building and Architecture)
 - i. No grocery retailers larger than 5 000 square feet. (Uses)
 - j. Golden Corral Restaurant to be located near the southeast corner of the property. (Uses)
 - k. Maximum roofline height of any retail building on the property to be thirty feet (30'). (Height)
 - l. Speed bumps to be installed in drive aisle behind building on west end of property. (Building and Architecture)

Councilmember Argyle arrived at 7:44 p.m.

Mayor Holladay continued the Public Hearing. He asked if anyone wished to speak?

Michael Cooper, Representative for Golden Corral Properties, requested the Council's action to adopt the General Plan Land Use Amendment from medium density residential to Commercial Retail with a contemporaneous rezone application under Section 88-1-301 of the General Plan. He also requested to change the use and zone from Rural Residential RR-1 (A) to Community Commercial SC-2 (ZC) for 8.15 acres of property located at 8800-8860 South Redwood Road. He expressed his appreciation to the Planning staff for the efforts to work with the applicant and the residents of the Shady Lane Subdivision. He had the following suggested amendments to the zoning conditions: Item A – Make sure the applicant acknowledged it would be two-feet higher; Item D and E – Applicant had given away economic benefits to appease Shady Lane residents with generous setback requirements and reduces the applicants build able envelope. This was agreed upon within the guidelines; Item G – The applicant had also given away economic benefits due to the exclusion of retail users to satisfy said residents and the concerns of West Jordan Planning Commission, understanding it was a Conditional Use; Item I – He requested to have the following statement stricken from conditions, or added to as an 'attachment' to nullify said conditions as a private contract issue, an agreement between said applicant bordering the south quadrant being Fred Meyer. He gave the following quote via a telephone conversation from Fred Meyer, "Fred Meyer is not interested in becoming to or part of a rezoning or use of said property. Any and all agreements are between users of said property. This quote was issued by Bob Curry Wilson, Vice President of Fred Meyer Real Estate; Pam Child, Property Sales of Fred Meyer Real Estate." Item J – should read as, instead of specifying Golden Corral Restaurant, it should be a generic term as a high turnover use as specified in the ordinance language, and; Item K – To be amended to 35-feet.

Councilmember Allison addressed zoning condition 'I.' He questioned the relationship between Fred Meyer and the proposed rezone?

Michael Cooper indicated part of the conditions were issues, which were presented to the applicant, and were issues the residents addressed. Initially, in order to prevent

competition, Fred Meyer signed the Easement Agreement. If another user replaced Fred Meyer, an Easement Agreement would still be necessary. The Agreement was the property line boundary, not a zoning condition.

Councilmember Allison asked if the prohibition against a grocery retailer larger than 5,000 square feet was not a condition of the easement in the eyes of Fred Meyer?

Michael Cooper said that was correct.

Councilmember Allison asked for clarification on condition 'K'?

Michael Cooper said part of the 35-foot height included signage and height restrictions.

Councilmember Allison asked if the signage height in the ordinance tied to the building height?

Tom Burdett said the signage was a separate issue, and would be addressed by the Planning Commission.

Michael Cooper said the residents of Shady Lane concurred with Golden Corral the 35-foot envelope would be acceptable between them, and be within the ordinance of the City.

Tom Burdett said the Planning Commission did not change it. He was not certain if it was an oversight or purposely done.

The Council, staff, and Michael Cooper discussed condition 'K.' They reviewed the minutes of November 20, 2002 regarding the issue.

Councilmember Hilton said she was present at the November 20, 2002 Planning and Zoning Meeting. She said there was not any negative discussion on the issue.

Michael Cooper said it was understood that the issue was a working document and if any changes did happen, they could be addressed and be made into an amendment or be open for further discussion.

Councilmember Allison said the issue was very sensitive and controversial, and wanted the Council to be cautious.

Michael Cooper said there was a possibility of changing the quadrant of the Golden Corral Restaurant pad, which should be placed on the southeast quadrant as originally planned.

Councilmember Richardson asked Golden Corral's opinion on the eight-foot high wall requirement?

Michael Cooper said the residents had a security issue. He said it was an economic deterrent, however the development would stand by their word. The wall would be completed before any construction started, that was part of the agreement.

Councilmember Argyle asked why they were set on this particular site? She also asked if they had looked at other locations throughout the City?

Michael Cooper said it was an economic decision.

Jeff Haaga, Shady Lane resident, said the residents did have a meeting with all the bordering neighbors and the applicants. They all approved the proposed conditions and the amendment of the 35-feet. The residents wanted the 8-foot wall because of security issues. He said with staff's cooperation, it was a good solution.

