

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD NOVEMBER 17, 2021 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Trish Hatch, Kent Shelton, Jay Thomas, Matt Quinney, Corbin England (remotely), Ammon Allen, and Pamela Bloom.

STAFF: Scott Langford, Larry Gardner, Mark Forsythe, Brian Berndt, Duncan Murray, Julie Davis, Ray McCandless, Todd Johnson, Paul Coates, Paul Brockbank

OTHERS: Ty McCutcheon, Kayleen Whitelock, Mayor Burton, Gary Langston, Gavin Thomas, Peter Gamvroulas

The briefing meeting was called to order by Trish Hatch. The agenda was briefly reviewed. Training was provided by Jordan Cullimore from the Office of the Property Rights Ombudsman on property rights. Specific topics included legislative vs. administrative actions, annexation, public input vs. clamor, the future of short-term rentals and ADU's.

The regular meeting was called to order at 6:01 p.m.

1. Approve Minutes from October 19, 2021

MOTION: Matt Quinney moved to approve the minutes from October 19, 2021. The motion was seconded by Jay Thomas and passed 7-0 in favor

2. 2022 Planning Commission Calendar

MOTION: Matt Quinney moved to approve the 2022 Planning Commission Calendar as listed in the staff report. The motion was seconded by Jay Thomas and passed 7-0 in favor

3. Sequoia Cottages; 7481 South Redwood Road; Preliminary Subdivision Plat (24 lots on 3.59 acres); R-1-8C (IDO1) Zone; Ivory Development/Peter Gamvroulas (applicant) [#25127; parcels 21-27-401-003, 016; 21-27-402-002]

Trish Hatch disclosed that she is an employee of Ivory Employee Leasing, but she is not affiliated with Ivory Homes.

Peter Gamvroulas, applicant, said the zoning and development plan were recently approved for the project and they are now proceeding with the preliminary subdivision plat. There are 24 lots on 3.59 acres. He noted that the roads will now be private. The expanded sidewalk and parkstrip on Redwood Road will include localscape, low water usage landscaping, and decorative streetlights. A masonry wall will be installed along Redwood Road. At the suggestion of the planning commission there will be enough garden boxes at the stub streets to allow each unit to have one. A 6,000 square foot private park space will act as a recreational space for residents as well as an underground stormwater detention facility. There are no plans for an entrance gate since that could cause backing onto Redwood Road.

The parkstrip along Redwood Road as well as the private yards will be maintained by the HOA. Their landscaper will select salt resistant plants for Redwood Road.

Mark Forsythe explained the project. The IDO-1 overlay allows for some modifications to the size and bulk standards in the underlying zone, including setbacks, lot width, lot area, home size, and lot coverage. All of the streets will be built to city standards even though they are private. A single access onto Redwood Road is provided, which eliminates and consolidates some of the existing driveways. UDOT permits are required for access. Utilities are being pulled off of Redwood Road, except for the storm drain. The applicant is acquiring a storm drain easement from the Catholic Church to the north. A storm tank will be constructed underneath parcel C and it will be reinforced with linings to protect the residents to the east from flooding.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission approve the Preliminary Major Subdivision for the Sequoia Cottages, located at 7481 South Redwood Road with the Requirements of Approval listed below:

1. The subdivision development shall comply with all ordinances, provisions and standards of the West Jordan City Code, the adopted Joseph View Cottages Preliminary Development Plan and the adopted Master Development Agreement for Joseph View Cottages.
2. All applicable West Jordan City departmental requirements must be met prior to final subdivision approval and recordation of the approved final subdivision plat.
3. A storm drain easement in favor of the City of West Jordan shall be acquired from the property to the north by the developer prior to approval of the final subdivision plat.
4. The underground stormwater detention tank and associated HDPE liners, drains and pipes shall be privately owned and maintained by the homeowners' association.
5. The approved preliminary subdivision plat shall remain valid for 1 year following the date of approval. A single 6-month extension may be granted by the Zoning Administrator if, upon written request by the owner/developer, the Zoning Administrator finds that the extension will not adversely affect the public health, safety or welfare of the city.

Trish Hatch opened the public hearing.

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

MOTION: Matt Quinney moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to approve the Preliminary Major Subdivision for Sequoia Cottages, located at 7481 South Redwood Road with the Requirements of Approval 1 through 5 as listed in the staff report. The motion was seconded by Pamela Bloom and passed 7-0 in favor.

