

## REQUEST FOR COUNCIL ACTION

**SUBJECT:** Ratification of Density for The View at 5600 Preliminary Development Plan

**I. APPLICATION/REQUEST: The View at 5600 Preliminary Development Plan.**

Ratification of Planning Commission approval and establishing a density of 8.5 units per acre MFR zone and 16.7 units per acre HFR zone; 531 units on 34.8 acres located at approximately 5600 West, 8200 South; Uinta Land Company, Dennis Hepworth (applicant) [Larry Gardner #SDMA20140013, SPCO20140008, DP20140006; parcels 20-35-200-040,041,042,045]

**FISCAL IMPACT:** None.

**STAFF RECOMMENDATION:**

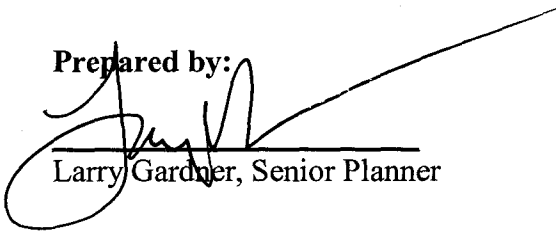
Based on the requirements listed in the Zoning Ordinance, staff recommends that the City Council ratify the Planning Commission's approval of The View at 5600 Preliminary Development Plan located at approximately 8200 South 5600 West with a residential density of 8.5 units per acre MFR zone and 16.7 units per acre HFR zone; for a total of 531 multi-family units on 34.8 acres, subject to the conditions of approval.

**MOTION RECOMMENDED:**

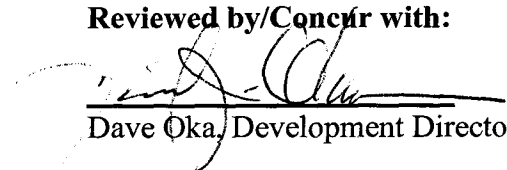
"Based on the information set forth in this staff report and the design shown in The View at 5600 Development Plan, and upon the evidence and explanations received today, I move that the City Council ratify through ordinance the Planning Commission's approval of The View at 5600 Preliminary Development Plan located at approximately 8200 South 5600 West with a residential density of 8.5 units per acre in the MFR zone and 16.7 units per acre in the HFR zone; for a total of 531 multi-family units on 34.8 acres, subject to the conditions of approval."

*Roll Call vote required*

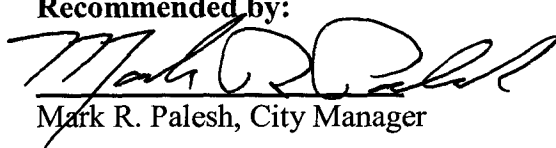
**Prepared by:**

  
Larry Gardner, Senior Planner

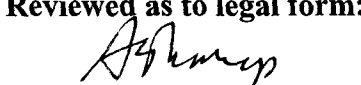
**Reviewed by/Concur with:**

  
Dave Oka, Development Director

**Recommended by:**

  
Mark R. Palesh, City Manager

**Reviewed as to legal form:**

  
Robert Thorup, Deputy City Attorney

## II. 2009 CITY CODE REVIEW

This item was continued at the October 14, 2015 City Council meeting. Members of the Council addressed items related to the site plan and design of the project and wanted the applicant to redesign certain portions of the project. A review of the provisions of the 2009 City Code containing the West Side Planning Area regulations clarifies that the City Council's role is only to ratify the density previously approved by the Planning Commission:

*13-5J-5( I.) Granting Of Density In WSPA: Final density shall be determined by the planning commission with ratification by the city council at the time of master development plan or preliminary subarea development plan approval.*

Excluding items directly related to a density buy up; the site plan, site design, building design and subdivision are administrative and have been delegated to the Planning Commission for preliminary approval. All density bonuses granted to this project meet the intent of the WSPA provisions of the 2009 City Code.

