

**MINUTES OF THE WEST JORDAN PLANNING AND ZONING COMMISSION
HELD MAY 3, 2022, IN THE THOMAS M. REES JUSTICE CENTER COMMUNITY ROOM**

PRESENT: Jay Thomas, Kent Shelton, Matt Quinney, Trish Hatch, Ammon Allen, and George Winn.

STAFF: Scott Langford, Larry Gardner, Mark Forsythe, Ray McCandless, Duncan Murray, Julie Davis, Greg Davenport, Paul Brockbank

The briefing meeting was called to order by Jay Thomas. A spelling correction was made in the minutes and clarifying questions on the agenda were answered. Greg Davenport gave an update on the drought situation and possible restrictions.

The regular meeting was called to order at 6:00 p.m.

**1. Consent Calendar
Approve Minutes from April 19, 2022**

MOTION: Trish Hatch moved to approve the minutes from April 19, 2022 with the correction noted in the pre-meeting. The motion was seconded by Ammon Allen and passed 6-0 in favor.

2. Bowman's Arrow; 6170 West 7800 South; Future Land Use Map Amendment for 86.14 acres from Low Density Residential, Medium Density Residential, High Density Residential, Community Commercial, Future Park, and Parks and Open Land to Medium Density Residential, High Density Residential, Very High Density Residential and Parks and Open Land; ARB Investments/Robert Bowman (applicant) [#20674; parcel 20-26-301-004]

Jay Thomas opened discussion for this business item, which was tabled for a decision from the previous meeting.

Matt Quinney felt that the City needs to retain commercial areas along the main arteries. Therefore, he couldn't support a plan that does not include some commercial/retail even though he thought that this was a good location for some high and very high density residential.

Kent Shelton agreed that the biggest problem with the amendment is the lack of commercial. A number of residents commented in the public hearing that they travel to other municipalities for dining and shopping because the area is lacking. Very high density residential is a hard pill to swallow, but this area is appropriate for at least some because of proximity to transportation arteries, even though the area already bears a lot of that burden.

George Winn said that in reviewing the proposal against the required findings, in his judgment, the proposal does not meet Findings A, C, or D so he was against the proposal.

Jay Thomas felt the same way and he would like to see a rough plan for infrastructure that shows how increased traffic will be handled.

Kent Shelton didn't feel that traffic was the issue because the request is only to amend the future land use map. Roads will be upgraded to handle the traffic in the future.

Jay Thomas said that added traffic will come no matter how the property develops, but it would be easier to manage a modest increase compared to a large increase.

Ammon Allen said he agreed with the same findings as Commissioner Winn. He liked the applicant's presentation that showed the need to look at the future land use on the entire west side of Mountain View Corridor so we can understand what infrastructure is needed for the city and to make other stakeholders aware. He hadn't completely ruled out the suggestion that the proposal wouldn't work, but he would like to see commercial in the project or look at the broader picture to see where other commercial areas are planned.

Kent Shelton agreed that this property and other large pieces in the area also need to be addressed with an updated land use map.

Trish Hatch agreed with the comments regarding the findings of fact. She agreed that there are infill problems, and the land use map needs to be updated but this is not the time. She agreed that there is a need for more commercial, and they need to understand how transportation and other infrastructure fits together. She was also against the proposal.

MOTION: George Winn moved, based on the findings A, C, and D that are not met, to forward a negative recommendation regarding this amendment to the General Plan's Future Land Use Map for Bowman's Arrow to the City Council. The motion was seconded by Jay Thomas and passed 6-0 in favor.

[Additional explanation of the motion occurred after the last agenda item.]

Matt Quinney asked Commissioners Winn and Hatch to elaborate on the negative findings cited in the motion for Item #2 Bowman's Arrow.

MOTION: Matt Quinney moved to suspend the rules to add an explanation of the findings. The motion was seconded by Ammon Allen and passed 6-0 in favor.

Duncan Murray said that it is appropriate to identify specific documents, facts, or information in the staff report or discussion in the public hearing that relate to the findings in the motion.