4. **Papa Pita Expansion; 6208 West Dannon Way; Preliminary Subdivision Plat (4 lots into 1 lot on 11.3 acres) and Preliminary Site Plan approval, specifically regarding the loading bay doors facing the street; M-1 Zone; Papa Pita/Farzad Mohebbi (applicant) [#25432; parcels 26-02-353-001-4001, 26-02-300-029-4001, 26-02-300-029-4002, 26-02-353-001-4002]**

Gavin Thomas, AE Urbia Architects, said this is an addition to the west side of the existing Papa Pita building. Docks are facing to the north, there is added employee parking, and they are requesting an additional access to New Bingham Highway from UDOT.

Brian Berndt said the application will combine four lots into one platted lot and it also reviews the bay doors facing New Bingham Highway. This plat becomes a major subdivision because there is 5 feet of road dedication on Dannon Way. The proposed intensified landscaping along New Bingham will screen the doors and there is also internal landscaping left of the bay. Mr. Berndt indicated that a property owner north of the site called to express concerns about the bay doors as well as the access on New Bingham Highway. The resident mentioned problems with trucks parking overnight on New Bingham with motors running. The applicant has done what staff has asked with the 3- to 5-foot landscape berm and screening. Access from UDOT has not been approved at this time. If it is not approved, then the landscaping will continue the entire length on New Bingham and access will be from Dannon Way and 6400 West, which he pointed out.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission approve the Preliminary Plat for Papa Pita Expansion on approximately 11.3 acres and combining 4 lots into 1 located at 6208 West Dannon Way subject to the following conditions:

1. All lots must comply with the applicable requirements of Title 13, Zoning Regulations and Title 14, Subdivision Regulations including, but not limited to lot area, lot configuration, width and frontage requirements.
2. All applicable city departmental requirements must be met prior to recordation of the final plat.
3. Update the Papa Pita Expansion Subdivision Plat to address all existing and future planning, engineering, fire and all other City redline corrections pertaining to the Papa Pita Expansion Subdivision Plat. Before the final plat is stamped for construction purposes by the West Jordan Engineering Department, all redline comments shall be completely addressed.
4. Access to New Bingham Highway will require a UDOT access permit. If that cannot be obtained, the site plan will need to be re-designed without an access to New Bingham Highway and meet all of the required city standards.
5. All structures constructed within the Papa Pita Expansion subdivision shall comply with the requirements of the zoning ordinance.
6. An approved preliminary subdivision plat shall remain valid for one (1) year. One 6-month extension may be granted by the zoning administrator if, upon written request by the owner/developer, the zoning administrator finds that the extension will not adversely affect the public health, safety or welfare of the city.
7. An approved, unrecorded final subdivision plat shall remain valid for two (2) years. One 6-month extension may be granted by the zoning administrator if, upon written request by the owner/developer, the zoning administrator finds that the extension will not adversely affect the public health, safety or welfare of the city.
8. The loading bay doors facing New Bingham Highway shall be screened from the street with landscape berms, scrubs, trees and plants.
9. The Preliminary Site Plan is valid for one (1) year following the date of approval by the Planning Commission.

Trish Hatch opened the public hearing.

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

MOTION: Jay Thomas moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to approve the Preliminary Subdivision Plat and Preliminary Site Plan for the Papa Pita Expansion on approximately 11.3 acres located at 6208 West Dannon Way subject to conditions 1 through 9 in the staff report. The motion was seconded by Matt Quinney and passed 7-0 in favor.

5. **Wood Ranch MDA and Map Amendments:** approximately 7400 South at U-111; Master Development Agreement, General Land Use Map Amendment from Very Low Density Residential, Low Density Residential, Medium Density Residential, Public Facilities, Future Park and Parks and Open Land to Master Planned Community (including application of the Master Planned Community land use designation to the annexation area) and Rezoning approximately 636.42 acres from A-5 (Agriculture 5-acre lots) to Planned Community Hillside (PCH) zone (including application of the PCH zone to the annexation area); Third Cadence LLC/Ty McCutcheon (applicant) [#19196; parcels 20-28-200-002, 005; 20-27-100-004; 20-27-300-017, 018, 005, 019, 007]
- 5a. **Wood Ranch Annexation:** Approximately 6800 South 7200 West; Annexation of approximately 170.437 acres from Salt Lake County to the City of West Jordan; Third Cadence LLC/Ty McCutcheon and G & N Wood Properties, L.L.C. (applicant) [#19196; parcels 20-21-400-004; 20-22-300-008; 20-22-300-002]

Scott Langford recognized that the information for this item was only recently provided to the Commission because extensive work had been done with regards to the MDA. The City Council would prefer to weigh in on the development before the end of the year. The Planning Commission has their own discretion, but he recommended that they open the public hearing, hear the presentation, and make a recommendation tonight if they feel that they have enough information. If they choose to table the hearing, they should consider holding a special meeting so that the City Council can still hear the item on December 1.

