

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD SEPTEMBER 3, 2024 IN THE WEST JORDAN COUNCIL CHAMBERS

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

STAFF: Larry Gardner, Tayler Jensen, Duncan Murray, Julie Davis, Paul Brockbank

The briefing meeting was called to order by George Winn with a quorum present. The agenda was reviewed. Larry Gardner gave a presentation regarding properties that currently have the senior housing overlay and discussed the pros and cons. He felt that the SHO works better on larger acreage, so the cost of amenities is shared among more people. He explained that if the city were to stop using the SHO, it would still be in the code, but it could be limited to the current acreage. Removing it from the code would cause nonconforming properties. The city does not enforce CC&Rs adopted by an HOA, but it does review them prior to being recorded to ensure they are not in conflict with city code.

The regular meeting was called to order at 6:02 p.m. with a quorum present.

1. Approve Minutes from August 20, 2024

Staff recommended postponement to allow additional time to gather information.

MOTION: Emily Gonzalez moved to approve the minutes from August 20, 2024. The motion was seconded by John Roberts and passed 6-0 in favor. Jay Thomas was absent.

2. Copper Rim Phase 3B Deferral Agreement; Recommendation to City Council for Deferral Agreement with CW Land Co., LLC and the City of West Jordan for Copper Rim Phase 3B Landscape Construction (Verdigris Drive parkstrip)

MOTION: Emily Gonzalez moved to postpone action for Copper Rim Phase 3B Deferral Agreement to the September 17, 2024 meeting. The motion was seconded by Trish Hatch and passed 6-0 in favor. Jay Thomas was absent.

3. 4Peaks Athletic Center; 7252 S. Jordan Landing Blvd.; Preliminary Site Plan; P-O Zone; Uncommon Architects/Nathan Blei (applicant) [#33226; parcel 21-29-151-007]

Nathan Blei, Uncommon Architects, applicant, provided information regarding the proposed 43,500 square foot basketball facility in the P-O zone. The building is single-story at 36' 9" tall. It is located on the east side of the property, which will have a retaining wall. Parking is on the west side and will connect an unfinished access road between the credit union and Hampton Inn to improve circulation. He stated that the recreational use is a good buffer between the industrial and airport properties to the west and the commercial uses to the east. The height is consistent with or shorter than many of the surrounding buildings. Building placement is consistent with neighboring buildings along the road. A bus stop is on the east side of the property, which also provides good access. Bump outs are provided

along the facade to break up the expanse and to provide more visual interest. Materials have metal finishes and placement varies in orientation, thickness of the texture, and the colors, which are burnished slate and ash gray. ADA access connection is provided from anywhere on the site to the front door including from the bus stop. They are making power, water and sewer connections, adding a fire hydrant in the parking lot, and providing the adequate fire sprinkler connections. The facility will be used for travel basketball teams, rented for extra practice facilities, and has individual shooting lanes. Scheduling will be organized so that start times are staggered and in order to move the teams through efficiently. The applicant understood that memberships would be sold, and that the reservations would be taken.

Trish Hatch said in her experience, these types of facilities are always short on parking because everyone on the team drives separately.

Ammon Allen understood that the required parking calculation is based on six or seven people per vehicle, which this plan complies with. However, he asked if they anticipate people parking along the road and how that will be policed.

Nathan Blei said they do not anticipate parking on the side of the road because of fire access. For certain days of the week the neighboring parking would probably be utilized for overflow before people would park on the road. However, they do not anticipate that need.

Taylor Jensen said code requires one parking space per six people in the occupancy load. Based on that formula the proposed 134 parking stalls would allow for 804 people. Total occupancy at full buildout is 794 people, which is under the requirement. He stated that he had played in hundreds of these facilities and it is common for the parents to bring the team and not stay, so the parking is under-utilized. He did not think it will be an issue. Staff's review of the project within the P-O zone standards included lot and bulk, landscaping, clear vision, etc. and have been found to comply. Final review by staff will include detailed engineering. The Design Review Committee previously reviewed the project and made a positive recommendation to the Planning Commission for approval.

