

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD NOVEMBER 19, 2003 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Greg Simonsen, VaLayne Finlayson, Duane Harding, Terri Cluff, Linda Dalley, Nola Duncan, and David Rees.

STAFF: Tom Burdett, Richard Lewis, James Woodruff, Craig Hinckley, Peter Simmons, Dana Summers, Michael Meldrum, Nathan Francis, Julie Davis, Kevin Watkins, and Reed Scharman.

OTHERS: Warren Kirk, Joe Scovel, Jim Taylor, Mike Jones, Rich Welch, Mike Duford, Mark Cornelius, Troy Duran, Dean Bawden, Kim Lambourne, Jeff Randall, Hugh Hedges, Debbie Rees, Al Belt, Russ Ferre, Jay Graft, Jeffrey Crawford, Doug Chamberlain, and Robert Strang.

The briefing meeting was called to order by Greg Simonsen.

The Commission asked that Items #1A and #1D be pulled from the Consent Calendar for discussion.

Item #2 was briefly discussed. The conditional use permit can apply to the entire parcel, or the Commission may confine it to one unit. The parking should be evaluated to determine if it meets the needs for the most intensive office use if they want to give approval for the entire site.

There was a discussion regarding the ability to move public hearing items to the Consent Calendar. Tom Burdett said he had spoken to Roger Cutler who indicated that as long as the Commission puts forth an opportunity for public comment they can place conditional use permit requests on the Consent Calendar. He recommended that the Commission be consistent with the procedure to set the Consent Calendar then review each item by asking the members of the audience if they wish to speak on them. If there is no one in the audience to speak on them then the public comment is closed for the Consent Calendar and they vote on it as a motion. Greg Simonsen asked if they should follow that procedure even if there are no items moved to the Consent Calendar. Tom Burdett said that Mr. Cutler recommended that they follow that procedure in every case.

Michael Meldrum gave additional information regarding Item #1A. The 3-acre park should be included on the recommendations.

Terri Cluff indicated that she had a conflict of interest on Item #4.

Greg Simonsen distributed a paper that referred to the Utah Code on the binding powers of the General Plan. He also listed the current reference that is in the City's ordinance regarding this matter. He would like the Planning Commission to consider making a recommendation to change the ordinance to be nearly identical to the State statute. He would like to make a motion that the staff be directed to notice this item and place it on an agenda for a future meeting. He would eliminate the current paragraph and replace it with "The general plan is an advisory guide for land use decisions."

MOTION: Greg Simonsen moved to place the amendment to the Ordinance regarding the binding powers of the general plan on the agenda and properly noticed for discussion for a future meeting of the Planning Commission. The motion was seconded by David Rees and passed 7-0 in favor.

Rick Lewis indicated that it could be noticed for the January 7, 2004, meeting.

The regular meeting was called to order at 6:04 p.m.

ITEM #1 CONSENT CALENDAR

A. 21-29-103-002; 21-20-351-011 LIBERTY LANDING APARTMENTS; APPROXIMATELY 7000 SOUTH CAMPUS VIEW DRIVE; FINAL SITE PLAN; R-3-20 (ZC) ZONE; COWBOY PARTNERS (APPLICANT)

B. 27-05-276-013 WOODS AT CREEKVIEW PHASE 3B; 8800 SOUTH 3300 WEST; FINAL SUBDIVISION PLAT EXTENSION; R-1-8D ZONE; MIKE DUFORD CONSTRUCTION (APPLICANT)

Staff recommended approval of a six-month extension to the Final Subdivision Plat for the Woods at Creek View 3B, located approximately 8800 South 3300 West, with the conditions as set forth below. The applicant should be advised that the Planning Commission approvals do not include Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied.

1. Meet all requirements of the Preliminary Subdivision Plat as approved on June 19, 2002.
2. Meet all requirements of the Final Subdivision Plat as approved on October 16, 2002.
3. Approval for the extension to the Final Subdivision Plat shall expire on April 16, 2004.

C. 20-35-306-002 MOUNTAIN VISTA SALES TRAILER; 8359 SOUTH OAK MILL DRIVE; TEMPORARY USE EXCEEDING 30 DAYS; ERIC BALAZS

Staff recommended approval of the extended Temporary Use Permit for Mountain Vista Sales Trailer for a temporary office structure based on the findings outlined above located at 8359 South Oak Mill Drive (6330 West) with the conditions set forth below. The applicant should be advised that Planning Commission approvals do not include Public Safety, Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied:

Conditions of Approval:

1. Obtain a building permit to locate the trailer.
2. A \$3,000 refundable cash bond will be posted for the temporary structure with the City Treasurer to ensure proper and timely removal of the sales trailer.
3. The temporary structure will be removed by February 29, 2004.
4. No structure may be located within the clear vision zone as per §89-6-105.
5. A handicapped accessible ramp and handrails must be provided as required by building code.
6. One temporary sign is permitted as per §89-6-1103(f) and may not exceed 40 sq. ft. if located on the structure as per §89-6-1107. Any additional temporary signage requires a temporary sign permit as per §89-6-1102(d).

D. 20-36-251-010 STONE CREEK PARK PHASE 2; APPROXIMATELY 5220 WEST AMETHYST DRIVE; FINAL SUBDIVISION PLAT AND FINAL PARK PLAN; P-C ZONE; PETERSON DEVELOPMENT (APPLICANT)

E. APPROVE MINUTES FROM NOVEMBER 5, 2003

ITEM #10 2004 PLANNING COMMISSION CALENDAR

Staff recommended that the Planning Commission adopt the 2004 Calendar as proposed.

MOTION: David Rees moved to change the Consent Calendar by removing #1A and #1D and adding Items #2 and #10. The motion was seconded by Linda Dalley and passed 7-0 in favor.

Greg Simonsen asked if there were any public comment with respect to Items #2 or #10. A member of the public indicated that he wanted to speak on Item #2.

MOTION: Greg Simonsen moved to remove Item #2 from Consent Calendar. The motion was seconded by David Rees and passed 7-0 in favor.

MOTION: David Rees moved to approve the Consent Calendar as amended. The motion was seconded by Linda Dalley and passed 7-0 in favor.

