

REQUEST FOR COUNCIL ACTION

SUBJECT: West Woods Rezone

SUMMARY: **West Woods Rezone;** Zoning Map Amendment; at the address of 7904, 7906, and 7930 South 2700 West; Rezone 3.07 acres from R-1-10A(PD) (Single-Family Residential 10,000 square foot lots with “A” sized homes, Planned Development) Zone to R-1-8C (Single-Family Residential 8,000 square foot lots with “C” sized homes) Zone; Adam Nash, Growth Aid LLC (applicant) [Nannette Larsen #10780]

FISCAL AND/OR ASSET IMPACT: None.

STAFF RECOMMENDATION: Based on the analysis and findings contained in the Staff Report, Staff recommends that the City Council rezone the property located at 7904, 7906, and 7930 South 2700 West from R-1-10A(PD) (Single-Family Residential 10,000 square foot lots with “A” sized homes, Planned Development) to R-1-8E (Single-Family Residential 8,000 square foot lots with “E” sized homes).

PLANNING COMMISSION RECOMMENDATION: On October 18, 2016 the Planning Commission in a 6 to 1 vote recommended that the City Council approve the request to rezone the property located at 7904, 7906, and 7930 South 2700 West Way from R-1-10A(PD) (Single-Family Residential 10,000 square foot lots with “A” sized homes, Planned Development) to R-1-8E (Single-Family Residential 8,000 square foot lots with “E” sized homes).

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 approve and establish the rezone of the property located at 7904, 7906, and 7930 South 2700 West from R-1-10A(PD) (Single-Family Residential 10,000 square foot lots with “A” sized homes, Planned Development) to R-1-8E (Single-Family Residential 8,000 square foot lots with “E” sized homes).

Roll Call vote required

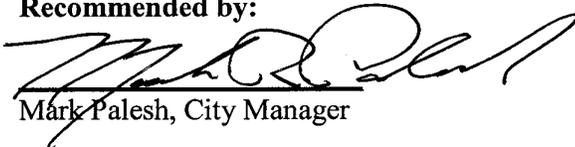
Prepared by:


Nannette Larsen, Associate Planner

Reviewed by/Concur with:


David Oka, Development Director

Recommended by:


Mark Palesh, City Manager

Ordinance reviewed as to legal form:


Duncan Murray, Deputy City Attorney

II. BACKGROUND / ANALYSIS

Three separate properties are under review for the proposed rezone. These properties are located at 7904, 7906, and 7930 South 2700 West. Presently all of these sites are zoned as R-1-10A(PD) (Single-Family Residential A size homes, Planned Development). This Zoning District was approved at the same time the Wood Cove Planned Development which allows for smaller lot sizes than a typical R-1-10 District. Further explanation of permitted development standards of a Planned Development are included in Criteria 2 of the Findings of Fact section of this Staff Report. The properties located at 7930 and 7906 South 2700 West each have at least a single family house on their respective sites. Various accessory structures are located on these three properties. The subject sites are not presently in a subdivision.

The properties included in the proposed rezone are adjacent to residential sites to the west, south and east. Located to the north is a commercial site (retail). A concept plan was included in the submittal of the proposal to rezone – a Concept Plan is required as part of the rezone application. This concept plan is attached to this report as Exhibit C; a Preliminary Major Subdivision was also submitted at the same time of the Rezone application. The Preliminary Major Subdivision application and the Concept Plan for the rezone are the same design. The Concept Plan and the Preliminary Major Subdivision are subject to change and should not be considered by the Planning Commission to be binding if the Planning Commission determines to recommend approval of the rezone. The details of the Preliminary Major Subdivision and Concept Plan will be reviewed by City Staff and Planning Commission at a later date.

