Council Meeting of August 24, 2016

Agenda Item No. 6C.

REQUEST FOR COUNCIL ACTION

SUBJECT: City Surplus Property (Maple Hills Property) Rezone and General Plan Amendment

SUMMARY: City Surplus Property (Maple Hills Property) Rezone and General Plan Amendment; 6543 West 7400 South; Future Land Use Map Amendment for approximately 9.68 acres from Future Park to Medium Density Residential and Rezone approximately 9.68 acres from A-20 (Agricultural; 20 acre minimum lot size) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) Zone; City of West Jordan (applicant) [Scott Langford #10592 & 10593; parcels 20-27-427-012, 20-27-427-011]

FISCAL / AND OR ASSET IMPACT: Potential revenue due to sale of property.

STAFF RECOMMENDATION: Based on the analysis and findings contained in the Staff Report, Staff recommends that the City Council consider amending the Future Land Use Map for approximately 9.68 acres from Future Park to Medium Density Residential and Rezone approximately 9.68 acres from A-20 (Agricultural; 20 acre minimum lot size) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) Zone on property located at 6543 West 7400 South.

PLANNING COMMISSION RECOMMENDATION: On August 2, 2016, the Planning Commission in a 6-0 vote, recommended that the City Council *deny* the request to amend the Future Land Use Map and rezone property referenced in this report (minutes attached).

MOTION RECOMMENDED: "Based on the information and findings set forth in this staff report and upon the evidence and explanations received today, I move that the City Council adopt Ordinance 16-35 amending the Future Land Use Map for approximately 9.68 acres from Future Park to Medium Density Residential and Rezone approximately 9.68 acres from A-20 (Agricultural; 20 acre minimum lot size) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) Zone on property located at 6543 West 7400 South

Roll Call vote required

Prepared by:

Scott Langford, City Planner

Reviewed by/Concur with:

David Oka, Development Director

Recommended by:

Mark Palesh, City Manager

Reviewed as to legal form:

Duncan T. Murray, Deputy City Attorney

II. BACKGROUND:

On December 23, 2015 the City Council held a public hearing to discuss whether or not to declare this property as surplus. On January 13, 2016, the City Council approved Resolution 15-229, declaring this and two other city owned properties as "surplus" pursuant to the potential sale of said properties.

In an effort to maximize potential return to the taxpayers from the sale of these properties, and in order to provide a degree of certainty regarding the potential future development of these properties, the city is now proactively pursuing Future Land Use Map amendments and rezoning on the surplus properties.

III. GENERAL INFORMATION & ANALYSIS

In preparation of the potential sale of this 9.68 acre piece of property, the City is proposing a Future Land Use Map Amendment from Future Park to Medium Density Residential and to rezone the same property from A-20 (Agricultural; 20 acre minimum) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) zone.

The subject property's surrounding zoning and land uses are as follows:

	Future Land Use	**Zoning**	**Existing Land Use**
North	Future Park	LSFR	Harper Gravel Pit
South	Medium Density Residential	PC	Single-family Residential
East	Low Density Residential	A-20	Vacant (across street)
West	Medium Density Residential	PC	Single-family Residential

The city has prepared a concept subdivision plan that shows how the 9.68 acre piece of property *could possibly* be developed.

Please note: 1.91 acres of this 9.68 acre property must remain as open space in order to keep the Maple Hills development to the south compliant with city code; which requires a minimum 15% open space. Additional detail regarding this requirement is discussed in the "Findings of Fact" section of this report.

If the City Council approves the general plan amendment and rezone, future developers of this property will have to receive preliminary subdivision approval from the Planning Commission and final subdivision approval from city staff, prior to the construction of any development. The review by the Planning Commission will be noticed as a public hearing.

IV. FINDINGS OF FACT

Section 13-7C-6: Amendments to the Land Use Map

Prior to making a positive recommendation to the City Council for a General Plan Future Land Use Map amendment, the Planning Commission shall make the following findings:

Finding A: ***The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan.***

Discussion: The applicant is proposing to amend the Future Land Use Map from Future Park to Medium Density Residential. The property received this designation in 2007 as part of a land swap with the developers of the Maple Hills subdivision (south). As part of this planned development, a minimum 1.91 acres of the subject site is needed to keep the Maple Hills subdivision at the required level of 15% open space.

As the city continues to grow its services, the Parks Department has been tasked with maintaining a significant amount of parks, open space, and landscaped rights-of-way. Adding to the existing inventory of land that requires constant maintenance versus the need to provide high quality open space for the residents of the city is a long-term policy decision that the elected officials need to consider with this requested amendment. With the City Council's decision to declare this property as surplus, a rational connection can be assumed that providing a 10 acre park in this area is not the direction the elected officials wish to pursue at this time.

Changing the land use designation from Future Park to Medium Density Residential is consistent with the existing development pattern in the area, as this designation supports a residential density range of 3.1 to 5 dwelling units per acre. This density range is compatible with the following zoning districts: R-1-8, R-1-9, R-1-10, PC, and PRD.

