

**MINUTES OF THE WEST JORDAN PLANNING AND ZONING COMMISSION
HELD JUNE 21, 2022, IN THE THOMAS M. REES JUSTICE CENTER COMMUNITY ROOM**

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

STAFF: Scott Langford, Larry Gardner, Duncan Murray, Mark Forsythe, Julie Davis

The briefing meeting was called to order by Jay Thomas. The agenda was reviewed. Duncan Murray presented training regarding conditional use permits.

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

**1. Consent Calendar
Approve Minutes from June 7, 2022**

MOTION: Ammon Allen moved to approve the Minutes from June 7, 2022. The motion was seconded by George Winn and passed 6-0 in favor. Kent Shelton was absent.

2. Friends 4 Life (F4L); 8846 South Redwood Road Ste N-101; Conditional Use Permit for Adult Daycare, General; SC-2 (ZC) Zone; F4L, LLC/Jeffrey Moncur (applicant) [#27537; parcel 27-03-178-090]

Jeffrey Moncur, applicant, said the business has been in operation for six years with nine residential group homes and two day program locations. The request is to relocate one of their day programs from Sandy to West Jordan. They work with the State of Utah to provide a range of services for individuals with intellectual and developmental disabilities. They engage in activities for learning, social interactions, and helping them to be out in the community. The proposed location would be primarily used as a place to rest after activities, eat lunch, and participate in arts and crafts and learning activities.

Mark Forsythe gave an overview of the application, which is in the Redwood Medical Center, which is appropriate for the proposed uses. Zoning Conditions attached to this property deal mostly with buffering to the residential area, which were put in place when the property was developed. Parking requirements for day care are one space per employee, so six spaces are required, which is less than the 18 that would have been required for a medical office. There are 480 spaces provided in the entire complex. Clients are picked up and dropped off from their home. The lease space is 2700 square feet in size, they will have 18 clients and six employees.

Staff recommended that the Planning Commission approve the Conditional Use Permit for Friends 4 Life, located at 8846 South Redwood Road, Unit N-101 in an SC-2(ZC) zone, with the Conditions and Requirements of Approval listed below.

Conditions of Approval

1. The business activities shall comply 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.

Requirements of Approval

1. All clients shall be 18 years of age or older.
2. Obtain and maintain a valid West Jordan Business License.
3. Obtain a Building Permit for any interior construction work, if required by the West Jordan Building & Safety Department.
4. The Conditional Use Permit is subject to review and/or revocation, in accordance with §13-7E-10 of the 2009 West Jordan City Code.

Jay Thomas opened the public hearing.

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

It was pointed out that the applicant was given a copy of the staff report along with the conditions, prior to the meeting.

MOTION: McKenna Marchant 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 Adult Daycare, General for Friends 4 Life, located at 8846 South Redwood Road, Unit N-101 in an SC-2(ZC) zone, with the Conditions and Requirements of Approval listed in the staff report. The motion was seconded by Trish Hatch and passed 6-0 in favor. Kent Shelton was absent.

3. **Highlands Landing Residential Rezone; 7662 South 5490 West; Rezone 7.26 acres from R-3-20 (SHO) (Multi-family Residential 20 units per acre maximum density – Senior Housing Overlay) Zone to R-3-20 (Multi-family Residential 20 units per acre maximum density) Zone; Peterson Development/Barrett Peterson (applicant) [#27225; parcel 20-25-351-014]**

Jeff Seaman, Peterson Development, said the request is to remove the Senior Housing Overlay from the property. A market study showed that the location of Villas at Stone Creek at 7800 South and 4800 West is a better fit for this type of product. The original proposal for this property was 145 senior housing units in a three-story apartment complex. The proposal is for 45 single-family homes that will serve as a transition from the larger lots to the east and the commercial property to the west and south. An HOA will maintain the detention pond and some of the common areas.

Larry Gardner said the staff recommendation was originally negative due to lack of support from the land use subcommittee. However, he received an email from the land use subcommittee after the staff report was published that indicated support for removal of the Senior Housing Overlay if the applicant worked on connectivity with the commercial area. If the proposal is approved, then that element will be closely reviewed by the planning commission at the time of subdivision approval. Staff's recommendation is now positive. He stated that the Planning Commission can make whichever recommendation they feel is best. This property was originally rezoned from low density residential to

multifamily (SHO) and commercial zones. The commercial portion of the development is very active with retail and services uses. There is a vacant property where Intermountain Health Care is planning to construct a facility in the future. The original application for Senior Housing Overlay was for a senior apartment building. The R-3-20 zone will not change with the amendment, but the SHO will be removed and that will also remove the possibility of multi-family according to the Balanced Housing Ordinance. The only residential that will be allowed is single-family with a minimum of 4,000 square foot lots. He showed the concept plan for 45 lots at a density of just more than six units per acre. Staff recommended that the Planning Commission forward a positive recommendation to the City Council.