Based on the analysis contained in the staff report, staff recommended that the Planning Commission approve the Preliminary Site Plan for 4Peaks Athletic Center located on approximately 2.89 acres at 7252 South Jordan Landing Boulevard, with the requirements of approval listed in the staff report.

Trish Hatch appreciated that the parking requirement is one space per six persons, but there will be all sorts of groups that will use the facility, so parking might be an issue at some point.

Ryan Wilkinson, West Jordan resident speaking remotely, asked if the developer was aware of or had considered the impact of toxic lead emissions coming from the airport, since this will be an athletic facility and there will be heavy breathing. Expansion of airport will at least double the lead emissions that come from single-piston aircraft. He said that leaded fuel has been banned world-wide for at least the last 50 years, and he did not know of any pushback from West Jordan with this situation.

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

Ammon Allen said the commission does not have anything they can say regarding the airport, but they can ask the applicant if any studies were done regarding lead in the air or around the site.

Nathan Blei stated that there were no studies of that type conducted. The site is far enough away from the airport that the planes are not directly overhead. Air in the facility will be conditioned, and they do not anticipate any detrimental effects from the airport, but he appreciated the concern.

MOTION: Ammon Allen moved to approve a Preliminary Site Plan for 4Peaks Athletic Center located at 7252 South Jordan Landing Boulevard subject to all requirements of approval. The motion was seconded by Emily Gonzalez and passed 6-0 in favor. Jay Thomas was absent.

4. Discussion - Senior Housing Overlay Zone; Discussion regarding current, pending, and potential future use of the SHO (Senior Housing Overlay) Zoning District

George Winn said that this topic was thoroughly discussed in the briefing meeting and asked if there were any additional comments.

John Roberts said with his experience in real estate he has seen that senior housing projects are strictly regulated. He asked if there was potential liability for the city if there is no enforcement by the city and an HOA decides to abandon the regulation. For example, what if a senior sues the city as a result of lack of enforcement of the senior housing zoning that is established by the city.

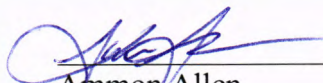
Duncan Murray said abandonment of an HOA could be more of an issue as time goes by, and the city could look at how they might handle that. For example, staff and city council are looking at the most recent text amendment regarding what happens if an overlay zone is removed. He indicated that State legislation has not identified any one governmental agency to deal with HOA issues. The city would only have authority if an HOA document had regulations contrary to West Jordan code. Liability generally transpires when you fail in a duty, but if the city does not have the duty to enforce the HOA, they could not fail at it. The city could identify the areas where there is some authority and work on them, such as the SHO.

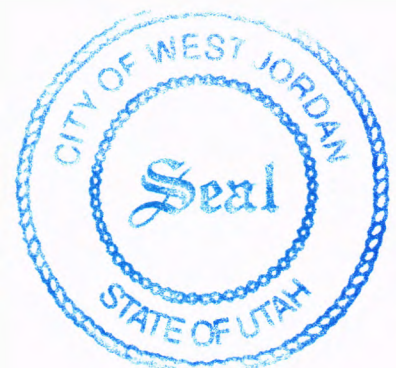
John Roberts said that given it is actually a zoning regulation, could someone make a zoning complaint through code enforcement.

Duncan Murray said that could be an area to look for solutions where the city might have authority for enforcement.

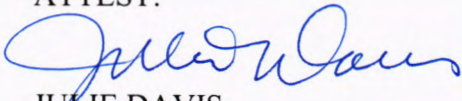
MOTION: John Roberts moved to adjourn.

The meeting was adjourned at 6:33 p.m.


Ammon Allen
Vice Chair



ATTEST:



JULIE DAVIS
Executive Assistant
Community Development Department

Approved this 17 day of September, 2024