Councilmember Allison asked for clarification if the surrounding residents would accept the 35-foot maximum roofline height if there was an eight-foot wall on the northern and western perimeters of the site?

Jeff Haaga said the taller wall was important to the residents. Many meetings were held over a six-month period, and a majority vote was in favor.

Leanne Brandt, Representative of Prime Commercial, said in response to Councilmember Argyle's question, different sites were looked at initially for the project. The terms of the owners of the various lands, were different from Golden Corral, and therefore could not be an option.

There was no one else who desired to speak. Mayor Holladay closed the Public Hearing.

MOTION: Councilmember Hilton moved to leave Condition 'a' the way it was; Change the height of the building to 35-feet; Change 'g' as follows: With protective services put an exception, to read "Except for West Jordan Cop Shop." She said if Fred Meyer changed hands, and did not want to put a Cop Shop there, the City would have an alternative place.

For clarification purposes, Councilmember Hilton withdrew her motion.

MOTION: Councilmember Allison moved that the City Council adopt Ordinance 02-50 amending the General Plan land use for approximately 8.15 acres of property located at approximately 8800-8860 South Redwood Road from "medium density residential" to "commercial retail" as set forth in that ordinance. The motion was seconded by Councilmember Hilton.

A roll call vote was taken

Councilmember Allison	Yes
Councilmember Argyle	Yes
Councilmember Hilton	Yes
Councilmember Nelson	Yes
Councilmember Richardson	Yes
Councilmember Summers	Yes
Mayor Holladay	Yes

The motion passed 7-0.

Councilmember Hilton felt the speed bumps should be addressed.

Michael Cooper requested this item be addressed as a site plan issue, rather than a zoning condition.

Tom Burdett said this particular condition was on the west end of the property, and it would be addressed with the site plan.

MOTION: Councilmember Allison moved to adopt Ordinance 02-51 rezoning approximately 8.15 acres of property located at approximately 8800-8860 South Redwood Road from RR-1A to SC-2 (ZC) with the zoning conditions as outlined in the ordinance based upon the following changes: Paragraph titled "Section One" next to the last line, following the word 'territories,' insert the words 'and conditions.' Label Golden Corral Property Description, 'Exhibit A' and amend the zoning conditions as follows: Condition G- Following the term 'protective service,' insert the following words in (except a West Jordan Cop Shop); delete Condition I - pertaining to grocery retailers larger than 5,000 square feet; Amend Condition J as follows- strike the words, 'Golden Corral Restaurant' and in the place, insert the words 'sit down restaurant'; Condition K - strike the reference to '30-feet' and insert in its place, '35-feet'; Condition L- strike the word 'bumps' and insert in its place the word 'control measures' so that it reads 'speed control measures' to be installed and so forth, and as amended based on the following findings:

1. This request is supported by a policy of the General Plan to "encourage commercial development around major street intersections or 'nodes.'
2. The requested zoning is consistent with existing commercial zoning in the general area.

The motion was seconded by Councilmember Summers.

Councilmember Argyle asked if all zoning conditions fell under the City's zoning conditions guidelines?

Kevin Watkins said the conditions referenced the zoning section in which conditions could be opposed.

Councilmember Richardson asked why only one egress was being addressed?

Tom Burdett said staff felt one access would be all UDOT would permit.

Councilmember Richardson asked where the Fred Meyer wall was located, and when would it be removed?

Tom Burdett said it was a step wall. He recommended leaving it in from the joint access back to the west because it would screen the loading dock of Fred Meyer.

Councilmember Argyle asked the Council to remember this was a rezone. She asked if there was better terminology that could be used to describe the restaurant?

A roll call vote was taken

Councilmember Allison	Yes
Councilmember Argyle	Yes
Councilmember Hilton	Yes
Councilmember Nelson	Yes
Councilmember Richardson	Yes
Councilmember Summers	Yes
Mayor Holladay	Yes

The motion passed 7-0.

Councilmember Allison understood there had been strong feelings on this issue. Because of this, he commended all parties for coming together and creating a solution. He felt the Council should take another look at the Redwood Road overlay zone, and if it was in line with the goals for the City.