It was clarified by the applicant that Councilmember Green requested walkability, which could be in the form of a walkway on the south side by the detention pond and maybe another walkway where the IHC property is. The homes will be three levels and about 2,200 square feet in size. The garage will be the first level.

Ammon Allen said that he would rather have an R-1-5 zone than a multi-family zone.

Larry Gardner explained that the use table for the R-3 zone allows for multi-family, but the Balanced Housing Ordinance would not allow it except with the exceptions provided, such as the Senior Housing Overlay, a Transit Station Overlay District, etc. So, in this case, if the SHO is removed then the only residential use allowed would be single-family with a minimum lot size of 4,000 square feet. Some of the lots would be larger than that with this layout. Years ago, the City Council decided not to use the R-1-5 zone any longer, and single-family is permitted in the R-3-20 zone. A concern with changing the property an R-1 zone is the possibility of having an Accessory Dwelling Unit, which could possibly make the density at 90 residential units. Accessory Dwelling Units are not allowed in a multi-family zoning district.

Jay Thomas opened the public hearing.

Councilmember Kayleen Whitelock said that she serves on the land use subcommittee and the letter referenced by Mr. Gardner was sent only by Councilmember Green after having met with the Petersons. She did not believe that the letter necessarily represents what was conveyed in the committee meeting.

Jordan Smith, West Jordan resident, said the property was originally zoned commercial and it was said that commercial wouldn't work, so it was changed to senior housing. Now they are saying that senior housing won't work, and they want single-family, which is probably what they wanted from the beginning. He didn't think that this small community of homes fits in that location.

David Sund, West Jordan resident, asked if the homes will have garages and if they will be allowed to park on the street behind the existing homes. He also wondered about access points. His concerns are increased traffic that will disrupt the quiet neighborhood to the east, increase in the number of small homes in the area, lack of privacy due to building height, decreased property values, and increased noise.

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

Jeff Seaman said access will be from 5490 West that has a pre-cast masonry wall, so the cars will never access the cul-de-sac on the east. The closest any of these homes will be to an existing home is 130 feet, so there is ample setback provided. The homes are three stories with the garage on the first level.

Scott Langford clarified that the maximum height is capped at 30 feet.

Ammon Allen said there is room for a development like this. He would like to see an agreement or document in place describing how this will move forward prior to a zone change.

Trish Hatch asked Mr. Murray to explain for the public how recommendations for zoning come about and that they are not financially or economically based as the resident implied.

Duncan Murray said the City Council's decision is discretionary. However, the Planning Commission looks at findings established in the code to determine if the proposal fits in the area. None of the criteria have anything to do with financial issues. The Planning Commission does weigh and balance the land rights of all property owners in the area. He said that zone changes can happen at any time on any property. A big focus in zone changes are adequate public utilities if there will be a density increase. This zone change will have less draw on public utilities. They will also take into consideration the height and walls, buffering, etc. to try to mitigate impacts. Any decision of the Planning Commission should be based on the criteria.

Trish Hatch felt that the zone change is a better use of the land than a three-story, multi-family building.

Jay Thomas was considering the statement from Council Member Whitelock that the positive recommendation wasn't from the entire land use committee, and he would still vote for a negative recommendation.

There was a discussion regarding the staff recommendation and if Council Member Whitelock's statement would change that. Mr. Gardner said that all three members of that committee were originally against the proposal and Council Member Green is the chair. Council Member Green copied the email to Council Members Whitelock and Worthen. He did not hear any other feedback from them contrary to the email until this meeting, so he assumed that they agreed.

Matt Quinney said if this is approved, the Planning Commission will get to review the subdivision layout for walkability.

George Winn felt that the proposal meets the criteria set before them.

McKenna Marchant said Mr. Gardner's statement was that the initial non-support was due to wanting to be consistent with the original approval. However, she felt that as a public body they can be flexible and to shift as the market changes. There are other areas for the Senior Housing Overlay that the developer is providing based on a market study and there is a housing crisis. She said that the location is a little odd, but it serves as a buffer between the commercial uses and larger single-family homes. She was in support.

Ammon Allen said it isn't necessarily a bad plan, but several of the criteria referred to the concept plan to push it forward. It has been said that they are not approving the concept plan, so he would rather see the proposal all at once with a development agreement showing how it will lay out.