Finding: The proposed amendment may or may not conform to the adopted goals, objectives, and policies set forth in the City General Plan.

Finding B: ***The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.***

Discussion: The residential development adjacent to the south is the Maple Hills development, which is 2.87 lots per acre. The lot sizes range from 8000 square feet to 17,791 square feet. The residential development to the west is the Maples at Jordan Hills Villages. The lot sizes in this portion of the development range from approximately 4,000 square feet to 9,500 square feet.

Finding: The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

Finding C: ***The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.***

Discussion: The discussion portions of "Finding A and B" illustrate that Medium Density Residential land use is appropriate for this property.

Finding: The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.

Finding D: ***The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.***

Discussion: The discussion portions of "Finding A and B" illustrate that Medium Density Residential land use is appropriate for this property and will be a benefit to the overall makeup of this portion of the community.

Finding: The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.

Finding E: ***The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.***

Discussion: The land use amendment will not alter the land use pattern that is occurring in the area. Adequate infrastructure is found in the area; however, it should be noted that providing sewer services to this property will likely require a coordinated effort with adjacent properties.

Finding: The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.

Finding F: ***The proposed amendment is consistent with other adopted plans, codes and ordinances.***

Discussion: The amendment was reviewed for consistency against the City's General Plan, the zoning ordinance and adopted street design standards.

Please note again: a minimum 1.91 acres of the subject property must remain as open space, as this acreage is required to keep the Maple Hills development compliant with city code, which requires a minimum 15% open space for properties developed under the PC (Planned Community) zone.

Finding: The proposed amendment is consistent with other adopted plans, codes and ordinances.

Section 13-7D-7(A): Amendments to the Zoning Map

Prior to making a positive recommendation to the City Council for a Zoning Map amendment, the Planning Commission shall make the following findings:

Criteria 1: ***The proposed amendment is consistent with the purposes, goals, objectives, and policies of the City's General Plan.***

Discussion: See Future Land Use Map amendment Finding A.

Finding: The proposed amendment is consistent with the purposes, goals, objectives, and policies of the City's General Plan.

Criteria 2: ***The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.***

Discussion: The city's intent is sell this property for the construction of single family dwellings. The land use map amendment and rezone are compatible with existing residential development in this area.

Finding: The proposed rezone will result in compatible land use relationships and does not affect adjacent properties.

Criteria 3: ***The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.***

Discussion: The proposed amendment could result in single family development that will be designed and developed according to city standards. The prosed amendment will also result in a development pattern that will utilize existing public infrastructure; therefore, representing an efficient use of resources.

Finding: The proposed rezone furthers the public health, safety and general welfare of the citizens of the city.

Criteria 4: ***The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.***

Discussion: See Future Land Use Map amendment Criterion A and E and Zoning Criteria 3.

Finding: The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

Criteria 5: ***The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.***

Discussion: The property is not located within any overlay zone.

Finding: This criterion does not apply.

V. SUMMARY OR CONCLUSION:

The proposed Future Land Use Map Amendment for approximately 9.68 acres from Future Park to Medium Density Residential and Rezone approximately 9.68 acres from A-20 (Agricultural; 20 acre minimum lot size) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) zone is compatible with adjoining land uses, utilities and the transportation system.

VI. ATTACHMENTS:

Exhibit A – Zoning and Vicinity Map
Exhibit B – Land Use Map
Exhibit C – Aerial map
Exhibit D – Conceptual Subdivision Plan
Exhibit E – December 23, 2015 / January 13, 2016 City Council Minutes
Exhibit F – August 2, 2016 Planning Commission Minutes
Exhibit G – Draft Ordinance

4770 S. 5600 W.
WEST VALLEY CITY, UTAH 84118
FED.TAX I.D.# 87-0217663
801-204-6910

Deseret News | Utah Media Group | The Salt Lake Tribune

PROOF OF PUBLICATION **CUSTOMER'S COPY**

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER
CITY OF WEST JORDAN, MELANIE BRIGGS 8000 S REDWOOD RD WEST JORDAN, UT 84088	9001403739 DATE 8/8/2016

ACCOUNT NAME
CITY OF WEST JORDAN,

TELEPHONE	ORDER # / INVOICE NUMBER
8015695115	0001105281 /

PUBLICATION SCHEDULE
START 08/07/2016 END 08/07/2016

CUSTOMER REFERENCE NUMBER
Zone to R-1-10E

CAPTION
THE CITY OF WEST JORDAN, UTAH NOTICE OF PUBLIC HEARING The City of We:

SIZE	
42 LINES	1 COLUMN(S)

