Council Meeting of August 24, 2016

Agenda Item No. 6d.

REQUEST FOR COUNCIL ACTION

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

SUMMARY: City Surplus Property (Sycamores Property) 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 PC (Planned Community) to R-1-9E (Single-family Residential 9,000 square foot lots, "E" size homes) Zone; City of West Jordan (applicant) [Scott Langford #10586 & 10590; parcel 20-34-101-001]

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 6.5 acres from Parks and Open Land to Medium Density Residential and Rezone approximately 6.5 acres from PC (Planned Community) to R-1-8E (Single-family Residential 8,000 square foot lots, "E" size homes) Zone on property located at 7049 West 7800 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 16-36 amending the 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 PC (Planned Community) to R-1-9E (Single-family Residential 9,000 square foot lots, "E" size homes) Zone on property located at 7049 West 7800 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 6.5 acre piece of property, the City is proposing a Future Land Use Map Amendment from Parks and Open Land to Medium Density Residential and to rezone the same property from PC (Planned Community) to R-1-9E (Single-family Residential 9,000 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	Parks and Open Land	PC	Vacant (unimproved open space)
South	Medium Density Residential	PC	Townhomes
East	Parks and Open Land	PC	City Water tanks (across street)
West	Parks and Open Land	PC	Vacant (unimproved open space)

The city has prepared a concept subdivision plan that shows how the 6.5 acre piece of property *could possibly* be developed.

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 Parks and Open Land to Medium Density Residential. In regard to the Parks and Open Land designation, the General Plan states:

> *"The Parks and Open Land designation is applied to areas where public parks are located, or should be located in the future, and to areas where it is recommended that land be preserved in its natural state for future generations. Please refer to Chapter 6 for discussion, goals, and polices relating to parks, and open lands."*

The 6.5 acre subject property is part of a larger 61 acre parcel of property that was dedicated to the city as part of the approval of the Jordan Hills Village Master Plan. This 61 acre parcel represents only a portion of the total 123.87 acres of open space provided within the 655 acre Jordan Hills Village Master Plan.

Amending approximately 6.5 acres of undeveloped property will have a negligible effect on the overall amount of open space provided in master plan.

The Medium Density Residential 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, which is compatible with the zoning being sought for this property (R-1-9E).

Finding: The proposed amendment does conform to and is consistent with 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 and within close proximity to this site is comprised of townhomes and single-family residential 5,000 square foot lots. Inserting larger lots into this area will provide for a greater variety of housing stock. The portion of the Sycamores development with larger single-family residential lots is mostly built out; this would provide an opportunity to provide additional larger residential lots.

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.

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.

Jordan Hills Villages Master Plan is zoned PC (Planned Community) zone. By ordinance there must be a minimum 15% of the overall area designated as open space.

The proposed land use map amendment and rezone, if approved, will essentially remove 6.5 acres of property from the original 655 acre master plan. This action with have the following effect on the open space:

Jordan Hills Village Master Plan			
Total Acres		*Open Space*	
Current	Amended	Current / % Open Space	Amended / % Open Space
655	648.5	123.87 / 18.9%	117.37 / 18.1%

Therefore the proposed amendment and potential development of this property will not be in violation with the pertinent portions of the City Code.

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 6.5 acres from Parks and Open Land to Medium Density Residential and 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 is compatible with adjoining land uses, utilities and the transportation system.

V. 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

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

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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	0001105283 /

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

CUSTOMER REFERENCE NUMBER
Zone to R-1-9E

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 6.5 acres from Parks and Open Land to Medium Density Residential and Rezone 6.5 acres from P-C (Planned Community) Zone to R-1-9E (Single-Family Residential 9,000 square foot minimum lot size) Zone for City Surplus Property (Sycamores area) located at 7049 West 7800 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
1105283 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

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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.