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

	Existing Land Use	Zoning
North	Commercial/Retail	SC-2
South	Single-Family	R-1-10A
East	Single-Family, Church, Multi-Family	R-1-10C, R-3-10
West	Single-Family	R-1-10A

III. FINDINGS OF FACT

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

Prior to making a positive recommendation to the City Council for an amendment to the Zoning Map, 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: The sites are located in the Medium Density Residential designation on the Future Land Use Map. The Medium Density Residential District supports

developments with a density of 3.1 to 5.5 dwelling units per acre. This type of density allows for the R-1-8, R-1-9, R-1-10, PC, and PRD Zoning Districts in this location which would meet the desired density range.

The proposal to rezone the property R-1-8 is consistent with the intent, goals, and policies listed in the 2012 Comprehensive General Plan, this in addition to meeting the density range required by the Medium Density Residential Future Land Use designation. An R-1-8 Zoning District will have a density of 5.5 dwelling units per acre, so the R-1-8 Zone would be the densest zone permissible in Medium Density Future Land Use designation. The current Zoning District, R-1-10 will typically have a density of 4.3 dwelling units per acre.

While the Concept Plan is subject to change the density shown on the Concept Plan displays 4 units per acre. The average square footage of the proposed twelve lots on the Concept Plan is 9,510 square feet.

The rezone to R-1-8C is supported by the 2012 Comprehensive General Plan. The Medium Density Residential designation provides for areas which are, “moderate intensity single-family attached/detached units”, and areas, “that should be designated as medium density residential uses should be preferred for infill development”.

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: While the subject site is adjacent to other R-1-10A(PD) Zoning Districts, the rezone of this site still meets the intent of the Future Land Use Map and is compatible with the location of this site. To the west and south of the subject site, also located in the R-1-10A(PD) Zone, is a single-family subdivision Wood Cove Park Phases 1 and 2. Wood Cove Park was approved in 1981 as a Planned Development. Many of the lots in Wood Cove Park Subdivision are smaller than the minimum lot size requirements of the underlying zoning district, this was allowed because the site is in a Planned Development (PD) district. This Planned Development area allows individual lot sizes to be smaller than the 10,000 minimum, as long as the common open space is provided at an equal rate to the open space of a typical R-1-10 district where lots meet the minimum 10,000 square foot lot size. At the time Wood Cove Park was approved a Planned Development was allowed, currently however the Planned Development portion of the Zoning District is no longer permitted.

The site to the north is zoned SC-2 (Community Shopping Center) where a commercial retail store is located. The proposed rezone of the subject site to a more dense single-family zone will not affect this site to the north.

Properties to the east of the proposed West Woods Rezone are presently zoned R-1-10C and R-3-20. These properties are separated from the subject site by 2700 West (a major collector street). A church is located on the majority of the R-1-10C zone adjacent (and to the east) of the subject site. Access to this church is from 2700 West. To the south of the church is the R-3-20 zone (Multi-Family 10 units or less per acre), this site houses the Jordan River Apartment complex.

In addition to the property being rezoned to a higher density, the applicant is also applying to amend the subzone (or the minimum house size allowed) of the site from subzone A to C. During the Planning Commission hearing the Commission recommended to City Council that E sized houses be approved for the rezone. The applicant agreed to the recommendation and stated that he will be able to comply with the recommendation. This proposed change will require that larger homes are built in the subdivision than what is presently required and what the applicant initially applied for, below is the subzone minimum living space chart with additional square footage requirements of the three subzones:

Subzone	Dwelling Type	Minimum Living Space (In Sq. Ft.)	Zone to which the subzone applies
A	1 level dwelling (rambler or split entry)	2,000	R-1-5
	Split level dwelling	1,500	
	Multi-story dwelling (2 or more)	1,800	
C	1 level dwelling (rambler or split entry)	2,400	R-1-8
	Split level dwelling	2,100	
	Multi-story dwelling (2 or more)	2,400	
E	1 level dwelling (rambler or split entry)	3,000	R-1-10
	Split level dwelling	2,400	
	Multi-story dwelling (2 or more)	3,000	

Finding: The proposed amendment will result in compatible land use relationships and does not adversely 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 rezone will not affect the health, safety, or general welfare of the citizens of the City or the neighboring community of the property. While the proposed rezone will increase the housing density on the site, due to its proximity to an major collector (2700 West), the access into the subdivision is near this major collector street, the increase in housing density will not disturb any other established neighborhoods.