TIMES	TOTAL COST
2	57.50

THE CITY OF WEST JORDAN, UTAH NOTICE OF PUBLIC HEARING

The City of West Jordan City Council will hold a public hearing on **Wednesday, August 24, 2016, at 6:00 p.m.** at the West Jordan City Hall 8000 South Redwood Road, 3rd Floor, Council Chambers, to receive public comments prior to considering a General Plan Land Use Map Amendment for 9.68 acres from Future Park to Medium Density Residential and Rezone 9.68 acres from A-20 (Agricultural 20-acre minimum lot size) Zone to R-1-10E (Single-Family Residential 10,000 square foot minimum lot size) Zone for City Surplus Property (Maples area) located at 6543 West 7400 South, City of West Jordan, applicant. Copies of the City Council agenda packet for the items listed below will be available at the City offices, or on the City Council Agenda webpage the Friday prior to the meeting.
Published this 6th day of August 2016
Melanie S Briggs, MMC
City Clerk
1105281 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **THE CITY OF WEST JORDAN, UTAH NOTICE OF PUBLIC HEARING The City of West Jordan City Council will hold a public hearing on Wednesday, August 24, 2016, at 6:0** FOR **CITY OF WEST JORDAN,** WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 08/07/2016 End 08/07/2016

DATE 8/8/2016 SIGNATURE A Dartnell

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 8TH DAY OF AUGUST IN THE YEAR 2016

BY ANN DARTNELL .

VIRGINIA CRAFT
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 01/12/2018
Commission # 672963

Virginia Craft
NOTARY PUBLIC SIGNATURE

Melanie S. Briggs, MMC
City Clerk
8000 South Redwood Road
West Jordan, Utah 84088
(801) 569-5117
Fax (801) 563-4716

THE CITY OF WEST JORDAN, UTAH
NOTICE OF PUBLIC HEARING

The City of West Jordan City Council will hold a public hearing on **Wednesday, August 24, 2016, at 6:00 p.m.** at the West Jordan City Hall 8000 South Redwood Road, 3rd Floor, Council Chambers, to receive public comments prior to considering a General Plan Land Use Map Amendment for 9.68 acres from Future Park to Medium Density Residential and Rezone 9.68 acres from A-20 (Agricultural 20-acre minimum lot size) Zone to R-1-10E (Single-Family Residential 10,000 square foot minimum lot size) Zone for City Surplus Property (Maples area) located at 6543 West 7400 South, City of West Jordan, applicant.

If you have any questions concerning this notice, please contact Scott Langford or Larry Gardner at the West Jordan City Planning and Zoning office at 801-569-5060. Copies of the City Council agenda packet for the items listed below will be available at the City offices, or on the City Council Agenda webpage the Friday prior to the meeting.

