

**MINUTES OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD
JUNE 6, 2023, IN THE THOMAS M. REES JUSTICE CENTER COMMUNITY ROOM**

PRESENT: Ammon Allen, Kent Shelton, Matt Quinney, Jay Thomas, and Catherine Paquette-Richardson. Trish Hatch and George Winn were excused.

STAFF: Scott Langford Larry Gardner, Tayler Jensen, Duncan Murray, Nathan Nelson, Julie Davis, Paul Brockbank

The pre-meeting was called to order by Ammon Allen, with a quorum present. The agenda was reviewed. Clarifying questions were answered.

The meeting was called to order by Ammon Allen at 6:00 p.m., with a quorum present.

1. Approve Minutes from May 16, 2023

MOTION: Jay Thomas moved to approve the Minutes from May 16, 2023. The motion was seconded by Matt Quinney and passed 5-0 in favor. Trish Hatch and George Winn were absent.

2. Welby West; 4800 West 9000 South; Preliminary Subdivision Plat (63 lots on 11.54 acres); PRD(M) Zone; CanyonStone Capital/CS – Welby West, LLC (applicant) [#29409; parcels 27-06-152-017, 022]

Tayler Jensen gave an overview of the item. The Master Development Agreement and Master Development Plan were approved by the City Council last year under the PRD (M) zoning, which allows for up to 5.5 dwelling units per acre. The project has a density of 5.45 with 63 single-family lots. A minor variation was approved by the zoning administrator, which moved one lot near parcel C to the north to accommodate a better design for the detention basin. The minor variation also calls out 3,200 square feet of property discovered with a more accurate survey to be outside of the wall and is not counted as open space. To make up for that difference for density purposes, the applicant added another barbeque/picnic area. Nothing on the plat regarding property dedication will change as a result.

Todd Amberry, applicant, addressed the changes to the amount of open space and detention basin requirements that were made once the full survey and engineering plan were completed. The number of lots, lot sizes, road sections, etc. have not changed. He said some questions came up with the neighbors regarding the perimeter wall. The six-foot wall has always been shown as six feet on the plans, and it will be located entirely on the project site and won't impact any existing walls or fences.

Based on the analysis and findings contained in the staff report, staff recommended that the Planning Commission approves the Preliminary Major Subdivision Plat for Welby West on approximately 11.54 acres and containing sixty-three (63) lots, located at 4800 West and 9000 South.

Ammon Allen asked the applicant to confirm that the final survey did not indicate any existing fences that encroach onto the subject property.

Todd Amberry said there weren't any that encroached. The new wall will be put on the inside of the property line, but they will accommodate the neighbors as needed and as approved by staff. No existing fences will be removed by them. There were differing opinions from the 18 abutting residents, so the new wall will be installed, and the residents will be allowed to do what they want with their existing fences. He said that the drainage issue that has been a problem for the Hunt family on the northeast corner will be taken care of and will alleviate future flooding. He indicated that the open space and trail, which is private but open to the public, will be maintained by an HOA.

Ammon Allen opened the public hearing.

Scott Wright, West Jordan resident, said the entire existing wall along 9000 South is eight feet tall. He understood that the code for fencing between residential uses is six feet, but he thought the 9000 South wall should be consistent at a height of eight feet. Otherwise, he loved this final plan.

There were no others in attendance or online who asked to speak. Further public comment was closed at this point for this item.

Taylor Jensen clarified that maximum fence height next to residential is six feet. The wall along 9000 South is allowed to go up to eight feet, but that was not a requirement in the MDA.

Jay Thomas asked if the Planning Commission could make a recommendation to have the wall taller than what was shown in the development plan, because he would like to see it match the existing 8-foot wall both for aesthetics and to mitigate traffic noise.

Kent Shelton said there were some conflicting opinions about whether the existing wall was six or eight feet tall, so they could recommend that it match the wall height on 9000 South.

Ammon Allen said they could be remiss to require the change since the project had already gone through approvals with the City Council. He asked the developer for their preference.

Todd Amberry said they looked at fencing options during this process. The original lot layout was denser, and the homes were facing the other way, which left more space for noise to come through. Homes on the new plan back 9000 South and will do more for noise mitigation for the existing residents than a taller wall would. In his experience, the closer a home is to an eight-foot wall, the more it feels like a prison, especially on small lots. However, it would mitigate noise for those abutting homes. They could look at berming that area so the wall would sit a little higher and still not affect drainage, which was the concern. He said there are pros and cons to the eight-foot wall.

Matt Quinney said there was a discussion a few years ago about the Redwood Road master plan and how the existing walls along that road are not consistent. He didn't care so much about the height as long as the wall is consistent along 9000 South and he would encourage the developer to do that.

Todd Amberry said he agreed with the comment for consistency.

Catherine Richardson expressed her concern with open fencing along the pathway and open space. She asked if that is the only fencing choice for those residents or if they would have the option for a privacy fence to help protect a pet or child.

Todd Amberry said the City Council asked for the three-rail open fence to delineate the open space from the private backyards. The City Council did not want two six-foot fences creating an unsafe area. The fence will be installed as the homes are built.

Taylor Jensen said he lives in an area like this with an open three or four-foot fence. People will install chicken wire to solve the concern while still being visually open. The resident can install their own fence, but it has to meet the requirements of the MDA regarding height and openness. This requirement will only affect 16 homes, so the majority of property owners could have a six-foot fence.

Catherine Richardson was still very concerned and asked if the Planning Commission could ask the City Council to revisit the requirement, because those residents need more privacy and, in her experience, three rail fences look terrible.

Larry Gardner said that some areas in the Highlands have a similar requirement, and it works very well and does not look terrible. People are able to keep their animals in the yard by installing a wire barrier on the inside of the fence. Anyone purchasing this home will be made very aware of the requirement.

Scott Langford said the City Council has already approved the MDA and MDP, so the Planning Commission cannot request changes to it now.

Catherine Richardson asked if the residents could use a fencing option that has spaces but just not as far apart for those 16 homes.

Duncan Murray referred to legislative and administrative decisions. The legislative decision has already been made and now the Planning Commission is considering the administrative decision to make sure the project follows the city code and the approved plan.

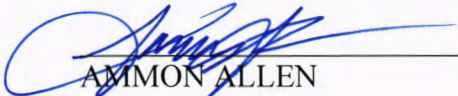
Ammon Allen gave an example of an area that has this open style product and there are people who look for this type of lot, so it shouldn't be a problem for the 16 people who choose to live there.

Catherine Richardson agreed that there won't be a problem selling the lots, but some people take care of their yards better than others and she thought it was unfortunate that there is not a way to change it at this point.

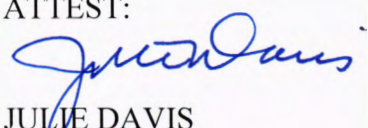
MOTION: Jay Thomas moved to approve the Preliminary Major Subdivision for Welby West 63 lots on approximately 11.54 acres located at 4800 West 9000 South as presented in the staff report. The motion was seconded by Matt Quinney and passed 5-0 in favor. Trish Hatch and George Winn were absent.

MOTION: Jay Thomas moved to adjourn.

The meeting was adjourned at 6:31 p.m.


AMMON ALLEN
Chair

ATTEST:


JULIE DAVIS
Executive Assistant
Community Development Department

Approved this 18 day of July, 2023

