

**MINUTES OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD
FEBURARY 21, 2023, IN THE THOMAS M. REES JUSTICE CENTER COMMUNITY ROOM**

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

STAFF: Scott Langford, Larry Gardner, Tayler Jensen, Mark Forsythe, Duncan Murray, and Julie Davis, Paul Brockbank, Krista Riester

The pre-meeting was called to order by Ammon Allen, with a quorum present. Duncan Murray provided training on the Open and Public Meetings Act.

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

1. Approve Minutes from February 7, 2023

MOTION: Trish Hatch moved to approve the Minutes from February 7, 2023. The motion was seconded by Jay Thomas and passed 4-0 in favor. Matt Quinney and Kent Shelton were absent.

2. CRS America & Oquirrh Tire & Service; Continued from 1-17-23; 5970 West Dannon Way; Recommendation to the Community Development Director regarding Revocation of Conditional Use Permits; M-1 Zone; City of West Jordan (applicant) [#29189; parcel 26-02-400-019]

Community Development Director Scott Langford left the meeting room at 6:01 p.m.

Mark Forsythe gave an update on the status of compliance for the property. The item was tabled by the Planning Commission on January 17, 2023 to give the property owner more time to come into compliance. Mr. Forsythe said that he did an inspection on February 15th and found that they are in compliance with all vehicles on a paved surface. Vehicles for sale were all parked inside, and all vehicles on site were in good working condition. The oil recycling system was described and the oil recirculates to reheat the building. Landscaping was in good condition.

Staff recommended that the Planning Commission forward a recommendation to the Community Development Director to not revoke the Conditional Use Permits for CRS America and Oquirrh Tire & Service, located at 5970 West Dannon Way in an M-1 Zone.

Jay Thomas asked if the Commission could make a condition with the motion that periodic inspections be done to ensure continued compliance.

Duncan Murray said that would be allowed. He discouraged them from being too restrictive as to the exact frequency in order to account for staff workload.

Trish Hatch thanked staff for providing the additional information regarding the property and the well, etc. She also appreciated the applicant for taking steps to come into compliance.

Ammon Allen agreed that staff did an amazing job and he appreciated that the business owner took care of things. He asked if there was a standard operating procedure in place, or if there could be, to follow through on all businesses that receive a conditional use permit to make sure all conditions of approval are being met and that they continue to be met. This way a business owner is not caught cold when they are noncompliant.

Mark Forsythe said it is usually at the time of obtaining a business license that the business owner is informed of the need for a conditional use permit. Staff will generally hold off on approving the business license until they have applied for a conditional use permit, been approved, and an inspection by staff verifies that the business is compliant.

Ammon Allen said there could be an inspection triggered by the business license approval, and then a random check every three to five years.

Larry Gardner said staff had attempted to do that in the past and now that they are fully staffed those inspections can be reinvigorated. Staff currently keeps list of all the most recent conditional use permits.

MOTION: Trish Hatch moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today concerning compliance with the Conditions of Approval, to recommend that the Community Development Director not revoke the Conditional Use Permits for CRS America and Oquirrh Tire & Service, located at 5970 West Dannon Way in an M-1 Zone with the conditional permit being checked periodically for compliance. The motion was seconded by George Winn and passed 4-0 in favor. Matt Quinney and Kent Shelton were absent.

Scott Langford returned to the meeting room at 6:11 p.m.

3. Aloha Salt Lake Tattoos; 7114 South Redwood Road; Conditional Use Permit for Tattoo and body engraving service; SC-2 (RWO) Zone; Aloha Salt Lake Tattoos/Luke Jensen & Jesse Payne (applicants) [#29329; parcel 21-27-127-027]

Luke Jensen and Jesse Payne, applicants, were in attendance. Mr. Jensen gave an overview of their business, which has been in operation since 2015. They currently have locations in Murray and Park City and this would be a third location. He stated that they operate in a clean environment and have been selected as Best Tattoo Shop in Utah by City Weekly. He showed interior photographs of their Park City location. They have increased sales and service over the last three years with more than 5,100 clients. They are a fully disposable shop, so equipment used to perform tattoos are used only once and then sent off in biohazard containers to be destroyed. Employees are properly trained in first aid and receive bloodborne pathogens certification. He showed examples of their work and customer reviews. They felt that this additional location in West Jordan would be great for everyone involved.