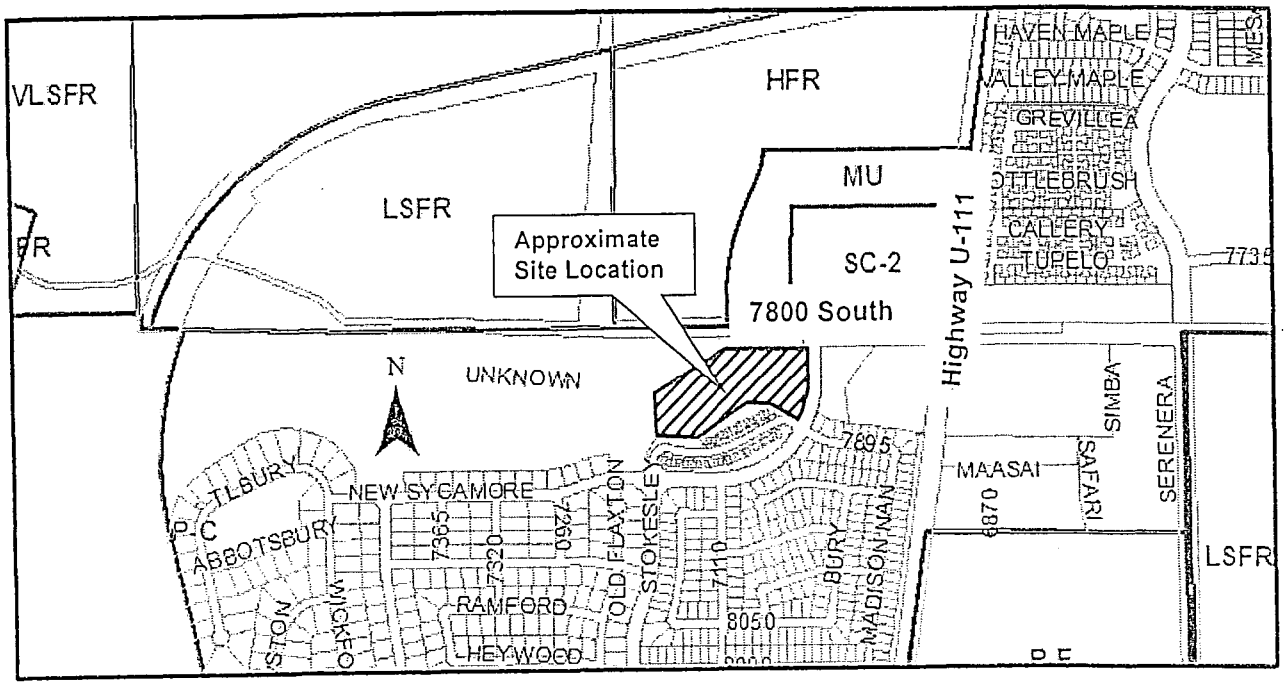

Exhibit A Zoning and Vicinity Map

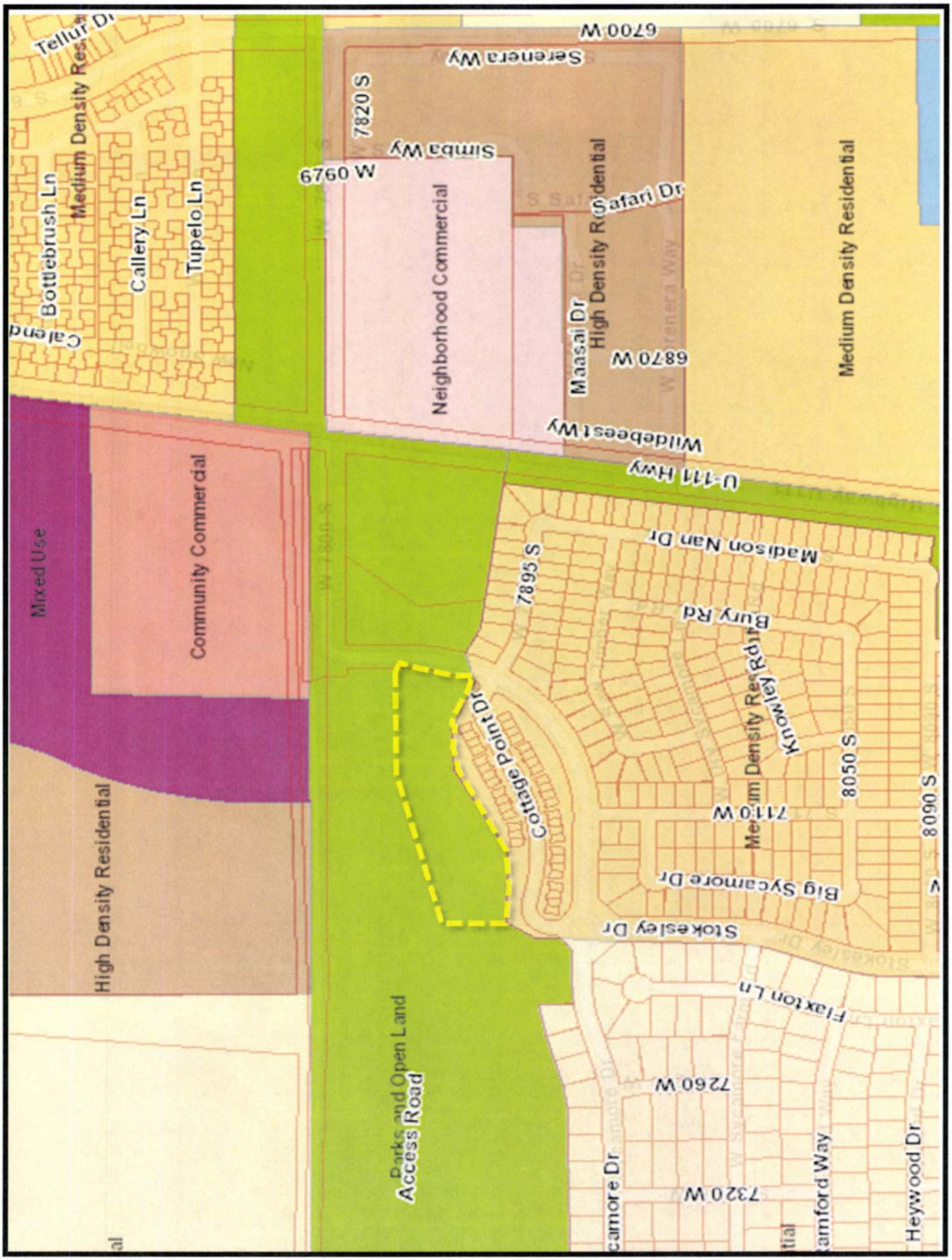
Exhibit B
Future Land Use Map
Medium Density Residential
Neighborhood Commercial
High Density Residential
Community Commercial
Mixed Use
Parks and Open Land
Access Road
Cottage Point Dr
Madison Nan Dr
Bury Rd
Knowley Rd
Big Sycamore Dr
Stokesley Dr
Flaxton Ln
Heywood Dr
Serenera Wy
Simba Wy
Safari Dr
Maasai Dr
Wildebeest Wy
U-111 Hwy
Tupelo Ln
Callery Ln
Bottlebrush Ln
Medium Density Res
6700 W
6760 W
6870 W
7110 W
7260 W
7320 W
7820 S
7895 S
8050 S
8090 S

