

**REQUEST FOR COUNCIL ACTION**

**SUBJECT: Oquirrh West General Plan Amendment and Rezone**

**SUMMARY:** Oquirrh West; 7800 South & Hwy U-111; Future Land Use Map Amendment for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to a Low Density Residential, Medium Density Residential, and Commercial Designation and Rezone 138.5 acres from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to a PC (Planned Community) Zoning District; Holmes Homes/Patrick H. Holmes (applicant) [Ray McCandless #GPA20140006; ZC20140003; parcel 20-28-400-005-4002, 4001]

**FISCAL / AND OR ASSET IMPACT:** None.

**STAFF RECOMMENDATION:** Based on the analysis and findings contained in the Staff Report, Staff recommends approval of the requested Future Land Use Map amendments and Zoning Map Amendments as discussed in the staff report.

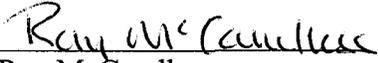
**PLANNING COMMISSION RECOMMENDATION:** On August 16, 2016, the Planning Commission in 6 to 1 vote recommended that the City Council *approve* the proposed Future Land Use Map amendment and rezoning request as noted in the attached Planning Commission meeting minutes.

**RECOMMENDED MOTION:** “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 Ordinance No. 16-41 amending the Future Land Use map from Low Density Residential, High Density Residential, Mixed Use, and Commercial to a Low Density Residential, Medium Density Residential, and Commercial Designation and Rezone 138.5 acres from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to a PC (Planned Community) Zoning District on property generally located on the northwest corner of 7800 South U-111.

**OPTIONAL MOTION:** “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 deny Ordinance No. 16-41 amending the Future Land Use map from Low Density Residential, High Density Residential, Mixed Use, and Commercial to a Low Density Residential, Medium Density Residential, and Commercial Designation and Rezone 138.5 acres from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to a PC (Planned Community) Zoning District on property generally located on the northwest corner of 7800 South U-111.

***Roll Call vote required***

**Prepared by:**

  
Ray McCandless,  
Senior Planner

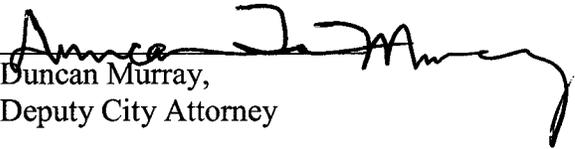
**Reviewed by/Concur with:**

  
David Oka,  
Development Director

**Recommended by:**

  
Mark Palesh,  
City Manager

**Reviewed as to legal form:**

  
Duncan Murray,  
Deputy City Attorney

## II. BACKGROUND:

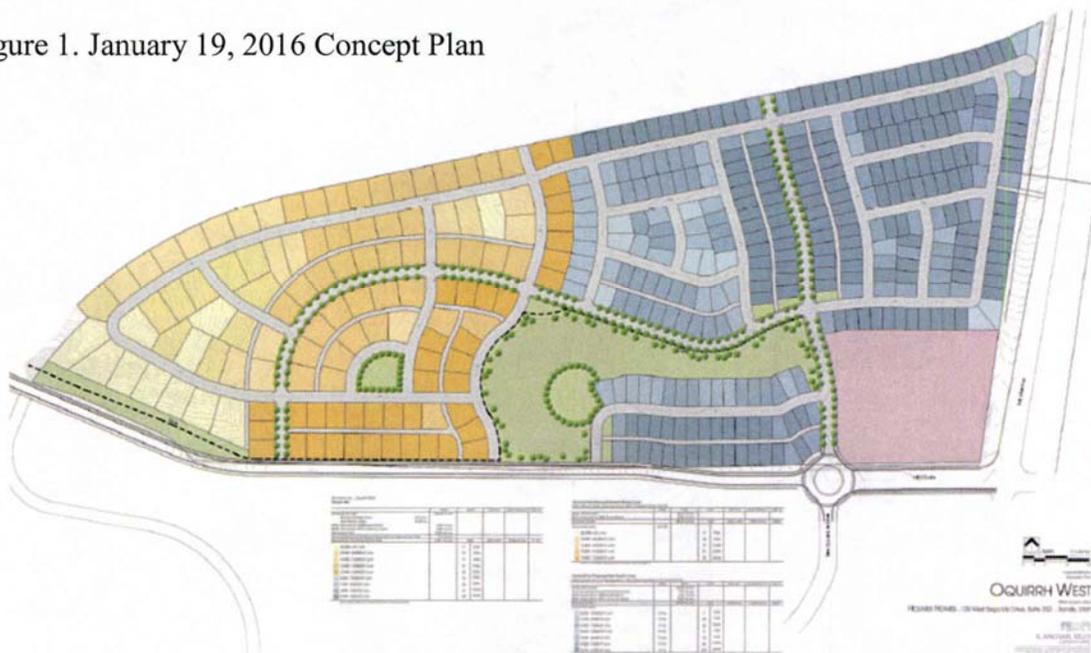
This 138.5 acre piece of property is located on the northwest corner of 7800 South and U-111. It is vacant and has been used as a gravel pit for many years. The Future Land Use Map of the General Plan designates this property as Low Density Residential, High Density Residential, Mixed Use, and Commercial as illustrated in Exhibit B. The property is currently zoned MU (Mixed Use), HFR (High Density Multi-Family Residential), LSFR (Low Density Single-family Residential) which are West Side Planning Area (WSPA) Zoning Districts. The southeast 13.5 acres is zoned SC-2 (Community Shopping Center) as shown in Exhibit C.

In 2013, the City Council adopted Ordinance 13-11 limiting the area of the WSPA to the Highlands development only, making the legal application of WSPA zoning standards on this property unclear. This property is not located in the Highlands development yet it is still zoned and designated on the Future Land Use Map as being in the WSPA (excluding the area zoned SC-2).

In 2014, the City Council adopted what is referred to as the "Cap and Grade Ordinance", Ordinance 14-31 (City Code, Section 13-8-23: Annual Cap on Multi-Family Development Applications) limiting the number and type of multi-family applications the City can accept in a given year to bring the ratio of single-family residential and multi-family residential in line with the 83% single-family residential to 17% multi-family residential ratio established in the General Plan.

Following adoption of Ordinances 13-11 and 14-31, the applicant requested to rezone the property to traditional R-1-10E, R-1-6B, R-1-5A and SC-1 zones and amend the future land use map to reflect the proposed zoning. This application was reviewed by the Planning Commission on January 19, 2016. The Planning Commission voted 6-1 to forward a negative recommendation to the City Council for reasons stated in the attached minutes (Exhibit H). The concept plan at that time showed a 434 lot single-family residential development as shown in Figure 1.

Figure 1. January 19, 2016 Concept Plan



Following the January 19<sup>th</sup> Planning Commission meeting, the applicant requested that the proposal not be forwarded to the City Council as the Planning Staff was concurrently working on an amendment to the Cap and Grade Ordinance that would broaden the exemptions for multi-family development on large planned developments.

On May 11, 2016, the City Council adopted Ordinance 16-22 exempting specific types of multi-family housing from “cap and grade” requirements under certain conditions. The code now reads as follows:

13-8-23: Annual Cap on Multi-Family Development Applications:

B. Exemptions: The following types of two-family and multi-family housing are not subject to the annual cap or to the timing requirements of this section:

1. Residential housing developments in compliance with the general plan that are:
  - a. Multi-family housing (2 or more housing units) in a transit station overlay district (TSOD).
  - b. Senior housing for age fifty five (55) and older.
  - c. Multi-family housing for disabled persons.
  - d. Low and moderate income housing owned by a nonprofit or a local housing authority.
  - e. Multi-family housing as part of a master planned community that meet the following provisions:
    - (1) Master Plan shall be a minimum of 75 undeveloped acres and be zoned PC or PRD.
    - (2) Two-family and multi-family housing not exempt by the provisions listed in part “a through d” above, shall comprise no greater than 17% of the total number of dwelling units in the approved master development plan.
    - (3) Two-family and multi-family housing units not exempt by the provisions listed in part “a through d” above, shall be individually owned as either condominiums or townhomes.

Ordinance 16-22 allows two-family and multi-family development in large planned developments over 75 acres in area, provided that they are zoned PC or PRD, that the ratio of multi-family to single-family residential dwellings not exceed 17% multi-family to 83% single-family-residential and that all multi-family dwellings be individually owned.

Following adoption of Ordinance 16-22, the applicant submitted a revised concept plan that was reviewed by the Planning Commission on July 5, 2016 (Figure 2).

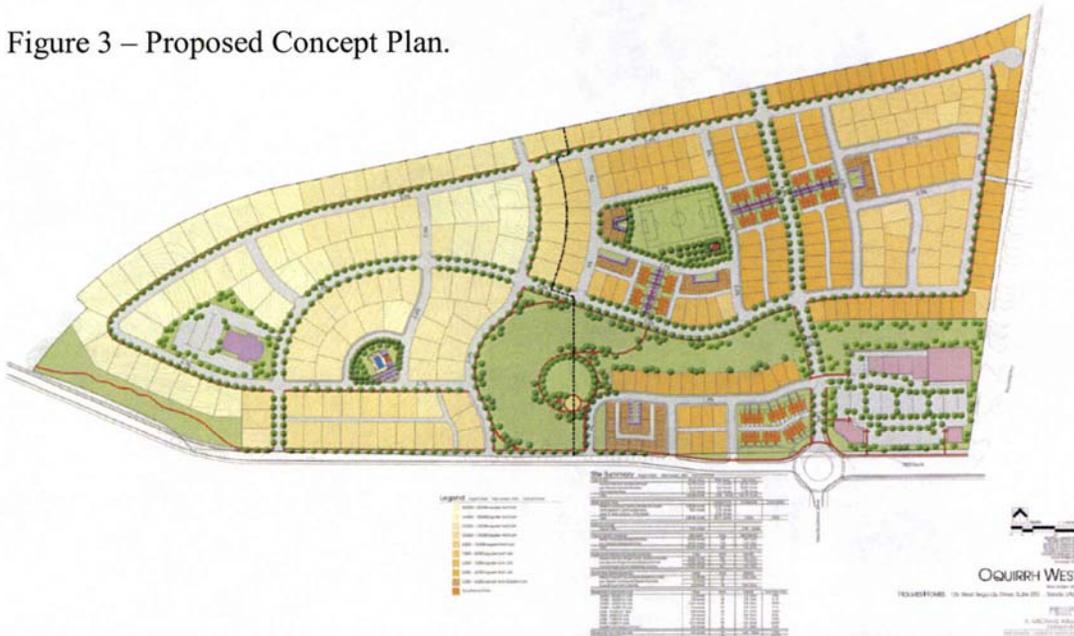
Figure 2. July 5, 2016 Concept Plan



Single-Family Dwellings - 375 (83%)  
 Town Homes - 77 (17%)  
 Total Dwelling Units - 452

The Planning Commission voted 5-0 to table the item to allow the applicant time to address several concerns raised at the meeting. The concept plan was revised to address the Planning Commission's concerns. The latest proposed concept plan is shown below in Figure 3.

Figure 3 – Proposed Concept Plan.



Single-Family Dwellings - 361 (83 %)  
 Town Homes - 74 (17%)  
 Total Dwelling Units - 435

This plan was reviewed by the Planning Commission on August 16, 2016. The Planning Commission voted 6-1 to forward a positive recommendation to the City Council to amend the Future Land Use Map and rezone the property as requested.

The proposed concept plan meets the exemption standards of the 2009 City Code Section 13-8-23.B.1.b. The property is over 75 acres, the ratio of single-family lots to multi-family residential lots is 83% single-family lots to 17% multi-family lots and all lots are proposed to be owner occupied; however, as a side note, as in any residential development, there is nothing to prevent owners from renting their home.

The distribution of lot sizes is illustrated on the following table:

| <b>Lot Size (Square Feet)</b> | <b>Concept Plan</b> |
|-------------------------------|---------------------|
| 18,000 – 20,000               | 17                  |
| 15,000 – 18,000               | 22                  |
| 12,000 – 15,000               | 47                  |
| 10,000 – 12,000               | 31                  |
| 8,000 – 10,000                | 45                  |
| 7,000 – 8,000                 | 11                  |
| 6,000 – 7,000                 | 61                  |
| 5,000 – 6,000                 | 99                  |
| Garden Lots (avg. 4,511 s.f.) | 28                  |
| Townhomes                     | 74                  |
| <b>Total</b>                  | <b>435</b>          |

The proposed concept plan shows 117 lots over 10,000 square feet. There are 45 lots between 8,000 and 10,000 square feet, 61 lots between 6,000 and 7,000 square feet and 99 lots between 5,000 and 6,000 square feet. There are 28 garden lots with an average lot size of 4,511 square feet.

The concept plan shows a 10.2 acre commercial area on the southeast corner of the property which includes an open space area on the north side of the commercial area that will not only provide open space connectivity to the residential areas, but will serve as a buffer between the commercial and residential uses to the north.



The applicant has provided a drawing showing open space acreages. The application states that 20.79 acres of open space will be provided which is 15.01% of the site which meets the minimum 15% open space requirement of the P-C zone.