George Winn stated that his conclusion that Finding A, Goal 2 that reads "no negative impact will be created to the neighborhood or city because of the proposed change" has not been met because the public who commented at the meeting expressed that there would be a negative impact to them. Finding C that reads "the proposal has to be compatible with other land uses in the vicinity" has not been met because they heard during the hearing that the change was not compatible with other land uses in the vicinity. Finding D that reads "the proposal must be an overall improvement to the

neighborhood” has not been met again because the citizens’ comments stated, and he felt, that it was not an improvement to the neighborhood.

Duncan Murray understood that Commission Winn’s decision was based a lot upon the comments at the public hearing.

George Winn said his motion reflected the public comments as well as his personal judgment.

Trish Hatch said her biggest concern was Finding E that reads “the proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land uses, infrastructure, expense of public infrastructure improvements, etc.”. It has been proven in the findings that we have to build infrastructure to service the proposal with water. The increase to high density will increase traffic, and road infrastructure is not yet built. Once they see what the area will look like then they can decide what type of housing makes sense. She agreed that this is an appropriate place for high and very high density, but she would like to see how it is going to be built up around the area before they move forward. She didn’t feel that the proposal was fleshed out enough to provide what they are looking for. Regarding Finding D as being an overall improvement to the adopted general plan land use, it is hard to determine because in some ways the land use map is outdated and needs to be improved, but she didn’t agree that this is the right approach.

George Winn asked if considering streets and utilities mentioned in Commissioner Hatch’s comments on Finding E are within the Commission’s purview.

Larry Gardner said how the land use map affects those things is within their purview. He felt that the applicant had been given satisfactory justification of the motion.

3. West Jordan Medical Partners; 5459 West 7800 South; Preliminary Site Plan and Conditional Use Permit for Medical Services; P-C Zone; Fort Street Partners/James Balderson (applicant) [#26552; parcel 20-36-134-002]

Heather Lewellen, Fort Street Partners, gave an overview of the proposed one-story medical office building that is 18,000 square feet in size. Two leases have been signed at this point. The building backs onto 7800 South with parking and the main entrance on the south. The architecture is designed to look nice from all sides. Building height is 18 feet at the tallest parapet wall. Materials are EFIS, brick, aluminum siding to mimic wood, and glass. There is cross access between the building to the west and to the vacant property to the east, but the main access is from Ranches Loop Road. They are also requesting a conditional use permit for medical services and feel that this addition will enhance the health and safety of the community. Medical use is in line with the purposes of the general plan and is compatible with the surrounding uses.

Ray McCandless said the proposed medical office is within the Planned Community zone located on a major arterial street and includes good cross access with the neighboring properties. Staff felt that it fits in well with other buildings regarding height and design.

Regarding a question of future expansion of 7800 South, Nathan Nelson stated that the road is already built to the final width and will serve future needs.

Staff recommended that the Planning Commission approve the Preliminary Site Plan and Conditional Use Permit for Medical Services for the West Jordan Medical Partners office located at 5459 West 7800 South in a P-C zone subject to the Requirements of Site Plan Approval and Conditional Use Permit approval conditions listed below:

Requirements of Site Plan Approval

1. An approved preliminary site plan shall remain valid for one year following the date of the approval.
2. Approval of a final site plan shall become null and void if development does not commence within two (2) years of the approval.
3. The proposed development shall meet all applicable 2009 City Code requirements.
4. The development shall meet all requirements of the Engineering and Fire departments.
5. All rooftop mechanical equipment must be screened from adjoining properties and streets.

Conditional Use Permit approval conditions:

1. Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval.
2. Any appeals to the decision of the Planning Commission may be made to the Board of Adjustment within thirty (30) days pursuant to City Code, Section 15-5-3.

Jay Thomas opened the public hearing.

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

MOTION: Trish Hatch moved to approve the Preliminary Site Plan for the West Jordan Medical Partners office located at 5459 West 7800 South in a P-C zone subject to the Requirements of Site Plan Approval 1 through 5 listed on Page 2 of the staff report. The motion was seconded by Matt Quinney and passed 6-0 in favor.

MOTION: Trish Hatch moved to approve the Conditional Use Permit for Medical Services for the West Jordan Medical Partners office located at 5459 West 7800 South in a P-C zone subject to the Conditional Use Permit approval conditions 1 and 2 listed on Page 2 of the staff report. The motion was seconded by Matt Quinney and passed 6-0 in favor.

