

**MINUTES OF THE WEST JORDAN PLANNING AND ZONING COMMISSION
HELD JULY 5, 2022, IN THE THOMAS M. REES JUSTICE CENTER COMMUNITY ROOM**

PRESENT: Jay Thomas, Kent Shelton, Matt Quinney, Trish Hatch, Ammon Allen (remotely), George Winn, and McKenna Marchant.

STAFF: Scott Langford, Duncan Murray, Mark Forsythe, Tayler Jensen, Paul Brockbank, Julie Davis

The briefing meeting was called to order by Jay Thomas. The agenda was reviewed. Staff asked if the planning commission had any recommendation for code review/amendments. Trish Hatch proposed that the requirement for planning commission to review street-facing bay doors be eliminated. A majority of the commissioners were in favor of keeping the requirement to underground overhead powerlines and to review the exceptions. Certain corridors could be placed on a priority list as determined by the city council.

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

**1. Consent Calendar
Approve Minutes from June 21, 2022**

MOTION: Matt Quinney moved to approve the Minutes from June 7, 2022. The motion was seconded by Trish Hatch and passed 7-0 in favor.

2. Dalfen Industrial Park Subdivision; 6099 West New Bingham Highway; Preliminary Site Plan and Subdivision Plat (3 lots on 28.86 acres); M-1 Zone; Dalfen Industrial, LLC/Stephen Huey (applicant); [#26646; parcel 26-02-300-041]

Stephen Huey, applicant, was in attendance to answer questions regarding the proposal for their subdivision, which will include a two-building complex.

Tayler Jensen clarified that this item includes both the subdivision plat and preliminary site plan in the M-1 Zone. The plat has three lots with warehousing on lots 1 and 2. The use on lot 3 will be determined in the future. Building 1 has 170,000 square feet and building 2 has 260,000 square feet. Building elevations show articulation and use of various materials to make an attractive industrial building.

Based on the analysis and findings contained in the staff report, staff recommended that the Planning Commission approve the Site Plan and Preliminary Subdivision Plat for Dalfen Industrial Prosperity subdivision on approximately 28.22 acres and containing 3 lots located at 6099 West New Bingham Highway with the conditions and requirements of approval listed in this report.

Subdivision

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. All structures within the Dalfen Industrial Prosperity Subdivision shall comply with the requirements of the zoning ordinance.
4. 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.
5. 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.
6. Approval by UDOT of an access onto 9000 S for the shared use of Dalfen Subdivision and property to the East.

Site Plan

1. An approved preliminary site plan shall remain valid for one (1) 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 City Code Requirements.
4. The development shall meet all requirements of the Engineering and Fire departments.

George Winn asked for a status update on the UDOT permit for access onto 9000 South.

Scott Thorsen, CIR Engineering, said they don't yet have final approval from UDOT, so the condition is for them to follow through in obtaining the encroachment permit from UDOT.

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 Major Subdivision and Preliminary Site Plan for Dalfen Industrial Prosperity industrial subdivision for 3 lots on approximately 28.22 acres located at 6099 West New Bingham Highway in the M-1 Zone subject to the requirements of approval listed in the report. The motion was seconded by Matt Quinney and passed 7-0 in favor.

3. **Eagle Eye Promotions; 4022 West 8380 South; Preliminary Site Plan and Review of Street-facing bay doors; M-1 Zone; Pasker Gould Ames & Weaver, Inc./Jeffrey L. Close (applicant) [#27235; parcel 21-31-426-015]**

Jeffrey Close, PGA & W, gave an overview of the site plan for a two-story, 20,000 square foot building that faces 8380 South in the M-1 zone. Operations include production, warehousing, and offices. Bay doors face on 8380 South and will be screened as recommended by the planning department. They feel that this building will serve as a nice-looking anchor at the entrance of the

industrial park. He explained that it has been a challenge to fit the structure on this site, which is why the dock doors are facing the street, but they feel that the plan works well. He stated that the owner has recently asked if they could store a box trailer either on the north side of the building within the required landscape buffer, or on the west side of the building. However, that could require some of the screening trees to be removed. They could instead provide some type of ornamental or architectural feature or 6-foot wall. Gates would be even with the bay doors.

Mike Abraham, owner of Eagle Eye Promotions, clarified that they would like to park their utility trailer on the north side of the building access through a gate on 4000 West, which would be within the required 20-foot landscape buffer to the residence. The second option is to park it on the west side of the building past the dock doors, but in order to do that they would have to remove some trees to be able to back in.

McKenna Marchant wanted to be sure that they would still meet all of the screening, landscaping, and parking requirements and that could be difficult to know without a proper review of the new proposal. She felt that it should be worked out between the applicant and staff and then brought back to the commission.