Ammon Allen asked if they had found that a lot of their clients are coming in from the southwest part of the valley.

Luke Jensen said that is true with the growth in those areas. This location will make it more convenient for a lot of their clients.

Trish Hatch said their growth and presentation were impressive.

Mark Forsythe gave an overview of the application. Tattoo shops are allowed in the Redwood Road Overlay zone, which this site qualifies for because it is under common ownership with the larger parcel that fronts Redwood Road. The surrounding area is commercial with residential to the west. The nearest home is about 250 feet away from the back of the building. Staff did not think that this use would be any more impactful than a barber shop. The parking requirement is eight spaces, but with eight employees with one client each they would need about 16 spaces, which are provided.

Staff recommended that the Planning Commission approve the Conditional Use Permit for Aloha Salt Lake Tattoo, located at 7114 South Redwood Road in an SC-2 zone and the Redwood Road Overlay, with the City Code Requirements listed.

Conditions of Approval

1. There are no conditions of approval suggested by Staff because Staff has not identified any reasonably anticipated detrimental effects of this use. If the Planning Commission disagrees with the Staff's analysis and/or identifies any reasonably anticipated detrimental effects of this use, reasonable conditions should be identified, which, if imposed, would reasonably relate to and substantially mitigate each of the reasonably anticipated detrimental effects of the use, and which would comply with existing law. Such information should be clearly included in any motion made by and subsequent decision of the Planning Commission relative to the Application. Any Planning Commission decision will supersede any conflicting analysis or opinions of the Staff stated in this Report or otherwise presented to the Planning Commission.

City Code Requirements

1. The business activities shall be substantially consistent with the submitted application, letter of intent and site plan. Deviations from these documents shall be reviewed by all pertinent departments of the City of West Jordan.
2. Obtain and maintain a valid West Jordan Business License.
3. Obtain a Building Permit for any interior construction work, as required by the West Jordan Building & Safety Department.
4. A permit shall be obtained for any new exterior signage.
5. The business shall adhere to all City sign requirements.
6. The Conditional Use Permit is subject to review and/or revocation, in accordance with §13-7E-10 of the 2009 West Jordan City Code.

Ammon Allen opened the public hearing.

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

Duncan Murray said that even though staff did not have any recommended conditions the Commission should still have a discussion to identify any other detrimental effects.

Jay Thomas thought that this was a good fit for the shopping center. He asked how many artists they have at this location and the applicant answered from the audience that they will have eight artists and eight booths.

George Winn did not find any detrimental effects from this use, and he felt that the criteria had been met.

MOTION: George Winn 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 a tattoo and body engraving service for Aloha Salt Lake Tattoos, located at 7114 South Redwood Road in an SC-2 zone and the Redwood Road Overlay, with the City Code Requirements listed in the staff report. The motion was seconded by Jay Thomas and passed 4-0 in favor. Matt Quinney and Kent Shelton were absent.

4. Hidden Cove Subdivision; 7106 South 2200 West; Preliminary Subdivision Plat (21 lots on 7.1 acres); R-1-8C Zone; Paxton Guymon (applicant) [#27387; parcel 21-28-230-019, 024; 21-28-228-011]

Paxton Guymon, applicant, said this project had been rezoned and assembled in the R-1-8 zoning district. Most lots will exceed the minimum 8,000 square feet. The proposed layout has 21 lots, which is fewer than what the zoning would allow for, but this design is the most functional. There are detention basins, and everything is lined up to cross the canal safely. Mel Helen Way was originally stubbed to this property for this very purpose to provide the necessary connection.

Taylor Jensen said this subdivision has 21 lots and two detention parcels on 7.1 acres and it meets all R-1-8 zoning requirements. In working through the project, they lost one lot for a bigger detention basin to make sure there is no flooding on the neighboring lots. The connection to Mel Helen Way will allow for another fire access to those existing homeowners. This is consistent with surrounding developments. The conditions listed are things that will typically be addressed during the final approvals, but they want to call them out at this time.

Based on the analysis and findings contained in this Staff Report, staff recommended that the Planning Commission approve the Preliminary Major Subdivision Plat for Hidden Cove on approximately 7.1 acres and containing twenty-one (21) lots, located at 7106 South 2200 West, with the conditions and requirements of approval listed.

