

**MINUTES OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD
MARCH 19, 2024 IN THE WEST JORDAN CITY COUNCIL CHAMBERS**

PRESENT: George Winn, Tom Hollingsworth, John Roberts, Trish Hatch, Ammon Allen, Jay Thomas, and Emily Gonzalez.

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

The briefing meeting was called to order by George Winn with a quorum present. The agenda was reviewed. Duncan Murray provided training on ethics and duties and authority of the planning commission.

The regular meeting was called to order at 6:03 p.m. with a quorum present.

1. Approve Minutes from March 5, 2024

MOTION: Trish Hatch moved to approve the minutes of March 5, 2024. The motion was seconded by Jay Thomas and passed 7-0 in favor.

2. Transportation Master Plan progress update

Jeremy Searle from WCG Engineering gave a progress update on the Transportation Master Plan.

3. Kenison Subdivision; 6634 South 2700 West; Major Subdivision Plat (2 lots on .879 acres); RR-.5C Zone; Ivan Kenison (applicant) [#31809; parcel 21-21-327-014]

Ivan Kenison, applicant, stated that the property had been in the family for many years and was originally used for agricultural purposes. There is a home on the front of the property and now they need to build a house on the back of the property for their son so he can be nearby.

Larry Gardner said Brower Circle is a public street that was dedicated in the 1970's. Other properties that access Brower Circle are a daycare center and homes. The new lot will have its access from Brower Circle. The original property was one acre in area, but with the widening of 2700 West the city took .12 of a acre. The proposed lots are less than the 20,000 square feet required, but Mr. Kenison received a variance from the Board of Adjustment that approved the smaller lot sizes. The layout meets public access, frontage, and utility requirements. The reason this is considered a major subdivision is that a sidewalk is required to be installed and dedicated on the south side of Brower Circle.

Based on the analysis and findings contained in the staff report, staff recommended that the Planning Commission approve the Final Subdivision Plat for Kenison two lot subdivision located at 6634 South 2700 West.

Conditions and Requirements of Approval

1. An approved unrecorded final plat shall remain valid for two years following the date of the approval.
2. All corrections to the current application submittal must be made to the satisfaction of city staff before the subdivision plat is approved and prior to recording.
3. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.

George Winn opened the public hearing.

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 approve the Final Subdivision Plat for Kenison two-lot subdivision located at 6634 South 2700 West subject to the following requirements of approval:

1. An approved unrecorded final plat shall remain valid for two years following the date of the approval.
2. All corrections to the current application submittal must be made to the satisfaction of city staff before the subdivision plat is approved and prior to recording.
3. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.

The motion was seconded by Ammon Allen and passed 7-0 in favor.

4. **The Venue Event Center; 1609 West 9000 South; Conditional Use Permit for a Reception Center; P-C Zone; Angel Aguilar (applicant) [#32092; parcel 27-03-401-047]**

Angel Aguilar, applicant, gave an overview of the request for a reception center. He has been in the business since he was 12 years old, working as a DJ. He has worked in many venues in the Salt Lake Valley and now his family would like to have their own event space. The Venue can help other businesses in the area by subcontracting servers, catering of all types, drink services, bartending services, and security. They will need one security officer for every 50 people in attendance. Capacity of the space is 200 people, which they would probably never reach. Of all the spaces they have looked at, he likes this one the most since it is not close to residential uses. The biggest concern most people have is with loud music, so being away from residential is the best situation.

Ammon Allen asked what measures they will take to mitigate noise to the neighboring businesses.

Angel Aguilar stated that they will create a sound wall next to the restaurant, which stays open until 10 p.m. The other neighbor is a pet groomer that closes at 5 p.m. and is not open on the weekend.

Megan Jensen said proposed hours of operation are Sunday through Thursday from 11:00 a.m. to 12:00 a.m. with music ending at 11:45 p.m. and on Friday and Saturday from 11:00 a.m. to 1:00 a.m. With music ending at 12:45 a.m. Most events will be on the weekends. Maximum capacity is about 200 people and there is ample parking that is shared for River Pointe Plaza. Staff recommended some conditions of approval to mitigate potential incidents that have occurred at similar event centers in

West Jordan where the police were called to restore peace. Conditions 1 through 4 are related to those concerns. Conditions 5 and 6 are related to noise and containment of activities to indoors.