The proposed densities factor in a church site which is shown on the concept plan drawing.



Amenities include a 11.9 acre community park (passive open space), 2.9 acre community park, soccer field, playground and open play fields, a 0.7 acre neighborhood park, swimming pool and open lawn area. All open space will be maintained by a homeowner’s association.

### III. GENERAL INFORMATION & ANALYSIS

The applicant is proposing to rezone the property from LSRF (Low Density Single-Family Residential, HFR (High Density Multi-Family Residential), and MU (Mixed Use) [which are West Side Planning Area (WSPA) zoning districts] and SC-2 to a PC (Planned Community) zoning district. The Future Land Use Map will also be amended from Low Density Residential, High Density Residential, Mixed Use, and Commercial to a Low Density Residential, Medium Density Residential, and Commercial Designation to be consistent with the proposed zoning. The purpose of the request is to accommodate a new 435 unit planned development on the property. The project consists of 361 single-family dwellings and 74 town homes as shown on the concept site plan (Exhibit F).

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

|              | <b>Future Land Use</b>   | <b>Zoning</b> | <b>Existing Land Use</b>  |
|--------------|--|---------------|---------------------------|
| <b>North</b> | Public Facilities<br>Future Park<br>Medium Density Residential | A-5           | Vacant                    |
| <b>South</b> | Parks/Open Land  | PC            | Open Space                |
| <b>West</b>  | Very Low Density Single-Family Residential Parks and Open Land | A-5           | Vacant                    |
| <b>East</b>  | Medium Density Residential/                                    | PC            | Single-Family Residential |

The applicant has submitted very thorough application packets which include a detailed analysis of and justification for both the Land Use Map amendment and the rezoning request (Exhibit J). The applications include a revised concept plan, they address the City's General Plan and Zoning Map Amendment findings, they include a detailed discussion on proposed densities and land use compatibility and include a discussion on property serviceability. The applications also include renderings of proposed housing types and show the amenities that will be constructed as part of the development.

**General Plan Amendment Discussion:**

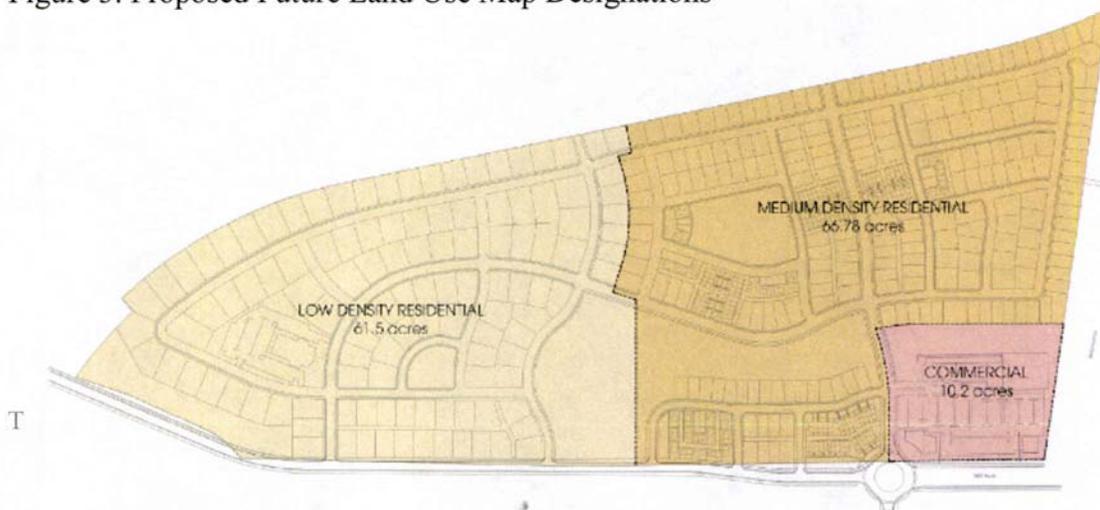
The changes to the Future Land Use Map will reflect the proposed zoning on the property. The western half of the property is currently designated as Low Density Residential on the Future Land Use Map. This area will remain Low Density Residential; however, the boundary will shift to match the proposed concept plan. There are currently 61.5 acres designated as Low Density Residential. This area will remain unchanged at 61.5 acres. The areas shown as Mixed Use and High Density Residential will be changed to Medium Density Residential.

Figure 2 illustrates the existing land use designations and associated acreages for the property. Figure 3 shows the proposed land use designations and associated acreages.

Figure 2. Existing Future Land Use Map Designations



Figure 3. Proposed Future Land Use Map Designations



Land Use Map Amendment Summary:

| Land Use Category          | Current General Plan | Proposed Amendments |
|----------------------------|----------------------|---------------------|
| Low Density Residential    | 61.5 Acres           | 61.5 Acres          |
| High Density Residential   | 49.17 Acres          | 0 Acres             |
| Medium Density Residential | 0 Acres              | 66.78 Acres         |
| Mixed Use                  | 14.33 Acres          | 0 Acres             |
| Commercial                 | 13.5 Acres           | 10.2 Acres          |
| Totals                     | 138.5 Acres          | 138.5 Acres         |

The following tables are from the 2012 General Plan showing the various density ranges each of the residential land use categories:

Residential Density for the Performance Based Planning Area (WSPA) - Adjusted Net Density

| Density Designation | Density Range (Dwelling Units Per Acre) | Zoning Districts |
|---------------------|---|------------------|
| Very Low Density    | Up to 2.0                               | VLSFR            |
| Low Density         | 1 to 3.5                                | LSFR             |
| Medium Density      | 3.1 to 7.6                              | MFR              |
| High Density        | 5.1 to 14.1                             | HFR              |
| Mixed Use           | 0-25                                    | MU               |

Residential Density - Adjusted Net Density (Excluding Multi -Family Residential)

| Density Designation | Density Range (Dwelling Units Per Acre) | Zoning Districts                                     |
|---------------------|---|--|
| Very Low Density    | Up to 2.0                               | All A, RR, RE Zones, PC, PRD                         |
| Low Density         | 1 to 3.0                                | RR, RE, R-1-12, R-1-14, PC, PRD                      |
| Medium Density      | 3.1 to 5.0                              | R-1-8, R-1-9, R-1-10, PC, PRD                        |
| High Density        | 5.1 to 10.0                             | RM, R-1-5, R-1-6, R-2, R-3-6, R-3-8, R-3-10, PC, PRD |
| Very High Density   | 10.1 and up                             | R-3-12, R-3-16, R-3-20, R-3-22, PC, PRD              |

The overall net density of the entire project is 3.2 dwelling units per acre which lands the development in the low end of the Medium Density range in the General Plan.

The density range for Low Density Residential is 1 to 3.5 du/ac. in the WSPA and 1 to 3.0 outside the WSPA. The base density in the LSFR (Low Density Single-Family Residential zone) is 2.01 du/ac. The applicant is proposing a residential density of 1.9 dwelling units per acre (du/ac.) on the west half of the property which is in the middle of the Low Density Residential range in both tables. As the proposed density of 1.9 du/ac. is within the ranges established for Low Density Residential, staff does not have any concerns with the proposed Low Density Residential designation on the west 61.5 acres of property.

On the eastern half of the property, the applicant proposes to develop the areas currently shown in the general Plan as High Density Residential and Mixed Use at a density of 5.0 du/ac. As noted in the density tables above, the density range for Medium Density Residential in the WSPA is 3.1 to 7.6 du/ac. The Medium Density Residential range in all other areas is 3.1 to 5.0

du/ac. The proposed 5.0 du/ac. is in the Medium Density Residential designation and is appropriate for this area.

The density of the western half of the property will be about the same as what would be allowed as a base density in the LSFR zone. The proposed density of the eastern portion of the property will be lower than if the property were developed under the WSPA HFR and MU zoning. The overall density of the development at 3.2 du/ac is at or lower than what could be developed under the existing WSPA zoning.

#### IV. FINDINGS OF FACT

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

Prior to approving a General Plan Future Land Use Map amendment, the City Council must 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 General Plan contains several goals and policies that support the proposed amendment. Examples of these are as follows:

*“Provide opportunities for single-family detached and other owner-occupied housing.” Page 69*

*“Encourage the development of residential neighborhoods with a range of lot sizes to offer variety for home buyers.” Page 69*

*“Enhance the visual character of residential areas by maintaining open space, parks and public facilities”. Page 69*

*“Create a variety of neighborhood types which offer an array of housing densities and styles. Page 30”.*

*“Provide opportunities for existing homeowners to purchase homes within the community” Page 70*

*“Provide housing targeted for the diversified market.” Page 70*

*“While lower density single-family residential uses are most preferred in West Jordan, the City should also address in its General Plan a range of residential densities and housing types in order to provide housing opportunities for all age groups and income levels.” Page 23*

The following is from Page 3 of the applicant’s General Plan Amendment Application:

Low Density Area

|                           |    |                                    |
|---------------------------|----|------------------------------------|
| 18,000 - 20,000 s.f. lots | 17 |                                    |
| 15,000 - 18,000 s.f. lots | 22 |                                    |
| 12,000 - 15,000 s.f. lots | 47 |                                    |
| 10,000 - 12,000 s.f. lots | 29 | 115 Total lots in Low Density area |

Medium Density Area

|                           |    |                                       |
|---------------------------|----|---------------------------------------|
| 8,000 - 10,000 s.f. lots  | 45 |                                       |
| 7,000 - 8,000 s.f. lots   | 11 |                                       |
| 6,000 - 7,000 s.f. lots   | 61 |                                       |
| 5,000 - 6,000 s.f. lots   | 99 |                                       |
| 2,500 - 6,000 garden lots | 28 |                                       |
| Town Homes                | 74 | 320 Total lots in Medium Density area |

Total Lots 435

Of the 361 single-family residential lots (excluding townhomes) approximately 45% are larger than 8,000 square feet. Approximately 32% of the lots (excluding townhomes) are over 10,000 square feet.

The proposed general plan amendment is consistent with these goals and policies as the proposed development is primarily single-family residential and provides a range of residential densities and housing targeted for a variety of home buyers.

**Finding:** The proposed amendment conforms 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 layout of the development is thoughtfully designed. The smaller lots are inter-dispersed throughout the east side of the property which adds interest and variety to the development and provides a much better neighborhood feel than if they were clustered in only one area as was shown on previous plans. Although there are other areas in the City that are zoned for single-family residential, changing the use designation in this area will not be contrary to the General Plan.

**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 lot sizes in the residential areas of the Oquirrh West development are similar to those in the Sycamores development to the south of

the subject property. The Sycamores is also zoned P-C and is primarily a single-family residential development with some townhomes. The lots on the east side of the Sycamores are just over 5,000 sq. ft. in size. Lots on the west side of the Sycamores near U-111 are larger, over 10,000 sq. ft. The Oquirrh West development has a similar lot configuration with the smaller lots on the east side of the property next to U-111 transitioning to larger lots further to the west. The Sycamores also has townhomes as does the Oquirrh West project.

The Maples development (which is also zoned P-C) is located on the east side of U-111. Near U-111, the lots vary in size from approximately 3,500 sq. ft. to 5,000 square feet and transition to larger lots further away from U-111. The proposed development is consistent with other land uses in the area.

**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 applicant will directly benefit from approval of the proposed amendment; however, the amendment allows for a better use of property that is consistent with the goals and policies of the General Plan.

**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 proposed amendment will not significantly alter the land use pattern in the area as all adjoining land uses are or will be residential. The amendment will not result in larger or more expensive public infrastructure as there will be fewer units to provide services to than would be possible under the current WSPA zoning and land use designations.

The Engineering Division has reviewed the proposed amendment and has indicated that water, sewer and storm drain infrastructure is generally available to service the proposed development but additional off-site improvements will be needed to fully serve the property (Exhibit G). The westernmost corner of the property above 5,200 sq. ft. cannot be serviced by city water at this time and is not on any planned city projects for the foreseeable future. The applicant is aware of this as noted in the application. This area cannot be developed until these

improvements are constructed. The Engineering Division has indicated there is no reason not to proceed with consideration of rezoning request.

The site will be accessed from 7800 South with an emergency access to U-111. In the future, the site will also be accessed to the property to the north.

**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:** Each phase of development will be reviewed against applicable Code requirements when preliminary subdivision applications are submitted for review. The amendment was reviewed for consistency against the City's General Plan. Staff does not anticipate any inconsistencies with other adopted plans, codes or ordinances.

**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 amending the Zoning Map, the City Council 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:** Single-family residential is compatible with adjoining properties, particularly since the lot sizes will be comparable to or larger than those in adjoining developments. Other impacts will be mitigated as discussed in Future Land Use Map Amendment Finding A, C and E.

**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 conceptual residential development associated with this request will make productive use of a vacant and undeveloped piece of property. The use will enhance the residential interests of the city and is intended to provide housing options for future residents. Rezoning the property as proposed is compatible with the existing zones and uses found in surrounding neighborhoods and will not harm the public health, safety or welfare of the city as a whole.