Ty McCutcheon, applicant, Third Cadence, explained that their name had changed following the sale of Daybreak. The materials presented tonight have the same key elements of the development that was presented to them two years ago. However, the plans have further refined and defined a level of detail that is unique to this application and zoning. Key elements from before are the preservation of the western foothills, internal park and trail system, idea of clustered neighborhoods in the valleys and utilizing a grading plan to create a more consistent ground plane for better placement of the buildings. Open spaces will be dedicated in phases in proportion to the development. He explained the idea of hierarchy of centers and place types that bring the density into the two village center locations and a loosening of the development pattern as they move toward the foothills and finally reaching the neighborhood designation. It is also important to create a mix of architecture that orients to the street and creates a walkable neighborhood that links back to the perimeter open space system. He showed the trail network and placement of amenity nodes. The major street network connects to the regional infrastructure to the north, east, and south and accommodates potential access to the west. He showed

some images of what the perimeter open space might look like using hard and soft surface trails, special moments with amenities or gathering places, etc.

At completion, the community anticipates up to 3,068 units and 250,000 square feet of neighborhood scaled commercial uses. The plan commits to 15 acres of community uses such as churches, schools, and city services. The first amenity center includes a community recreation center pool and bistro-type restaurant. They have committed to a number of live/work units to accommodate ground floor homebased businesses. A 5-acre option parcel is located at the main intersection that, if the city felt there is not enough commercial opportunities within the village center, the city could self-perform on those five acres. The last three phases to the north will have an additional community amenity and pool.

The entire community will be governed by a master homeowners' association that will maintain the internal parks and trails, lanes and alleys, and private amenities. Architectural styles and landscape patterns will be controlled through a comprehensive pattern book that will provide the detail necessary to bring the vision of Wood Ranch to life. The design will encourage water and energy conservation with low water use landscapes and energy ratings on each of the homes. To ensure a mix of housing, they have committed to additional sub-limits of 50% of the total homes in the community that can be attached of any type and within that 50%, a maximum of 600 units may be condo or apartment-type units located within the village center place type.

Mr. McCutcheon explained that three-quarters of the acreage today is within West Jordan city boundaries and the balance is unincorporated Salt Lake County. It has always been their view to develop within one jurisdiction. They anticipate the annexation to be completed with the County by July 2022 and the development agreement and rezoning recommendation would go into effect upon that approval under State Law. The gravel operation to the north will continue under the terms of their permit until they conclude their activities ahead of development of the phases in the current Salt Lake County property. The gravel company is a partner in the development group, so when mining is completed, the surface will be left at the appropriate level for construction of the neighborhoods. He described the areas of the development that will be served with water and sewer by Kearns Improvement District vs. West Jordan. The City entered into an interlocal agreement with KID. When city infrastructure becomes available then the portions to the south will develop and connect to West Jordan infrastructure. After the additional work taken with staff and the level of detail now available, they feel there is a new model for responsible foothill development that will create a place of enduring value and sustainability for all involved.

Corbin England asked what about the plans for the existing homes on the southeast corner of the development.

Ty McCutcheon said the development agreement permits those to continue until development of phase 10, which is the entire family farmstead. Additional homes could be built in that phase; up to ten in total.

Corbin England asked what happens at the end of the 50-year life of the master development agreement.

Ty McCutcheon said they expect that 50 years are enough to complete the community buildout. If not, it would be up to the parties to approve or deny an extension.

Ray McCandless said the Planning Commission recommended approval on this development in November 2019, but it did not include the annexation piece. At that time the recommended zoning was PCFB, which had since been retooled to the PCH zone. The new PCH zone requires a master development agreement in place of the master development plan. Since that time, the City Council has held a number of workshops on the PCH zone and the Wood Ranch development. Action tonight is a recommendation on the master development agreement, future land use map, the annexation, and zoning. This will be developed with four different place types and in ten phases, starting in the center. There will be a substantial amount of grading on the property to recontour or remove some of the hills and valleys in order to accommodate proper site design and utility service. A preliminary geotechnical report has been reviewed by the City and an independent geotechnical firm. The MDA limits stack flat or apartments to no more than 600 units. Accessory dwelling units will be allowed on no more than 10% of the single-family residential units, and they will not count toward the 3,068-unit cap. The planning commission will review each subdivision plat and subarea plan as it comes through. Staff felt that this project is a good fit for this particular area.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a favorable recommendation to the City Council to approve the requested Master Development Agreement, General Plan Land Use Map Amendment, Annexation and Rezone as discussed in the staff report.