At this time only the rezone is under review, any concerns with the concept plan or potential construction will be reviewed by Planning Commission at a later date and

by City Staff to ensure the site will meet the requirements found in Title 13 and Title 14 of the 2009 City code.

Finding: The proposed amendment 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: The rezone application was made available to the City's Engineering and Fire Departments. Both of these Departments determined that the proposed rezone will not negatively affect the level of available public services to this neighborhood or to the wider community. Nevertheless, additional and more specific review will be needed at the time of Subdivision submittal to ensure all services are adequate to serve the future subdivision.

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 proposed rezone site is not within any overlay zoning district.

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

IV. CONCLUSION:

The proposed Zoning Map Amendment to rezone the West Woods property to the R-1-8C zoning district meets all the criteria for approval and is not contrary to any current goals and policies in the General Plan or conflicting with Title 13 of the 2009 City Code.

V. ATTACHMENTS:

- Exhibit A – Aerial Map
- Exhibit B – Zoning/Land Use Map
- Exhibit C – Concept Plan
- Exhibit D – Letter of Intent
- Exhibit E – Affidavit
- Exhibit F - Application



Aerial Map

Exhibit A

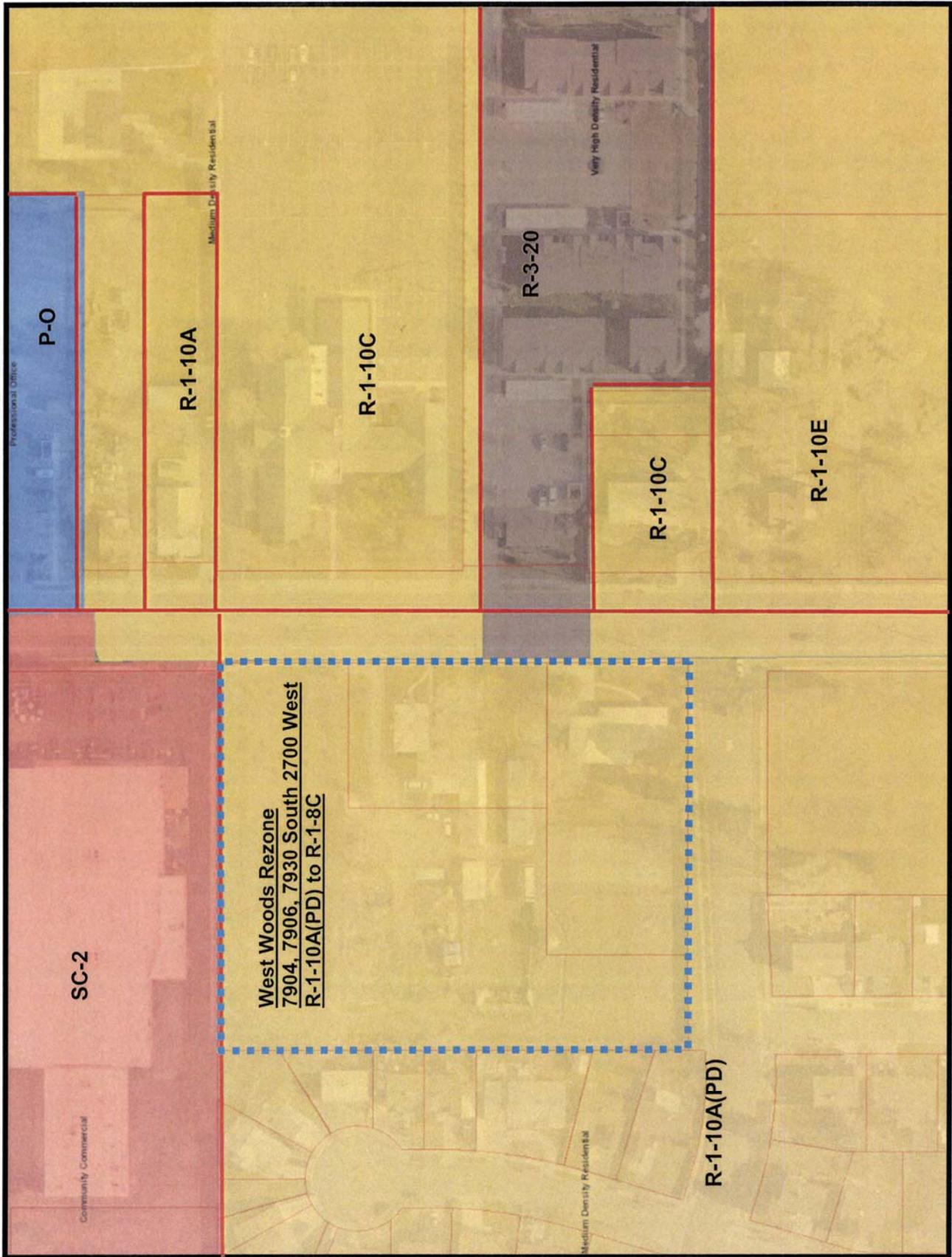
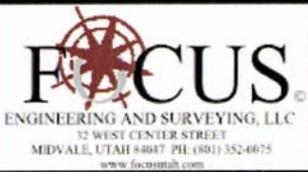
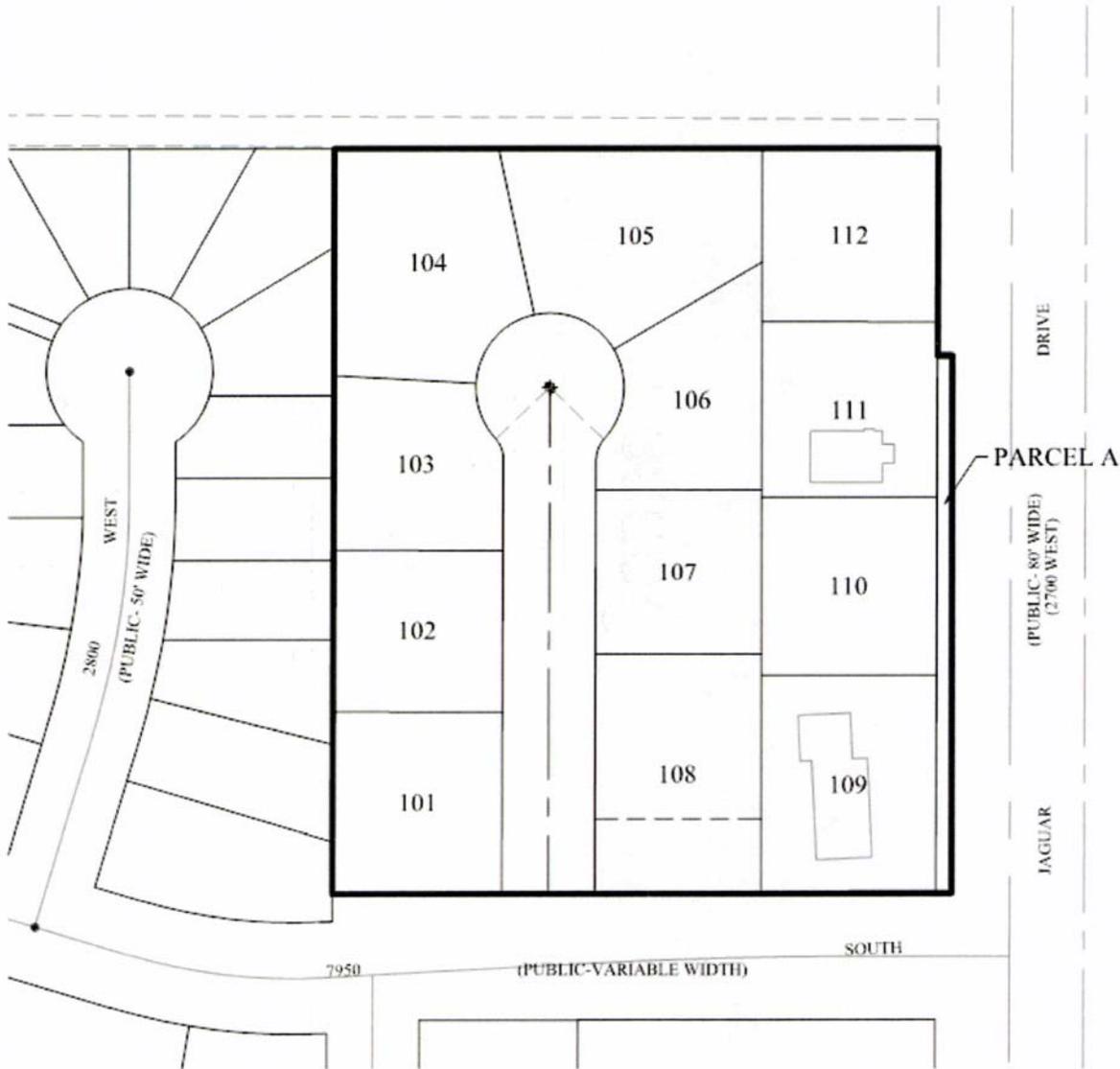
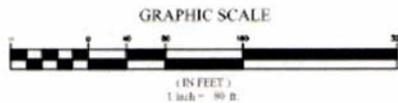