Staff recommended that the Planning Commission approve the Conditional Use Permit for The Venue Event Center at 1609 West 9000 South in a P-C Zone, provided that all Conditions of Approval can be fully adhered to at all times.

The conditions below supported by substantial evidence as described in the analysis of section IV of the staff report are imposed to mitigate the reasonably anticipated detrimental effects of the proposed use.

1. Management of the reception center, the lessee, or other designated party shall be on site at all times during business hours in order to monitor alcohol consumption, noise, crowd control, parking lot safety and security, and other health and safety issues. Alcohol consumption should be monitored to make certain that it is done in a manner that will prevent over-consumption, prevent underage drinking, and will not allow alcohol consumption in the parking lot area. Personnel shall be clearly identified by uniform or similar identification.
2. The reception center owner will provide at least one licensed security officer for every 50 patrons when alcohol is served. The reception center shall utilize a State of Utah-licensed security company.
3. Patrons shall not be permitted to loiter within the parking lot that is directly north of the shopping center building. This parking lot shall be monitored at all times by an employed security guard.
4. Alcohol shall be served by a licensed bartender only.
5. All reception center activities shall be contained indoors.
6. All music and loudspeakers shall be fully contained inside the reception center.

Tom Hollingsworth asked if there will be impacts to the businesses if the activities overflow outside of the building, as it talked about in the business plan.

Megan Jensen said that she spoke to the applicant and the plan at this point is that all activities will be indoors. If the applicant wants to have something outside, they will go through the temporary use permit process to see if it would be a good use.

George Winn opened the public hearing.

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

MOTION: Ammon Allen moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to approve the Conditional Use Permit for The Venue Event Center at 1609 West 9000 South in a P-C Zone with the conditions that are supported by substantial evidence as described in the analysis of section IV of the staff report. The conditions are imposed to mitigate the reasonably anticipated detrimental effects of the proposed use.

1. Management of the reception center, the lessee, or other designated party shall be on site at all times during business hours in order to monitor

alcohol consumption, noise, crowd control, parking lot safety and security, and other health and safety issues. Alcohol consumption should be monitored to make certain that it is done in a manner that will prevent over-consumption, prevent underage drinking, and will not allow alcohol consumption in the parking lot area. Personnel shall be clearly identified by uniform or similar identification.

- 2. The reception center owner will provide at least one licensed security officer for every 50 patrons when alcohol is served. The reception center shall utilize a State of Utah-licensed security company.**
- 3. Patrons shall not be permitted to loiter within the parking lot that is directly north of the shopping center building. This parking lot shall be monitored at all times by an employed security guard.**
- 4. Alcohol shall be served by a licensed bartender only.**
- 5. All reception center activities shall be contained indoors.**
- 6. All music and loudspeakers shall be fully contained inside the reception center.**

The motion was seconded by Trish Hatch and passed 7-0 in favor.

- 5. Taylor Farms Rezone; 7220 South 1300 West; Rezone 9.75 acres from A-5 (Agriculture 5-acre lots) Zone to R-1-8 (Single-family residential 8,000 square foot minimum lots) Zone; Utah Land Co./Robbie Thomson (applicant) [#32010; parcels 21-27-276-021, 022]**

Robbie Thomson, the applicant representing the family, said the Taylor family has owned the property for at least four generations and maybe as much as six. The Taylor's originally had 60 acres and most of it was sold to build the housing that currently surrounds the subject parcel. The veterinarian shop was built in the early 1970's and it will continue to operate. It has taken the family a long time to come to the decision to sell the property. It is difficult to farm property that is surrounded by homes, and if it isn't farmed then it loses greenbelt status. The city just adopted a general plan map that designated the property as low density. The proposed density of 3.79 units per acre meets the general plan. The existing lots to the north average 6500 square feet, and those to the west are 4500 square feet. The homes to the south are approximately 8,000 square feet. The proposed lots will range from 8,000 to 15,000 square feet in size and are bigger than the surrounding lots. The request meets the goals, objectives, and policies of the general plan. The density and single-family homes meet the general plan. When the property is built out it will create connectivity with the two stubs streets to the south, which will provide improved emergency response times to the existing neighborhoods. There is adequate capacity for services in terms of sewer, water, and utilities to serve the development.

Megan Jensen said the application tonight is for a rezoning of the property, and the subdivision layout is not being approved at this time. The combined acreage for the two parcels being rezoned is 9.75 acres. The animal clinic is currently operating as a legal, non-conforming use and will continue to do so. The land use designation is low density residential, and the concept plan shows that the R-1-8 standards could be met. The proposed zone matches or is less dense than the surrounding zones and is consistent with the public services master plan.