**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:** See Future Land Use Map Amendment Finding E.

**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 Hillside Overlay District, applies to properties with slopes exceeding 10% which applies to this property as shown on the slope map in the application. There are some areas where the slope exceeds 30%; however, these areas are within proposed open spaces. Each phase of development will be reviewed against the requirements of the Hillside Overlay District as they are submitted for review.

**Finding:** The proposed development will be reviewed for compliance with any additional standards imposed by the Hillside Overlay District as each phase of development is submitted for review.

City Code, Section 13-5C-1: Purpose and Intent: describes the intent of planned developments in a list of fourteen items. Although not required findings for a zoning change or land use map amendment, the City Council may use this criterion to determine if the intent of the P-C zone is met.

*The intent of planned developments (PC or PRD) is to:*

1. *Create more attractive and more desirable environments in the city;*

As demonstrated in the land use map amendment and rezoning applications, the proposed development will improve the environment in the City.

- 2. Allow a variety of uses and structures and to encourage imaginative concepts in the design of neighborhood housing and mixed use projects;*

A variety of housing styles and types will be used and will add interest to the project design. The future commercial development will also add to the design and overall feel of the development.

- 3. Provide flexibility in the location of buildings on the land;*

Building location and setbacks will be established with the adoption of the final Development Plan and subdivision approvals.

- 4. Facilitate and encourage social and community interaction and activity among those who live within a neighborhood;*

Social and community interaction and activity will be enhanced through construction of active and passive open space, trail system and recreational amenities.

- 5. Encourage the creation of a distinctive visual character and identity for each planned development;*

Visual character and identity will be created through integration of open spaces, recreational amenities and variety of housing types.

- 6. Produce a balanced and coordinated mixture of uses and related public and private facilities;*

The combination of single-family dwellings, townhomes and future commercial amenities will provide a balanced mix of uses.

- 7. Encourage a broad range of housing types, including owner and renter occupied units, single-family detached dwellings and multiple-family structures, as well as other structural types;*

The application gives examples of housing that will be built within the development. The applicant has demonstrated that there is a broad range of housing types. Renter occupied units are not being proposed.

- 8. Preserve and take the greatest possible aesthetic advantage of existing trees and other natural site features and, in order to do so, minimize the amount of grading necessary for construction of a development;*

The layout of the development will utilize the topography of the site as many of the streets follow the existing contour of the property. This will minimize the grading necessary to develop the site. There are no trees on the property or other significant site features on the property to preserve.

9. *Encourage and provide for open land for the general benefit of the community and public at large as places for recreation and social activity;*

The PC zone requires 15% open space exclusive of areas with slopes over 30% which is met. Approximately 20.79 acres will be active and passive open space. The open space areas within the development will be owned and maintained by a homeowner's association. Sidewalks and trails will provide adequate access throughout the development which will encourage recreation and social activity. There will be a 11.9 acre community park with active and passive open areas, a 2.9 acre community park with a soccer field and a 0.7 acre neighborhood park with a swimming pool as illustrated in the map amendment application. There are adequate opportunities for recreation and social activity proposed for this development.

10. *Achieve physical and aesthetic integration of uses and activities within each development;*

Physical and aesthetic integration of uses and activities within the development is achieved through the parks, amenities and trail system. There are no physical barriers that would prevent social interaction.

11. *Encourage and provide for development of comprehensive pedestrian circulation networks, separated from vehicular roadways in order to create linkages between residential areas, open spaces, recreational areas and public facilities, thereby minimizing reliance on the automobile as a means of transportation;*

Most of the trails will be along sidewalks and through the open space areas. There are several places where trails will be installed between houses that will interconnect the parks and open spaces. Sidewalks and trails will be separated from vehicular roadways and will create linkages between residential areas, open spaces, recreational areas and public facilities.

12. *Since many of the purposes for planned development zones can best be realized in large scale developments, development on a large, planned scale is encouraged;*

The proposed development is 138.5 acres in size and is considered a large planned development.

13. *Achieve safety, convenience and amenity for the residents of each planned residential development and the residents of neighboring areas;*

There are no safety concerns with the concept plan. The commercial area will eventually provide additional retail services for the area and the open spaces will provide recreational amenities for the residents.

14. *Assure compatibility and coordination of each development with existing and proposed surrounding land uses. (2001 Code § 89-3-401)*

Adjoining land uses are either single-family residential, townhomes or vacant property. The proposed use is compatible with existing and future land uses.

## V. SUMMARY OR CONCLUSION:

Both the Planning Commission and Staff supports the proposed Future Land Use Map and Zoning Map amendments associated with this request.

## VI. STAFF RECOMMENDATIONS:

### Future Land Use Map Amendment

Based on the findings set forth in this staff report, staff recommends that the City Council amend the Future Land Use Map for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to a Low Density Residential, Medium Density Residential, and Commercial designation on property generally located at the northwest corner of 7800 South and U-111.

### Zoning Map Amendment

Based on the findings set forth in this staff report, staff recommends that the City Council rezone 138.5 acres of property generally located at 7800 South U-111 from MU (Mixed Use), HFR (High Density Multi-Family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to a PC (Planned Community) Zoning District.

## VI. ATTACHMENTS:

- Exhibit A – Aerial Map
- Exhibit B – Future Land Use Map (Existing)
- Exhibit C – Current Zoning Map
- Exhibit D – Proposed Land Use Map
- Exhibit E – Proposed Zoning Map
- Exhibit F – Concept Plan
- Exhibit G - Engineering Comments
- Exhibit H – Planning Commission Minutes
- Exhibit I – Application
- Exhibit J – Application Packets
- Exhibit K – Ordinance



PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS

ACCOUNT NUMBER

CITY OF WEST JORDAN,  
MELANIE BRIGGS  
8000 S REDWOOD RD

9001403739

DATE

WEST JORDAN, UT 84088

8/24/2016

ACCOUNT NAME

CITY OF WEST JORDAN,

TELEPHONE

ORDER # / INVOICE NUMBER

8015695115

0001107800 /

PUBLICATION SCHEDULE

START 08/24/2016 END 08/24/2016

CUSTOMER REFERENCE NUMBER

CC PH 9/21

CAPTION

CITY OF WEST JORDAN PUBLIC HEARING NOTICE A Public Hearing will be held before

SIZE

50 LINES 1 COLUMN(S)

TIMES

TOTAL COST

2

67.50

CITY OF WEST JORDAN  
PUBLIC HEARING NOTICE

A Public Hearing will be held before the City of West Jordan City Council on Wednesday, September 21, 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 Future Land Use Map Amendment for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, Medium Density Residential, and Commercial Designation and Rezone 138.5 acres from HU, IFR, LSR, and SC-2 to R-C, Zoned Holmes Homes/Patrick H. Holmes (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.

Published this 24th day of August 2016  
Jamie Lyn Vincent  
Deputy City Clerk  
1107800 UPALP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF CITY OF WEST JORDAN PUBLIC HEARING NOTICE A Public Hearing will be held before the City of West Jordan City Council on Wednesday, September 21, 2016 at the ho 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 08/24/2016 End 08/24/2016

DATE 8/24/2016

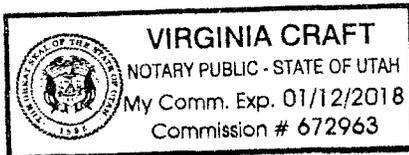
SIGNATURE *Ann Dartnell*

STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 24TH DAY OF AUGUST IN THE YEAR 2016

BY ANN DARTNELL



*Virginia Craft*  
NOTARY PUBLIC SIGNATURE



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

---

August 23, 2016

Holmes Homes  
Attn: Patrick H. Holmes  
126 West Segoe Lily Drive #250  
Sandy, UT 84070

Dear Patrick:

A Public Hearing will be held before the City of West Jordan City Council on Wednesday, **September 21, 2016** 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 **Future Land Use Map Amendment for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, Medium Density Residential, and Commercial Designation and Rezone 138.5 acres from MU, HFR, LSFR, and SC-2 to P-C Zone; Holmes Homes/Patrick H. Holmes (applicant)**

You are invited to attend the Public Hearing, 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 801-569-5115.

Sincerely,

  
Jamie Lyn Vincent  
Deputy City Clerk

cc: Planning Department

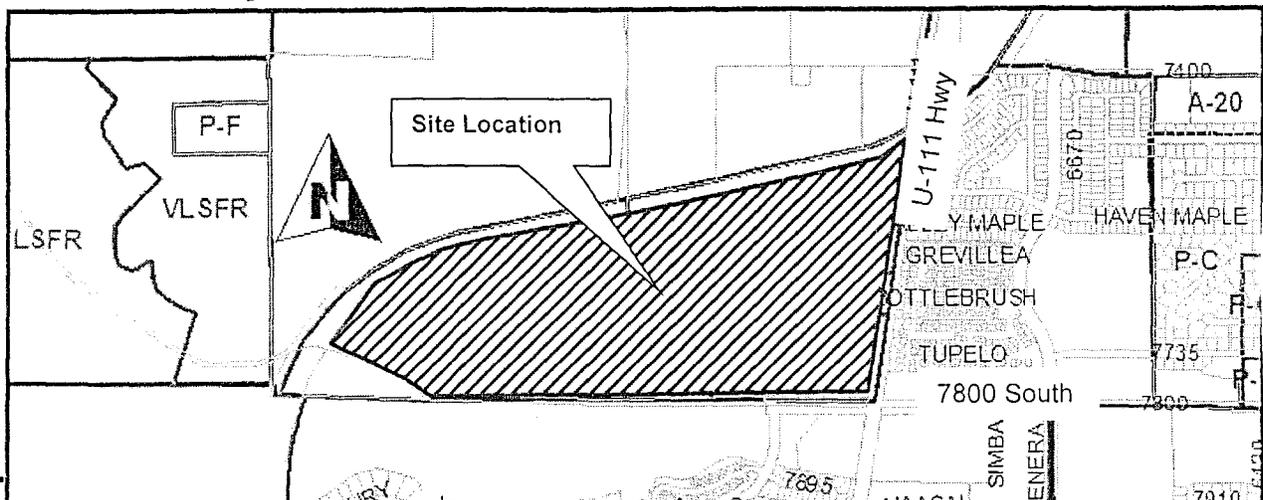
# WEST JORDAN UTAH

## THE CITY OF WEST JORDAN, UTAH NOTICE OF PUBLIC HEARING

A Public Hearing will be held before the City of West Jordan City Council on Wednesday, September 21, 2016 at which time input will be received concerning the proposed items:

- **OQUIRRH WEST -**  
**7800 South & Hwy U-111;** Future Land Use Map Amendment for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, Medium Density Residential, and Commercial Designation and Rezone 138.5 acres from MU, HFR, LSFR, and SC-2 to P-C Zone; Holmes Homes/Patrick H. Holmes (applicant)

The meeting will begin at 6:00 p.m. and will be held in the Council Chambers of the West Jordan City Hall, third floor, 8000 South Redwood Road, West Jordan, Utah. The City Council will consider input from all interested parties prior to making a recommendation to the West Jordan City Council on this issue.



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.

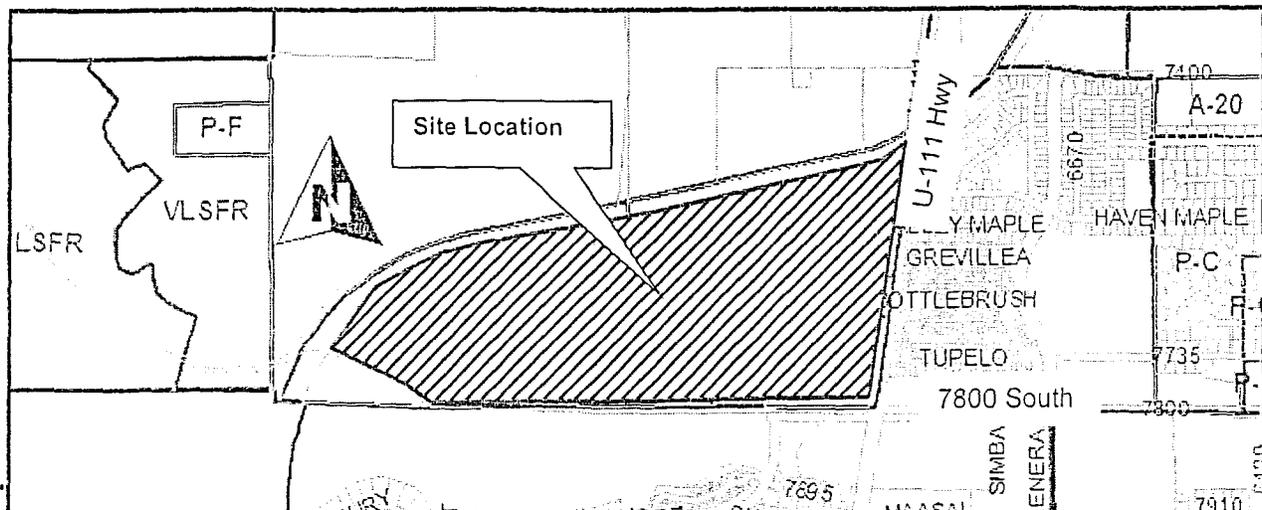


**City Clerk's Office**  
8000 South Redwood Road  
West Jordan, Utah 84088  
(801) 569-5115  
Fax (801) 565-8978

**THE CITY OF WEST JORDAN, UTAH  
NOTICE OF PUBLIC HEARING**

A Public Hearing will be held before the City of West Jordan City Council on Wednesday, September 21, 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 **Future Land Use Map Amendment for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, Medium Density Residential, and Commercial Designation and Rezone 138.5 acres from MU, HFR, LSFR, and SC-2 to P-C Zone; Holmes Homes/Patrick H. Holmes (applicant)**

You are invited to attend the Public Hearing and provide information for West Jordan to consider in the process of preparing, adopting, and implementing a general plan or amendment to a general plan concerning impacts that the use of land proposed in the proposed general plan or amendments to the general plan may have on your entity; and uses of land within West Jordan that your entity is planning or considering that may conflict with the proposed general plan or amendment to the general plan, and/or take part in the discussions and voice any support or concerns you may have with the above-mentioned amendment. If you want to speak on an item, the time will be limited to 3 minutes. If you have any questions, please contact the Planning and Zoning Department at 801-569-5060.