Exhibit B Zoning/Land Use Map



CONCEPT DEVELOPMENT PLAN
WEST JORDAN, UTAH

Date Created:	7/29/2016
Scale:	1"=50'
Project:	BP
Sheet:	16-196
Sheet:	1

Exhibit C Concept Plan

ZONING AND SUBDIVISION APPLICATION

Woods West Subdivision

7904-7930 South 2700 West, West Jordan, Utah 84088

Creating a 12 Lot Subdivision of single-family residential lots through the redevelopment of the property from an old agricultural use.

Adam Nash – is the owner and managing member of Land Development LLC (that handles development services). and the principal broker of Growth Aid LLC.

CURRENT USE

The property currently has 2 homes that will be preserved, a tennis court, which has begun to decay from non-use and a horse pasture, out buildings, barns and other equestrian improvements.

The house at 7904 South 2700 West is a old but well kept brick bungalow. The home at 7930 South 2700 West is a modern rambler built in the 60's or 70's. This property is in a marital life estate and will be kept that way until the estate passes or gives up possession to us.

REDEVELOPMENT PLAN

The property will be reconstructed into 10 residential building lots.

The plan is to rezone the property from R-1-10 to R-1-8 to allow for a single-family residential subdivision. **The need for R-1-8 is not to increase density but instead to allow for the existing homes to meet yardage and setback requirements.** The lots will range in size from 8,000 – 11,500 square feet.

The zoning request is consistent with the city master plan, is in harmony with the surrounding uses.

Exhibit D Letter of Intent

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

I (we), William Max Wood, Trust, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property(s) located at 7904-7930 South 2700 West West Jordan, Utah. My (our) signature below attests that I (we) have reviewed the proposal by Adam Nash - Growth Aid LLC requesting review and approval of Woods West Subdivision by the City of West Jordan for the following process(s):
(Project Name)

- General Land Use Map Amendment Rezone Conditional Use Permit
- Temporary Use Permit Variance Lot Line
- Subdivision (Minor, Major, Amendment or
- Site Plan (Multi-Family, Commercial/Industrial or
- Other: West Jordan City, State of Utah, Granger-Hunter Impr. District

My (our) signature below attests the I (we) consent to the statements and information provided in the attached plans and exhibits for the requested process(s) as checked above, and that all information presented to me (us) is true and correct to the best of my (our) knowledge.

X Mike Peglva

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 28 day of July, 2016.