Based on the analysis contained in the report, staff recommended that the Planning Commission give a recommendation of approval (positive recommendation) to the City Council for the proposed Rezone.

Trish Hatch asked if the vet clinic property would fall under the R-1-8 standards once the clinic decides not to continue.

Megan Jensen said that was correct.

George Winn indicated that the Planning Commission was forwarded comments from three individuals. One was in favor of the rezoning and two were against.

George Winn opened the public hearing.

Bryan Larson, West Jordan resident, was opposed to the rezoning because this is one of the few green spaces left in West Jordan. He listed his concerns with potential environmental impacts on water quality, air quality, wildlife habitat, storm water management, and erosion control. He wondered if the snakes in the area were of a protected variety. West Jordan has the authority to plan, zone, and regulate land use in promoting the community's health, safety, and welfare, so the city should make sure that they are considering the impacts to current and future residents. He felt the rezoning was short-sighted and they should consider alternatives for a sustainable development that respects the land's agricultural heritage and promotes the well-being of future generations.

Reed Hart, West Jordan resident, understood that the land use plan calls for residential, but the R-1-8 zone does not protect the best interest of the neighborhood and allows for uses that have a negative effect. He distributed a photo taken from his back porch that has a mountain view. The R-1-8 zone would allow for a 35-foot-tall home at 25 feet from his property, which would block the view and affect his property value. The proposal does not minimize the impacts to existing neighborhoods, so it does not align with the guiding principles of the general plan. He asked for a continuance so the developer could host a neighborhood meeting and create a development agreement that enforces stricter regulations that are consistent with the best interests of the neighborhood.

Rob Anderson, West Jordan resident, pointed out that the neighborhood to the north is older and run down, his neighborhood is 25-year-old and has ¼ acre lots. He understood that the developer said the lots on the north side would be 4500 square feet, which would be a high-density neighborhood with tall homes. He was not against something happening with the land, but he was concerned with the additional traffic. If the road is opened into his neighborhood, there will be a lot of people going to Redwood Road and it sometimes takes him 5-10 minutes to turn left onto Redwood Road, which will be even worse with more cars. He asked for more low density lots.

Avery, West Jordan resident, said she cherishes open space and seeing the animals in the area. Rezoning would disrupt the tranquil lifestyle, increase property taxes, and impact wildlife habitat. She asked that their open space and diverse ecosystem be preserved.

Mike Johns, West Jordan resident for 30 years, said he knew the Taylor's and used their veterinary services. He had enjoyed the buffer that the property created to the north. He said at one time the property owners had talked about having a future park there. He asked why the city would not buy the property for a park since there are not any in the area.

Debbie Reverman, West Jordan resident for 12 years, said it is evident that the high density surrounding the property overloads the infrastructure. Roads are narrow, crowded, and in disrepair due to the amount of traffic. There is a lack of green space in the area. It is critical to take into consideration the quality of life of the residents. The animals and view of the mountains would be taken away, which changes property value and quality of life. Wear and tear on the infrastructure is tough on the taxpayers. Building high density in this area isn't the way to go. She supported rezoning of agricultural property but hoped the commission would consider her concerns.

Hailey Barton, West Jordan resident, (speaking remotely) said they chose their home specifically because it was on a dead-end with less traffic. If the road connects, then her kids would not be able to use the pathway to school that takes them to 1470 West. She loved the idea of green space and parks, which are lacking in their neighborhood.

Kellie Brixey, West Jordan resident, (speaking remotely) agreed with the other comments, they also use the secret passageway to get to school. They bought their lot in part for the quiet streets and less traffic. She was concerned with increased homes and traffic and safety for the children. It is difficult to get onto Redwood Road at rush hour, and this will increase commute times. She understood that the family wanted to rezone but asked that it be postponed to consider other options like a park.

George Reynolds, West Jordan resident, (speaking remotely) said his major concern is the connection to the existing subdivisions and the speeding that would take place with another way to get to Redwood Road, like what happens on Bora Bora. If the connection is made it will lower property values. This plan will damage the rest of the neighborhood by connecting the roads instead of building a standalone cul-de-sac.