The City Council's approval is to:

1. Ratify the Planning Commission's determination and approval of the density. Section 13-5J-5(I.) States:

*Density in the WSPA is directly tied to the weighted percentage values expected for installed improvements as listed in the WSPA standards and incentive chart. Dwelling unit density shall never exceed the maximum for the development's applicable zoning district regardless of the amount of density bonus awards granted.*

Density bonus shall be determined as directed by following Article 5-J of the 2009 City Code "*West Side Planning Area Zones.*" The City Council should analyze the amenities against the City Code and determine if the appropriate density buy-up was granted by the Planning Commission and ratify the decision; **or**

2. If the Council does not agree that the approval meets the intent of the City Code concerning the density buy-up as approved by the Planning Commission, remand the item back to the Planning Commission for further discussion and review of the density buy-ups and density granted for the project.

## III. PLANNING COMMISSION RECOMMENDED CONDITIONS OF APPROVAL

The Planning Commission on September 1, 2015 granted preliminary approval of the development plan for The View at 5600 located at 8200 South 5600 West in the MFR Zone, 51 units on 6.01 acres with a residential density of 8.50 units per acre, and in the HFR Zone, 480 units on 28.79 acres with a residential density of 16.7 units per acre, subject to the following conditions:

1. The Final Development Plan shall be updated to reflect the buy up points and densities approved by the Planning Commission and City Council.
2. The Final Development Plan shall be updated to show all other requirements as approved by the Planning Commission.
3. Approval of the Preliminary Subdivision plan and Preliminary Site Plan shall be subject to City Council Approval of the Preliminary Development Plan. The project density shall be approved by the City Council as part of the Preliminary Development Plan approval.
4. Update the Final Development Plan to address all existing and future planning, engineering, fire, Design Review Committee, and all other City redline corrections pertaining to The View at 5600 Development Plan.
5. Before the final plat, site plan and development plan are stamped for construction purposes by the West Jordan Engineering Department, all redline comments shall be completely addressed.
6. The development shall be designed according to City Standards and shall have the approval of the City Engineer before final approval is granted; notwithstanding the design concepts as shown in the preliminary development plan.
7. A HAWK signal shall be required at the location where the trail crosses 5600 West to protect the health, safety and welfare of residents.

#### **IV. BACKGROUND:**

The View at 5600 is a large multi-family development located in the Highlands Master Planned area (“the Highlands”) at approximately 5600 West 8200 South. The Highlands is a 418 acre planned development which contains a mix of single family dwellings, multifamily dwellings and commercial uses. The Highlands is governed by the West Side Planning Area (WSPA) provisions of the 2009 City Code. The property where The View at 5600 will be developed is vacant.

#### **V. GENERAL INFORMATION & ANALYSIS**

The applicant is requesting approval of the sub-area development plan and ratification of the density established by the Planning Commission for a proposed 531 unit multifamily residential development located at approximately 5600 West 8200 South. The property is west of the Island Park subdivision, north of Ascent Academy School and east of the Mountain View Corridor as shown on the attached Aerial Map (Exhibit A). The property is currently vacant but has been used for agricultural purposes in the past.

The View will consist of 531 multi-family dwelling units as well as a number of amenities. The development will be constructed in 5 phases. The number and type of dwelling units for each phase is as follows:

Phase	Building type	Units	1BR	2BR	3BR
Phase 1	Three - 3 Story Multi-Family Dwellings, Clubhouse, Pool, 7 carports	51	12	24	15
Phase 2	Five - 3 Story Multi-Family Dwellings, 20 Garages, 21 carports	141	36	72	33
Phase 3	Four - 3 Story Multi-family Dwellings, 23 carports	111	48	24	39
Phase 4	Four - 3 Story Multi-family Dwellings, 60 Garages, 11 Carports	111	48	48	15
Phase 5	Three - 3 Story Multi-family Dwellings, 66 Garages, 18 Carports	117	36	72	9
<b>Totals</b>		<b>531</b>	<b>180</b>	<b>240</b>	<b>111</b>