ITEM #1A. 21-29-103-002; 21-20-351-011 LIBERTY LANDING APARTMENTS; APPROXIMATELY 7000 SOUTH CAMPUS VIEW DRIVE; FINAL SITE PLAN; R-3-20 (ZC) ZONE; COWBOY PARTNERS (APPLICANT)

Michael Meldrum gave the overview of the project. The building elevations would remain the same as those proposed in the preliminary approval. He reviewed the parking requirements for the project, which are 449. The applicant proposes that 443 be provided on site with an additional 30 stalls to be considered on Campus View Drive, which would provide 473 parking stalls. The Planning Commission has the authority to alter the minimum parking requirements based on the listed criteria. He felt that the parking along Campus View Drive would be a viable option. The landscaping plans meet the requirements of the ordinance. However, the three-acre park north of the project should be added as a condition of approval.

Staff recommended that the Planning Commission grant Final Site Plan approval for the Liberty Landing Apartments, located at approximately 7000 South Campus View Drive, with the conditions as set forth below. The Planning Commission should advise the applicant that Planning Commission approvals do not include Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied.

1. Meet all requirements of the Preliminary Site Plan as granted by the Planning Commission on September 3, 2003.
2. Meet all requirements of the Fire Marshal.
3. Meet all requirements of the Engineering Division.
4. The required number of parking stalls is modified as allowed in §89-6-604(c). The applicant must provide a minimum of 449 parking stalls, including on-street parking.
5. The buildings will be constructed as reviewed and recommended by the Architectural Review Committee on September 16, 2003, and subsequently by the Planning Commission on November 19, 2003.
6. The landscaping shall be installed as shown on the landscape plans unless otherwise approved by an on-site inspection conducted by staff.

Terri Cluff was concerned with the parking. She asked how regularly the City had allowed for on-street parking as part of the requirement.

Michael Meldrum said it is not a regular occurrence, but it could be considered by the Planning Commission based on the criteria. He said that there are only six additional stalls on the street that would be used for the required parking. He stated that the Planning Commission could choose to alter the minimum requirement to 443 if they desired.

Terri Cluff asked if six more stalls could fit on the project property.

Michael Meldrum said he didn't believe there were additional locations for stalls. He said that there would be units that face Campus View Drive, and he felt that regardless of whether or not the Planning Commission includes the on-street parking as required people will park there anyway.

VaLayne Finlayson would like condition #4 to be amended to read that there must be 443 on-site parking stalls with an additional six on-street. She was also concerned with the number of units being changed due to

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reconfiguration of the project after a market study. She asked why the study was completed after preliminary approval and not beforehand. She said they had lost seven two-bedroom units and added 16 one-bedroom units.

Michael Meldrum said that the applicant could address that.

Greg Simonsen asked if the parking stalls were assigned to specific units so there is a visitor parking area and stalls assigned to the specific units.

Michael Meldrum said there are stalls beneath each unit, but he didn't know if they were assigned to specific units.

Mark Cornelius, Cowboy Partners, stated that all of the parking underneath the buildings would be assigned along with several stalls on the perimeter. There will also be areas for visitor parking throughout the property.

Greg Simonsen asked how the parking numbers break out as far as for visitors and residents.

Mr. Cornelius didn't have the exact numbers available. Michael Meldrum said that it is one guest space for every four units, which would be about 44 or 45 spaces.

Greg Simonsen asked the applicant if he planned to have 44 visitor parking spaces.

Mark Cornelius said yes, and he felt it made sense to spread those throughout the property.

Greg Simonsen said that there are 44 visitor spaces required. He wanted to make sure that all of the street parking did not count toward the required visitor parking.

Mark Cornelius said they would label visitor parking throughout the property to make sure that will not occur.

Greg Simonsen asked if he knew the number of visitor parking stalls that would be designated on the street.

Mark Cornelius said he didn't know because at the current time they had been working with the number of six stalls that had to be added. They hadn't yet determined where the visitor parking would be.

Greg Simonsen asked if they would be opposed to a condition that 44 visitor parking stalls must be within the complex.

Mark Cornelius said no. He addressed the unit mix issue. He said that it had been a challenge to fit the parking requirement within the property to the density of the complex. As they worked with staff they determined that more parking was required, and they had to alter the building configurations in order to maximize the parking area underneath the buildings. They will still maintain that 10% of the mix will be small one-bedroom studio, 10% three-bedroom, and the remainder as one-bedroom and two-bedroom units with the predominant being two-bedroom. He pointed out that the studios are not counted as a one-bedroom unit.

Kim Lambourne, Architect, said due to stipulations they are still revising the plan. The final parking number will be modified. He said that they would designate the parking on the street the way the Planning Commission preferred. Some of the design parameters had changed that will modify the configuration, and the parking requirement may even go down. There are also structural concerns with vertical circulation and column placement. They had submitted a letter to indicate that they needed some flexibility with the parking requirement, but they hope to provide all of the parking on-site.

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

MOTION: Terri Cluff moved to approve the Final Site Plan for Liberty Landing Apartments; approximately 7000 South Campus View Drive; Cowboy Partners (applicant) with staff recommendations 1, 2, 3, 5, 6, amending:

4. The required number of parking stalls is modified as allowed in Section 89-6-604(c). The applicant must provide a minimum of 443 parking stalls on site and 6 on the street.

Adding,

7. The landscape plan for the 3-acre park according to the rezone.

8. There must be 44 marked visitor parking spaces within the complex.

The motion was seconded by VaLayne Finlayson.

Greg Simonsen said he liked the project and felt it would be a credit to the community. However, he was concerned with the parking and traffic in Jordan Landing, and particularly Campus View Drive in general. He was concerned that if the Commission allows one developer to meet the parking requirements through public parking in an area that is already very congested, then they will have other developers asking for the same. He was also concerned that this application was for final approval, yet they are still revising the project. He would prefer that all of the required parking be kept on site, and for those reasons he would vote against the motion.

Linda Dalley asked if there were adequate parking before the number of units was reconfigured.

Michael Meldrum said that they were still adjusting the parking numbers, because they are based on the unit type.

Linda Dalley asked if they were closer to the requirements at this time.

Michael Meldrum said yes.

Nola Duncan was also concerned that they were still adjusting the project when it is at final site plan. She asked if Michael Meldrum were working closely with the applicant regarding these changes. She also agreed that the traffic in Jordan Landing was a problem, and she was concerned that they would be taking space on the streets that might have to be reconfigured in the future to improve traffic flow.

Michael Meldrum said he was in regular contact with the applicant. He said it was staff's opinion that people will park on the street whether or not it is part of the project parking.

Greg Simonsen asked Mr. Meldrum how he felt about setting a precedent in this matter.

Michael Meldrum said he didn't feel there would be a precedent, because each project is reviewed on its own merits.