Jeremy Brewster, West Jordan resident, thought it was a good idea to develop the property, but he was concerned with the traffic if the road is connected from 1300 West to Redwood Road. There are multiple through streets that already provide that access, and they don't need another one. It is already hard to get out of Erickson Park Drive onto Redwood Road. He shared the concern for the safety of kids and pets in the neighborhood.

Sam Craw, West Jordan resident, said his biggest concern is traffic. They have a great spot and great neighbors. He said the Taylors have the right to try to do what they want with the property, but the two dead-end streets connecting from 1300 West will create a nightmare situation with traffic. If the only access to the development was from 1300 West, then there would not be a problem.

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

Robbie Thomson clarified the comments about high density. Their development is not high density, and the lots will be 8,000 square feet minimum, which is substantially larger than many of the surrounding lots. He is familiar with the same stated concerns that most rezoning applications receive, which are safety of children, increased traffic, and home values. He said that new home construction will actually lift the value of the existing housing. Regarding the two stub roads, cities try to create connectivity for emergency purposes, and there are maximum lengths that a cul-de-sac can have. He would be happy to put in a cul-de-sac, but the connection is required. He did not know why a person would want to come off of 1300 West and snake through a neighborhood to get to Redwood Road because it would take longer. He understood that it is hard when you have lived by a dead-end that is

going to connect. But it was the intent of the city from the moment it was created to connect. Regarding increased property taxes, those are not a function of new housing. The reason houses are so expensive right now is that there is not enough housing stock, and providing more housing may help to level that out. The Taylor family is open to having a future park on the property if anyone wants to approach them, buy it, and donate it to the city, if it would be accepted. Or if the city wants to buy it, if that is a legitimate option. Regarding the shortcut path that was spoken of, the future subdivision would have sidewalks to provide for safety and walkability and will meet the city code.

Trish Hatch explained that the commission has strict guidelines. The property owner has the right to develop their land. The general plan was reviewed last year, including the designation for this property. There were open meetings where residents could provide input on the land use map. She felt the proposal was the best use of the land. A park would be nice, but the cost of that would be the responsibility of a private owner or the city, and she did not think that was feasible. She stated that she lives near this area, and she uses and enjoys the Jordan River Parkway as her green space. She would be in favor of the rezone, and connecting to the stub streets provides enhanced emergency services and fits with the idea of what the city had in mind all along.

Jay Thomas agreed with the comments from Commissioner Hatch. The vote tonight is a recommendation to the City Council for the rezoning only, who will then make that legislative decision. The public will be able to speak again at that meeting. He has used the veterinary office over the years, and that will remain. He would also love open space, but that is probably not an option. He felt that the best of the possible options is single family homes with R-1-8 zoning, which meets the master plan and is consistent with the neighborhood. He stated that traffic and layout would be discussed at the time of the subdivision plat.

Ammon Allen said the rezoning request matches the master plan and every criterion. Most of the concerns raised were more toward the plat design and hopefully there will be more information provided regarding a traffic study and any environmental matters at that time. He encouraged the developer to partner with the community as much as possible and talk with one another in a better manner.

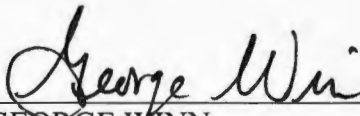
George Winn said he appreciated both the commission and the community who spoke today. He noted that this is private property, and the owner can do what is allowed within the established codes and guidelines. He personally faced this exact situation in at least three places where he had a beautiful view and animals. Development happens, and it can be a bit naïve to think that you can live in a growing city and state and not face these issues. The city codes, ordinances, and building regulations try to balance the needs of private property owners.

Duncan Murray said regarding the comment about a development agreement, that recent changes to state law do not allow a city to require one unless it is a specialized zone, or unless the applicant has requested it, or for another legal reason.

MOTION: Ammon Allen moved to recommend approval of the rezone of 9.75 acres from A-5 (Agriculture 5-acre minimum lots) Zone to R-1-8 (Single-family Residential 8,000 square foot minimum lots) Zone to the West Jordan City Council subject to all requirements of approval. The motion was seconded by Trish Hatch and passed 7-0 in favor.

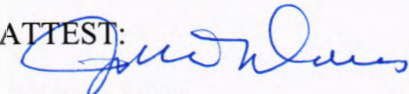
MOTION: Jay Thomas moved to adjourn.

The meeting was adjourned at 7:31 p.m.



GEORGE WINN
Chair

ATTEST:



JULIE DAVIS
Executive Assistant
Community Development Department

Approved this 2nd day of April, 2024