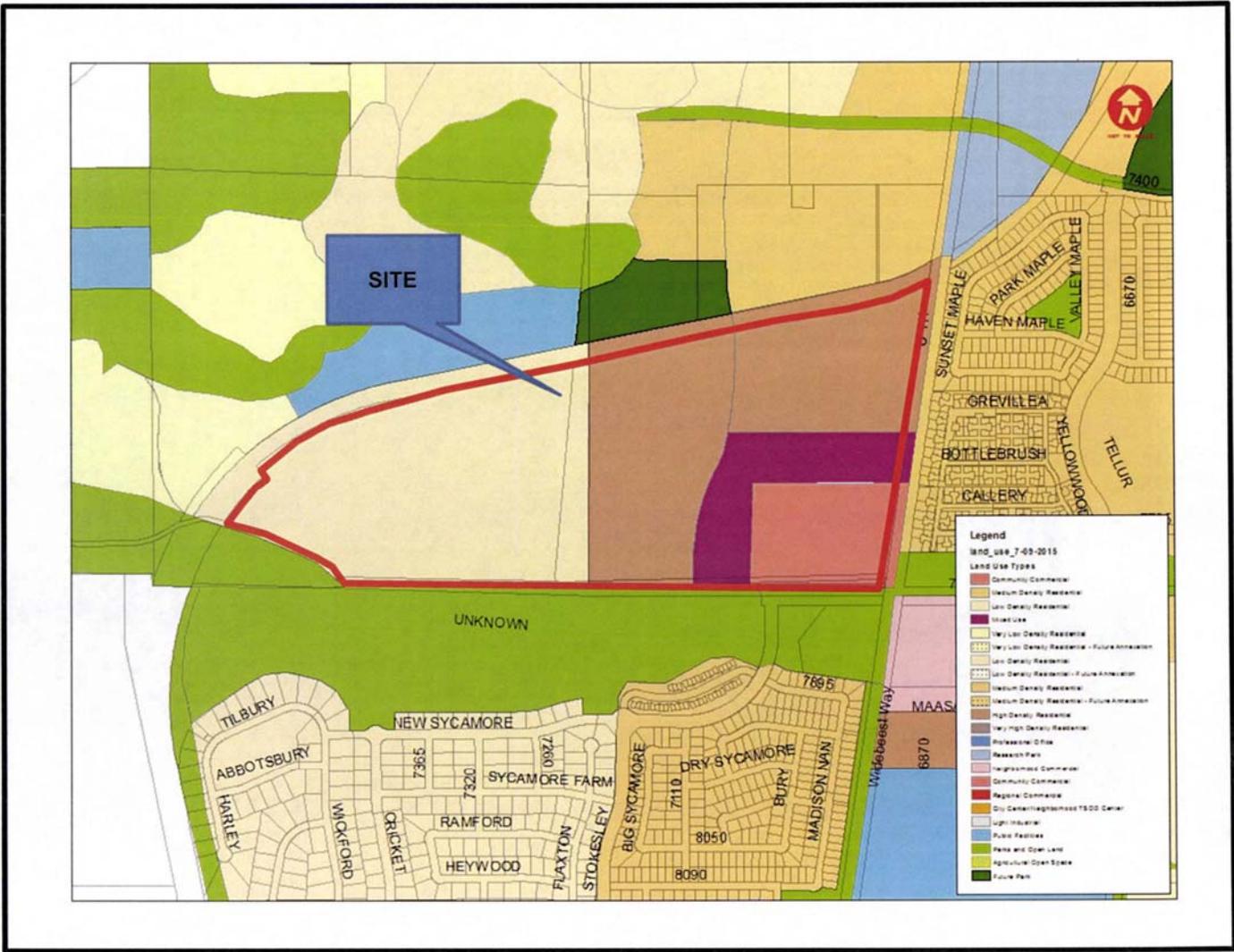


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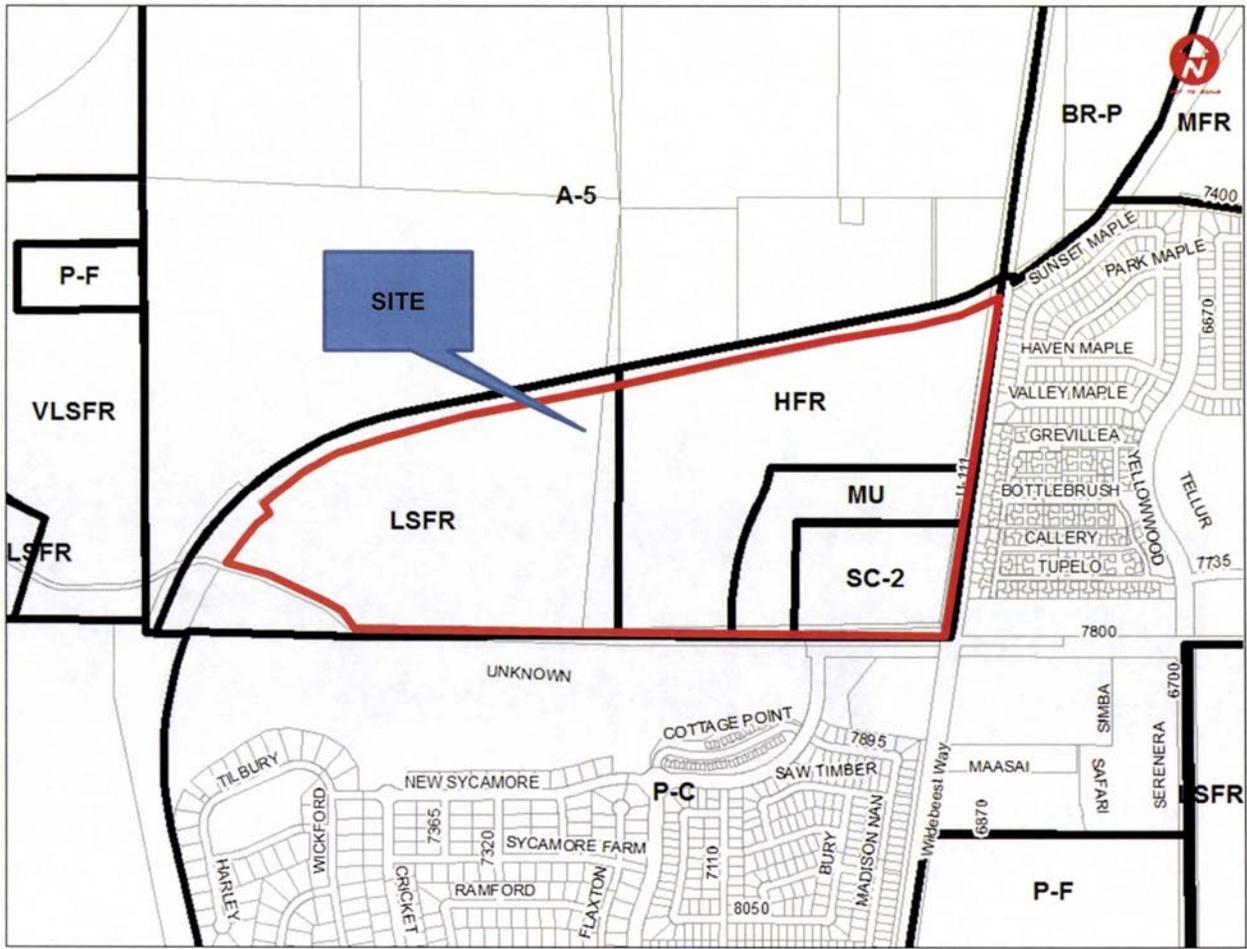