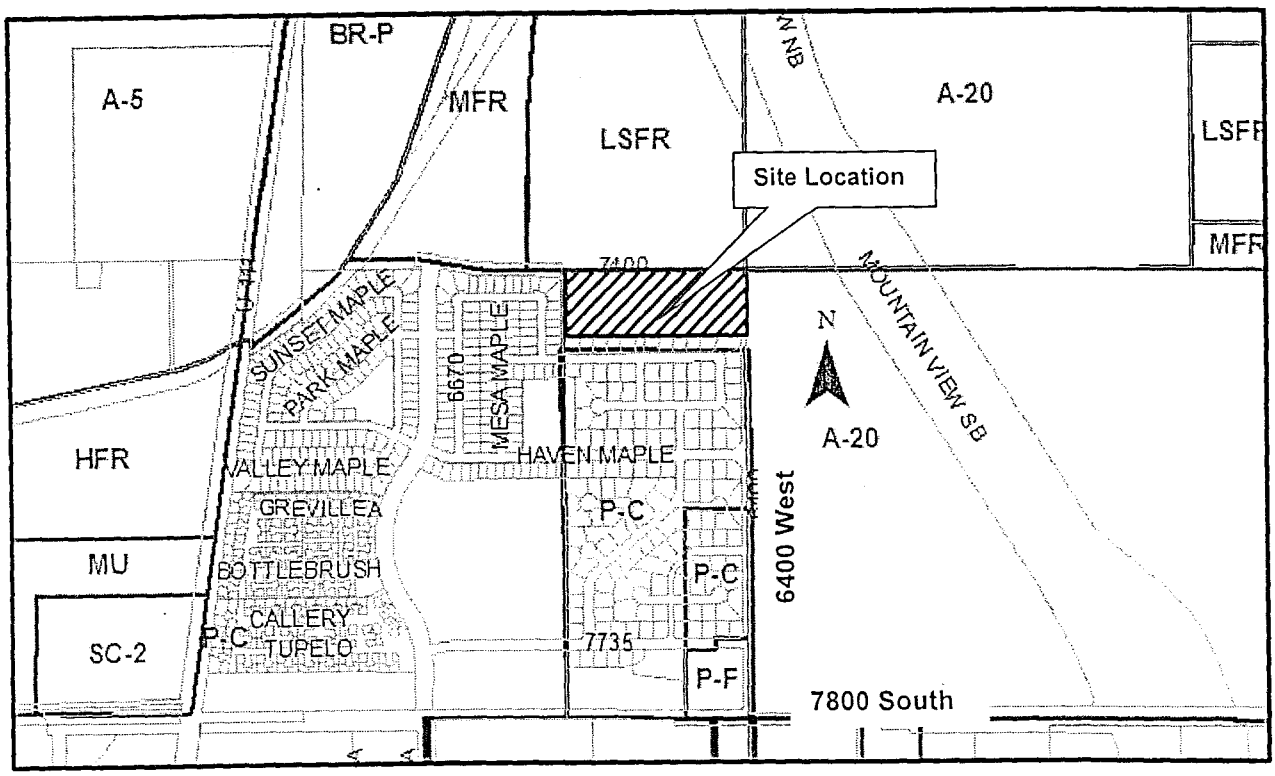

Exhibit A Zoning and Vicinity Map

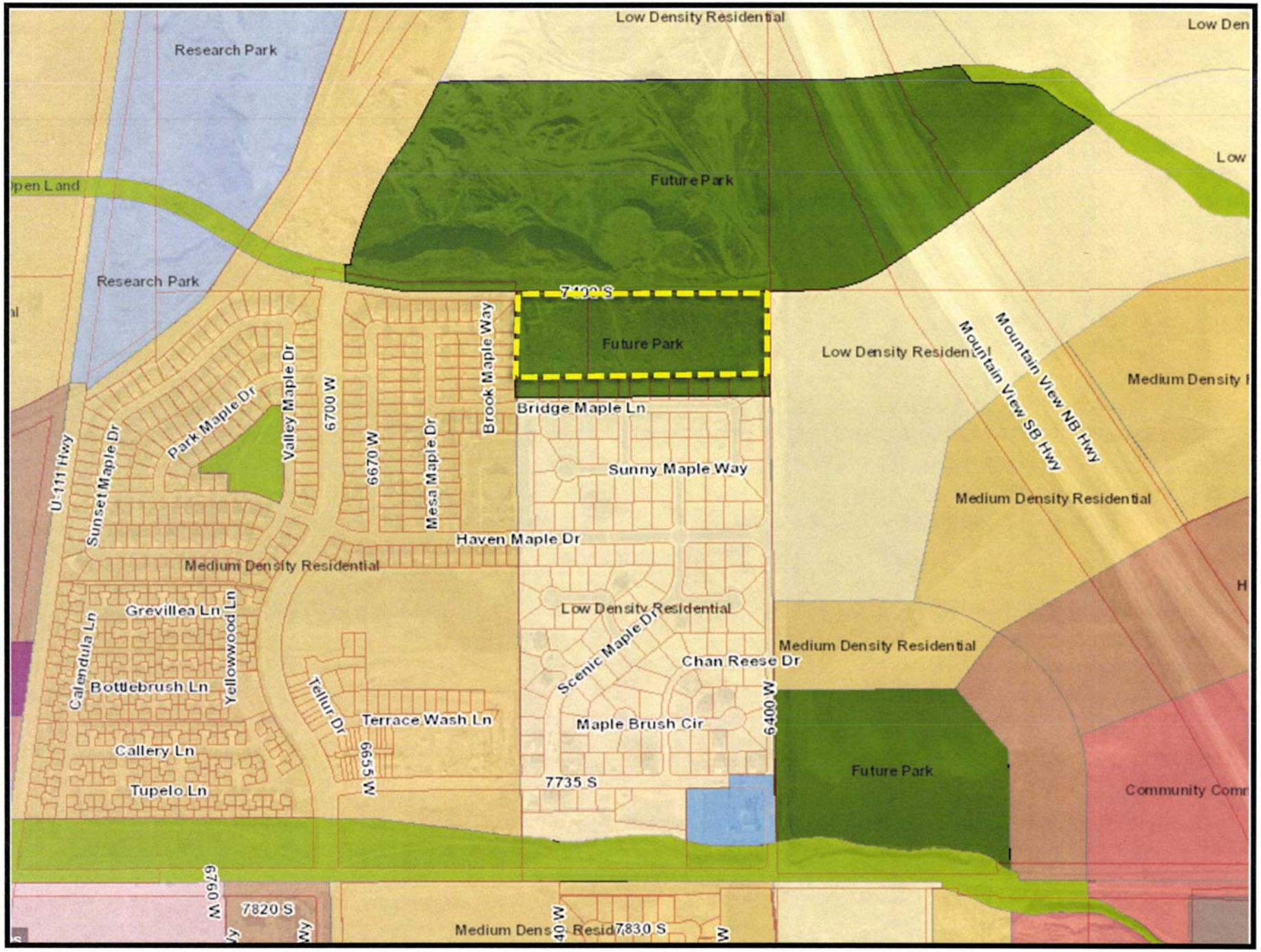

Exhibit B Future Land Use Map

Exhibit C
Aerial Map
6400 W
7400 S
Scenic Maple Dr
Mapledale Cir
Terrace Maple Dr
Bridge Maple Ln
El Arbol Cir
Haven Maple Dr
Thistle Ridge Cv
Brook Maple Way
Mesa Maple Dr
6670 W
Park Maple Dr
6700 W
Valley Maple Dr

Exhibit D Conceptual Subdivision Plan

Attached

Exhibit E City Council Minutes

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	No
Councilmember Nichols	No
Councilmember Rice	No
Councilmember Southworth	No
Mayor Rolfe	Yes

The motion failed 3-4.