**~~CONTINUED - CONSIDER FOR APPROVAL ORDINANCE 02-55,
REGARDING AMENDMENTS TO THE WEST JORDAN MUNICIPAL
CODE, TITLE 88, UNIFIED DEVELOPMENT CODE, REGARDING SIDE
YARDS AND SETBACKS~~**

~~Tom Burdett said the Planning staff received direction from the Council to prepare an ordinance considering a change in the required corner side yard setback. Currently, Section 88-5-403(c)(1) requires that a corner side yard setback in the R-1, R-2, R-3, R-R, and R-E zones be 30 feet. Homes on corner lots may potentially be faced onto two different streets. On an interior lot the front setback is also 30 feet. The current ordinance keeps homes on corner lots at the same setback as those along the street, which they do not face. A 10-foot rear yard setback was the minimum requirement for corner lots because of the increased requirement on the non-street facing side. As a result of the~~

Please find attached PC Meeting minutes from May 5, 2015

Exhibit G Planning Commission Minutes

Planning and Zoning Commission Meeting Minutes May 5, 2015

5. Redwood Professional Plaza Amended Zoning Condition; 8800-8860 South Redwood Road; Amend Ordinance 02-51 zoning condition #e to allow for structures, apart from the actual building, to be built within 50 feet from the property boundaries; Clark Chamberlain (applicant) [#MISC20150007; parcels 2703178001 thru 107; 2703176035]

Clark Chamberlain, representing Redwood Medical Plaza, said they have been working with a long-term tenant in efforts to retain them and to expand to a larger space. As part of the contract they wanted a carport with six covered spaces on the west side of the property. The carports will be constructed of galvanized steel and powdered coated to match the color of the building and will have a minimum sloping roof. The carports will be outside of the existing 20-foot landscape area and located in the current parking area. There is a three to four-foot high berm that has an average of an 8-foot wall. The wall in the subject area is about 9 feet tall so the barrier in that area is about 12 feet in height and should obscure the carports from any line of site vision from the back yards.

David Pack said they planning commission recently had a field trip that emphasized carports that had pitched roofs for better design.

Dan Lawes said in this situation a pitched roof would make it more visible to the neighbors.

Larry Gardner said the applicant covered the issues. He pointed out that we don't add conditions to zoning conditions, so they either allow it or not. He said this carport will be similar to the existing structure on the north. He agreed that the lower the structure would be better for the neighbors to the west.

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 #e of Ordinance 02-51 thus reading: "e. Building set back from north and west property lines 50 feet, not including the loading docks, and dumpsters and carports constructed in the established parking lot area. Setback from south and east property lines as required in SC-2 zone. (Setback and Buffer)"

Zach Jacob asked if removal of the condition would allow for carports in other areas as well as these six spaces.

Larry Gardner said it would.

Dan Lawes opened the public hearing.

David Pack was excused from the meeting at 6:43 p.m.

Jeff Haaga, West Jordan resident, said he was speaking for his neighborhood. He gave the background of the rezoning process and establishment of the conditions. The north and west sides of the property were supposed to remain free from other structures except for enclosed dumpsters. The project has been a great neighbor. He said the carports on the north violated the agreement of 2002 and was probably never permitted. He said carports should only be allowed on the south side of the property. Residential clamor required that the air conditioning units be moved from the north side to the south side of the property away from the residential area. He said the residents are opposed to this, but they would allow them on the south side. He asked if construction of the carports would allow for an adequate fire lane. If they don't have that answer then perhaps they should table the hearing until the fire department can respond.

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

Clark Chamberlain wasn't sure of the distance for the fire access, but it was reviewed when they brought the application forward, and the comments stated that it had proper traffic flow. He understood that the idea of having a 50-foot buffer from the building and maximum building height of 35 feet was to mitigate impacts to the neighbors. However, in that spirit, he is aware that the carports have to be at a level where they won't obstruct the adjacent property owners or cause problems to their values, and he doesn't believe it does. He has been to the site a number of times and measured everything from the mound to the wall and there is a minimum total distance of two feet between the carport and the top of the wall. Also, the carport won't extend past the length of the current parking space.

Josh Suchoski noted that the report said the structure itself will be lower than the wall adjacent to the property. He asked if there is any possible way that the homeowners could see the carport from their personal property.

Clark Chamberlain said he hadn't been in the backyard, but he didn't think so with the wall height, unless they were very tall, looking over the wall they will be looking at the building and not the carport. Some of the homes are two-story and depending where they are, they could probably see every car parked in the lot at all times. Even from the beginning of the permitting process for the office buildings they had the wall built ahead of time to eliminate the visual impact to the neighbors, and it will still provide that buffer from seeing the carports.

Kelvin Green asked if the carports could be next to the building instead.

Clark Chamberlain said the tenant has their own entrance from the rear of the building to that location and it is where they have requested it.

Larry Gardner said he spoke to the building official and the fire marshal. The carport is not sprinkled but the building is. They don't want it next to the building and the building official won't approve it.

It was pointed out that the depth of the carport is 18 feet.

Zach Jacob said with the 20-foot landscape buffer, 18-foot carport, and another 18 feet for parking next to the building subtracted from the 82-foot distance from the property line to the building, there is still 30 feet between parking areas, which should be plenty of room for a fire lane. He pointed out that this item will go to the city council and the fire department will be represented at that time to address the question.