David Rees said that he would like more detail regarding the statement that there is still some reconfiguring of the project to take place. He asked if he could ask the developer what they are still configuring and why it wasn't done before this time.

Terri Cluff stated that if there is major reconfiguring the applicant would have to come back to the Commission for a modified final review. If it were a minor change it wouldn't be an issue.

ROLL CALL VOTE:

Commissioner Rees **yes**

Commissioner Finlayson **yes**

Chairman Simonsen	no
Commissioner Cluff	yes
Commissioner Dalley	yes
Commissioner Duncan	no
Commissioner Harding	yes

The motion passed 5-2 in favor.

ITEM #1D 20-36-251-010 STONE CREEK PARK PHASE 2; APPROXIMATELY 5220 WEST AMETHYST DRIVE; FINAL SUBDIVISION PLAT AND FINAL PARK PLAN; P-C ZONE; PETERSON DEVELOPMENT (APPLICANT)

Nathan Francis gave the overview of the item. The major concern of the Commission was regarding the relocation of the basketball court at the far west portion of the parkway. Staff asked that it be relocated to make one full basketball court in a maintained area of the parkway. Staff felt that in the original location the court would be unused. Phase 2 would also have a full basketball court south of the elementary school, which also has courts and amenities nearby. This final park plan meets the full intent of the conditions of the rezone, which does allow the Planning Commission to approve any changes. He pointed out that the amenities are not being reduced, but they are being relocated. Staff requested that the applicant submit a lighting plan for the parkway prior to recording the final subdivision plat and dedicating it to the City.

Staff recommended that the Planning Commission grant Final Subdivision Plat and Final Park Plan approval for Stone Creek Park Phase 2, located at approximately 5220 West Amethyst Drive, with the conditions as set forth below. The applicant should be advised that the Planning Commission approvals do not include Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied.

1. The applicant shall meet the conditions of the rezone approved by the City Council on June 18, 1999, with the alteration of the required amenities approved by the Planning Commission on November 19, 2003.
2. The applicant shall provide a lighting plan prior to recording the Final Subdivision Plat.

Linda Dalley said that at the time of the rezone the two courts were provided with the idea that it would offer the opportunity for more residents to occupy three areas, whereas now there would be two full courts. She didn't think that the importance was with a full-sized court but the number of courts.

Nathan Francis said the elementary school provides a large number of basketball courts, and the location of this is probably 200 yards from the central park area. The original area had no circulation, and the children would have to cross the street to get there. He said that Stone Hollow 3 has another manicured park with amenities and a ballpark. The Island Park area will have a disk course within another manicured area. Staff felt that the full court would be more usable and easier for the City to maintain and patrol.

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

Linda Dalley asked if the basketball courts at the school are accessible.

Nathan Francis said yes, and the applicant would be installing a culvert that will cross Barney's Creek.

MOTION: Linda Dalley moved to grant the Final Subdivision Plat and Final Park Plan for Stone Creek Park Phase 2; 5220 West Amethyst Drive; Peterson Development (applicant) with the conditions and findings as set forth. The motion was seconded by David Rees and passed 7-0 in favor.

**ITEM #2: 21-27-451-024, -025 CHUN RENTAL UNITS; 1646 WEST 7655 SOUTH;
CONDITIONAL USE PERMIT TO ALLOW GENERAL OFFICE USES; SC-1 ZONE;
JOSEPH SCOVEL/COLDWELL BANKER (APPLICANT)**

Greg Simonsen asked that the staff review be dispensed with since they were comfortable enough at one point to place it on the Consent Calendar. He asked if there were others to speak on the item.

Staff recommended approval of the conditional use permit for Chun Rental Units located at 1646 West Sunrise Place (7655 South) based on the findings outlined above with the conditions set forth below. The applicant should be advised that Planning Commission approvals do not include Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied:

Conditions of Approval:

1. Display of temporary signage requires a temporary sign permit as per §89-6-1102(d).
2. Obtain and maintain a current West Jordan City business license.
3. The Conditional Use Permit is subject to review and/or revocation as per §89-5-404(f).

The applicant was in attendance but didn't wish to speak at this time.

Russ Ferre, West Jordan resident, lives on the north border of the Chun property. He wasn't concerned with the use of the buildings or the proposal. He stated that years ago when Mr. Chun first proposed to build on the property he agreed to build an 8-foot wall, which he did. But since that time the grading and leveling of the commercial property had reduced it to 5'3" or less on the commercial side. He asked if the wall would need to be brought back to the six-foot requirement, and that was his desire. Mr. Ferre pointed out the north property line that had an eight-foot wall terraced to fit the property. When the wall was built there was no level distinction between the two properties. He was concerned that when the vacant property is graded and finished the wall would be five feet high or less.

Nola Duncan asked if he were concerned with the stability of the wall or with privacy.

Mr. Ferre said he wanted the wall to follow the ordinance. Regarding the proposal he agreed that an office use is much better for him as a neighbor than a strip mall.

Dana Summers said she didn't work on the project when it was originally constructed, and she pointed out that the parcel with the wall doesn't affect the conditional use permit tonight, so they couldn't require the applicant to fix that problem.

Greg Simonsen didn't feel the wall situation would affect the vote on the conditional use permit. He suggested that Mr. Ferre speak to staff who would determine if there were a violation with the wall. He was sure that the applicant would like to comply with any laws that are in place.

Joe Scovel, applicant, stated that he would speak to Mr. Chun and have the problem resolved.

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

MOTION: VaLayne Finlayson moved to approve the Conditional Use Permit for Chun Rental Units; 1646 West Sunrise Place; Coldwell Banker/Joe Scovel (applicant) based on the findings outlined and with the conditions as set forth 1 through 3. The motion was seconded by Nola Duncan and passed 7-0 in favor.

ITEM #3: 20-34-300-001 DISCOVERY PHASE 1 REZONE; U-111 AND 8200 SOUTH; REZONE APPROXIMATELY 70 ACRES FROM A-20 (AGRICULTURAL 20-ACRE LOT MINIMUM) TO R-1-8 (SINGLE-FAMILY RESIDENTIAL 8,000 SQ. FT. MINIMUM LOT) AND P-F (PUBLIC FACILITIES) ZONES; A-20 ZONE; OQUIRRH HILLS, LLC/RICHARD WELCH (APPLICANT)

Craig Hinckley said this is the first phase of a larger project that will be coming forward on the Jones property and includes 70 acres of the overall 2,000 plus acres. He pointed out the northwest corner that would be set aside as public facilities for a middle school. The surrounding properties are Jordan Hills Villages to the east, and the Jones family owns the property to the south and west.