**Exhibit A**

**Aerial Map**

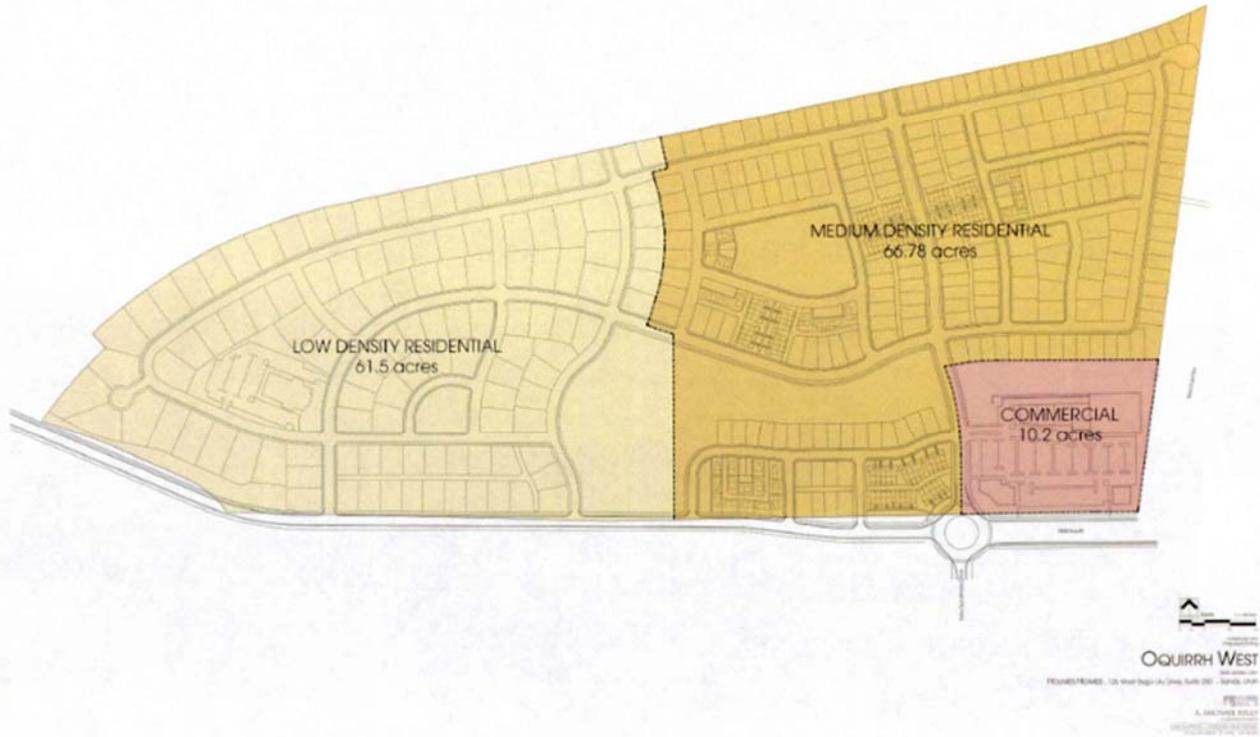


**Exhibit B** Future Land Use Map (Existing)



# Exhibit C

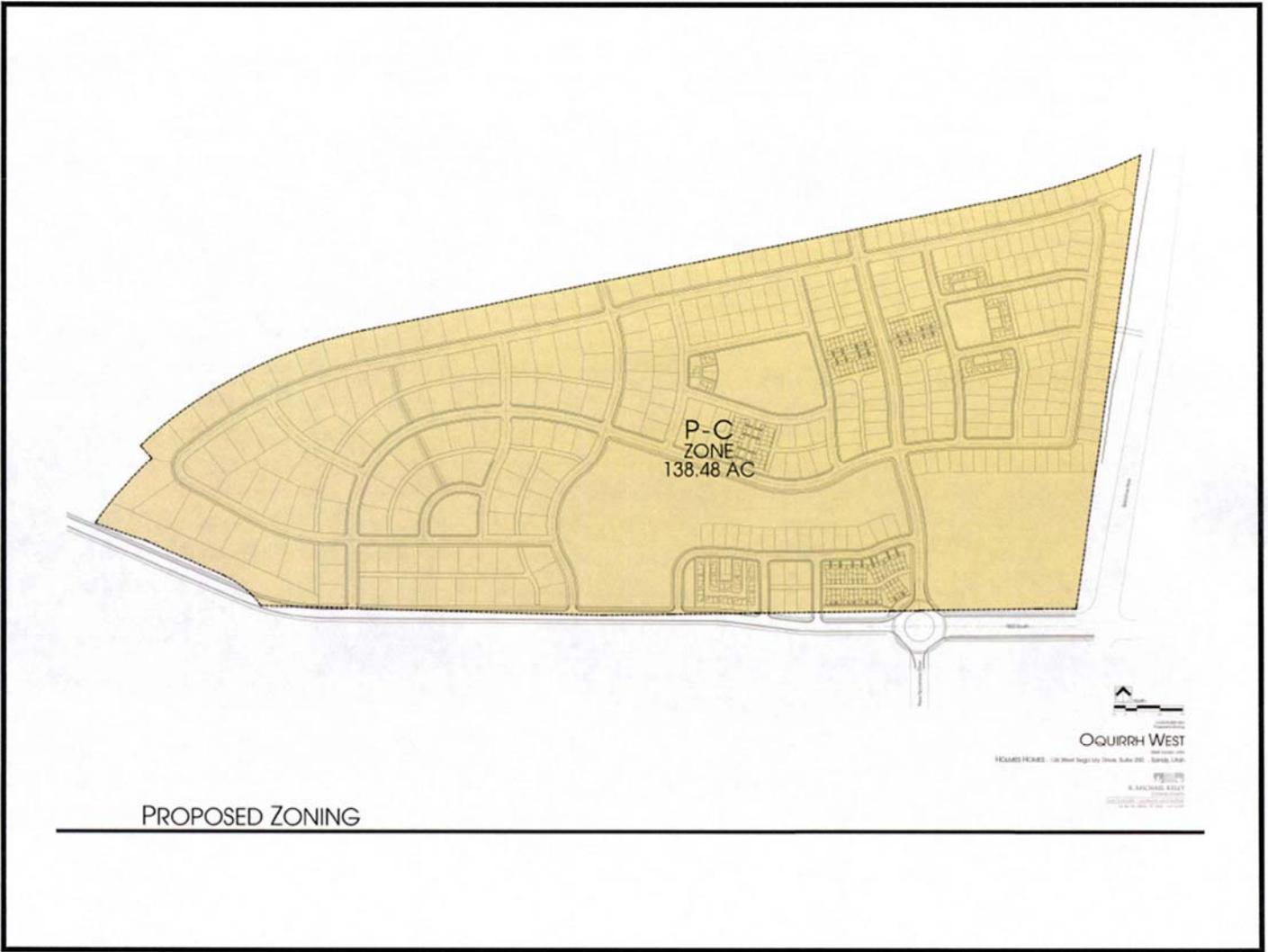
# Current Zoning Map



PROPOSED GENERAL PLAN

## ***Exhibit D***

## **Proposed Land Use Map**



**Exhibit E**

**Proposed Zoning Map**



Please find the Engineering Comments on the following page.

**Exhibit G**    **Engineering Comments**

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**City of West Jordan**

**Development Services Department  
Engineering Division**

**MEMORANDUM**

---

**DATE:** June 9, 2016

**TO:** Ray McCandless, Senior Planner  
LuAnn Allie, Development Coordinator

**FROM:** David Cottle, Assistant Engineer

**SUBJECT:** Oquirrh West Rezone and General Plan Amendment

---

This memorandum is in response to the application for Rezone and General Plan Amendment of roughly 138.5 acres located at approximately 7604 S U-111 Hwy. For supplementary information this application has been reviewed by Bill Baranowski, the West Jordan traffic engineer and Tim Heyrend, West Jordan utilities engineer.

**Traffic and Transportation**

Multiple master planned roadways will provide access throughout the property. Most notably 7800 S and New Sycamore Drive. Our Transportation Master Plan shows the intersection of these two roads as a future roundabout. The existing railroad right-of-way along the northern boundary is believed to be no longer in service. The developers can likely take steps to remove the railroad and improve connectivity within the area. The property has no foreseeable issues with regards to transportation.

**Storm Drain**

This property will use natural grading to convey towards the South East corner and ultimately to Clay Hollow Wash. Each phase will need to detain and release given our general drainage standards, but we see no foreseeable deficiencies in the ability to handle runoff. This is in line with the Master Plan and the area is serviceable in regards to storm water runoff.

## **Sanitary Sewer**

Sewer capacity downstream is sufficient aside from a small section on 7800 S, from New Sycamore Dr. to U-111. This is roughly 760 ft. and would be required along with this development. Aside from that noted above, the area is serviceable with regards to sewer serviceability

## **Water**

Most of this property lies within Zone 6 and would be serviced through master planned connections in 7800 S. The small area within Zone 7 (elevation above roughly 5,200) is not currently serviceable. Zone 7 water infrastructure does not currently exist and is not on any planned city projects for the foreseeable future. Therefore, the area that lies within Zone 7 is not currently serviceable. The area within zone 6 is currently serviceable with respect to culinary water.

## **Conclusion**

With the small offsite improvement in sewer lines The City of West Jordan has the ability to serve the property with regards to sewer, storm drain, and culinary water below elevation 5,200. Above this elevation, sewer and storm are both serviceable, but culinary water would require extensive city infrastructure.

Please find the Planning Commission Minutes for January 19, 2016, July 5, 2016 and August 16, 2016 on the following Pages

**Exhibit H Planning Commission Minutes**

**2. Oquirrh West; 7800 South & Hwy U-111; Future Land Use Map Amendment for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Medium Density Residential, High Density Residential, and Commercial Designation and Rezone 138.5 acres from M-U, HFR, LSFR, and SC-2 to R-1-10E, R-1-6B, R-1-5A, and SC-2 zones; Holmes Homes/Patrick H. Holmes (applicant) [#ZC20140003; GPA20140006; parcel 20-28-400-005-4002, 4001]**

Mike Kelly, applicant with Holmes Homes, said the project was originally submitted as a mixed-use product that included some multi-family, but the Cap and Grade moratorium put them on hold. They now propose a single-family development. He showed the proposed land use designation with a reduced commercial area defined by the connection to the roundabout on New Sycamore Road to the south. That caused the high density area to be a little larger than the combined original high density and mixed use designations. The proposed medium density is the same size as the current low density designation. The proposed land use designations will match their proposed zoning categories. The density for their medium density area is about two units per acre based on the LSFR designation, which has a base density of 2.1 units per acre. However, because they want a broader range of lot sizes going to 10,000 square feet, it pushes them to medium density. They aren't proposing any more density than the current zoning for that part of the property. The high density will develop at more like a medium density development in terms of lot sizes. The high density area will have a range of 5,000 up to 10,000 square foot lots and the medium density lots will be from 10,000 up to about 20,000 square feet.

Mr. Kelly showed the concept plan that includes some open space and a trail system that can eventually connect to the shoreline trail. The property indicated as future development is slated for commercial, but they are working with a group right now for a possible congregate care facility.

Mr. Kelly showed the housing styles, which were distributed to the commissioners, that will vary in sizes based on the lot sizes. The homes facing the collector roads are designed to be alley-loaded lots. Most of the homes in the R-1-10 zone will have three-car garages. They plan to build good-looking, quality homes out of quality materials.

Mr. Kelly answered some questions from the Commission. Four roads are shown on the concept plan that exit onto 7800 South and two are proposed to exit to the north and will need to be either above- or below-grade crossings if they are required over the rail line. Some lots will need to be tiered because of the sloped topography and there will be opportunity for some walkout basements. He showed a flat area at the bottom of the sloped open space, and he said there will also be a flat area at the top near the streets for the trail system.

Ray McCandless gave an overview of the application. The developer opted for traditional zoning partly because of City Council action in 2013 that limited the WSPA zoning to The Highlands, and partly because of the Cap and Grade ordinance. The applicant had attempted to have densities that are similar to the base densities of what would have been allowed in the WSPA. The applicant proposed 434 single-family units. The commercial area would be reduced from 13 to 9 acres in order to accommodate the street connection. The current WSPA zoning no longer pertains to the property and the proposed zoning will closely bisect the property at the existing

boundary. The applicant asked for medium density because R-1-10 is considered medium density in the general plan. The Mixed Use zoning is eliminated and the high density area is extended. The proposed R-1-5 and R-1-6 zones will transition in density from east to west. Water service may be an issue especially for properties at the higher ends of the project, which would be addressed at the time of a development application. There is adequate storm water and sewer service, but access may pose a problem. Two access points to the north will have to cross a rail line that is not serviced anymore. Staff felt that the densities are similar to and lower than what otherwise would be allowed under the current zoning.

#### 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 the Future Land Use Map for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use and Commercial to a Medium Density Residential, High Density Residential, and Community Commercial Designation on property generally located at 7800 South U-111.

#### 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 138.5 acres of property generally located at 7800 South U-111 from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to R-1-10E, R-1-6B, R-1-5A, and SC-2 zones.

Dan Lawes said Finding D for future land use map amendments says it is a 'better use for the property'. The current designations are meaningless. He didn't know if it is a better use of the property and asked if there were other options for the Commission to consider.

Ray McCandless said the property has zoning that doesn't apply, so staff saw that as an upgrade to what is currently not allowed.

Scott Langford said page 3 of the staff report compares the WSPA zoning districts to the roughly equivalent typical zoning districts. This is a legislative act that the City Council has to weigh in on and they have a lot of discretion. The Planning Commission discussion and direction tonight will hopefully help them determine what is best for the community in this location.

Kelvin Green referred to Finding B and asked if it is saying there are no other options in West Jordan for this development except this property.

Dan Lawes said Finding B has been a problem for them in the past based on that interpretation.

Ray McCandless acknowledged there are other areas in the City that can accommodate single-family homes, but this boils down to what is the best fit for this property.

Kelvin Green also referred to Finding D and said it may be an overall improvement, but felt there is a better use for the land other than 500 homes.

Bill Heiner understood them to say if this property had been included in the WSPA then the applicant is actually proposing less home sites than what would have been allowed.

Ray McCandless said yes, the number of lots is less. The WSPA is a performance zone where the developer would provide certain amenities for more density. A traditional zone has a minimum lot size. The applicant is trying to make the zoning reflect the *base* density that would be allowed in the WSPA zone. For example in the WSPA HFR zone they are entitled to 9.01 units per acre, but with added amenities they could buy up to 18 units per acre. The applicant is trying to keep in line with or less than the base densities.

Dan Lawes asked if a P-C or PRD zone would be a better improvement.

Ray McCandless said the P-C zone allows the Planning Commission, Council, and the applicant flexibility in design and gives more control to the Planning Commission over design of the property.

Scott Langford said the P-C or PRD zone would give developers more flexibility, and the tradeoff for that flexibility is to give the City more predictability in housing type and amenities. In order to proceed with that type of zone they have to promise to do certain things through amenities, housing architecture, etc.

Kelvin Green said if they look at the general land use map knowing this was written for the WSPA, the original intent would see added density for amenities and a more open, community-like feel than just having 500 tract homes.

Ray McCandless said that is more a function of the zoning than land use. Land use talks about overall densities you might expect. The zoning is what sets more specifically how the property will develop.

Mike Kelly said they were really left hanging when the WSPA zoning went away. The general plan is still there and in effect. Even though they are taking half of the property from low to medium density, they are greatly reducing the overall density. If they go into the P-C zone there is a requirement for a minimum of 15% open space. This project is at about 11% now with some open space and amenities, so this is different from a typical subdivision built on flat property.

Josh Suchoski said Finding A gives examples of the general plan goals and policies 1) encourage the development of residential neighborhoods with a range of lot sizes to offer variety for homebuyers. 2) Provide housing targeted for the diversified market. He sees medium density to the south and medium and high density across U-111. He didn't see that they are offering a diversified market by adding more high and medium density to the area. Low density would contribute more to a diversified range.

Ray McCandless said overall in this area there is a range of different products and lot sizes. You could make the argument either way. There is a range within this development with housing sizes and styles.

Scott Langford said when he read and signed the report, he read it to apply to the range of housing within this particular development and not on a more global scale, but the point is valid.

David Pack said the staff report references page 23 in the general plan. We do want to offer a variety of housing options to a diversified demographic while also stating that lower density, single-family uses are the most preferred in West Jordan. But pages 6 and 7 in the staff report state on Criteria 2 that this decision won't adversely affect adjacent properties. He found it tough to find factually that high density won't adversely affect the surrounding areas. Criteria 3 said it has to *further* the public health, safety, and general welfare of the citizens. It may be in the eye of the beholder if vacant property is better than a developed property, or we may ask what the highest and best use of the property is. This is a quasi-judicial decision that requires finding of fact and it is hard to factually assess objectively instead of subjectively that all criteria had been met.

Judy Hansen said Finding A also says that while lower density single-family residential uses are most preferred in West Jordan, the city should also address in this general plan a range of residential densities and housing types in order to provide housing opportunities for all age groups and income levels. This is true, but 60% of this development is 5,000 and 6,000 square foot lots, which she didn't think addresses all residential densities. They could mix in some 7,000 and 8,000 square foot lots. This development appears to be a box subdivision with the same house and lot size and may become rentals. She wants the city to look upward and not to continue with the small lots. The Sycamores and the Maples also have small lots, and you can't park in the driveway without blocking the sidewalk.