Exhibit C Aerial Map

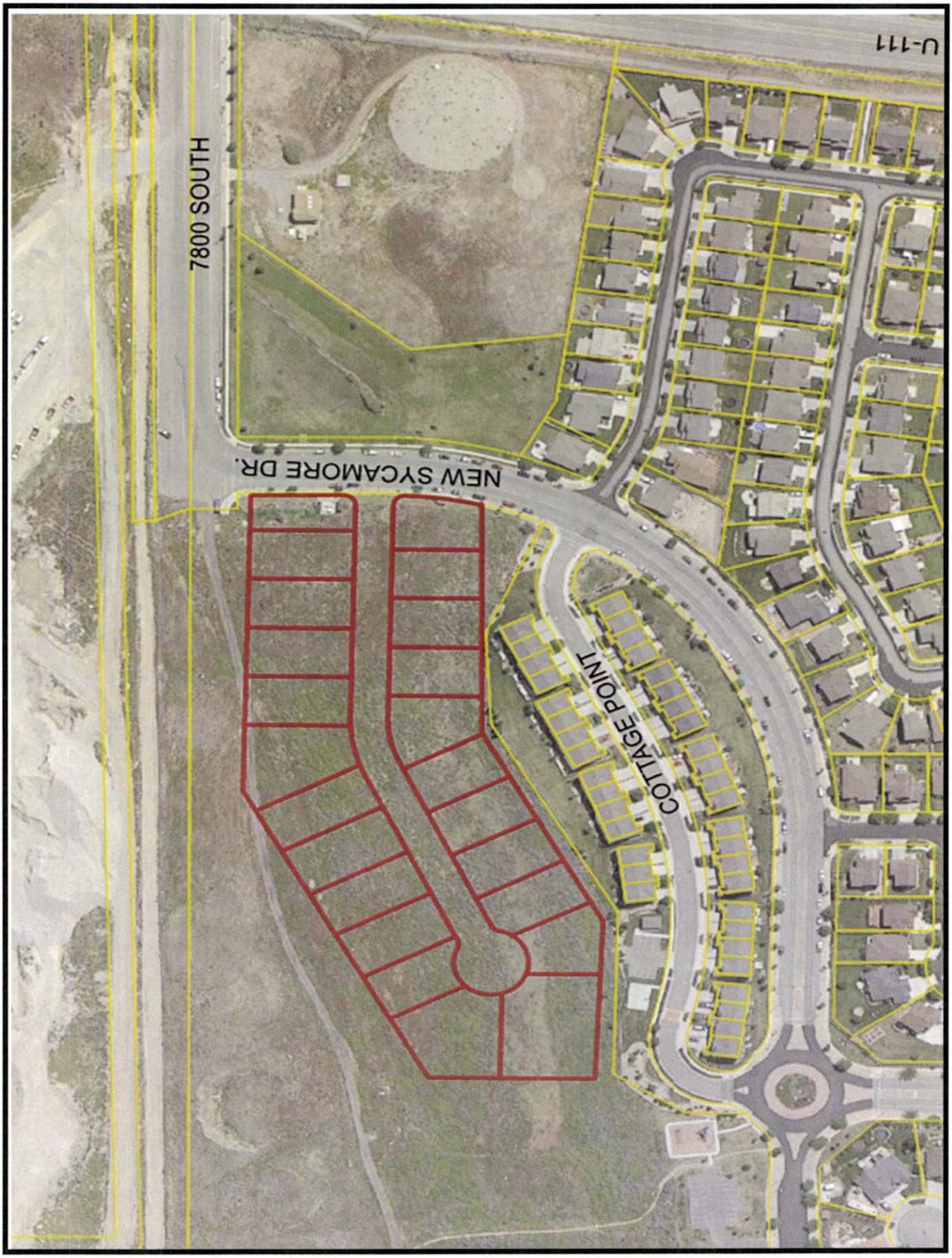

Exhibit D Conceptual Subdivision Plan

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

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.

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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.

Dan Lawes opened the public hearing. He stated that an email was received by residents Michael and Kathryn Daut.

Robert Haight, West Jordan resident, said this land was given to the city in exchange for higher density in the Sycamores subdivision and it didn't make sense that they are now trying to sell it to another developer. Finding F talks about the requirement for open space for Jordan Hills Villages and that taking out the 6.5 acres wouldn't affect that. However, West Jordan requires that in order for open space to be valid it needs to have slopes less than 25%. This wash is very steep and if they exclude the steep slopes it might not even meet the current open space requirement let alone taking out the flattest portion of the open space.

Jennifer Roberts, West Jordan resident, said this area is behind her home and the slopes are very steep. Last year Rio Tinto gave her notice of an arsenic spill in that location. There is also a quarry to the north of that and it wouldn't be a good idea to have homes so close to where they are crushing rocks all day. She said that the view is amazing.

Jason Roberts, West Jordan resident, reiterated his concerns for the impact to homes that would be so close to the quarry.

Dennis Park, West Jordan resident, has watched the area grow and has seen the developers try to change things in the area, which makes them upset. He bought a premium lot knowing that the area was going to be open space and a park. If this area goes away then the city may not stop with that, and that isn't what they were told. To put homes in the area would be sad for him and so many other people.

Amy Crawford, West Jordan resident, addressed Criteria 3 by stating that the proposal doesn't further the public health, safety, and general welfare of the citizens of the city. As stated, Rio Tinto informed them in 2014 to discuss an arsenic spill and for 8 weeks they were working with heavy equipment trying to clean it up. Although Rio Tinto said it is cleaned up she is worried that it is not. She asked them to think about future residents that would be building on the property that is possibly still contaminated or whether or not another one could occur.

Scott Hardey, West Jordan resident, read from Finding A and stated that this land is designated as open space and it should be preserved in its natural state for future generations. Regarding Finding D, he didn't know how changing open space to more residential would constitute an overall improvement to an already growing city. Criteria 2 does adversely affect the residents, because people love this neighborhood that feels like it is in the middle of nowhere when it really isn't. By putting R-1-8 lots at the entrance of the subdivision it would take away the view of the open space and rolling hills. Also, the people who back up to the open space paid a premium for their lots. He asked for a negative recommendation based on Criteria A, C, D, Criteria 2, and Finding F.