The development will be under single ownership and will be managed as such. The site consists of 34.80 acres of land. 6.01 acres is located in the MFR (Medium Density Multi-Family Residential Zone) and 28.79 acres is located in the HFR (High Density Multi-Family Residential Zone). The densities in the MFR and HFR zones, assuming all proposed buy ups are granted will be 8.5 units per acre in the MFR zone and 16.7 units per acre in the HFR zone. A total of 17.72 acres (51%) will be common open space and landscaping which includes six “active recreation areas” a large open walking/recreation/Parkour course area, two basketball courts, a club house, swimming pool and lazy river. Clay Hollow Wash will be piped and used for a combination storm water detention area and active open space. A regional trail will also be constructed through the wash and be connected to existing trails to the east and west.

## VI. FINDINGS OF FACT PRELIMINARY DEVELOPMENT PLAN

There are no specific findings of fact for development plans; however, there are other code requirements applicable to this request that need consideration by the City Council.

The WSPA zoning districts allow density increases subject to providing certain required amenities or design elements that are intended to improve the overall project. The density range in the MFR zoning district is between 4.51 and 9.0 dwelling units per acre. In this zone, applicants are entitled to 4.51 dwelling units per acre (which is considered the base density) but can “buy up” to 9.0 dwelling units per acre if all optional bonus density elements are provided and integrated into the development. The density range in the HFR zoning district is between 9.01 and 18 dwelling units per acre. In this zone, applicants are entitled to 9.01 dwelling units per acre (which is considered the base density) but can “buy up” to 18.0 dwelling units per acre if all optional bonus density elements are provided and integrated into the development. The density “buy up” is determined using the table contained in the 2009 City Code, Section 13-5J-5C and Section 13-5J-6 which further clarifies how percentage points are achieved.

Table 1.0 was derived from the table in Section 13-5J-5C. It contains both the applicant’s and staff’s analysis of total percentage points earned.

## WSPA STANDARDS AND INCENTIVE CHART

Table 1.0

Amenity/Improvement	Weighted Value	Required vs. Optional	Applicant Score	Staff Score
<b>Trails and open space:</b>				
<b>Improvement:</b> <i>Dedication of open space, trail (drainage) corridors or "in lieu fees" and installation of trails in accordance with the comprehensive general plan and the "Parks, Recreation, Trails And Open Space Handbook"</i>		Required	0%	0%
<b>Discussion:</b> The area along Clay Hollow wash will be a dedicated open space area that will remain open and usable to residents and non-residents of The View. The open area will be installed and maintained by the developments owners through a development agreement. The two open space areas along the wash will be connected by a trail and bridge and will appear as one large open area when constructed. The applicant will dedicate an open space easement to the City through the wash area and will then maintain the open space. The applicant will also install a trail through the open space area and a bridge across the wash.				
<b>Improvement:</b> <i>Installation of enhanced open space/recreational amenities and/or landscaping/irrigation in excess of that required per city standards.</i>	Up to 22%	Optional	22%	22%
<b>Discussion:</b> Swimming Pool (2%) Lazy River (1%) Two Basketball Courts (2%) Three playgrounds with equipment (2%) Three Tot Lots (2%) Forecourts with seating (2%) Fitness Center (2%) Parkour Course (2%) Multiple Playing Fields (4%) Picnic area (2%) Common Greens (1%) Courtyard (1%) Landscape Buffers (2%) Landscaped Tree Colonnade (2%) Forecourts w/o seating (1%)				
<b>Improvement:</b> <i>Improvement of trail corridors and installation of trail amenities in excess of that required per city standards.</i>	Up to 15%	Optional	15%	15%
<b>Discussion:</b> The plan shows the installation of 1.81 acres of active open space (5%) and the installation of benches and trash receptacles every 1000 feet (4%). The installation of fences along the trail corridor (4%) and the installation of landscaping and irrigation along the trail corridor (4%).				
<b>Improvement:</b> <i>Dedication of additional property for trails beyond that required per city standards along creeks/washes.</i>	Up to 15%	Optional	15%	15%
<b>Discussion:</b> The code requires a minimum 100 feet of dedicated open space (50 feet open space dedication on both sides of drainage corridors.) The applicant will also be piping the wash to make the area usable and to be able to install landscaping. The open area beyond the wash averages 60 feet. This would give additional common open area for 800 feet. (entire length of the wash) The applicant will also construct the trail system through the project that will connect to the City's trail system.				
<b>Street design:</b>				
<b>Improvement:</b> <i>Pedestrian scale development and consistent, architectural street lighting</i>		Required	0%	0%
<b>Discussion:</b> All street lights will conform to West Jordan City standards for residential street lights. The street lights will				