Mark Forsythe corrected a statement in the staff report that there is a 60-foot building setback on the north next to the home. The requirement is 20 feet because the house is in the M-1 zone. The bay doors will be set back 38 feet from the front building façade, so they won't be visible to traffic coming from 4000 West. A row of evergreen trees next to the loading area screen the doors from eastbound traffic. The parking requirement is 25 stalls, and 29 spaces are provided. There will be a small redesign with widening the throat of the approach to ensure that delivery vehicles do not back into the road. That can be worked out with the final view. The building is a tilt-up concrete design similar to most warehouses in West Jordan. The Design Review Committee reviewed the elevations, which provide full storefront windows and that will break up the wall surfaces. A row of trees on the west side are to screen the dock doors. The rest of the landscaping is primarily xeriscape with no sod. He stated that the trailer could not be parked in the northeast corner because it is a required landscape buffer. He preferred it on the paved surface to the west of the building. If it is determined to constitute outdoor storage, then there are specific requirements for a solid wall and gates and a conditional use permit. However, the legal division could make an interpretation that it is parking.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission grant approval of the Preliminary Site Plan for Eagle Eye Promotions located at 4022 West 8380 South in the M-1 zone with the Conditions and Requirements of Approval listed below:

Conditions of Approval

1. A row of 5 closely spaced evergreen trees shall be planted along the west side perimeter landscaping in order to screen the loading bay doors from eastbound traffic.
2. All utility lines within the property boundaries shall be installed underground.

Requirements of Approval

1. Comply with all applicable requirements of the West Jordan City Code.
2. All redline comments shall be addressed and resolved prior to final approvals.

3. The Preliminary Site Plan is valid for one (1) year following the date of approval by the Planning Commission.
4. Comply with all requirements pertaining to the West Jordan Engineering Department, Fire Department, Building & Safety Department, and all other relevant city departments.

Duncan Murray said the determination is dependent upon how often the trailer is being used. If it is used often enough then it could be considered parking if it were on a designated parking stall for that trailer. However, if the trailer remains in that location for multiple days at a time, then his best interpretation of the definitions would consider it outdoor storage.

There was addition discussion regarding the site plan and the requested change. It was pointed out that the gate on 4000 West is for fire access. If it is determined that a conditional use permit is warranted, then the details of screening can be worked out before final approvals. There was still some concern with approving changes that are not shown on the site plan and without knowing if the changes would put the site into non-compliance of other sections of the code. Legal advice offered options of either asking that the changes be shown on the plan and brought back to the commission as a business item or to give preliminary approval knowing that the specifics of the commission's requirements have to be fleshed out before staff gives final approval.

Mike Abraham said that the utility trailer is approximately 14 feet long and seven feet wide. The trailer is moving to different places all the time and it is not a container that remains in one spot. But when it is at the shop, they want it to be secure. The proposal is to put it behind a fence so that it is hidden. Jeffrey Close said it would be a walled area with solid gates to match the dumpster enclosure.

Matt Quinney felt that the wall would provide the needed screening. The bay doors are so far recessed from the street, he felt it is a sufficient solution.

Scott Langford pointed out that if this change had not been proposed tonight but later on after approvals the applicant approached staff, the change would likely just be administratively reviewed as per code and, if it met the code, would be considered a nonsignificant change to add a wall.

Duncan Murray said that staff is allowed to flesh out the details of small changes, however, where this is fundamentally different, it might be good for the commission to be able to see it. If they choose to approve with direction to staff, they should be clear as to what requirements have to be met before final approval.

It was pointed out that staff will review all amended plans to make sure they meet all requirements such as required trees, landscaping, etc. The fire department preferred the trailer to be stored on the north side since there is a gate and there would be more space to maneuver around the trailer. The setback on the west is ten feet wide. Staff had concerns that the engineering staff was not available for input regarding backing a 14-foot trailer off 4000 West. Also, if the trailer were parked in the landscape buffer it could be considered outdoor storage. In that case, storage within 20 feet of the wall cannot be taller than the wall.

Jay Thomas opened the public hearing.

Jordan Smith, West Jordan Police Department, said there is no shoulder on 4000 West and backing a trailer would not be preferred because it would block the road.

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

Matt Quinney pointed out that the access gate also lines up with a road on the other side of 4000 West. He agreed that they should table the item.

MOTION: Matt Quinney moved to suspend the rules to allow the applicant to speak. The motion was seconded by Trish Hatch and passed 7-0 in favor.

Chris Abraham proposed that they dispense with the request to store the trailer at this location and just proceed with the plan as submitted. He said they are at capacity in their current location, and they are fighting a 1 ½-year build because of supply chain issues. He would rather find another location to store the trailer than to delay the approval.

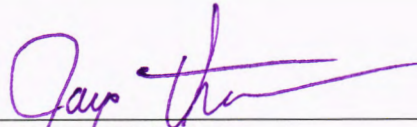
Matt Quinney asked staff if the applicant would be allowed to request this change after approvals.


Scott Langford said that any property owner has the right at any time to request an amended site plan within the parameters of the code. If it is not substantially changing the site plan, then staff has that authority.

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 Site Plan and street-facing bay doors for Eagle Eye Promotions located at 4022 West 8380 South in the M-1 zone with the Conditions and Requirements of Approval listed in the staff report. The motion was seconded by McKenna Marchant and passed 7-0 in favor.

MOTION: Matt Quinney moved to adjourn.

The meeting adjourned at 6:43 p.m.


JAY THOMAS
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development Department

Approved this 19th day of July, 2022