Jennifer Tolbert, West Jordan resident, also has a premium lot. She came from Iowa where there was a lot of county side and this area is in the city without being out of the city where there is open space, like there was in Iowa. She loves her neighborhood, open space, and views that it provides and it would be a negative impact for this to go forward.

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

Kelvin Green said based on the map, this open space was clearly designed to be a buffer and he didn't know if it could legally be rezoned, because it was part of a planned community with an approved master plan. He didn't think that adding housing was an overall improvement to the land use plan. He didn't think it met Findings A, C, D, or E on the future land use amendment findings or Criteria 1, 2, and 3 in the zoning map amendment findings.

Josh Suchoski said the Sycamores community has great people, and when he originally built out there they were told that the open space on the east side of 7800 South and New Sycamore drive would have a tot lot and that the detention pond would have an area for kids to play, which didn't happen. They have very few amenities out there, but *this* is their amenity and it would be a severe detriment to the community if it is taken away. He would like to add Finding F regarding the 25% slope area that doesn't count as open space. He felt that this would affect adjacent properties and people who paid premiums. The arsenic spill was caused by a winter storm and they were told to avoid that entire area, so it wouldn't be within the health and welfare of anyone to build a home any closer to the gulley than is already there.

Dan Lawes said Criteria F jumped out to him regarding consistency with other adopted plans. This was dedicated open space as part of an adopted Planned Community plan.

Larry Gardner said it was part of the Jordan Hills Villages plan, which expired last year. However, it was put in there with the intent that it would always be open space, and the residential density was based on the open space.

Matt Quinney asked if there was a breakdown of how much of the area had a slope greater than 25%.

Larry Gardner didn't have that information, but looking at the wash he agreed that the majority of the property has a very steep slope and is undevelopable. The code says that if it isn't a developable piece of property it is not suitable for a recreational property. It can be open space, but not usable open space.

MOTION: **Josh Suchoski moved based on the reading of the staff report and/or the evidence, further explanations and discussions received in this meeting today to forward a negative recommendation to the City Council for City Surplus Property (Sycamores area); 7049 West 7800 South; City of West Jordan (applicant) for a Future Land Use Map Amendment for 6.5 acres from Parks and Open Land to Medium Density Residential specifically finding that Criteria A, D, C, E, and F for a future land use map amendment have not been met. The motion was seconded by Matt Quinney and passed 6-0 in favor of a negative recommendation. David Pack was absent.**

MOTION: **Josh Suchoski moved based on the findings set forth in the staff report and/or new evidence and further explanations and discussion received in this meeting today to forward a negative recommendation to the City Council for City Surplus Property (Sycamores area); 7049 West 7800 South; City of West Jordan (applicant) to rezone 6.5 acres from P-C Zone to R-1-9E Zone specifically finding that Criteria 1,**

2, 3, and 4 for a zoning map amendment have not been met. The motion was seconded by Matt Quinney and passed 6-0 in favor of a negative recommendation. David Pack was absent.

MOTION: Matt Quinney moved to adjourn.

The meeting adjourned at 9:00 p.m.

DAN LAWES
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2016

Attached

Exhibit G Draft Ordinance

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 16-36

AN ORDINANCE AMENDING THE GENERAL PLAN FUTURE LAND USE MAP FOR 6.5 ACRES OF LAND FROM PARKS AND OPEN LAND TO MEDIUM DENSITY RESIDENTIAL AND 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 FOR PROPERTY LOCATED AT APPROXIMATELY 7049 WEST 7800 SOUTH.

WHEREAS, an application was made by the City of West Jordan to amend the General Plan 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 PC (Planned Community) to R-1-9E (Single-family Residential 9,000 square foot lots, "E" size homes) Zone located at approximately 7049 West 7800 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 6.5 acres from Parks and Open Land to Medium Density Residential and 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 located at approximately 7049 West 7800 South, more appropriately described below:

BEG N 1314.69 FT & E 923.23 FT FR SW COR SEC 25, T 2S, R 2W,S L M; N 2^38'39" W 358.37 FT; E 616.16 FT; S 0^24' 32" E 358 FT; W 602.18 FT TO BEG. 5.01 AC

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]