Dan Lawes opened the public hearing.

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

Josh Suchoski said he lives in the medium density area in the Sycamores. He agreed that cars in the driveway block the sidewalks. A lot of families moved in when they were young, but now the kids are getting older and there are more cars. With the cars parked on both sides of the road, snow plows aren't able to access the roads. It is also a health and safety issue in the summer because there is not enough room for two cars to pass abreast. He would hate to know what would happen in the high density area with even smaller, tighter lots.

Kelvin Green agreed. Without exceptions in the Cap and Grade policy there are conundrums. We can't have attached walls so they are trying to maximize the single-family homes on a piece of land that isn't the best to develop. We've seen in other areas like this that they become rentals and they aren't maintained. He felt that 5,000 square foot lots are terrible. You can't park an SUV in the driveway. We talk about providing housing opportunities for all ages and incomes, but 60% is high density, which doesn't target all age groups. The R-1-5 and R-1-6 is targeting entry market income and that isn't a mix. His perception is there is one area for entry level homes and then there is a little bit on the other 60 acres to say there are higher income homes. He thought there would eventually be a line of demarcation that will cause a problem for the City in the long run. Even though he complained about the high density housing and multi-family in the past, multi-family housing with amenities may be something they want in the community rather than looking like Los Angeles.

David Pack said we are grateful that the developer wants to develop in West Jordan with a variety of home styles, but the diversity of lot sizes isn't so good. He didn't think there needed to be a mix of *everything* within the same subdivision. We have seen subdivisions that are all the

same size without providing a mix, but there is already high density in the surrounding area. He thought there should be some larger lot sizes provided for.

Josh Suchoski said the closest mass transit stop is more than 2 miles to the east and you have to cross three freeway speed roads with no protected pedestrian crossings to get to it. So the only way you can live in this area is if you have a car, which creates the problem of traffic on the streets inside of the subdivision. He agreed that it would almost be better if a townhome style was mixed throughout the development to allow for more open space and less restrictive traffic.

Judy Hansen said there is high density, senior housing (55+ such as Jordan Villas) in West Jordan that is well done. She asked if that could be built in this area instead of 5,000 square foot lots.

Scott Langford said they could propose a 55+ community, but he didn't know if the market would support it that far west.

Ray McCandless explained that the front yard setback in the traditional R-1-5 zone is a minimum of 25 feet. In the P-C zone, such as the Sycamores that was discussed earlier, they had a smaller front setback of 18 feet, which doesn't accommodate a large pickup truck.

Kelvin Green said this proposal has 11% open space, but that is only because it is unbuildable. He asked if this zoning is appropriate for what they want in the future and if it meets the real intent of the general plan or is this just continuing business as it has always been done.

Bill Heiner said based on the information, the developer is also in a conundrum. They are trying to massage this plan so it works with a blended density. He was a little concerned with the higher density, but he said there is a market for it. If they do it right then they can accommodate the developer and bring people into West Jordan who are now having to go to Herriman and farther south in order to find affordable homes. He commended the applicant for trying to make something work when they don't have a lot to work with.

**MOTION: Josh Suchoski moved based on the findings set forth in the staff report and new evidence and further explanations and discussion received in the meeting today to forward a negative recommendation to the City Council for Oquirrh West; 7800 South & Highway U-111; Holmes Homes/Patrick H. Homes (applicant) to amend the Future Land Use for 138.5 acres of Low density residential, High density residential, Mixed use and Community Commercial to Medium density residential, High density residential, and Community Commercial designation specifically for the reasons that he didn't feel that Finding A, diversified market, was met, and also had concerns with Finding E. The idea is that general improvements of infrastructure are going to be added along the way, but he didn't feel that it is there and didn't feel there is a specific enough plan to accomplish that. The motion was seconded by Kelvin Green.**

It was pointed out that they aren't approving the concept plan at this time.

Kelvin Green said he could live with medium density (R-1-10) on the south end, but the high density on the north where it becomes more than 50% of the project didn't meet the findings.

Josh Suchoski said this isn't a shutdown to building on the property, but it just isn't the right zoning for the area. He would prefer a P-C zone that would allow for more input from the City on the development. He isn't against high density, but not in this particular area. It belongs in a more urban environment and not on the outskirts.

Bill Heiner asked if the P-C zone allows for higher density where they would end up with the same amount of dwellings anyway.

Scott Langford said the P-C zone doesn't by right allow for higher density but it takes its density cues from the general plan. There are larger lot P-C developments in West Jordan. Density would all be part of the discussion.

Bill Heiner said the developer would need higher density in order for it to work and to fit the price point of what is driving the market right now.

There was a review of what the next steps in the rezoning process were. The Planning Commission discussed the requirements for recommending a P-C zone.

Josh Suchoski knows that this product would sell, but he felt there is now enough rooftops in this area that will bring in more attractive commercial development and as that comes in this land will become more desirable. He felt that this would become a prime piece of property in West Jordan and we can ask for what we want, and he didn't want high density.

Judy Hansen said if they want to prevent the influx of people leaving West Jordan to go south they need to look at this type of development, because that is what causes people to leave West Jordan. It has been this way for a lot of years and if we continue down this road West Jordan will continue to be a starter home community.

Josh Suchoski said a lot of his neighbors have moved to Riverton and South Jordan for a larger lot.

Bill Heiner said they also got the opportunity to get a start so they could move.

Judy Hansen said she wants West Jordan to be a destination place where they will stay, where people want to move to and not move out of. In Santa Fe there are developments that have bigger lots, but they put in some smaller lots so people who can't afford the bigger lots can still live in a nice area, which she thought was a great idea.

**VOTE: The motion passed 6-1 in favor of a negative recommendation with Bill Heiner casting the negative vote.**

**MOTION: Josh Suchoski moved based on the findings set forth in the staff report and upon the evidence and explanations received today to forward a negative recommendation to the City Council for Oquirrh West; 7800 South & Highway U-111; Holmes Homes/Patrick H. Homes (applicant) to Rezone**

approximately 138.5 acres from LSFR, HFR, MU, SC-2 to R-1-10E, R-1-6B, R-1-5A and SC-2 Zones specifically for the same reasons listed in the previous motion (he didn't feel that Finding A, diversified market, was met, and also had concerns with Finding E. The idea is that general improvements of infrastructure are going to be added along the way, but he didn't feel that it is there and didn't feel there is a specific enough plan to accomplish that). The motion was seconded by Kelvin Green and passed 6-1 in favor of a negative recommendation with Bill Heiner casting the negative vote.

July 5, 2016 Planning Commission Minutes

2. **Oquirrh West; 7800 South & Hwy U-111; Future Land Use Map Amendment for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, High Density Residential, and Commercial Designation and Rezone 138.5 acres from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to P-C (Planned Community) Zone; Holmes Homes/Patrick H. Holmes (applicant) [#ZC20140003; GPA20140006; parcel 20-28-400-005-4002, 4001]**

Mike Kelly, land planner for Holmes Homes, said in January they had proposed a traditional subdivision and were given a recommendation to consider a P-C Zone, which they are now proposing. The City Council also amended the Cap and Grade ordinance which allowed them to incorporate other features. The large park is still a central feature, but they have added a 3-acre park with a soccer field and picnic pavilion. In the gravel pit park there is a 1-acre park with a tot lot and a picnic shelter. There are two other neighborhood parks that each contains a swimming pool amenity. The low density area is mostly unchanged. Density is determined on the previous WSPA zoning of two units per acre. They have enlarged the low density area so it is about 1.9 units per acre. Previously 60% of the lots were 5,000 to 6,000 square feet but now it is at 30% of the total lots. They have included townhomes and single-family garden lots maintained by an HOA. The commercial area was reduced to 9.7 acres due to road and topography restrictions. The low density area was increased to 64 acres and the balance is in high density residential. He identified four intersections west of 5600 West that include nodes for commercial that are buffered with high density before reaching the low density. They feel that their request is still in line with the goals of the general plan. The general plan calls for low density at 1 to 3 units per acre and they are at 1.9. The general plan calls for 5.1 to 10 units per acre for high density and they are at 5.4, which is only 5% above the base density. The current general plan would allow for a range of 311 to 1033 units and they are asking for 452 units, which is at 44% of the maximum allowed in the current general plan when their amendment is reflected. He described the different types of lots and setbacks. They feel that the amenities and trail corridors and systems and variety provide for a diverse and well unified community.

Jason Nageli, Holmes Homes, said theirs is a 5<sup>th</sup> generation company that takes pride in the great communities and product they build. They have won many product awards for their townhomes. He gave some statistics from surrounding cities that show a demand for homes on lots of .10 acres and less. They are currently building in Terrace Hills in West Jordan, which has single-family and townhomes. West Jordan's percentage of .10 and less lots built was much less than

the other cities and he hoped they will be able to bring in additional demographics with families and working adults.

Kelvin Green asked for more information regarding calculation of open space and how much of it is at 30% slope or greater. He can only count 11.5 acres.

Mike Kelly said 4.4 acres in the 11-acre park is 30% slope or greater. He didn't have all of the numbers available, but there are also 3.3 acres of open space in the commercial property. They have no specific plans or development schedule currently for the commercial area.

David Pack noted that the Mixed Use land use designation on the current map had been removed on the proposal.

Mike Kelly said they don't see it as a compatible use with this property. He expected that the commercial area was previously going to be a more intensive use, so mixed use would have been a good buffer.

Kelvin Green said the code states that the Planned Community zone is characterized by mixed use.

Mike Kelly felt the intent is to get a variety of housing types for different markets of buyers, which they are providing with garden homes, townhomes, some small lots, and some large lots.

Ray McCandless said the request is for a rezoning and land use map amendment, which includes a concept development plan. Earlier this year the City Council adopted an ordinance that amended the exemption section of the Cap and Grade code that allows for multi-family not to exceed 17% of the project in a P-C Zone as part of 75 acres of undeveloped property. The request has satisfied that density. Staff also felt that the overall density fits within the context of the area with The Maples and The Sycamores, which both have a variety of home types and lot sizes including townhomes. The applicant has made great strides fitting this development into the P-C district by providing parks and amenities.

#### 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 the Future Land Use Map for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to a Low Density Residential, High Density Residential, and Commercial Designation on property generally located at the northwest corner of 7800 South and U-111.

#### 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 138.5 acres of property generally located at 7800 South U-111 from MU (Mixed Use), HFR (High Density Multi-Family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to a P-C (Planned Community) Zoning District.

Dan Lawes opened the public hearing.

Nicole Richards, West Jordan resident, said she was previously under contract with Holmes Homes but became aware of a class action lawsuit for quality of construction within Daybreak. She thought maybe that should be considered when looking at new builders in West Jordan.

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

Kelvin Green was opposed to the project. He cited 13-5C-2 regarding the conceptual development plan that is concurrently approved with the zoning, which is missing the required design of the commercial area including the open space and a phasing plan. He was also concerned that it doesn't meet open space requirement by being 5 acres short. He said there are 213 lots that are 8,000 square feet or less. The applicant said that West Jordan only had 110 houses built last year that had .10 acres or less, and he felt that is because we are overly bloated with those types of units. Finally, the P-C zone requires mixed uses, but he thought that this is just a residential neighborhood with three parks and a commercial piece on the outside corner. He didn't think it met the vision of the code.

Judy Hansen realized this is a difficult piece of property to develop and she liked the addition of townhomes as long as they are owner-occupied. She agreed with Commissioner Green, and she felt that keeping 5,000 square foot lots in the plan is very detrimental to the area and doesn't look to the future of becoming a better community. Those kinds of lots have short driveways so the sidewalks are blocked to pedestrians. She liked the low density area, but the small lots become rentals like 30% of the homes in the Sycamores have become. She didn't think it meets Criteria 2 or Criteria 3 due to the fact that it sets precedent. She wasn't impressed with providing swimming pools because they are only usable five months out of the year.

Dan Lawes said the overall intent of the Planned Community Zone encourages a broad range of housing types. He asked if 5,000 to 10,000 square foot lots aren't included in that.

Kelvin Green felt there needs to be more of a balance. There are 333 total lots in the high density and 119 in low density it is almost 2:1. The code requires a mix, but he didn't think it met the overall intent and requirement.

Judy Hansen read off the lot sizes and quantities for the 119 low density lots where people will want to build, maintain, and stay. She said that the 135 lots within the 5,000 to 6,000 square foot range overpower the subdivision, and she thought that would be detrimental to the city.

David Pack appreciated the opportunity to consider all points of view, and he concurred that the high density ratio is off balance. A variety of housing options can still be provided without having so many small lots. He didn't feel that the plan fits the vision that people who worked to develop the general plan had for the city to move forward. He thought that mixed use should be included.

Matt Quinney thought this was a neat project and good plan. He didn't think that a mixed use product in that area made sense because of the location. He felt that the number of 5,000 to 6,000 square foot lots needed to be reduced and to add more 7,000 and 8,000 square foot size. This Commission has been on recorded a number of times with that opinion.