Rebecca George

(Notary)
Residing in Salt Lake County, Utah

My commission expires: October 1, 2019

Exhibit E Affidavit

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH }
 } ss
COUNTY OF SALT LAKE }

I (we), William Max Wood, Trust, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property(s) located at 7904-7930 South 2700 West West Jordan, Utah. My (our) signature below attests that I (we) have reviewed the proposal by Adam Nash - Growth Aid LLC requesting review and approval of Woods West Subdivision by the City of West Jordan for the following process(s):
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X Mike Peglva
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 28 day of July, 2016.

Rebecca George
(Notary)
Residing in Salt Lake County, Utah

My commission expires: ~~October 11, 2019~~

Exhibit E Affidavit



CITY OF WEST JORDAN
COMMUNITY DEVELOPMENT APPLICATION

8000 South Redwood Road
(801) 569-5180

~~21-33-129-010~~
~~21-33-129-011~~

Sidwell # 21-33-129-012 Acreage: 3.1 Lots: 12 Zoning: R-1-10A (CPD)

Project Location: 7904 - 7980 South 2700 West

Project Name: West Woods Subdivision - Rezone

Type of Application: Subdivision Conditional Use Permit
 Site Plan General Land Use Amendment
 Rezone Agreement
 Condominium Other

Applicant: Adam NASH Company: Growth Aid LLC

Address: 4376 South 700 East, Suite 200

City: SALT LAKE State: UT Zip: 84107

Telephone: Office: _____ Cell: _____

Email: 801-580-1428 adam@growthaid.com

Property Owner: William Max Woods, Trust

Address: 7904 South 2700 West

City: West Jordan State: UTAH Zip: 84108

Telephone: Office: _____ Cell: _____

Email: mikepaul@gmail.com

Engineer: Focus Engineering Company: BRANDON PARR

Address: 32 West Center Street W

City: MIDVALE State: UTAH Zip: 84047

Telephone: Office: _____ Cell: _____

Email: 801-352-0075 dparr@focusutah.com

Architect: N/A Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: Office: _____ Cell: _____

Email: _____

SIGNATURE: [Signature] DATE: 8-1-16

Project #: 10780 Date: 8/8/16
 Received By: ODA Lg PLANNING Lg ENGINEERING dc

Exhibit F Application



City Clerk's Office

8000 South Redwood Road
West Jordan, Utah 84088
(801) 569-5115
Fax (801) 565-8978

October 24, 2016

Adam Nash
Growth Aid, LLC
4376 South 700 East STE 200
Salt Lake City, UT 84107

Dear Adam,

A Public Hearing will be held before the City of West Jordan City Council on Wednesday, November 16, 2016, at the hour of 6:00 p.m., in the City Council Chambers at 8000 South Redwood Road, Third Floor, West Jordan, Utah, to receive public comment prior to considering a Rezone of 3.1 acres from R-1-10A (PD) (Single-family Residential 10,000 square foot lots – Planned Development) Zone to R-1-8C (Single-family Residential 8,000 square foot lots) Zone for West Woods Rezone, located at approximately 7904-7930 South 2700 West: Growth Aid LLC/Adam Nash (applicant). You are invited to attend the Public Hearing and take part in the discussions and voice any support or concerns you may have. The Council reserves the right to consider other zoning classifications based on information presented at the Public Hearing. If you have any questions, please contact the Planning and Zoning Department at 801-569-5060.

I have enclosed a copy of the **Notice of Public Hearing** that has been sent to property owners in the 300-foot radius of said property.

If you have any questions, please feel free to call me at 801-569-5116.

Sincerely,

A handwritten signature in cursive script that reads "Carol Herman".

Carol Herman
Deputy City Clerk

cc: Planning Department

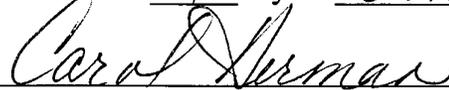


City Clerk's Office
City of West Jordan
8000 South Redwood Road
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Fax (801) 565-8978

THE CITY OF WEST JORDAN, UTAH
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Posted this 26 day of October 2016