Greg Mikolash reminded the commission that this application isn't about the structure itself, but it is about amending the condition. Staff will review the structure at the time of an amended site plan and/or a building permit.

MOTION: Zach Jacob moved to forward a positive recommendation to the City Council to amend Item #e of Ordinance 02-51 to read, "e. Building set back from north and west property lines 50 feet, not including the loading docks, dumpsters, and carports constructed in the established parking lot area. Setback from the south and east lines as required in the SC-2 zone. (Setback and Buffer)" The motion was seconded by Joshua Suchoski and passed 5-1 in favor with Kelvin Green casting the negative vote. David Pack was absent.

Please find attached the proposed ordinance

Exhibit H **Ordinance**

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 15- 11

AN ORDINANCE AMENDING Ordinance No. 02-51; amending the zoning condition #e to allow for structures, apart from actual building, to be constructed within 50 feet of the property line.

WHEREAS, in the year 2002 at the property owner's request the property located at approximately 8800-8860 South Redwood Road was zoned SC-2 (ZC) (Community Shopping Center, with zoning conditions) by Ordinance 02-51; and

WHEREAS, Ordinance 02-51 contained a zoning condition #e requiring a minimum 50 foot building setback from the west and north property lines; and

WHEREAS, the property located at approximately 8800-8860 South Redwood Road has been developed into professional offices, retail stores and a restaurant; and

WHEREAS, the property owner has requested that Ordinance 02-51 be amended to allow for structures, apart from actual building, to be constructed within 50 feet of the property line; and

WHEREAS, the City Council finds and determines that the public health, welfare and morals of the community will be preserved and improved if Ordinance 02-51 is amended,

NOW THEREFORE, IT IS ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

Section 1. Ordinance 02-51 is amended pursuant to section 13-7-D of the West Jordan 2009 City Code by amending zoning condition #e to allow for structures, apart from actual building, to be constructed within 50 feet of the property line.

Section 2. The zoning conditions of Ordinance 02-51 shall be amended to read as follows:

Zoning Conditions:

- a. Eight 8 foot high barrier wall to be constructed and maintained on the property line around the west and north boundaries with residential property prior to construction. The materials of the wall are to match the existing wall. (Buffer)
- b. Twenty feet 20 of landscaping to meet West Jordan code around west and north perimeters to include trees and thorny-type shrubbery to discourage human contact with the commercial side of the wall. Tree spacing along north and west property lines to be minimum of 1 tree every 40 feet. (Buffer)
- c. Parking lot lighting to be diffused/directed away from residential property and turned off between the hours of 12 midnight and 7 AM except for required security lighting. (Buffer)
- d. No dumpsters may be placed against the west and north landscape boundaries of the property unless fully enclosed. All restaurant dumpsters on the property shall be fully enclosed and lockable. (Setback)

- e. Building set back from north and west property lines 50 feet, not including the loading docks, and dumpsters and carports constructed in the established parking lot area. Setback from south and east property lines as required in SC-2 zone. (Setback and Buffer)
- f. No delivery trucks before 6 AM or after 10 PM and no overnight tractor trailer parking on site. (Uses)
- g. Exclude uses that would normally be allowed as conditional uses in SC-2 zone: major utility structures, commercial parking, liquor stores, secondhand stores, gasoline service stations, vehicle and equipment rental and sales, new car and truck rental and sale (used car and truck rental and sales as an accessory to use to new vehicle sales) protective service, (except a West Jordan Cop Shop) and check cashing service that includes cash loans quick cash and check cashing services. Pawnbrokers are not a conditional or permitted use in S2C zones. A conditional use permit cannot be obtained for more than one fast food restaurant. (Uses)
- h. All exterior mechanical equipment will be screened and/or landscaped according to West Jordan Code. (Building and Architecture)
- i. Sit-down restaurant to be located near the southeast corner of the property. (Uses)
- j. Maximum roof line height of any retail building on the property to be thirty five feet (35'). (Height)
- k. Speed control measures to be installed in drive aisle behind building on west end of property. (Building and Architecture)

Section 3. This Ordinance shall become immediately effective.

Passed and adopted by the City Council of the City of West Jordan, Utah this ____ day of _____, 2015.

CITY OF WEST JORDAN

By: _____
Kim V. Rolfe
Mayor

ATTEST:

MELANIE S. BRIGGS, MMC
City Clerk

Voting by the City Council

"AYE"

"NAY"

Res. 15-11

Judith Hansen
Jeff Haaga
Chris McConnehey
Chad Nichols
Ben Southworth
Sophie Rice
Mayor Kim V. Rolfe

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing Ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2015, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder

[SEAL]