be no taller than 12 feet tall with aluminum shaft with fluted finish direct burial pole with 3 inch tenon top and will be consistent with other lighting throughout the Highlands. The lighting within the project will be installed to provide safety for the residents. The lighting will be an attractive theme base design for the development.				
Traffic calming		Required	0%	0%
<i>Discussion: Traffic calming measures will be incorporated into the project and will be reviewed during the final subdivision and site plan review.</i>				
Street design		Required	0%	0%
<i>Discussion: The project has internal private driveways that serve garages. This configuration must be approved by the Engineering and Fire Departments.</i>				
<b>Improvement:</b> Entryway monument or gateway feature.	Up to 10%	Optional	10%	10%
<b>Discussion:</b> The development plan shows three entryway monuments.				
<b>Improvement:</b> Provision of a landscape buffer on major rights of way	Up to 22%	Optional	8%	8%
<b>Discussion:</b> The development will have a 32 foot wide 800 foot landscape buffer along 5600 West and will incorporate berms, plantings and a 3 foot split rail fence.				
Smart growth:				
<b>Improvement:</b> Pedestrian friendly and walkable neighborhood design.		Required	0%	0%
<b>Discussion:</b> Five foot sidewalks are placed along all exterior streets and adjacent to buildings. There will also be three trail connections for pedestrian access.				
<b>Improvement:</b> Alternative load garage configuration (if single-family)	Up to 18%	Optional	4%	0%
<b>Discussion:</b> Not applicable to this design.				
<b>Improvement:</b> Clustered subdivision design	Up to 10%	Optional	0%	0%
<b>Discussion:</b> Not applicable to this design.				
Building design:				
<b>Improvement:</b> Attractive, theme based and consistent architecture on all structures.		Required	0%	0%
<b>Discussion:</b> The Design Review Committee recommends approval of building architecture. (See attached minutes of meeting)				
<b>Improvement:</b> Installation of covered porches throughout 50% of subdivision	Up to 14%	Optional	14%	0%



<b>Discussion:</b> Not applicable to this design.				
<b>Improvement:</b> <i>Enhanced door, window, eave and roofing treatment</i>	Up to 12%	Optional	12%	12%
<b>Discussion:</b> The applicant has installed enhanced door and window and roof treatments throughout.				
<b>Improvement:</b> <i>Equal dispersion and use of high quality building materials</i>	Up to 12%	Optional	12%	12%
<b>Discussion:</b> The development will incorporate stucco, stone, brick, composite board siding and shingles and other high grade materials. Interior upgrades include 9 foot ceilings, granite counter tops, stainless steel appliances, high quality windows and doors.				
<b>Improvement:</b> <i>Discretionary buy up</i>	Up to 12%	Optional	0%	4%
<b>Discussion:</b> The installation of 144 detached garages will be included in the development.				
		<b>Total</b>	<b>112%</b>	<b>98%</b>

Based on the total percentage in the table above, the following calculation is used to find out the maximum allowed density of a project: [(Base Density) x (Bonus Density Percent)] + (Base Density) = Max Allowed Net Density

As staff calculates the maximum allowed net density in the MFR zone,  $(4.51 \times .98) = 4.42$ ;  $4.42 + 4.51 = 8.93$  du/ac; therefore, 8.93 dwelling units per net acre are possible. The proposed development includes 51 units on 6.01 acres for a proposed residential density of 8.48 dwelling units per acre (gross). This compares to a maximum net density of 6.01 acres X 9.0 units per acre = 54 units.