Mayor Rolfe asked that an item be added to the January 27, 2016 City Council agenda; 'Discussion and possible action to rescind Resolution 15-217.'

Councilmember Southworth said there was a consensus by the Council that all the parks needed help. He regretted that the Council was never able to overcome this issue while he was on the Council.

He appreciated the Council, staff, and citizenry of the City.

Councilmember Nichols expressed his appreciation to Councilmembers Southworth and Hansen for their service on the City Council.

V. ADJOURN

MOTION: **Councilmember Haaga moved to adjourn. The motion was seconded by Mayor Rolfe and passed 7-0 in favor.**

The meeting adjourned at 6:29 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

KIM V ROLFE
Mayor

ATTEST:

MELANIE BRIGGS, MMC
City Clerk

Approved this 13th day of January 2016

Council Meeting of December 23, 2015

Agenda Item No. 4a.

REQUEST FOR COUNCIL ACTION

SUBJECT: RESOLUTION DECLARING A REAL PROPERTY SURPLUS AND AUTHORIZING ITS SALE

SUMMARY: Consider declaring four parcels of real property surplus.

FISCAL AND/OR ASSET IMPACT: It is anticipated that the City will receive revenue from the sale, transfer or conveyance of the surplus property when completed.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the attached Resolution Declaring Real Property Surplus and Authorizing its Sale.

MOTIONS RECOMMENDED:

"I move to adopt Resolution 15-29 Declaring Real Property Surplus and Authorizing its Sale."

Recommended by:

Mark R. Palesh
City Manager

Reviewed as to legal form:

Darien Alcorn
Interim City Attorney

The motion passed 7-0.

DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION 16-05, APPOINTING MAYOR PRO TEMPORE FOR 2016

Mayor Rolfe said Section 1-713-3 of the City of West Jordan Municipal Code authorized the City Council to appoint a Mayor Pro Tempore. It was up to the Council to determine who would serve in this position for 2016 Calendar year. This decision must be must in a public meeting. A resolution had been prepared for Council approval.

For the Council's reference, listed below were the Council Members names and the years they were appointed to serve as Mayor Pro Tempore:

- 2009—Councilmember Kim Rolfe
- 2010—Councilmember Ben Southworth
- 2011 —Councilmember Jim Lems
- 2012—Councilmember Chad Nichols
- 2013 —Councilmember Clive Killpack
- 2014—Councilmember Justin Stoker
- 2015—Councilmember Judy Hansen

MOTION: **Mayor Rolfe moved to approve Resolution 16-05, appointing Councilmember Chris McConnehey as Mayor Pro Tempore for 2016. The motion was seconded by Councilmember Jacob.**

A roll call vote was taken

Councilmember Burton	Yes
Councilmember Haaga	Yes
Councilmember Jacob	Yes
Councilmember McConnehey	Yes
Councilmember Nichols	Yes
Councilmember Rice	Yes
Mayor Rolfe	Yes

The motion passed 7-0.

RECONSIDERATION OF APPROVAL RESOLUTION 15-229, TO DECLARE SURPLUS AND TO RECEIVE PUBLIC COMMENTS PRIOR TO DISPOSING OF SIGNIFICANT CITY OWNED REAL PROPERTY AS FOLLOWS: APPROXIMATELY 6.5 ACRES LOCATED AT APPROXIMATELY 7800 SOUTH AND NEW SYCAMORE DRIVE; APPROXIMATELY 9.7 ACRES LOCATED AT 6543 AND 6463 WEST 7400 SOUTH; APPROXIMATELY 23 ACRES LOCATED AT 4652 WEST 7800 SOUTH

It was reported that the City owned a parcel of property approximately 23 acres in size, located at 4652 West 7800 South. City staff believed that sale of this property could produce significant revenue for the City. It was the intent to sell the property to a buyer at a price to be determined. If a purchase and sale agreement was negotiated with a willing buyer, it would be presented to the City Council, and City Council would have the opportunity at that time to determine if the sale would be completed. City staff was recommending that the 23-acre parcel at 4652 West 7800 South be declared surplus, so that the City Manager may proceed with pursuing a potential sale.

There is a property adjacent to the 23-acre parcel that could possibly be combined with the 23-acre parcel to increase the value. However, the adjacent property was currently owned by another party. It was anticipated that the City may be able to acquire the adjacent property by trading up to 6.5 acres of the City's larger parcel located at approximately 7800 South and New Sycamore Drive. If such an agreement was negotiated, it would be presented to the City Council, and City Council would have the opportunity at that time to determine if the trade will be completed. City staff was recommending that up to 6.5 acres of the parcel at 7800 South and New Sycamore Drive be declared surplus, so that the City Manager may proceed with pursuing a potential trade.