Based on the findings of fact outlined, Staff recommended that the Planning Commission forward a positive recommendation to the City Council to change the zoning of approximately 70 acres of property located at approximately 8400 South Highway 111 from Agricultural A-20 to Public Facilities P-F for the northwest corner of the site and Single-family Residential R-1-8(C) on the remainder of the site.

There was a question on the general land use plan for the property. Craig Hinckley showed the new map recently adopted by the City Council, which recommended medium density for the subject property. The medium density was applied to this property in order to be consistent with Jordan Hills Villages and extending to Highway U-111.

Greg Simonsen said the Commission hadn't received the updated General Plan with the maps. Craig Hinckley indicated he would furnish that.

Richard Welch, Liberty Homes, one of four partners in Oquirrh Hills, LLC, stated that they had purchased the property along with an additional 70 acres on the south side of 8600 South along the drainage channel. The other members of Oquirrh Hills are Reliance Homes, McDougal & Sons Construction, and Mike Jones. He distributed a graphic that illustrates the zoning they are seeking. It also showed the land uses in the Oaks at Jordan Hills Villages that shows the subject property is bounded on the east by 5,000 and 7,000 square foot lots, and the other feature is U-111 to the west whose destiny is to become like Bangerter Highway. He stated that they had the opportunity to present this plan to the City Council as part of the General Plan adoption. He reminded the Commission that this property had come to them two years ago when it was determined that the fire station needed to be built prior to rezoning of the property. Since that time one of the main features that changed was the middle school site. They have entered into an understanding with the Jordan School District to acquire the property and build the school. One of the goals they had heard from the Commission and the Council is the desire for a variety of housing. With the three builders as partners in the property they have over 60 plans available that range from 2200 to 3800 square feet. He pointed out that the requested 8,000 square foot lots would be a step up when compared to the adjoining piece.

Terri Cluff said that she liked the mixture of lot and home sizes, but most of what she saw was average. She asked for a percentage in the lot sizes and if some of the odd shaped lots would be 12,000 square feet or above.

Richard Welch said the preliminary plans range from 8,000 and 10,000 square feet. He felt it would be 50% 8,000 square foot lots with the balance at 10,000. He explained that when they approached the City Council they showed a plan for both the subject 70 acres and the 70 acres to the south. The area to the south has some unique shapes with the drainage channel that would result in the larger lots.

Greg Simonsen asked if the statement submitted by the applicant in the packet were not true for Phase I as it indicated that there would be larger lots.

Craig Hinckley explained that the original application included the property to the south as well, and that is where the 18,000 square foot lots would be located.

Richard Welch said the modification of the application happened as a result of the neighborhood commercial piece that was presented by staff to be relocated. So their proposed subdivision ran into processing problems, because now that the Council adopted the commercial in that area they would have to go back to the General Plan Committee in January to go forward. Staff allowed them to break the project into two pieces in order to go forward. The descriptions in the packet were for the entire plan.

Terri Cluff asked if 50% will be 8,000 and 50% will be 10,000 square feet with a couple of odd shaped lots that may be larger.

Richard Welch said that the larger lots would be in the other section south of 8600 South.

Terri Cluff asked Mr. Welch if he would be comfortable with a zoning condition that 50% would be 8,000 square feet and 50% would be 10,000 square feet.

Richard Welch said that they would like to have R-1-8 in order to be flexible, because they are still reconfiguring the school site.

Terri Cluff asked if they would be more comfortable with a maximum number of lots.

Linda Dalley asked if they could put the maximum 3.2 units per acre density as it was stated in the letter.

Richard Welch said that the density stated was for the combination of both properties. He stated that the north property, which is the subject property, would be 3.5 units per acre, and they would be agreeable to that.

Duane Harding felt that 3.5 is close to R-1-10, and he wondered if the applicant would like a higher density.

Craig Hinckley said R-1-10 is about 2.8 or 2.9 units per acre.

David Rees pointed out that there are two different projects, and they need to focus the comfort level of the Commission on the property in front of them, because the property to the south may change later. Other comments may be useful, but they should confine their comments to the subject property.

Greg Simonsen said that the letters provided in the packet were deceiving as to the requested rezoning, and they were inaccurate.

Linda Dalley asked again if Mr. Welch would be comfortable with 3.5 units per acre density for the 70 acres they are discussing tonight.

Richard Welch said they would prefer to develop to the R-1-8 requirements. However, their initial layout would fit with 3.5 units per acre. Answering a question from Commissioner Harding, Mr. Welch stated that they requested that 50% of the homes be a 'B' size and 50% be a 'C' size minimum on the application. Those homes would range from 2200 to 3800 square feet. The price is estimated to be \$175,000 to \$200,000, which is dependent upon the market.

Terri Cluff pointed out that staff was recommending 'C' sized homes.

Richard Welch said that they have a large frontage of U-111, and there is a challenge in marketing the homes. They would like the flexibility of 50% 'B' sized homes.

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

Terri Cluff asked what portion of the acreage would be P-F and what portion is residential.

Craig Hinckley said he hadn't received the specific descriptions yet. It is based on the master plan, and it would be approximately 20 acres.

Greg Simonsen asked if they didn't really know the boundary between the two zones because there wasn't a legal description.

Craig Hinckley said that they know the approximate boundary from the master plan, but they do not have the metes and bounds description that would pin it down to the second decimal point. He said that it would be required before they write the ordinance.

Greg Simonsen said they would like to have that before they vote.

Terri Cluff said they couldn't base the 3.5 units per acre on the entire 70 acres.

Craig Hinckley said the motion if they choose to make it would be 3.5 units per acre for that portion that is zoned residentially.

MOTION: Linda Dalley moved to allow Richard Welch to return to the podium to give further information. The motion was seconded by Greg Simonsen and passed 7-0 in favor.

Linda Dalley asked Mr. Welch if he were requesting 50% 'B' sized homes and 50% 'C' sized homes, because the packet only indicated 'C' sized homes.

Richard Welch said that the initial application was 50% 'B' and 50% 'C', but the staff recommended all of the homes to be 'C'. He explained that the initial application had the legal description that included a legal description for a commercial corner at 8600 South, but because the master plan didn't allow that it went away. However, the ideal acreage for the school site is 22 acres.

Terri Cluff asked if the applicant would agree to 22 acres for the school site acreage.

Richard Welch said that was the need of the school district. However, the district came to them two days ago and asked them to straighten the site a bit. It would change slightly, but it would be right in that range.