Scott Langford appreciated the comments and offered some clarification. A mixed use general plan land use designation is not required as a component of a P-C Zone. If the applicant were to exclude the commercial corner and only have residential, then it would be a PRD product instead of P-C. Having mixed use on the property where it is indicated on the current land use map wouldn't make sense either, because there is a significant grade difference with a natural break on the commercial corner. It is important to go through the checklist and to provide at least a level of detail with building layout and landscaping in order to prove that the component will pencil out as far as percentages go. There can be problems with parking on 5,000 square foot lots; however, driveway lengths don't have to be shortened. In the future if 5,000 square foot lots are approved then they can require setbacks deep enough to allow for parking without obstructing the sidewalk. He stated that this is a recommendation to the City Council. There are probably some missing components that should be provided so the City Council can make an informed decision.

Access to the property was pointed out.

Kelvin Green agreed with the comment about the mixed use because there is a commercial component, but he didn't think it looks like a planned part of the community and it needs to be integrated into the residential. If the applicant were to show that on a concept plan it will help. He was against the plan as it stands today. He didn't see the six points of the development plan being met. Holmes Homes went to great lengths to show their home designs, but none of them comply with the P-C ordinance requiring garages to be set back from the front façade a minimum distance. This plan is overly premature based on the ordinance.

Scott Langford said the overall density and specific lot layout and sizes will be coming back to the Commission at a future date. The Commission could consider as part of the recommendation, positive or negative, a recommendation to limit the minimum lot size, and/or other suggestions to mitigate concerns. The concept should be malleable enough to give direction to the applicant and the Council for some middle ground if the Commission is not comfortable with the proposal as shown.

Dan Lawes said they are concurrently approving the concept plan. He asked how malleable does the approved conceptual plan become.

Scott Langford said their recommendation is part of the public record and they can recommend approval of a concept plan based on whatever changes they think are appropriate. Then when the preliminary plan is reviewed they can check that against what was approved on the concept. There is a lot of discretion on legislative decisions based on the criteria they can tie those to the recommendation.

David Pack said the applicant had done a lot of work but they need more information for definite direction. Since there are so many missing pieces he would rather have it come back to the Commission rather than making the recommendation pending certain conditions.

Kelvin Green agreed. He would also like to see options for what happens to the densities if a school or church were to be built within the project.

Dan Lawes said there is a future land use map amendment but most of the discussion has been with the rezoning request.

**MOTION:** Kelvin Green moved based on the findings in the staff report and the evidence and explanations to forward a positive recommendation to the City Council to amend the future land use map for Oquirrh West; 7800 South & Hwy U-111; Holmes Homes/Patrick H. Holmes (applicant) amending 138.5 acres from Low Density, High Density, Mixed Use, and Commercial to Low Density Residential, High Density Residential, and Commercial designation. The motion was seconded by Dan Lawes for discussion.

David Pack had a hard time eliminating the mixed use altogether. It might not seem viable now, but there will soon be more communities like this in the area. The general plan committee felt that it should also be there.

Judy Hansen felt that when they are ready to send the recommendation forward that it should be for both applications.

There was a discussion regarding splitting the two applications. Staff suggested that they remain together.

**VOTE:** The motion failed 0-5. Bill Heiner and Josh Suchoski were absent.

**MOTION:** Kelvin Green moved based on the findings set forth in the staff report to forward a negative recommendation to the City Council to rezone for Oquirrh West; 7800 South & Hwy U-111; Holmes Homes/Patrick H. Holmes (applicant) to rezone 138.5 acres from LSFR, HFR, MU, and SC-2 to P-C Zone specifically for the reasons that the concept development plan did not meet Section 13-5C-2C. The motion was seconded by David Pack.

There was a discussion on how to include minimum lot sizes and/or ratios of lots sizes. Suggested language for an amended motion included that Criteria 2 has not been met because the excessive number of 5,000 – 6,000 square foot properties is not compatible.

Duncan Murray recommended that they use more general language stating their concerns rather than stating the numerical amounts.

#### AMENDED

**MOTION:** David Pack moved to amend the motion to add that Criteria 2 has not been met because it does result in compatible land use relationships and adversely affects adjacent properties due to lot size. Kelvin Green agreed with the amendment.

Dan Lawes asked why they are sending a negative recommendation instead of continuing the item with direction for the applicant to come back with another concept based on the discussion.

David Pack said he would be in favor of that.

Judy Hansen said it seems unfair to the developer that the Commission isn't satisfied with the plan even though a lot of work had been done, but she would rather have their questions answered prior to making a complete recommendation to the City Council.

The motion was withdrawn by Kelvin Green.

**MOTION: Judy Hansen moved to table Oquirrh West; 7800 South & Hwy U-111; Holmes Homes/Patrick H. Holmes (applicant) Future Land Use Map Amendment and Rezoning to a date to be determined by city staff and the applicant so the applicant can answer the questions raised tonight so the Commission can send a clearer recommendation to the City Council. The motion was seconded by Kelvin Green. The motion passed 5-0 in favor of continuation. Bill Heiner and Josh Suchoski were absent.**

Some of the issues the Commission would specifically like to be identified are more variety of lot sizes, completed conceptual plan, open space acreage should be documented particularly in the commercial section, scenarios on how densities could be affected if a school or church were to be added in the development, and showing how the commercial property is integrated into the neighborhood (such as a trail running around it) along with a phase plan and time frames.

August 16, 2016 Planning Commission Meeting DRAFT Minutes

2. **Oquirrh West; 7800 South & Hwy U-111; Future Land Use Map Amendment for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, Medium Density Residential, and Commercial Designation and Rezone 138.5 acres from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to P-C (Planned Community) Zone; Holmes Homes/Patrick H. Holmes (applicant) [#ZC20140003; GPA20140006; parcel 20-28-400-005-4002, 4001]**

Dan Lawes explained that this business item was tabled from a previous meeting in July.

Mike Kelly, applicant, said they made changes to the plan based on comments from the Planning Commission. The current request is now for low and medium density residential instead of low and high density residential. They have reduced the total number of lots and reduced the number of 5,000 and 6,000 square foot lots and increased the number of 8,000 to 10,000 square foot lots. He reviewed the previous concerns:

1. Variety of lot sizes: The current plan has 320 units in medium density and 115 in low density with a ratio of medium to low at 2.78:1, which falls within the expected range of densities.
2. Excessive number of 5,000 – 6,000 sq. ft. lots that aren't compatible with surrounding properties: The Maples and Sycamores in this same area have lots that are smaller than their proposal. The Sycamores has about 3.7 units per acre and this proposal is asking for 3.5 units per acre. It appears that the Sycamores have 226 lots of the same size as their smallest lots, but this

project has only 99. The Maples has been developed at 5.3 units per acre with 257 lots that appear to be 4,000 to 5,000 square feet and 225 lots that are as small as 2,000 square feet.

3. The number of 5,000 to 6,000 square foot lots need to be reduced with more 7,000 and 8,000 square foot lots: The plan they presented last time had 135 5,000 to 6,000 square foot lots and now it is at 99. The number of 8,000 to 10,000 square foot lots went from 14 to 45 lots.

4. Smaller lots have shorter driveway lengths and sidewalks become blocked by vehicles: West Jordan ordinance requires a minimum setback of 20 feet with the garage 5 feet back from the front of the home. He showed a floor plan of their smallest lot, which showed plenty of space to park a truck. He showed how the lot sizes are varied throughout the new concept

5. Inclusion of a school or church site: A 3.28-acre church site was added along with detail to the commercial site showing a concept layout and required parking and open space.

6. Six points of the development plan not met: 1) the legal description is provided and complete; 2) a topographic map is included; 3) the concept plan now shows locations of parks and open spaces, playgrounds, the extension of New Sycamore Road, emergency fire access from U-111, and the roundabout; 4) General location of dwellings and/or institutional and commercial structures are shown on the concept plan including the church and the commercial site. Proposed population densities based on the 2010 projected household sizes in the general plan is 1,505 residents. If they use the 2020 projections then it is about 1,449 residents; 5) the preliminary development schedule has been included with a phasing plan and summary. The commercial phase will be the 16<sup>th</sup> and last phase projected for completion by 2026; 6) a draft declaration of covenant has been provided.

7. Home designs don't meet the setback requirement for the garage: The plans that don't meet this requirement can be easily amended by extending the porch. These adjustments can be made with the preliminary plat approvals.

8. Open space acreages documented: A map shows the location and acreage of the open space. Tabulation shows acreage as well as the deduction of properties that have 30% and greater slopes. With the reduction of lots for the church site they also reduced some townhome units to keep their ratio at 83/17%.

9. Integrate commercial into the project: The commercial property is easily accessed by all of the trail systems on the concept plan. There is also a connection to the master planned trail to the east on U-111. This is the last phase expected to be completed by 2026.

Kelvin Green had some questions regarding the acreages of open space #1 and locations/use of open space #7, 9, and 10.

Mike Kelly said the numbers on the open space table are more accurate than the map. He explained that the corridor through the townhomes carries part of the overall trail system. The property line is 5 feet in front of the townhome unit and the space beyond that is counted as open space.

David Pack said he hadn't addressed the previous concern of lack of the mixed use component.

Mike Kelly said the mixed use element on the land use plan was taken out of their proposal and they have different types of residential housing and a commercial component. They can't accommodate the type of mixed use that Commissioner Pack was speaking of with the cap and grade ordinance.

Scott Langford clarified that mixed use in the general plan and WSPA doesn't necessarily require vertical mixed use with ground floor retail, but it can be horizontal. The closest thing West Jordan has to the vertical integration is the Jordan Valley TOD.

Josh Suchoski complimented the applicant for providing such a large amount of information to the commission to easier understand the intent. He asked for clarification on which elevations will be used on the townhomes.

Mike Kelly said they have shown three alternative elevations for that product and they haven't made the decision yet. It could be that they will use one type in some locations and another elsewhere so they aren't all the same.

Kelvin Green asked if the townhomes would meet the 35-foot maximum height requirement.

Mike Kelly said the tallest unit is about 32 feet.

Dan Lawes also appreciated the effort to address the Planning Commission concerns.

Ray McCandless made a correction to the agenda that should have a request for medium density residential instead of high density residential. He asked them to keep in mind that this is a concept plan that will be taken to the Design Review Committee and to the Planning Commission for preliminary review of the overall project and each phase.

#### 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 the Future Land Use Map for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use, and Commercial to a Low Density Residential, Medium Density Residential, and Commercial Designation on property generally located at the northwest corner of 7800 South and U-111.

#### 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 138.5 acres of property generally located at 7800 South U-111 from MU (Mixed Use), HFR (High Density Multi-Family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to a P-C (Planned Community) Zoning District.

Judy Hansen asked if the number of 5,000 and 6,000 square foot lots could change since this is a concept plan.

Ray McCandless said the overall density is formally set at the preliminary stage by the City Council. They need to keep the ratios and it is ultimately a council decision whether or not more units are added.

Judy Hansen had been against 5,000 square foot lots, but she congratulated the applicant on their presentation. Her concern for the residents was that this development all empties onto 7800 South, which is a very busy road. She also said that although the neighboring communities have lots smaller than 5,000 square feet they are no longer allowed.

Dan Lawes noted that the public hearing was held during the last meeting.

Kelvin Green said the code requires a preliminary development schedule with approximate completion dates or timeframes. He asked if they could even consider the application if that isn't provided. He also felt that the commercial isn't really integrated in the plan and Holmes Homes has no plan to develop the commercial site.

Scott Langford said with a project of this size it is a challenge to nail down the timeline, but the applicant indicated a completion date of 2026 for the last phase. If any approvals expire then they have to come back to the commission. He said a large master planned community has to be phased appropriately. We have a general timeline estimate in order to move forward with the development and bond agreements.

Mike Kelly referred to Page 17 of their document with a stated date of 2026 for the anticipated completion of Phase 16. The commercial phase is figured to be the last simply because as they talk to commercial developers they want rooftops before it becomes viable. When they originally had higher densities then that schedule was accelerated. They would like to see it come sooner, but it is based on rooftops.

Josh Suchoski said the initial plan had major concerns. He lives in the Sycamores area and knows a lot of the errors that were made. He appreciated that a lot of the concerns had been addressed. He liked the use of space, which is more appealing by integrating the townhomes among the single-family for a more inclusive feel. He understood that some things could change on the plan, but he felt that the applicant tried to address the concerns. He wasn't opposed to the plan.

Kelvin Green said they made great strides, but he still didn't think it is a planned community. It doesn't encourage imaginative concepts in the design of the housing, it doesn't create a distinctive visual character but is just another standard housing development, it doesn't meet the requirement for open land for the general benefit of the community and public at large, and it marginally meets the requirements for comprehensive pedestrian circulation network. Instead of integrating the commercial section they put a buffer to isolate it. They could have put some open space or a courtyard for gathering. They eliminated the 20,000 square foot lots and put a church there. He said Daybreak is a planned community and this is just a bunch of houses with a couple of parks and commercial added as an afterthought.