The maximum allowed net density in the HFR zone,  $(9.01 \times .98) = 8.83$ ;  $8.83 + 9.01 = 17.84$  du/ac; therefore, 17.84 dwelling units per net acre are possible. The proposed development includes 480 units on 28.79 acres for a proposed residential density of 16.67 dwelling units per acre (gross). *(16.67\*28.79=479.929 units rounding up gives 480 units total.)* This compares to a maximum net density of 28.79 acres X 18.0 units per acre = 518 units

Based on the information submitted and the conditions of approval recommended by staff, The View at 5600 Sub-area Preliminary Development Plan has sufficient amenities to achieve the requested 531 multi-family residential dwelling units.

#### V. ATTACHMENTS:

- Exhibit A – Aerial Map
- Exhibit B – Zoning Map
- Exhibit C – Future Land Use Map
- Exhibit D – Application
- Exhibit E - Ordinance
- Attachment – Preliminary Development Plan (*Contains plat, site plan, and other technical drawings*)

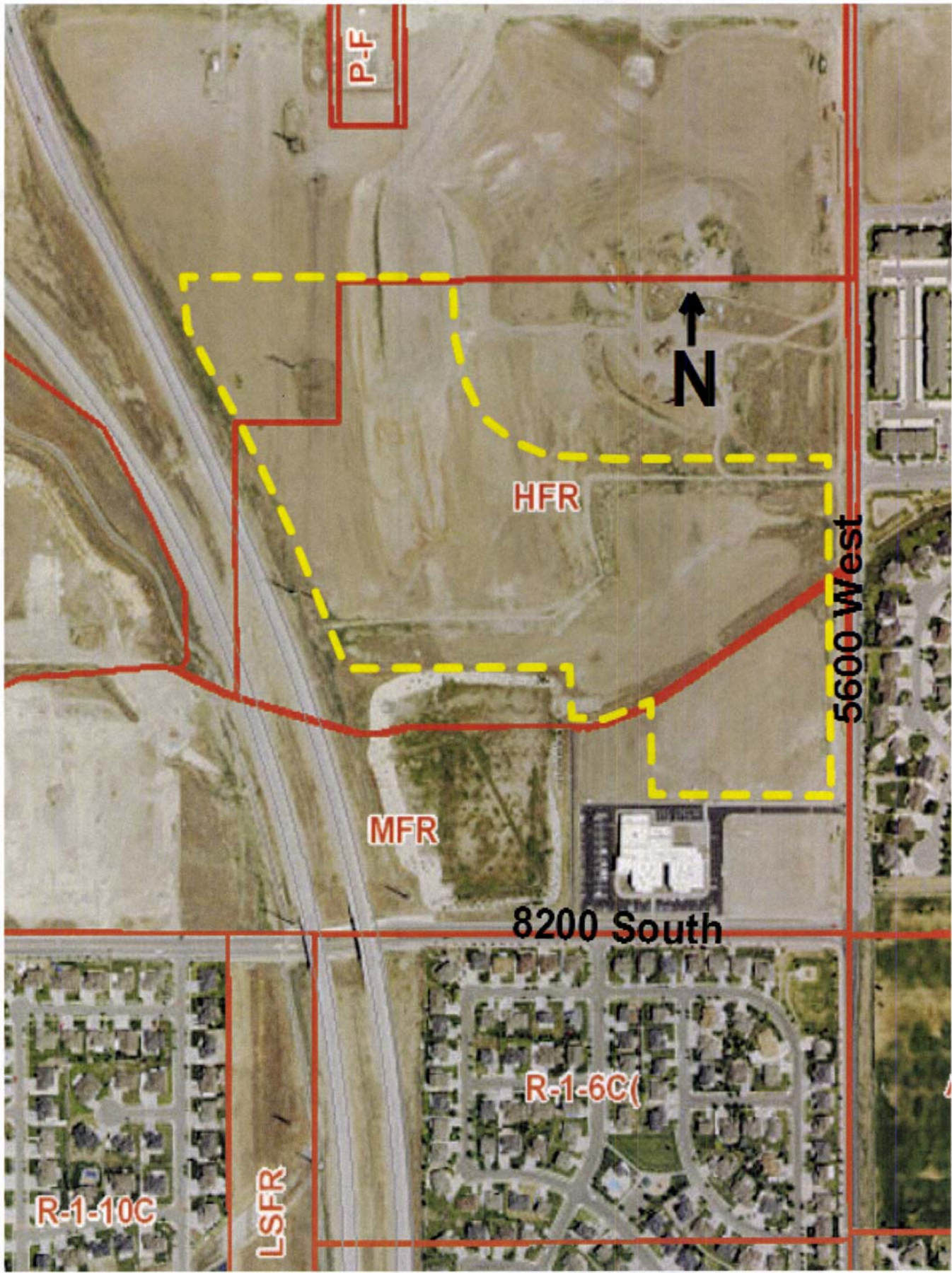




**Aerial Map**

**Exhibit A**

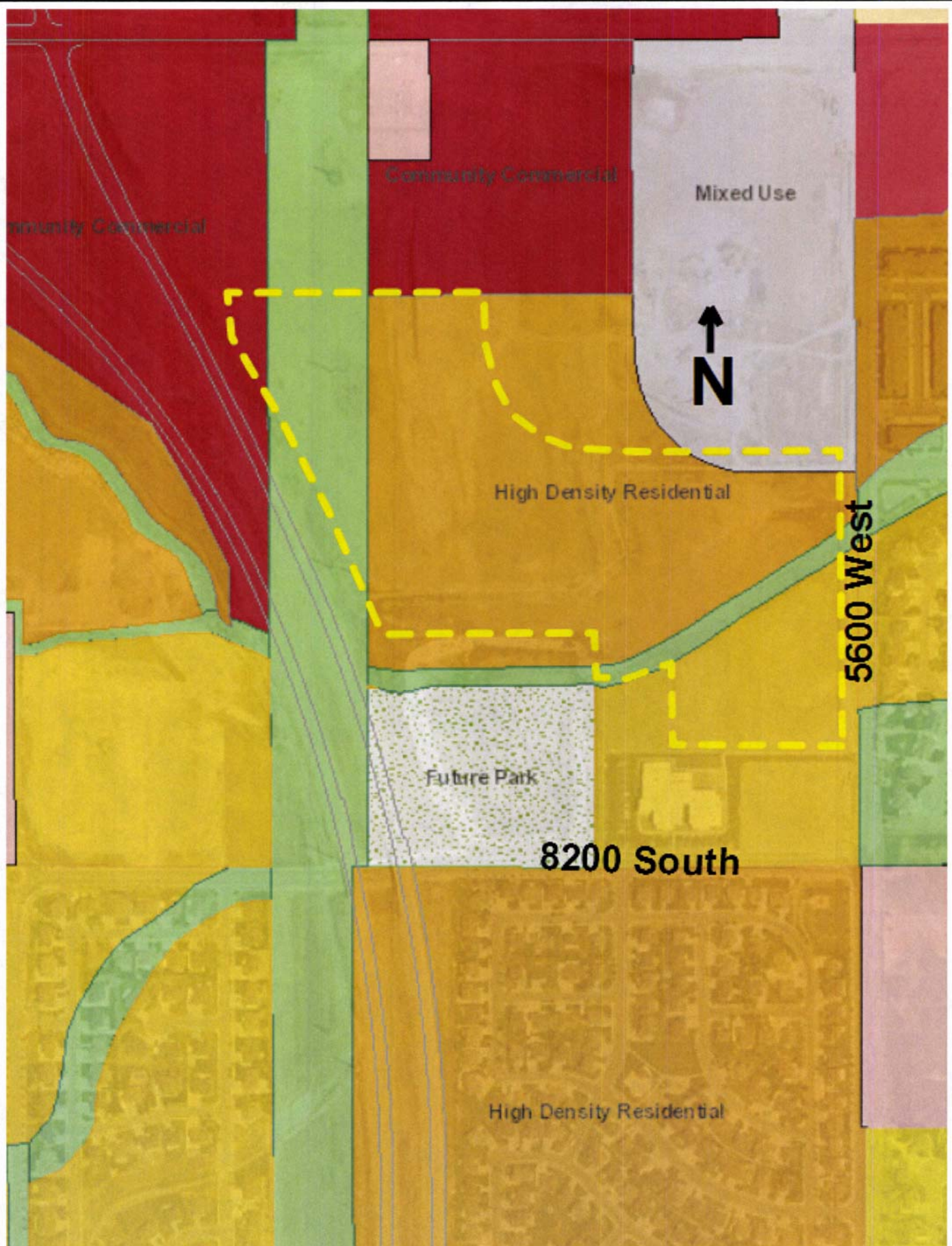




## Zoning Map

## Exhibit B





Land Use Map

**Exhibit C**



**CITY OF WEST JORDAN  
COMMUNITY DEVELOPMENT APPLICATION**

8000 South Redwood Road  
(801) 569-5180

Sidwell # 20-35-200-040,041,042,043 Acreage: \_\_\_\_\_ Lots: \_\_\_\_\_ Zoning: - MFR, HFR

Project Location: 5600 West 8200 South

Project Name: The View At 5600

**Type of Application:**

- ☒ Subdivision  
☒ Site Plan  
☐ Rezone  
☐ Condominium

- ☐ Conditional Use Permit  
☐ General Land Use Amendment  
☐ Agreement  
☒ Other Development Plan

Applicant Wintal Land Company company: The View at 5600, LLC

Address: 1222 Preakness Drive - Office Suite

City: Kaysville State: Utah Zip: 84037

Telephone: Office: \_\_\_\_\_ Cell: 801 540-4035

Email: dennis@wintalandcompany.com

Property Owner: The View at 5600, LLC

Address: 1222 Preakness Drive - Office Suite

City: Kaysville State: Utah Zip: 84037

Telephone: Office: \_\_\_\_\_ Cell: (801) 540-4035 (801) 628-8318

Email: dennis@wintalandcompany.com

Engineer: Ron Paul company: Focus Engineering & Surveying

Address: 502 W. 8360 S.

City: Sandy State: Utah Zip: 84070

Telephone: Office: (801) 352-0075 Cell: (801) 842-6046

Email: ron@focusutah.com

Architect: Guillaume Belgique company: Architecture Belgique

Address: 7583 S. Main St., Suite 100

City: Midvale State: Utah Zip: 84947

Telephone: Office: (801) 561-1333 Cell: (801) 502-9710

Email: guillaume@archbelgique.com

SIGNATURE: \_\_\_\_\_

DATE: 5/6/14

Project #: SP0520440008 Date: 5/9/14

Received By: ODA Lg PLANNING Lg ENGINEERING Tj

Application

Exhibit D



Please find the Ordinance attached.