Nola Duncan asked for clarification on the commercial site on 8600 South.

Richard Welch explained that their initial application was for two neighborhood commercial areas at 8600 South and U-111 that would take up frontage on that highway. However, the decision was to have the General Plan reflect the neighborhood commercial on 6700 West and not for the other two corners. This application doesn't include any commercial properties.

Nola Duncan asked for clarification that they would have R-1-8 and R-1-10 with 'B' and 'C' homes and a school site on the subject property.

Richard Welch said that some of the lots that will be on cul-de-sacs will be larger, but they are requesting R-1-8 with 50% 'B' and 50% 'C' zoning and a school site. The 10,000 square foot lots would be a natural result of the layout process.

Craig Hinckley said the staff recommendation was for all of the homes to be a minimum 'C' size.

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

Greg Simonsen said it appeared to him that this application was in complete disarray. The application is for 140 acres, and there is no notification in the materials given to the Commission that the application has been officially modified. The materials in support of the application are for 140 acres. The Commissioners have all studied and prepared for tonight with an application that he felt was in disarray. He always assumed there is a metes and bounds description of exactly what parcels are to be rezoned.

Craig Hinckley said the agenda as well as the staff report clearly says the application is for 70 acres. Staff told the Commissioners tonight that the letter in the packet was provided as a requirement of the ordinance to provide justification for the zone change and was written prior to the amendment of the application. The agenda, the staff report, and the publication of notice all clearly state that the request is for 70 acres.

Nola Duncan asked if it were correct to assume that with the clarification that they disregard the items that technically preceded when they were looking at the entire project at City Council. She asked if they could specify 22 acres for the school.

Craig Hinckley said that was correct. The subject property size is 70 acres to be divided into two zoning districts R-1-8 and P-F. When he was writing the staff report he indicated to Mr. Welch that they needed a modified legal description, because the original one included commercial properties. At that time they were also working with the school district to finalize the exact size of their property. They do know that the P-F zone will be approximately 22 acres and the R-1-8 zoning will be approximately 58 acres. Craig Hinckley said the land use map was amended and adopted by the City Council. One of the groups that provided testimony to the City Council regarding the land use plan were the applicants who requested that the land use map be amended to be consistent with the master plan that they were developing. The City Council determined that only the 70 acres to the north would be modified to show the P-F and medium-density residential. The remainder of the property was unchanged from what the Planning Commission recommended. However, in late January or February the Commission will be reviewing a major application from the Jones family for the master plan of their remaining 2000 acres. His staff report is based on the General Plan Land Use Map as adopted by the City Council and the 70 acres shown on the screen.

David Rees said he didn't want to slow down this application, but when they are making a recommendation for a rezoning ordinance a legal description is an integral part of that, and he felt that they are asking to send an incomplete recommendation to the City Council. He is very clear that there is a school site with about 22 acres, and the balance of the acreage would be whatever the Planning Commission felt was best for the property regardless of what the applicant requested. He was concerned that the recommendation was incomplete without the legal description.

Tom Burdett agreed that there should have been a legal description.

Duane Harding felt that if they designate 22 acres in the northwest corner as public facility that would suffice. He didn't feel that there should be a density limitation since it is adjacent to high-density residential and Highway U-111 and the fact that it complies with the General Plan.

MOTION: Duane Harding moved to forward a positive recommendation to the City Council for the Discovery Phase I Zone Change from A-20 to R-1-8C and P-F on 22 acres on the northwest corner.

The motion died for lack of second.

MOTION: Terri Cluff moved that for reasons stated by Commissioner Rees and Tom Burdett they postpone until the next meeting the Discovery Phase I Zone change; 8400 South Highway 111; Oquirrh Hills, LLC (applicant) until there is a legal description for the acreage that they are being asked to rezone. Also, they should have a current land use map and documents that are current in the packet they are looking at in order to make correct decisions. The motion was seconded by Greg Simonsen.

ROLL CALL VOTE

Commissioner Harding	no
Commissioner Duncan	yes
Commissioner Dalley	no
Commissioner Finlayson	no
Commissioner Cluff	yes
Chairman Simonsen	yes
Commissioner Rees	yes

The motion passed 4-3 in favor.

David Rees said although he didn't want to slow the application he felt that this needed to be complete and current.

Greg Simonsen said that if it weren't for the concerns raised by Commissioner Cluff he would have voted in favor of the application.

Commissioner Cluff agreed.

MOTION: Linda Dalley moved to take a five-minute break at 7:30 p.m. The motion was seconded by Duane Harding and passed.

The meeting reconvened at 7:37 p.m.

Terri Cluff declared a conflict of interest and left the dais for the item.

ITEM #4: 20-35-400-010, -011 **PERRY/BAWDEN WEST JORDAN; 8600 SOUTH 5600 WEST; REZONE 46.96 ACRES FROM A-5 (AGRICULTURAL 5-ACRE LOTS) TO R-1-8 AND R-1-10 (SINGLE FAMILY RESIDENTIAL 8,000 AND 10,000 SQ. FT. LOTS)**

Craig Hinckley stated the request is to change from A-5 to R-1-8 and R-1-10. Mr. Hinckley stated that Dean Bawden requested at 6:30 p.m. today that the portion west of the power corridor be removed from the application, so the Commission should only consider the property east of the corridor for the requested R-1-8C zone. The General Plan recommends medium-density residential east of the power corridor. He indicated that he had a legal description of the property.

Linda Dalley asked how many acres are involved in the R-1-8 portion.

Craig Hinckley said it is about 31 acres.

The applicant was in attendance and had nothing to add.

Troy Duran, West Jordan resident, expressed concerns with overcrowding of schools in the area, the future of 5600 West and the traffic involved and whether or not there would be a noise barrier wall on the east side of the road, and future traffic issues. He asked if these issues had been considered. He stated that he moved to West

Jordan to enjoy the quality of life and did not want to see massive home building and traffic problems in the area.

Greg Simonsen said that he appreciated that Mr. Duran desired to participate in the process, and he said that they all share these same concerns. He urged Mr. Duran to continue his participation in areas and committees that are available to citizens. He understood that 5600 West would be a substantial road in the future, and he referred Mr. Duran to James Woodruff regarding the sound wall. The Commission also shares the concerns with the school issues. However, the Commission can't use that concern as criteria for the rezoning, but they should be aware of it.