Trish Hatch asked how many of the total units are single-family. She said that a lot of added homes are potential with the ADU allowance.

Ray McCandless said about half of the units will be single-family.

Matt Quinney said that most of the homes will not be able to meet the lot requirements for an ADU, so it might not be that impactful.

Jay Thomas asked if maintenance of the wildland interface is the responsibility of the city or the developer and/or HOA.

Scott Langford said the rolling hills will have native vegetation and there will be a paved trail running the entire length of the wildland open space that separates it from the neighborhood.

Paul Brockbank, Fire Marshal, said concerns on this issue were partly alleviated with installation of the 10-foot hardscape trail that creates a buffer and is large enough to accommodate a fire auxiliary truck.

Jay Thomas said this type of situation is new to West Jordan and we could be impacted in the same way as other communities have been.

Scott Langford pointed out on the map the TDOS areas and trails that will be owned and maintained by West Jordan.

The discussion continued to cover the issue of having an overall plan for the wildfire interface areas for this and other future developments. Currently each development is considered one at a time. It was also pointed out that the Kearns Improvement District will be ready to service the properties within their district from day one.

Pamela Bloom asked if there had been conversations regarding much needed public transportation in the west portion of the city.

Scott Langford said the city will continue to broadcast the need. Salt Lake County and Wasatch Front Regional Council are both very aware of this project, but it just takes time.

Ammon Allen agreed with the concerns from Commissioner Thomas. He asked if the city is going to need additional staff in the way of police and parks to offset the number of units in this development.

Scott Langford said the manicured open space areas will all be owned and maintained by the HOA. The native areas will be maintained by the City. The Public Works and Parks divisions are aware of the project and have indicated that there may be additional equipment or staff, but they are fairly confident that if it is revegetated properly that the maintenance obligation of native open space should be minimal.

Trish Hatch opened the public hearing.

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

MOTION: Matt Quinney moved, based on the findings set forth in the staff report, to forward a favorable recommendation to the City Council to approve the Master Development Agreement for Wood Ranch. The motion was seconded by Corbin England and passed 7-0 in favor.

MOTION: Matt Quinney moved, based on the findings set forth in the staff report, to forward a favorable recommendation to the City Council to approve the General Plan Land Use Map Amendment as discussed in the staff report. The motion was seconded by Pamela Bloom and passed 7-0 in favor.

MOTION: Matt Quinney moved, based on the findings set forth in the staff report, to forward a favorable recommendation to the City Council to approve the requested annexation, subject to and as conditioned in the Master Development Agreement as recommended in the staff report. The motion was seconded by Pamela Bloom and passed 7-0 in favor.

MOTION: Matt Quinney moved, based on the findings set forth in the staff report, to forward a favorable recommendation to the City Council to approve the requested rezone, as conditioned in the Master Development Agreement, as recommended in the staff report. The motion was seconded by Pamela Bloom and passed 7-0 in favor.

6. **Text Amendment – Balanced Housing - Amend the 2009 West Jordan City Code Sections 13-8-23, 13-6J-3, 13-4-12B-6i changing the name from “Annual Cap on Multi-Family Developments” to “Balanced Housing” and updating/consolidating associated references; City-wide applicability; City of West Jordan (applicant) [#25629]**

Mark Forsythe said this amendment came about after some confusion was expressed at a League of Cities and Towns conference regarding the ordinance and its purpose. Scott Langford, Mayor Burton, and the City Council thought the ordinance should be made easier to understand and to clarify the title, which is proposed to be Balanced Housing. He reviewed the exception listed in the Residential Overlay District that will be relocated for consistency. Other references to the old title were pointed out.

Trish Hatch felt that the amendment softens the whole approach of the ordinance.


Trish Hatch 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 forward a positive recommendation to the City Council for the Balanced Housing ordinance amendment specifically amending the name of the “Annual Cap on Multi-Family Developments” ordinance (2009 West Jordan City Code, Title 13 Chapter 8 Section 23) to “Balanced Housing” and updating/consolidating associated references in Sections 13-6J-3 and 13-4-12B-6i of the 2009 West Jordan City Code”. The motion was seconded by Trish Hatch and passed 7-0 in favor.

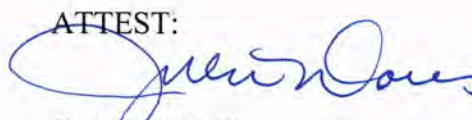
MOTION: Pamela Bloom moved to adjourn.

The meeting adjourned at 7:04 p.m.



TRISH HATCH
Chair



ATTEST:

JULIE DAVIS
Executive Assistant
Community Development Department

Approved this 7th day of December, 2021