4. **Ortega Property; 1875 West 7800 South; Future Land Use Map Amendment for 0.39 acres from Parks and Open Lands to Professional Office and Rezone from R-1-8A (Single-family residential 8,000 square foot lots minimum) Zone to P-O (Professional Office) Zone; Efrain Ortega (applicant) [#26940, 26941; parcel 21-34-126-011]**

Efrain Ortega, applicant, said the request is to change the zoning to professional office to match the current uses in the area. The property is not compatible with residential uses due to its location on 7800 South. He would like to use the existing building for small professional offices for rent, similar to those in the area. When asked if he would have a residential use along with the offices, he said that his

idea was to rent the basement for short term residential and use the top as offices. However, if that isn't allowed then he would use the whole property as professional offices.

Larry Gardner explained the area and surrounding uses. There are three structures that were built as houses on the south side of 7800 South. The properties to the north are former homes that have been converted into insurance offices as well as the home to the east. Although the applicant has expressed a proposal for offices, any allowed use in the P-O zone would be available to him. The current land use map shows the three homes on the south within the parks and open lands designation, which might have been intended for park expansion at one time. However, he thought that small offices would work better than a park for this property. The proposal is to change the land use map and zoning of the applicant's property to professional office. The property to the east is already zoned P-O. He proposed an alternate motion that would recommend amending the land use map for all three properties to professional office and rezoning the Ortega property only to P-O.

Jay Thomas opened the public hearing.

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

MOTION: Kent Shelton 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 to amend the future land use map on .81 acres of property located at 1897 West 7800 South, 1875 West 7800 South, and 1871 West 7800 South from Parks and Open Land to Professional Office. The motion was seconded by Ammon Allen and passed 6-0 in favor.

MOTION: Kent Shelton 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 Ortega Property to Rezone .39 acres of property located at 1875 West 7800 South from R-1-8A (Single-family residential 8,000 square foot lot minimum) Zone to P-O (Professional Office) Zone. The motion was seconded by Ammon Allen and passed 6-0 in favor.

5. Text Amendment - Drought Management Plan Update; Amend the 2009 West Jordan City Code Title 9, Chapter 6, Sections 1 through 8 (Utilities, Drought Management); city-wide applicability; City of West Jordan (applicant) [#27099]

Greg Davenport, West Jordan Utility Manager, reviewed proposed updates in Title 9. The City Council provided feedback for this amendment in a work session and included concerns regarding how inside watering restrictions would affect businesses and concerns with unfair enforcement practices. It was determined that enforcement will follow the current code. He reviewed the proposed drought stages for outdoor watering in the Drought Management Plan, which better match those from the Jordan Valley Water Conservancy District.

Staff recommended approval of this text amendment for the Drought Management Plan Update.

George Winn asked who determines when there is a drought and at what stage it is.

Greg Davenport said the Jordan Valley Water Conservancy Board does since that is where we get 95% of our water. The Board meets in April with all of the water suppliers, and they vote in May and let the communities know what the requirements are, for example to save 5% during the affected months of May, June, July, and August.

Ammon Allen appreciated the direction that the plan gives and with the recent change in landscaping this is a good start to conservation. He asked if commercial businesses are alerted any differently than residential.

Greg Davenport said in a stage 3 or 4 the city would require a business to save a certain amount compared to their previous usage. However, in a stage 1 or 2 the tier pricing system acts as a penalty of sorts for overwatering.

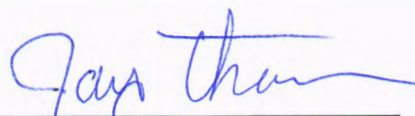
Jay Thomas opened the public hearing.

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 forward a positive recommendation to the City Council for this application regarding amendments to Title 9. The motion was seconded by George Winn and passed 6-0 in favor.

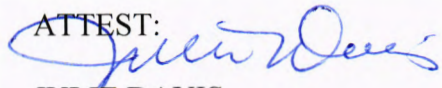
MOTION: Matt Quinney moved to adjourn.

The meeting adjourned at 6:53 p.m.



JAY THOMAS
Chair



ATTEST: 
JULIE DAVIS
Executive Assistant
Community Development Department

Approved this 17th day of May, 2022