Duane Harding felt that growth is the number one issue in West Jordan. He was also concerned about the same issues when he got involved in the Open Lands Committee, the General Plan Committee, and then the Planning Commission. He stated that they are aware of the traffic problem specifically east/west, and part of the problem is the north/south traffic gets priority as they are State highways.

James Woodruff stated that 5600 West is proposed to be a road similar to 9000 South with five lanes and could be 5 to 10 years before they get the full width. The City will provide a sound barrier wall on the east side as the improvements take place on the east side. He explained that the City is spending about \$6 million on traffic and next year about \$3 to \$6 million on widening the main corridors on 9000 South and 7800 South. They are doing the best they can to address the issues, and he felt that they will get a hold of the problems within the next two to three years.

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

David Rees said he liked the full proposal and wondered why the applicant had changed it.

MOTION: David Rees moved to allow the applicant to speak to the question. The motion was seconded by Greg Simonsen and passed 6-0 in favor.

Dr. Dean Bawden said there was a discussion between the owners on how to proceed, and they decided to withdraw that portion in order to solve the problem.

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

Craig Hinckley gave the status of the elementary schools in the area.

There was a discussion regarding the home sizes in Bloomfield Subdivision, which range from 'C' to 'G' sized homes.

Duane Harding asked Craig Hinckley to explain how he came to the sample of density information. Craig Hinckley explained that he took a lot count from random subdivisions for each zoning classification.

Greg Simonsen asked if there were any proposals for power substations along this corridor.

Craig Hinckley said Utah Power is only looking at one additional substation in the western portion of the City near U-111 at either 9000 South or 8600 South.

Greg Simonsen said his only concern was with the home sizes that will be next to the larger homes.

Linda Dalley asked what the home sizes were for the Wheatridge subdivision.

Nathan Francis said that area had 'E' and 'F' sized homes.

Michael Meldrum explained that the 'E' and 'F' home sizes that were approved for that subdivision were previous to the current ordinance and are smaller than what they are today. They would be closer to the 'D' and 'E' size of today's home requirements.

MOTION: Linda Dalley moved to forward a positive recommendation for the Perry-Bawden zone change; approximately 8600 South 5600 West; Perry Homes, Inc. (applicant) to change the zoning of approximately 31 acres from A-5 to R-1-8D. The motion was seconded by Duane Harding and passed 6-0 in favor. Terri Cluff was excused for the item.

Terri Cluff returned at 8:00 p.m.

ITEM #5: 21-34-128-006 JORDAN SQUARE LOT 4 RETAIL; 7800 SOUTH REDWOOD ROAD; PRELIMINARY AND FINAL SITE PLAN; SC-2 ZONE; DMR, LLC/AL BELT (APPLICANT)

Nathan Francis gave the overview of the item that is the second phase of the redevelopment of the site. The new landscape plan had been submitted. However, the applicant would also be required to bury the power lines along Redwood Road. The parking was reviewed and requires 27 stalls, but only 21 are provided. The ordinance allows the Planning Commission to reduce the number of stalls based on the merits of the project. Staff believed that the hours of operation, the mixed diversity of tenants, and the location near a mass transit route merits the reduction to 21 stalls. The applicant had provided a brick wainscot to the base of the building as requested by staff. Staff felt that the project meets the intent of the Downtown Brownsfield Economic Redevelopment Initiative Pilot Project and the design guidelines as approved by City Council on June 26, 2000. The façade shows canopies over each entryway. The Downtown Revitalization Committee submitted recommendations, and the new submitted plan showed the decorative safety bollards at 7800 South and Redwood Road. A trash enclosure was not included on the site, but the applicant intends to share the one on the pad to the west of the site.

Staff recommended that the Planning Commission grant Preliminary and Final Site Plan approval for Jordan Square Lot 4 Retail, located at 7800 South Redwood Road, with the conditions as set forth below. The Planning Commission should advise the applicant that the Planning Commission approvals do not include Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied.

1. The applicant shall provide a master plan and phasing schedule for the redevelopment of the Jordan Square shopping center prior to building permit approval.
2. The applicant shall amend the landscape plan to show a total of 9 street trees based on the amount of linear street footage as per Section 89-6-708(e).
3. The applicant shall place all electrical, communications, television service cables, and similar distribution service wires and/or cables underground as per Section 89-6-903.
4. The applicant shall amend the final building elevation plan to show a brick waistcoat around the proposed building to match the existing shopping center structure.
5. The applicant shall provide no less than 21 parking stalls as per Section 89-6-604(b).
6. The applicant shall screen all equipment and service areas as per Section 89-6-803(c)

Duane Harding asked for more information regarding the parking and why staff felt that it could be reduced.

Nathan Francis said the highest impact on the center is Gold's Gym, which has peak hours that are right after work or early morning. The morning hours will not impact the site, and the afternoon rush impact will not be significant enough to take away parking from Gold's Gym.

VaLayne Finlayson said that the staff report referred to the availability of on-street parking.

Nathan Francis said that factor does not apply to this site. The only two factors that should be considered are the hours of operation and the availability of mass transit to the site. Also, the reduction in parking is less than 5%.

Linda Dalley asked if there is a request for a comprehensive parking table.

Nathan Francis said that was requested as part of the phasing and scheduling plan.

Linda Dalley said they are being asked to make a recommendation on the parking without the table.

Nathan Francis said that the needed parking to the site might also be reduced with the introduction of light rail to the area as well as the new standards for parking in the downtown area that may be adopted.

Linda Dalley said that Gold's Gym is doing so well that the parking issue is real.

Nathan Francis agreed that it is real because of the peak hours and unique operations of Gold's Gym. However, there is always available parking around Alvarado's Restaurant even at the peak hours.

Al Belt, DMR, LLC, asked for clarification regarding the requirement to bury the power lines.

Nathan Francis said when the development is complete according to the phasing plan that will be submitted the power lines along Redwood Road will be buried, which is a requirement of the ordinance.

Al Belt said the building was proposed at 6000 square feet, but the staff report indicated it to be 5500 square feet.

Nathan Francis said because of the setback issues and redesign of the structure as shown on the newly redesigned drawings that were submitted it showed a little over 5500 square feet.

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

David Rees indicated that he wasn't very concerned about the parking.

MOTION: David Rees moved to approve the Preliminary and Final Site Plan for Jordan Square Lot 4 Retail; 7800 South Redwood Road; DMR, LLC (applicant) with the staff recommendations 1 through 6, adding:

7. A canopy over each entry. Canopies to be solid or covered to match or complement the awnings on the main façade.

8. Provide pedestrian enhancements on the sidewalk area including landscape features, benches, other amenities, and possible bollards.