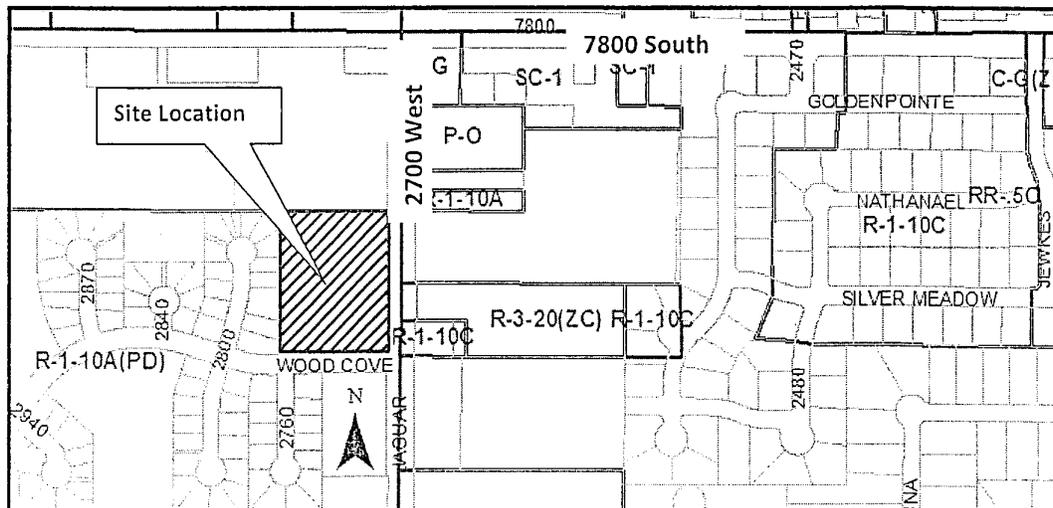
Carol Herman
Deputy City Clerk



City Clerk's Office
City of West Jordan
8000 South Redwood Road
West Jordan, Utah 84088
(801) 569-5115
Fax (801) 565-8978

THE CITY OF WEST JORDAN, UTAH NOTICE OF PUBLIC HEARING

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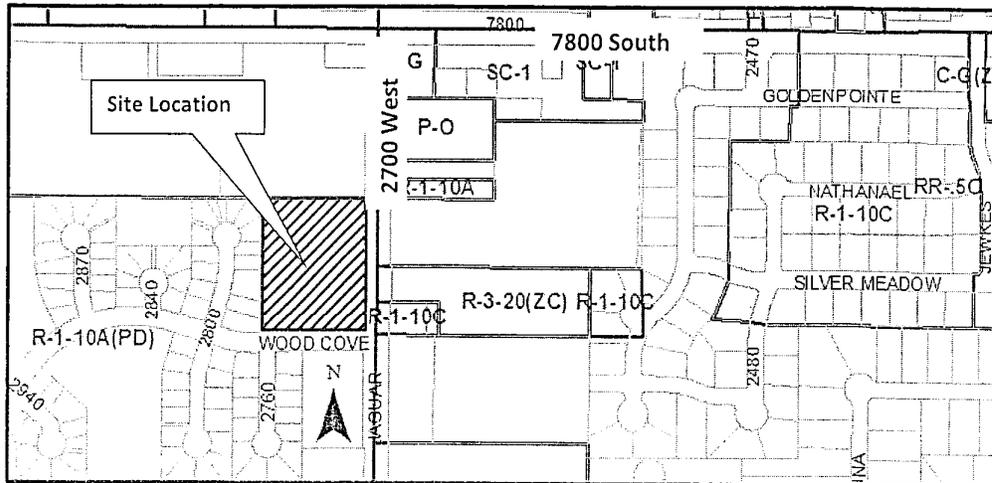
The City of West Jordan, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call the City Recorder at 569-5115, giving at least three working days notice.



City Clerk's Office
8000 South Redwood Road
West Jordan, Utah 84088
(801) 569-5116
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The City of West Jordan, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call the City Recorder at 569-5115, giving at least three working days notice.