Josh Suchoski disagreed. Although the large lots were lessened it still falls in the low density range. He loved that it isn't a boxy community and it is well connected. The commercial is located on the corner, but being on the boundary of West Jordan everyone who lives in the community would pass by Phase 16 every day and could use it. The trail system that wraps around this community will also benefit the Sycamores community. He didn't see how this differs that much from Daybreak. This is a concept plan and the preliminary approvals will all come back to the Planning Commission.

Kelvin Green said the concept plan will be the guide and it can't be modified much. If they don't hold them to the concept plan and if they keep modifying it then they will wind up with a mess like they did at the TOD. The concept plan is part of the zoning approval and there has to be

some accountability. The density goes hand-in-hand with the concept plan. Something he might change is the isolation of the commercial area.

Josh Suchoski argued that the commercial area provides connectivity for the Sycamores as well. If it was in the middle of the development it would be isolated from the community at large.

Kelvin Green didn't think it needed to be moved from the corner, but just more integrated for community gatherings, outdoor concerts, etc. like is provided at SoDa Row in Daybreak.

Scott Langford clarified the reason the open area to the north of the commercial doesn't have amenities or connections is because the grade drops significantly and creates a physical disconnect.

Jason Nageli, Holmes Homes, said they are bringing a Daybreak product to this location with a mixture of home types with alley-loaded home, townhomes, cottage courts, and traditional single-family. The idea is to integrate it differently than any of their other projects. Holmes Homes wants to build a great neighborhood that will last a long time with different looks and feels so it isn't the normal box row homes.

Matt Quinney also liked the new concept. He felt that most of the planned community points have been met. He said that 20,000 square foot lots could be out of place at this point.

Bill Heiner agreed with Commissioner Suchoski. He wasn't at the last meeting, but this plan shows a good mix of housing. The commercial piece made sense on the corner. He asked if there is a transfer fee listed in the CCR's, because when you sell a property in certain parts of Daybreak there are three different transfer fees, which raises the costs of selling a home. He recommended that they be kept out.

Mike Kelly said they would have the attorneys work on that.

Jason Nageli said they don't have transfer fees in their other communities, except when required for Daybreak.

**MOTION:** Josh Suchoski moved based on the findings set forth in the staff report and upon the evidence and explanations received today to forward a positive recommendation to the City Council for Oquirrh West; NW corner 7800 South & Hwy U-111; Holmes Homes/Patrick H. Holmes (applicant) to amend the Future Land Use Map for 138.5 acres from Low Density Residential, High Density Residential, Mixed Use and Commercial to Low Density Residential, Medium Density Residential, and Commercial designations. The motion was seconded by Matt Quinney and passed 6-1 in favor with Kelvin Green casting the negative vote.

**MOTION:** Josh Suchoski moved based on the findings set forth in the staff report and upon the evidence and explanations received today to forward a positive recommendation to the City Council for Oquirrh West; NW corner 7800 South & Hwy U-111; Holmes Homes/Patrick H. Holmes (applicant) to rezone approximately 138.5 acres from MU (Mixed Use), HFR (High Density Multi-

**family Residential), LSFR (Low Density Single-family Residential) and SC-2 (Community Shopping Center) Zone to P-C (Planned Community) Zone. The motion was seconded by Matt Quinney and passed 6-1 in favor with Kelvin Green casting the negative vote.**



**CITY OF WEST JORDAN  
COMMUNITY DEVELOPMENT APPLICATION**  
8000 South Redwood Road  
(801) 569-5180

20-28-400-005-4002  
Sidwell # 20-28-400-005-4001 Acreage: 138.5 Ac. Lots: 434 Zoning: None

Project Location: 7800 South and Highway U-111 (approximately 7100 West)

Project Name: Oquirrh West

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

Applicant: Patrick H. Holmes                      Company: Holmes Homes

Address: 126 West Segoe Lily Drive, Suite 250

City: Sandy    State: Utah    Zip: 84070

Telephone: Office: 801.572.6363    Cell: 801.859.5723

Email patrick@holmeshomes.com

Property Owner: Patrick H. Holmes

Address: 126 West Segoe Lily Drive, Suite 250

City: Sandy    State: Utah    Zip: 84070

Telephone: Office: 801.572.6363    Cell: 801.859.5723

Email patrick@holmeshomes.com

Engineer: Tyler White                              Company: Perigee Consulting

Address: 9067 South 1300 West, Suite 304

City: West Jordan    State: Utah    Zip: 84088

Telephone: Office: 801.910.3395    Cell: 801.628.6004

Email tyler@perigeecivil.com

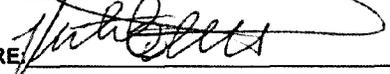
Architect: David Rohovit                              Company: Holmes Homes

Address: 126 West Segoe Lily Drive, Suite 250

City: Sandy    State: Utah    Zip: 84070

Telephone: Office: 801.572.6363    Cell: 801.631.2909

Email david@holmeshomes.com

**SIGNATURE**                       **DATE:** 11/30/15

.....  
 Project #: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received By: ODA \_\_\_\_\_ PLANNING \_\_\_\_\_ ENGINEERING \_\_\_\_\_  
 .....

Revised 9/1/14

**Application**

**Exhibit I**

See Attached

**Exhibit J Application Packets**

See Attached

**Exhibit K Ordinance**

**THE CITY OF WEST JORDAN, UTAH**

**A Municipal Corporation**

**ORDINANCE NO. 16-41**

**AN ORDINANCE AMENDING THE GENERAL PLAN FUTURE LAND USE MAP FROM LOW DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL, MIXED USE, AND COMMERCIAL TO LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, AND COMMERCIAL AND REZONE APPROXIMATELY 138.5 ACRES OF LAND FROM MU (MIXED USE), HFR (HIGH DENSITY MULTI-FAMILY RESIDENTIAL), LSFR (LOW DENSITY SINGLE-FAMILY RESIDENTIAL), AND SC-2 (COMMUNITY SHOPPING CENTER) TO A PC (PLANNED COMMUNITY) ZONING DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF 7800 SOUTH AND HIGHWAY U-111.**

WHEREAS, an application was made by Holmes Homes / Patrick H. Holmes to amend the General Plan Future Land Use Map from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, Medium Density Residential, and Commercial and Rezone from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to a PC (Planned Community) Zone on approximately 138.5 acres of property generally located on the northwest corner of 7800 South and highway U-111.

WHEREAS, on August 16, 2016, the Future Land Use Map amendment and rezoning request was considered by the Planning Commission, which has made a positive recommendation to the City Council concerning the General Plan Future Land Use Map from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, Medium Density Residential, and Commercial and Rezone from MU (Mixed Use), HFR (High Density Multi-family Residential), LSFR (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to PC (Planned Community) Zone on property generally located generally located on the northwest corner of 7800 South and highway U-111; and,

WHEREAS, a public hearing, pursuant to public notice, was held before the City Council on September 21, 2016; and,

WHEREAS, the City Council of the City of West Jordan finds 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 Future Land Use Map of the City of West Jordan, Utah, is hereby amended by changing the future land use designation from Low Density Residential, High Density Residential, Mixed Use, and Commercial to Low Density Residential, Medium Density Residential, and Commercial on the northwest corner of 7800 South and highway U-111; more appropriately described below:

Commencing at the South Quarter corner of Section 27, Township 2 South, Range 2 West, Salt Lake Base and Meridian and running South  $89^{\circ}51'36''$  West 746.54 feet along the South line of said Section 27 to the West Right-of-Way line of State Road No. 111; Thence North  $08^{\circ}07'24''$  East 87.35 feet along said West Right-of-Way line to the POINT OF BEGINNING; Thence coincident with that certain parcel of land transferred to Kennecott Corporation by that certain warranty deed recorded as Entry No. 4712195 in Book 6088 Page 258 of Salt Lake County Records the following 6 (six) courses along the North line of said parcel (1) South  $89^{\circ}54'47''$  West 163.52 feet (Deed 165.57 feet) (2) South  $89^{\circ}06'37''$  West 1901.11 feet (3) North  $88^{\circ}33'16''$  West 1493.91 feet to a non-tangent curve (4) Northwesterly 207.02 feet along the arc of a 400.00 foot radius curve to the left, (center bears South  $54^{\circ}25'54''$  West) through a central angle of  $29^{\circ}39'12''$  (5) North  $65^{\circ}50'02''$  West 372.78 feet (6) North  $71^{\circ}16'17''$  West 241.67 (Deed 289.91 feet) feet to the Easterly line of the Kennecott Railroad Right-of-Way as shown on the Retracement and Resurvey of Part of the Kennecott Copperton Railroad Alignment and Right-of-Way survey on record with Salt Lake County (#S 02-05-0254); Thence coincident the following 5 (five) courses with said East Right-of-Way line (1) Northeasterly 383.15 feet along the arc of a 1958.70 foot radius curve to the right, (center bears South  $54^{\circ}26'02''$  East) through a central angle of  $11^{\circ}12'29''$  (2) North  $43^{\circ}13'33''$  West 75.00 feet (3) Northeasterly 1118.68 feet along the arc of a 2033.70 foot radius curve to the right, (center bears South  $43^{\circ}13'33''$  East) through a central angle of  $31^{\circ}37'00''$  (4) North  $78^{\circ}17'27''$  East 2900.26 feet (5) Northeasterly 576.64 feet along the arc of a 2341.86 foot radius curve to the left, (center bears North  $11^{\circ}42'33''$  West) through a central angle of  $14^{\circ}06'29''$  to the West Right-of-way of sold State Road No.111; Thence along said West Right-of-Way South  $08^{\circ}01'24''$  West 2013.82 feet to the POINT OF BEGINNING. Contains 138.50 Acres

Section 2. The Zoning Map of the City of West Jordan, Utah, is hereby amended by changing the zoning from MU (Mixed Use), HFR (High Density Multi-Family Residential), LSRF (Low Density Single-family Residential), and SC-2 (Community Shopping Center) to a PC (Planned Community) Zone on property generally located on the northwest corner of 7800 South and highway U-111; more appropriately described below:

Commencing at the South Quarter corner of Section 27, Township 2 South, Range 2 West, Salt Lake Base and Meridian and running South  $89^{\circ}51'36''$  West 746.54 feet along the South line of said Section 27 to the West Right-of-Way line of State Road No. 111; Thence North  $08^{\circ}07'24''$  East 87.35 feet along said West Right-of-Way line to the POINT OF BEGINNING; Thence coincident with that certain parcel of land transferred to Kennecott Corporation by that certain warranty deed recorded as Entry No. 4712195 in Book 6088 Page 258 of Salt Lake County Records the following 6 (six) courses along the North line of said parcel (1) South  $89^{\circ}54'47''$  West 163.52 feet (Deed 165.57 feet) (2) South  $89^{\circ}06'37''$  West 1901.11 feet (3) North  $88^{\circ}33'16''$  West 1493.91 feet to a non-tangent curve (4) Northwesterly 207.02 feet along the arc of a 400.00 foot radius curve to the left, (center bears South

54°25'54" West) through a central angle of 29°39'12" (5) North 65°50'02" West 372.78 feet (6) North 71°16'17" West 241.67 (Deed 289.91 feet) feet to the Easterly line of the Kennecott Railroad Right-of-Way as shown on the Retracement and Resurvey of Part of the Kennecott Copperton Railroad Alignment and Right-of-Way survey on record with Salt Lake County (#S 02-05-0254); Thence coincident the following 5 (five) courses with said East Right-of-Way line (1) Northeasterly 383.15 feet along the arc of a 1958.70 foot radius curve to the right, (center bears South 54°26'02" East) through a central angle of 11°12'29" (2) North 43°13'33" West 75.00 feet (3) Northeasterly 1118.68 feet along the arc of a 2033.70 foot radius curve to the right, (center bears South 43°13'33" East) through a central angle of 31°37'00" (4) North 78°17'27" East 2900.26 feet (5) Northeasterly 576.64 feet along the arc of a 2341.86 foot radius curve to the left, (center bears North 11°42'33" West) through a central angle of 14°06'29" to the West Right-of-way of sold State Rood No.111; Thence along said West Right-of-Way South 08°01'24" West 2013.82 feet to the POINT OF BEGINNING. Contains 138.50 Acres

The described property shall hereafter be subjected to the P-C land-use restrictions and limitations as are stipulated for this zone.

Section 3. 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 12<sup>th</sup> day of October, 2016.

CITY OF WEST JORDAN

By: \_\_\_\_\_  
 Kim V. Rolfe  
 Mayor

ATTEST:

MELANIE S. BRIGGS, MMC  
 City Clerk

| <b>Voting by the City Council</b>      | <b>"AYE"</b> | <b>"NAY"</b> |
|--|--------------|--------------|
| <b>Council Member Dirk Burton</b>      | _____        | _____        |
| <b>Council Member Jeff Haaga</b>       | _____        | _____        |
| <b>Council Member Zach Jacob</b>       | _____        | _____        |
| <b>Council Member Chris McConnehey</b> | _____        | _____        |
| <b>Council Member Chad Nichols</b>     | _____        | _____        |
| <b>Council Member Sophie Rice</b>      | _____        | _____        |
| <b>Mayor Kim V. Rolfe</b>              | _____        | _____        |

**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]

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