1. Salt Lake County Discharge Permit shall be obtained.
2. All lots shall be designed at the Final Plat stage and developed in such a way that they meet Low Impact Development State Requirements as well as City requirements for stormwater.
3. City access across the canal shall be provided in a manner considered acceptable to the City.
4. Geotechnical report(s) shall support the presence of residential buildings as deemed appropriate by the City

Ammon Allen asked if the existing home on Lot 120 will be grandfathered as to the setback requirements. He was concerned with the proximity of that house to the canal and for potential flooding. He asked if there were any concerns from South Jordan Canal company.

Tayler Jensen said it is an existing home. Staff had been in contact with South Jordan Canal throughout this process specifically because of the bridge. That property will be dedicated to the City and they City will grant the canal company an easement. The canal company has not expressed any concerns about the existing home or flooding at any time during this whole review process. The home has been there for decades without any problems, and they do not foresee any.

Larry Gardner said the location of the home will remain as it has for the last 60 years. At one time the property line was measured from the middle of the canal, so it met the setbacks at that time.

Tayler Jensen repeated for the record that the applicant spoke from the audience and said there is a large buffer of land between the home and where the water is in the canal.

Trish Hatch asked for an explanation of condition 4.

Tayler Jensen said staff received one Geotech report already. It is a requirement to get an additional or updated one when there is water in the canal. If there are any concerns at that point, then they will be addressed at that time.

Ammon Allen opened the public hearing.

Cora Jckowski, West Jordan resident, said they live next to the field and have loved it and the wildlife for all these years. They also look forward to nice subdivision. She pointed out that all the existing homes have fences that the property owners have installed. She asked if there will be new fencing or double fencing installed.

Sonny Jckowski, West Jordan resident, said they live behind the subdivision. He was concerned about the existing home in the subdivision that is an apartment complex and asked how that will be handled. He will talk to the developer about his questions concerning the timetable.

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

Paxton Guymon said they will not disturb any of the existing fencing, but if they cause damage during the development process then they will accept responsibility. The new property owners will have the right to put up their own fencing, which can be on or within the property line. That will be on a lot-by-lot basis by the property owner. He acknowledged that there is a basement entrance on the existing home. All of the people in the home are related. However, they will do whatever they need to do to comply. He said that they would like to build the new homes to allow the option for older couples to have other family members live in the basement and to come up with sensible solutions for housing inflation.

Ammon Allen understood that he was saying that all of the lots will follow existing city codes. He asked if there will be an HOA.

Paxton Guymon said they will need an HOA to maintain some private amenities, but it will be a minimum and maybe just include some basic architectural standards.

Ammon Allen said that HOAs sometimes require a certain type of fencing. He understood Mr. Guymon to say that it will be up to each individual property owner to decide on fencing and to work with any existing neighbors. Any dual use home will also be within existing city code, and any accessory dwelling unit will have to get city approvals.

Mr. Guymon agreed.

Jay Thomas recommended that Mr. Jckowski keep in touch with the developer to work together to get their questions answered.

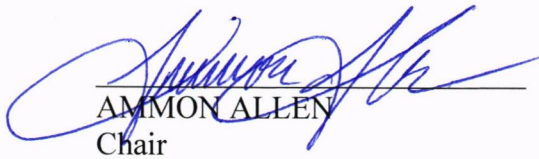
Trish Hatch asked what the minimum lot size is for an ADU.

Tayler Jensen said that any single-family zone may have an internal ADU, but an external ADU had to be in at least an R-1-10 zone.

MOTION: Trish Hatch moved to approve the Preliminary Major Subdivision for Hidden Cove 21 lots on approximately 7.1 acres located at 7106 South 2200 West with the requirements of approval and conditions listed in the staff report. The motion was seconded by Jay Thomas and passed 4-0 in favor. Matt Quinney and Kent Shelton were absent.

MOTION: Jay Thomas moved to adjourn.

The meeting adjourned at 6:40 p.m.


AMMON ALLEN
Chair

ATTEST:



JULIE DAVIS
Executive Assistant
Community Development Department

Approved this 7th day of March, 2023