The motion was seconded by Duane Harding and passed 7-0 in favor.

David Rees declared a conflict of interest and left the dais at 8:15 p.m.

ITEM #6: 21-35-101-004; 21-26-351-020 MILLVIEW CONDOMINIUMS [CONTINUED FROM NOVEMBER 5, 2003]; APPROXIMATELY 7600 SOUTH 1200 WEST; FINAL SITE PLAN (2 BUILDINGS); R-3-12 (ZC) ZONE; DEBBIE REES, GREG VANDENBERGHE (APPLICANTS)

Michael Meldrum said the applicant submitted new building elevations after the architectural review committee, and those drawings match all of the motions as established by that committee. He stated that he had intended to include the motions from the October 16 architectural review committee, but he left those out in order for the Commission to determine if they wanted to include them.

Staff recommended that the Planning Commission grant Final Site Plan and Condominium Plat approval for Millview Condominiums located at approximately 7600 South 1200 West, with the conditions as set forth below. The Planning Commission should advise the applicant that Planning Commission approvals do not include, Fire, Building and Safety, and Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied.

1. Meet all conditions of the Preliminary Site Plan approval (granted on February 19, 2003) as identified above.
2. Address/resolve the conditions and comments provided by the Engineering Division.
3. Meet the conditions and submittal requirements identified in the letters from September 2, 2003 and September 5, 2003.
4. Building 1 must be moved to the south and west to comply with the 20 foot required setback. A new site plan drawing must be submitted showing this correction prior to obtaining any building permits.
5. All buildings and all site improvements must be built as approved. Deviation from the plans will require Planning Commission approval.

The applicant was in attendance and had nothing to add.

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

MOTION: Linda Dalley moved to approve the Final Site Plan and Condominium Plat for Millview Condominiums; 7600 South 1200 West; Debbie Rees (applicant) with conditions and finding as set forth 1 through 5, adding:

- 6. The individual motions contained in the minutes from the architectural review committee on October 16, 2003, be included as a condition of approval.**

The motion was seconded by VaLayne Finlayson and passed 6-0 in favor. David Rees was excused for the item.

Commissioner Dalley stated that the reason for the added condition was that everyone present at the architectural review committee, the applicants, staff, and committee members voted unanimously on every item. She commended the developers for their patience and indicated that everyone involved had worked long and hard on the project.

The applicant indicated that they agreed to include the motions from the architectural review committee.

David Rees returned to the dais.

ITEM #7: 21-23-351-005, -029 CRAWFORD SUBDIVISION; 6785 SOUTH 1300 WEST; PRELIMINARY SUBDIVISION PLAT; R-1-10D ZONE; JEFFREY D. CRAWFORD (APPLICANT)

Peter Simmons gave the overview of the item for a subdivision plat. Two of the proposed lots have existing homes, and three vacant lots will be created that will range from 15,656 to 11,605 square feet in size. Access will be off of Bateman Point Drive. Mr. Simmons said that he spoke to the applicant regarding the wall and fencing. The original site plan submitted prior to this hearing showed a six-foot vinyl fence for about 130 feet on the southern boundary, and the code does not require fencing between residential subdivisions. The applicant indicated that they might not want to install the fencing because of discussions with the property owners to the

south, and it is not required. There are overhead power lines that cross the property to the existing homes, but Section 87-5-111(c) requires that the power lines be underground. The applicant said the power lines will be underground, and the site plan shows the plan for the power lines. The existing homes will keep the overhead power lines, but the lines to the vacant lots will be buried. Mr. Simmons pointed out the above ground irrigation lines adjacent to the property. Staff has indicated that the water rights cannot be taken away or impacted regarding the irrigation. The applicant is working to obtain a listing of the water right users. The irrigation line along Bateman Point Drive will be taken out as it is used only to flood the subject property.

Staff recommended Planning Commission approval for the Crawford Subdivision Preliminary Subdivision Plat located at 6785 South 1300 West, with the conditions as set forth below. The applicant should be advised that the Planning Commission approvals do not include Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied.

1. Meet all requirements of the R-1-10D Zone and the Title 89, Chapter 3, Part 3 of the Zoning Ordinance.
2. Construct a 6-foot high masonry wall along 1300 West and 6-foot vinyl fence along 130 linear feet of the southern property line per preliminary site plan.
3. The overhead utility lines will be placed underground on lots 1-3 as shown on the Utility Plan per §87-5-111(c) of the West Jordan Municipal Code.
4. Submit clearance letter from weir master with final subdivision plat submittal.
5. A minimum of 10 street trees are required along Bateman Point Drive per §89-6-706(a)(2) of the West Jordan Municipal Code. Deciduous trees must have a minimum 1^{1/2}" caliper and be at least 8' in height and all evergreen trees a minimum 5' in height per §89-6-705(b)(1). Not less than 80% of the trees shall be water-conserving species that can withstand dry conditions once established per §89-6-704(a)(1).
6. The developer shall be required to provide two street trees and parkstrip irrigation for each lot per §89-6-708(a)(1). The street trees can be planted in the parkstrip or front yard area.
7. The landscaping of the front yard and/or corner side yard areas will be completed within one year after occupancy of the home per §89-6-708(a)(1).
8. The landscaping shall be maintained by a permanent irrigation system per §89-6-703(a)(2) and shall be designed for the most efficient use of water per §89-6-704(a)(4).
9. The plant material shall recognize the climatic limitations of the Salt Lake Valley and the need for water conserving per §89-6-704(a).
10. A landscape and irrigation plan for the parkstrip landscaping along Bateman Point Drive shall be submitted with the final submittal.

There was a discussion regarding the 130 feet of vinyl fence that was spoken of. That area was pointed out, and Peter Simmons said it is not a requirement, but it was added on the conditions because he thought it might have been left off of the resubmitted site plan. Staff didn't believe that the applicant wanted it on the site plan now.

Greg Simonsen asked if there is a time limit for putting in improvements.

Peter Simmons said there is a requirement for the posting of the bond, and the bond requires that the improvements must be installed within one year [James Woodruff corrected this comment to be two years].

Jeffrey Crawford, applicant, said he intended to build on one of the lots. He said that he put a lot of work into this to make sure that the current residents felt comfortable with the proposal. The private lane that accesses Dale Bateman's home will be removed, and the home will become a part of the cul-de-sac. The irrigation to that property will be removed, and the power will be underground for the three new lots.

Duane Harding asked if the vinyl fence issue was a mutual agreement between the property owners.