City staff had also identified two parcels of real property located at 6543 West 7400 South and 6463 West 7400 South, which had a total combined acreage of approximately 9.7 acres. City staff believed that sale of this property could produce significant revenue for the City. It was the intent to sell the property to a buyer at a price to be determined. If a purchase and sale agreement was negotiated with a willing buyer, it would be presented to the City Council, and City Council would have the opportunity at that time to determine if the sale will be completed. City staff was recommending that the parcels at 6543 West 7400 South and 6463 West 7400 South be declared surplus, so that the City Manager may proceed with pursuing a potential sale.

Because it was possible that the City Manager may identify other methods or approaches to provide the City with greater value, it was recommended in the resolution that the City Manager be authorized to reasonably pursue sale, trade or other conveyance to one or more parties. However, proposed contracts would be presented to the City Council for action, leaving the final determination to City Council.

Subject to available funding, the resolution also authorized the City Manager to engage professional consultants to assist.

Staff recommended that the City Council approve the proposed Resolution 'Declaring Real Property Surplus and Authorizing its Sale.'

Councilmember McConnehey said when this item was discussed during a prior City Council meeting, he voted against the item. He had since found out that his issues had been resolved or removed.

MOTION: **Councilmember McConnehey moved to reconsider Resolution 15-229. The motion was seconded by Councilmember Haaga and passed 7-0 in favor.**

Councilmember Jacob asked for clarification regarding the property at approximately located at 6543 and 6463 West 7400 South.

Councilmember Nichols said the property at 6543 and 6463 West 7400 South was originally designated as a regional park; however, that had changed.

MOTION: **Councilmember McConnehey moved to adopt Resolution 15-229, Declaring Real Property Surplus and Authorizing its Sale. The motion was seconded by Councilmember Haaga.**

A roll call vote was taken

Councilmember Burton	**Yes**
Councilmember Haaga	**Yes**
Councilmember Jacob	**Yes**
Councilmember McConnehey	**Yes**
Councilmember Nichols	**Yes**
Councilmember Rice	**Yes**
Mayor Rolfe	**Yes**

The motion passed 7-0.

X. REMARKS

SNOW PLOW DRIVERS

Councilmember McConnehey expressed his appreciation to the snow plow drivers. He had heard from several residents that also expressed their appreciation for a job well done.

CROSSINGS ON 1300 WEST

Councilmember McConnehey requested that City staff respond to a residents concern regarding the safe school walking routes along 1300 West approximately 7000 South.

PRESENTATIONS

Councilmember McConnehey commented on the length of presentations. He said if the presentations were going to be longer than 3-5 minutes, maybe they should be consider a business item.

Attached

Exhibit F Planning Commission Minutes

MOTION: **Kelvin Green moved based on the reading of the staff report and all the evidence provided by the neighbors tonight and further explanations and discussions received in this meeting today to forward a negative recommendation to the City Council for City Surplus Property (Airport area); 4652 West 7800 South; City of West Jordan (applicant) to amend the Future Land Use Map for 23.6 acres from Business Research Park to Medium Density Residential because Criteria A, B, C, D, and E have not been met. The motion was seconded by Josh Suchoski and passed 6-0 in favor. David Pack was absent.**

MOTION: **Kelvin Green moved based on the reading of the staff report and the new evidence and further explanations and discussions received in the meeting tonight to forward a negative recommendation to the City Council for City Surplus Property (Airport area); 4652 West 7800 South; City of West Jordan (applicant) to rezone 23.6 acres from A-20 Zone to R-1-8E Zone specifically finding that Criteria 2, 3, and 4 for a zoning map amendment have not been met. The motion was seconded by Bill Heiner.**

Josh Suchoski also felt that it doesn't meet Criteria 1 based on the explanation listed in the Resident Report.

Dan Lawes didn't feel that the motion needed to be amended since it is included in the discussion.

VOTE: **The motion passed 6-0 in favor of a negative recommendation. David Pack was absent.**

MOTION: **Kelvin Green moved to take a 5-minute break.**

The meeting reconvened at 8:06 p.m.

****

7. City Surplus Property (Maples area) Rezone and General Plan Amendment; 6543 West 7400 South; Future Land Use Map Amendment for approximately 9.68 acres from Future Park to Medium Density Residential and Rezone approximately 9.68 acres from A-20 (Agricultural 20 acre minimum lot size) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) Zone; City of West Jordan (applicant) [#ZC 10592 and GPA 10593; parcels 20-27-427-012, 20-27-427-011]

Larry Gardner gave an overview of the request. The future park property was located closer to 7800 South at one time and was moved to the extreme north of the Maples area and connects to a larger piece of master planned open space property. The concept plan shows approximately 26 single-family residential lots.

Future Land Use Map Amendment
Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to amend approximately 9.68 acres from

Future Park to Medium Density Residential on property located at approximately 6543 West 7400 South.

Zoning Map Amendment
Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to rezone approximately 9.68 acres from A-20 (Agricultural; 20 acre minimum lot size) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) zone on property located at approximately 6543 West 7400 South.