McKenna Marchant said that is a fair point, but it takes a lot of money to provide those things without assurances that zoning would be approved once it is brought forward. She felt that could be an unfair requirement.

Duncan Murray said this comes back to the exaction discussion he spoke of earlier. The R-3 zone does not require a master development agreement. He did not think that an MDA would be useful in this

circumstance, because the City Code requires that these houses be single-family, and it is a permitted use under the code. The subdivision process provides them with that security.

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 forward a positive recommendation to the City Council for Highlands Landing Residential Rezone located at 7662 South 5490 West. The motion was seconded by Matt Quinney and passed 6-0 in favor. Kent Shelton was absent.

4. Text Amendment - Amendment to Part VIII-Landscape and Irrigation Policies and Design Criteria April 2020” Amending “Parkstrip A Detail, 80/20 option”; city-wide applicability; West Jordan Public Services Department; Isaac Astill (applicant)

Isaac Astill, West Jordan Public Services Director, presented a new standard that allows for no more than 20% of their streetscapes to be in turf and there will be a new standard to be more waterwise. This will allow them to provide more direction to the developers who are building in West Jordan.

Staff recommended that the Planning Commission forward a positive recommendation to the City Council to Amend Part VIII – Landscape and Irrigation Policies and Design Criteria April 2020.

Ammon Allen said regarding the overall design that it may require a higher level of care and maintenance. He asked if the drip irrigation and sprinkler heads will be on different lines.

Isaac Astill said that they have been working on this for quite a while, and this amendment will get them to what the City Council has envisioned and to be in line with Jordan Valley Water Conservancy District standards. Turf is the easiest to maintain and least expensive, so this will require commitment from both the city and the developers when they set up HOA’s.

Dave Naylor, West Jordan Parks Manager, said the City Council approved a new water efficiency standard in August. Some of their old designs did not comply with the updated Chapter 13. This will help developers by providing them with a design that will be consistent instead of designing their own plan to meet the code, which could result in a wide variety of looks. There is an entire section dedicated to irrigation, which calls out the proper sprinkler head for each type of landscape element. It is a high maintenance design, but it meets the adopted water efficiency standards. Plant coverage is required to be 50% at maturity.

Ammon Allen asked if Jordan Valley Water Conservancy District looked at this plan.

Dave Naylor said they have not seen the actual plan, but it meets the requirements of what they put in the code. Staff met with the Conservancy District many times as they were developing the water efficiency standards, so the design reflects that input as well as City Council input.

Ammon Allen thought that it is good for the city to take part in waterwise measures that many of the residents are following.

George Winn asked how much water this design will save.

Dave Naylor didn't know the exact amount, but turf area is reduced by 50% with this design and all turf has been removed in the parkstrip. He thought that water savings would probably be at least half.

Larry Gardner said one of the engineers at Jordan Valley Water said that if every parkstrip in West Jordan was not watered turf it would save 12-acre feet.

There was a discussion regarding allowance for parkstrips wider than 9 feet to have turf, but West Jordan is going above that requirement as an example by not including it. They also discussed the need to beautify entryway medians on 7000 South. In the past there have been trees, but they do not survive. The city is in a difficult position between keeping streetscapes green and being an example of water conservation. Staff explained what they are dealing with for staffing issues versus the increase in open space maintenance required. The proposed budget will increase staff to help manage that. Going forward staff will use an algorithm to indicate the required number of staff needed to maintain city properties.

Dave Naylor explained that streetscapes will fall under a maintenance contract, so it won't require City staffing but it will increase the cost of the contract.

McKenna Marchant said that she loved the design and by having the Jordan Valley Water Conservancy District in the city we can be an example of what they are promoting. There may be a little more cost for maintenance but there is less water use. She would love to take a field trip to the conservation garden to learn more about what is being done for water conservation. She thanked staff for their efforts.

Jay Thomas opened the public hearing.

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

MOTION: George Winn moved to forward a positive recommendation to the City Council to Amend Part VIII – Landscape and Irrigation Policies and Design Criteria April 2020” Amending “Parkstrip A Detail, 80/20 option”. The motion was seconded by Ammon Allen and passed 6-0 in favor. Kent Shelton was absent.

MOTION: Ammon Allen moved to adjourn.

The meeting adjourned at 7:06 p.m.

Jay Thomas
Jay Thomas (Jul 6, 2022 12:05 MDT)
JAY THOMAS
Chair

ATTEST:
Juzie Davis
JUZIE DAVIS
Executive Assistant
Community Development Department

Approved this 5 day of July, 2022