Jeff Crawford said he didn't know where the fence came from, and it was only shown at some preliminary meetings. The existing owners don't want a fence because of trees and bushes in the area. He thought that there might be a fence in the future, but he didn't think it needed to be a mandate of the development. He felt that this subdivision would be a great addition to the City and will help to finalize the McArthur subdivision.

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

MOTION: Nola Duncan moved to approve the Preliminary Subdivision Plat for Crawford Subdivision; 6785 South 1300 West; Jeffrey Crawford (applicant) with the conditions as set forth in the staff report. The motion was seconded by Duane Harding and passed 7-0 in favor.

ITEM #8: 27-03-176-003 REDWOOD PROFESSIONAL PLAZA PHARMACY; 8800 SOUTH REDWOOD ROAD; PRELIMINARY SITE PLAN; SC-2 (ZC) ZONE; BEECHER WALKER (APPLICANT)

Nathan Francis explained that the original review of the area showed this pad as a financial institution, therefore, there was a change in the parking requirements. They were required to have 517 spaces, but with the newly proposed uses for the building it will increase by 20 stalls. However, under the conditions and merits of the development and in association to the mixed uses and mass transit system that runs along Redwood Road staff felt comfortable in reducing the number to the previously required amount. The applicant had also asked if staff could perform the final site plan approval administratively.

Staff recommended that the Planning Commission grant Preliminary Site Plan approval for Redwood Professional Plaza Pharmacy located at 8700 South Redwood Road, with the conditions as set forth below. The applicant should be advised that the Planning Commission approvals do not include Fire, Building and Safety, or Engineering approval. Requirements by those departments must be met and site changes or additions may be required. Building permits will not be issued until all departments' requirements have been satisfied.

1. Amend the site plan to show stack parking spaces for the drive-through.
2. The applicant shall place all electrical, communications, television service cables, and similar distribution service wires and/or cables underground as per Section 89-6-903.
3. The applicant shall provide no less than 517 parking stalls as per Section 89-6-604(b).
4. The applicant shall screen all equipment and service areas as per Section 89-6-803(c)

David Rees asked if staff felt that they had sufficient information at this time to perform the final site plan review.

Nathan Francis said he felt comfortable with that, and the only additional thing needed was a landscape plan.

Doug Chamberlain, applicant, introduced his partner Alex Carr. Doug Chamberlain explained how the Tingey/Chamberlain group came together on this and other projects. They wanted to provide a use that would integrate with the residential neighborhood, and they felt that the medical use would add to the community value. He showed the design of the building that they designed themselves with a Deer Valley lodge look that would be neighborhood friendly. He explained the need for a drive-up facility in the pharmacy for those who just want to pick up a called-in prescription. He felt that there would be only one or two cars stacked at one time, but the lane would accommodate three to three and one-half cars. The lane is also double wide so they could stack parallel if necessary. Staff's recommendation was for a four-car stacking lane. He said that only 1800 square feet will be pharmacy and the rest of the 10,000 square feet will be a gift shop. The pharmacist will want people to come through the gift shop, and the drive through would be for people who have certain needs. This will not be like a fast-food restaurant with regards to stacking spaces, and he asked that they be allowed to have three stacked parking spaces instead of four.

Nathan Francis said the ordinance requires four stacked spaces, but the applicant brought up the differences between this use and those of a financial institution.

Greg Simonsen identified that he is the lawyer for Tingey Construction, and he excused himself from the dais at 8:45 p.m.

Alex Carr clarified that the only time the drive-through will be used is when the prescription has already been called in for pick up, and there will not be waiting.

Linda Dalley asked if they are allowed to override the parking requirement.

Tom Burdett said that it would be great to allow the City Planner the discretion to make the final determination on the final site plan.

Linda Dalley asked if there were anything in the ordinance that distinguishes a bank from a pharmacy with regards to drive-through parking.

Tom Burdett said that they are two different uses. He said they could do some national research that would allow for some discretion between the two uses.

Rick Lewis said the code doesn't specifically talk about a pharmacy, but the code allows him to make that call when it isn't specific.

Doug Chamberlain said that although this pharmacy could serve the general public it was designed to serve the specific project, which will reduce the emphasis of the pharmacy.

Linda Dalley said that she liked the design as well.

Jay Graft, West Jordan resident, had no objections to the building. He asked if the setbacks would be provided as agreed to at the rezoning along with fire access.

Nathan Francis said that was correct.

Jay Graft asked what type of pharmacy this would be, such as retail, nuclear, etc.

Nathan Francis said he understood it was a retail pharmacy.

Jay Graft asked about biohazard disposal.

It was explained that the doctors' office has a secured container with a pickup that is regulated. The pharmacy doesn't practice medicine and wouldn't have those issues.

Jay Graft said there didn't appear to be any problems with the building materials.

Linda Dalley asked if the City regulates disposal and safety regarding medical biohazards.

Tom Burdett said the City doesn't regulate it, but it would fall under State licensing.

Reed Scharman said that type of waste is not secured outside or in a dumpster, and it is not allowed to accumulate in quantities large enough to cause a problem.

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

MOTION: Duane Harding moved to approve the Preliminary Site Plan for Redwood Road Professional Plaza Pharmacy; 8700 South Redwood Road; Beecher Walker (applicant) with conditions 2 through 4 as outlined, modifying:

- 1. The City Planner is to make the final decision on the stacked parking places for the pharmacy drive-through.**

Adding:

- 5. Allow staff to perform the final site plan review.**

The motion was seconded by David Rees and passed 6-0 in favor. Greg Simonsen was excused for the item.

ITEM #9: USED CAR SALES – DISCUSS PROPOSED ORDINANCE AMENDMENT

Linda Dalley noted that staff was looking for concerns or suggestions with the proposed text that will be placed on a public hearing at the next meeting.

Nola Duncan questioned the phrase in the definitions section regarding a vehicle that goes through the air. She asked if the types of vehicles should be specified or the phrase be removed.

Craig Hinckley said that it is how the current ordinance is written.

Nola Duncan asked for clarification on the definition of a motor vehicle dealer.

Craig Hinckley said the definition is from the State code, and it refers to three vehicles sold during the year no matter the time spacing between the sales.

Greg Simonsen told the Commissioners to contact Craig Hinckley if they have any other comments before December 10.

MOTION: Greg Simonsen moved to adjourn.

The meeting was adjourned at 8:55 p.m.

GREGORY SIMONSEN
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development

Approved this _____ day of _____, 2003