Dan Lawes opened the public hearing. He said that emails were received from residents Brandon Andersen, Matthew Smith, Monika Rodriguez, John Pulver, Jodi Fountaine, Lorin Paddock, Zac Stringham, Marie Cummings, and Tina Smith.

Zac Stringham, West Jordan resident, was against the item. In 2004 the city property was planned and zoned for a future elementary school, but when the School District didn't want to build a school, the city swapped the property with the developer for the property to the north. Residents in the neighborhood have been looking forward to a park. The park was also in consideration of allowing the developer to build The Maples at a higher density. In 2004 the residents voted on a bond to buy and preserve open space, and by selling this property it will go against that vote. Homeowners in the area made their purchases based on the location of the park, so it would be dishonest to change that now. The master plan shows a future park to the north of this, but the city could choose to change that later as well. They would like to have a park for their neighborhood without the need to cross major roads.

Amada Jones, West Jordan resident, said her biggest concern was that there is already a lot of new construction and the schools are overcrowded with a year-round schedule. They were promised a park and she would like to have this larger park without going such a far distance.

Steven Jones, West Jordan resident, was concerned that the park space was transferred in the first place. The property is too steep. They want to have a park they can walk to. By keeping the park it will also be a benefit to the future growth to the north.

Sharlene Hampton, West Jordan resident, was excited to move to this area to be part of a family community with a park where they could gather and build their sense of community. This change would take away from that ability.

Wayne Tharp, West Jordan resident, said they liked the area for its sense of community and paid extra for their lot for the view of and proximity to the park. There was also supposed to be a neighborhood connection to the park, which he didn't see in the design. He wanted to know why there is such a rush for more housing.

Sharlene Tharp, West Jordan resident, said living on the beautiful west bench they've seen hundreds of acres gobbled up with residential and business and this is an opportunity for the city to provide some green space. There is a trail nearby with the Mountain View Corridor that leads to this area. The city should take pride in this large amount of promised green space. They were told by the city that this property would remain green space. Also, the residents of Maple Hills have to pay $30 a month to preserve their parks and green space.

James Pratt, West Jordan resident, said he moved here three months ago with the understanding that it would be a park. Fox Hollow elementary school is overcrowded and there is more growth with young families moving to the area already. According to West Jordan data it is one of the best places for families and to take away the park in that area will be a detriment. He didn't think that kids should have to cross 6700 West by themselves to get to a park.

Michael Roach, West Jordan resident, said he bought his home about 12 years ago with the understanding that the property would be a park. He gave a history of the area and how each time there was a concern with new increased density in the area they were reminded of the future planned park. That park has also been part of the calculations in determining the amount of green space versus density of the neighborhood. He noted the location of their current parks and the hazards of nearby traffic.

Robert Hawkins, West Jordan resident, said they researched the area before purchasing and the park was part of their decision to buy. They enjoy walking and biking and you have to cross major roads to get to the other parks. The traffic is only going to get busier. He didn't see the need for more homes.

Cathy Hawkins, West Jordan resident, said they were promised the park, and young kids need to have a place they can go to safely on their own. It isn't right to take this away.

Jamon Smith, West Jordan resident, said as a paramedic he was concerned with the added traffic and he would not have his kids crossing 6700 West to get to the nearest park. It would be in the best interest of the residents to follow through with the park.

Amanda Darger, West Jordan resident, said they recently moved to this area and one of the reasons was because of the future park. They like to go to the park but usually have to drive. The schools are crowded, and she was concerned with the extra traffic. She loves West Jordan and it would be sad to have made the effort to come here and not have the family space.

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

Kelvin Green felt it is bad public policy to rezone this property and sell it as surplus property since one of the goals and policies for the city is to have open space and parks. There were also some promises made to the residents. He thought that maybe the City Council should reconsider the decision to surplus this property.

Josh Suchoski agreed that the communities in Jordan Hills Villages have gotten the short end of the stick on some things that were supposed to happen, so when the city decides this is surplus property it adds to that feeling. He reviewed the findings of fact. Regarding Finding C, it was planned to have a park. Although medium density residential is compatible, it is not compatible with the idea of having a park. Finding D talked about an overall improvement not solely for the good or benefit of a particular person or entity. He disagreed by saying the particular entity is West Jordan's bottom line. He felt that in Finding E it will adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns by requiring larger and more extensive public infrastructure improvements. Also, when you densify an area you are obligated to provide open space that was taken from the lots. Regarding the zoning map amendment he didn't think that Criteria 2 had been met

because people paid a land premium to be next to a park. Criteria 3 is not met because it will provide a more dense area with no place for the children to play without crossing a major road.

There was a brief discussion about the open space bond and the additional park maintenance fee spoken of.

MOTION: Kelvin Green moved based on the reading of the staff report and the evidence they've heard and explanations and discussions received in this meeting to forward a negative recommendation to the City Council for the City Surplus Property (Maples area); 6543 West 7400 South; City of West Jordan (applicant) to amend the Future Land Use Map for 9.68 acres of property from Future Park to Medium Density Residential specifically finding that Criteria C, D, and E for a future land use amendment have not been met. The motion was seconded by Josh Suchoski and passed 6-0 in favor of a negative recommendation.