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 16-51

AN ORDINANCE AMENDING THE ZONING MAP FROM R-1-10A(PD) (SINGLE-FAMILY RESIDENTIAL 10,000 SQUARE FOOT LOTS "A" SIZED HOMES, PLANNED DEVELOPMENT) ZONE TO R-1-8E (SINGLE-FAMILY RESIDENTIAL 8,000 SQUARE FOOT LOTS "C" SIZED HOMES) ZONE FOR 3.06 ACRES OF PROPERTY LOCATED AT 7904, 7906, 7930 SOUTH 2700 WEST

WHEREAS, an application was made by Growth Aid LLC to amend the zoning map from R-1-10A(PD) (Single-Family Residential 10,000 square foot lots with "A" sized homes, Planned Development) zones to R-1-8E (Single-Family Residential 8,000 square foot lots with "E" sized homes) zone for 3.06 acres of property located at 7904, 7906, 7930 South 2700 West.

WHEREAS, on October 18, 2016, the zoning map amendment request was considered by the Planning Commission, which has made a positive recommendation to the City Council concerning the rezone from R-1-8A(PD) (Single-Family Residential 10,000 square foot lots with "A" sized homes, Planned Development) zones to R-1-8E (Single-Family Residential 8,000 square foot "E" sized homes) zone for 3.06 acres of property located at 7904, 7906, 7930 South 2700 West; and,

WHEREAS, a public hearing, pursuant to public notice, was held before the City Council on November 16, 2016; and,

WHEREAS, the City Council of the City of West Jordan finds, subject to the specified conditions, that:

1. the proposed amendments to the zoning map are consistent with the purposes, goals, objectives, and policies of the City's General Plan; and,
2. the proposed amendments to the zoning map are harmonious with the overall character of existing development in the immediate vicinity of the subject property; and,
3. the proposed amendments to the zoning map will not adversely affect adjacent properties; and,
4. the proposed amendments to the zoning map are consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and,
5. public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection, are now, or will be made by the Developer, adequate.

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

Section 1. The Zoning Map Of The City Of West Jordan, Utah, is hereby amended by changing the zoning from

R-1-10A(PD) (Single-Family Residential 10,000 square foot lots with "A" sized homes, Planned Development) zone to R-1-8E (Single-Family Residential 8,000 square foot lots with "E" sized homes) zone for 3.06 acres of property located at 7904, 7906, and 7930 South 2700 West, more appropriately described below:

BEGINNING ON THE WEST LINE OF JAGUAR DRIVE (2700 SOUTH STREET) LOCATED S0°05'54"W ALONG THE CENTERLINE OF SAID STREET 528.02 FEET AND WEST 40.00 FEET FROM THE NORTH 1/4 CORNER OF SECTION 33, T2S, R1W, SLB&M (BASIS OF BEARING: S89°58'10"W BETWEEN THE NORTH 1/4 CORNER AND NORTHWEST CORNER OF SECTION 33, T2S, R1W, SLB&M); THENCE S0°05'54"W ALONG SAID STREET 111.98; THENCE EAST 8.10 FEET; THENCE SOUTH 290.01 FEET TO THE NORTH LINE OF WOOD COVE PARK NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE S89°58'10"W ALONG SAID PLAT 334.39 FEET TO THE EAST LINE OF WOOD PARK COVE NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER; THENCE N0°05'54"E ALONG SAID PLAT 402.00 FEET TO THE SOUTH LINE OF THAT REAL PROPERTY DESCRIBED IN DEED BOOK 10418 PAGE 1282 OF THE OFFICIAL RECORDS OF SALT LAKE COUNTY; THENCE N89°58'10"E 325.79 FEET TO THE POINT OF BEGINNING.

Contains 3.06± acres. Tax I.D. #21-33-128-010; 21-33-128-011; 12-33-128-012

The described property shall hereafter be subjected to the R-1-8E land-use restrictions and limitations as are stipulated for this zone.

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 16th day of November, 2016.

CITY OF WEST JORDAN

By: _____
Kim V. Rolfe
Mayor

ATTEST: _____
MELANIE S. BRIGGS, MMC
City Clerk

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

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

Ord 16-51

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]