**Ordinance**

***Exhibit E***

**THE CITY OF WEST JORDAN, UTAH**

**A Municipal Corporation**

**ORDINANCE NO. 15-30**

**AN ORDINANCE RATIFYING THE PLANNING COMMISSION'S APPROVAL OF THE FINAL DENSITY FOR THE VIEW AT 5600 AT 8.5 UNITS PER ACRE IN THE MFR ZONE (6.01 ACRES) AND 16.7 UNITS PER ACRE IN THE HFR ZONE (28.79 ACRES) FOR A TOTAL OF 531 UNITS ON 34.8 ACRES LOCATED AT APPROXIMATELY 5600 WEST 8200 SOUTH AS CONTAINED IN THE PRELIMINARY DEVELOPMENT PLAN FOR THE VIEW AT 5600 AND LOCATED WITHIN THE HIGHLANDS MASTER PLAN.**

WHEREAS, an application was made by Uinta Land Company for a Preliminary Development Plan to allow for 531 multi-family residential units on 34.80 acres on property located at approximately 5600 West 8200 South.

WHEREAS, on September 1, 2015 The View at 5600 Preliminary Development Plan was conditionally approved by the Planning Commission, with a final density of 8.5 units per acre in the MFR zone (6.01 acres) and 16.7 units per acre in the HFR zone (28.79 acres) for a total of 531 units on 34.8 acres and has forwarded the application to the City Council for ratification of their approval of the final density as contained in the preliminary development plan; and,

WHEREAS, a public hearing, pursuant to public notice, was held before the City Council on October 14, 2015; and,

WHEREAS, the City Council of the City of West Jordan ratifies the Planning Commission's approval of the final density for The View at 5600 at 8.5 units per acre in the MFR zone (6.01 acres) and 16.7 units per acre in the HFR zone (28.79 acres) for a total of 531 units on 34.8 acres located at approximately 5600 west 8200 south as contained in the preliminary development plan for The View at 5600.

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

Section 1. The View at 5600 final density be ratified to allow a development containing 531 multi-family units on property generally located at 5600 West 8200 South (parcels 20-35-200-040,041,042,045) containing 34.80 acres, more or less, and permitting a maximum density of 8.5 units per acre in the MFR zone (6.01 acres) and 16.7 units per acre in the HFR zone (28.79 acres) as contained in the preliminary development plan.

The described property shall hereafter be subjected to the Medium Density (MFR) and High Density (HFR) land-use restrictions and all other City Ordinances, Standards and Policies currently enacted and in association with the presented and accepted plans for The View at 5600 Preliminary Development Plan and the following conditions:

1. The Final Development Plan shall be updated to reflect the buy up points and densities approved by the Planning Commission and City Council.
2. The Final Development Plan shall be updated to show all other requirements as approved by the Planning Commission and City Council.
3. Approval of the Preliminary Subdivision plan and Preliminary Site Plan shall be subject to City Council Approval of the Preliminary Development Plan. The project density shall be approved by the City Council as part of the Preliminary Development Plan approval.
4. Update the Final Development Plan to address all existing and future planning, engineering, fire, Design Review Committee, and all other City redline corrections pertaining to The View at 5600 Development Plan.
5. Before the final plat, site plan and development plan are stamped for construction purposes by the West Jordan Engineering Department, all redline comments shall be completely addressed.
6. The development shall be designed according to City Standards and shall have the approval of the City Engineer before final approval is granted; notwithstanding the design concepts as shown in the preliminary development plan.
7. A HAWK signal shall be required at the location where the trail crosses 5600 West to protect the health, safety and welfare of residents.
- 8.

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

Passed by the City Council of West Jordan, Utah, this 2nd day of December 2015.

# CITY OF WEST JORDAN

\_\_\_\_\_  
Kim V. Rolfe  
Mayor

Voting by the City Council	"AYE"	"NAY"
Councilmember Haaga	_____	_____
Councilmember Rice	_____	_____
Councilmember Nichols	_____	_____
Councilmember Hansen	_____	_____
Councilmember Southworth	_____	_____
Councilmember McConnehey	_____	_____
Mayor Kim V. Rolfe	_____	_____



**CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION**

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, and on the City's website: [www.wjordan.com](http://www.wjordan.com) on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC  
City Clerk/Recorder

[SEAL]