MOTION: Kelvin Green moved based on the reading of the staff report and the new evidence and explanations and discussion received tonight to forward a negative recommendation to the City Council for the City Surplus Property (Maples area); 6543 West 7400 South; City of West Jordan (applicant) to rezone 9.68 acres from A-20 Zone to R-1-10E Zone specifically finding that the Findings 2 and 3 for a zoning map amendment have not been met. The motion was seconded by Josh Suchoski and passed 6-0 in favor of a negative recommendation. David Pack was absent.

****

8. City Surplus Property (Sycamores area) Rezone and General Plan Amendment; 7049 West 7800 South; Future Land Use Map Amendment for approximately 6.5 acres from Parks and Open Land to Medium Density Residential and Rezone approximately 6.5 acres from P-C (Planned Community) to R-1-9E (Single-family Residential 9,000 square foot lots, "E" size homes) Zone; City of West Jordan (applicant) [#ZC 10586 and GPA 10590; parcel 20-34-101-001]

Larry Gardner gave an overview of the request to change the land use designation and zoning for surplus property in the Sycamores area. He showed a conceptual layout of a 23-lot residential subdivision.

Future Land Use Map Amendment
Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to amend approximately 6.5 acres from Parks and Open Land to Medium Density Residential on property located at approximately 7049 West 7800 South.

Zoning Map Amendment
Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to rezone approximately 6.5 acres from PC (Planned Community) to R-1-9E (Single-family Residential 9,000 square foot lots, "E" size homes) zone on property located at approximately 7049 West 7800 South.

Attached

Exhibit G Draft Ordinance

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 16-35

AN ORDINANCE AMENDING THE GENERAL PLAN FUTURE LAND USE MAP FOR APPROXIMATELY 9.68 ACRES FROM FUTURE PARK TO MEDIUM DENSITY RESIDENTIAL AND REZONE APPROXIMATELY 9.68 ACRES FROM A-20 (AGRICULTURAL; 20 ACRE MINIMUM LOT SIZE) TO R-1-10E (SINGLE-FAMILY RESIDENTIAL 10,000 SQUARE FOOT LOTS, "E" SIZE HOMES) ZONE ON PROPERTY LOCATED AT 6543 WEST 7400 SOUTH.

WHEREAS, an application was made by the City of West Jordan to amend the General Plan Future Land Use Map Amendment for approximately 9.68 acres from Future Park to Medium Density Residential and Rezone approximately 9.68 acres from A-20 (Agricultural; 20 acre minimum lot size) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) Zone on property located at 6543 West 7400 South;

WHEREAS, on August 2, 2016 the Future Land Use Map amendment and rezoning request was considered by the Planning Commission, which has made a negative recommendation to the City Council concerning the Future Land Use Map amendment and rezoning as specified for the subject property;

WHEREAS, a public hearing, pursuant to public notice, was held before the City Council on August 24, 2016; and,

WHEREAS, the City Council of the City of West Jordan finds the following with respect to an amendment of the Future Land Use Map and rezoning request:

1. The proposed amendment and rezone conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City's General Plan;

2. The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment;

3. The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity;

4. The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity;

5. The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change; and,

6. The proposed amendment is consistent with other adopted plans, codes and ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST JORDAN, UTAH:

Section 1. The Future Land Use Map of the City of West Jordan, Utah, is hereby amended by changing the future land use designation for approximately 9.68 acres from Future Park to Medium Density Residential and Rezone approximately 9.68 acres from A-20 (Agricultural; 20 acre minimum lot size) to R-1-10E (Single-family Residential 10,000 square foot lots, "E" size homes) Zone on property located at 6543 West 7400 South, more appropriately described below:

Beginning at a point North 89°53'28 East 1557.65 feet and North 0°06'32" West 2249.76 feet from the South quarter corner Section 27, Township 2 South, Range 2 West, Salt Lake Base and Meridian and running thence North 00°27'53" West, a distance of 386.54 feet; thence North 89°56'45" East a distance of 1093.35 feet; thence South 00°27'53" East a distance of 384.55 feet; thence South 89°50'29" West, a distance of 1093.34 feet to the point of beginning.

Contains 421,525 Square feet or 9.677 acres

Section 2. This Ordinance shall become effective upon publication or upon the expiration of twenty days following passage, whichever is earlier.

Passed by the City Council of West Jordan, Utah, this 24th day of August, 2016.

ATTEST:

Melanie Briggs
City Recorder

CITY OF WEST JORDAN

Kim V. Rolfe
Mayor – City of West Jordan

Voting by the City Council	"AYE"	"NAY"
Jeff Haaga	____	____
Dirk Burton	____	____
Chris McConnehey	____	____
Chad Nichols	____	____
Zach Jacob	____	____
Sophie Rice	____	____
Mayor Kim V. Rolfe	____	____

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2016, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder

[SEAL]