

## REQUEST FOR COUNCIL ACTION

**SUBJECT:** West Jordan General Plan Future Land Use Map Amendment and Rezone

**SUMMARY:** **West Jordan Future Land Use Map Amendment and Rezone** – Amend the West Jordan Future Land Use Map for approximately 2.22-acres of land located at 7037 South 4800 West from Neighborhood Commercial to Very High Density Residential and Rezone from SC-2 to R-3-12(SHO); Sunset Village LLC, Cerrito Development LLC/ Andrew McKay, Mervyn Arnold (applicant) [Nannette Larsen #ZC20140007; GPA20140007]

**FISCAL IMPACT:** No known impact.

**RECOMMENDATION:**

Staff recommends that the City Council approve the proposed ordinance to amend the Future Land Use Map from Neighborhood Commercial to Very High Density Residential High Density Residential and Rezone from SC-2 to R-3-12 (SHO) located at 7037 South 4800 West.

**MOTION RECOMMENDED:**

"I move to approve the proposed Ordinance #14-36, revising the Future Land Use Map from Neighborhood Commercial to Very High Density Residential and the Rezone from SC-2 to R-1-13 (Senior Housing Overlay) for property located at 7037 South 4800 West".

Roll Call vote required

**Prepared by:**



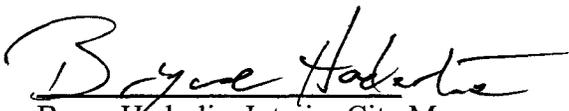
Nannette Larsen, Associate Planner

**Reviewed by/Concur with:**



Tom Burdett, Development Director

**Recommended by:**



Bryce Haderlie, Interim City Manager

**Reviewed as to legal form:**



Robert Thorup, Deputy City Attorney

## **II. BACKGROUND**

The subject property is located at 7037 South 4800 West. It contains 2.22-acres within a SC-2 (Community Shopping Center) zoning district. The Future Land Use designation is currently Neighborhood Commercial and has been since 1994. The subject property has been zoned SC-2, where previously the subject property and all surrounding properties in the immediate area were zoned A-20 (Agricultural – minimum 20-acre lots). The parcel is also within the Conical Zone (Ac-zone) of the Airport Overlay Zone. Residential uses are permitted in this overlay.

The subject land/parcel is currently underutilized, vacant, and is not a part of a platted subdivision. If approved, the property will be a part of the Senior Housing Overlay District (SHO); an Ordinance enacted into City Code in 2011.

## **III. GENERAL INFORMATION & ANALYSIS:**

The applicant is proposing to amend both the Future Land Use Map and the Zoning Map to later petition for Site Plan approval to allow for the construction of a new Assisted Living Facility. The Future Land Use Map (from Neighborhood Commercial to Very High Density Residential) and Zoning Map (from SC-2 to R-3-12) amendments, and establishment of a Senior Housing Overlay District (SHO), will accommodate a proposed 66-unit residential living facility on the 2.22-acre site.

Sun Ridge Assisted Living will provide 24-hour assistance to residents of the facility. Housekeeping, laundry service, and 3 meals a day will be provided by the facility. The proposed structure on the concept plan includes a square footage of 35,000 square foot building which will provide 66 livable units. Business and visitor hours for the proposed use will be between the hours of 9am to 5pm. During this time 13 staff members will remain on site; these hours will have the greatest number of staff, after 8pm that number will drop to 8 staff members to ensure assistance is being provided for. Assisted Living Centers within the R-3-12 (Multi-Family Residential) are allowed only as a Conditional Use. Subsequent to possible approval of the land use map and rezone, the Planning Commission will review and hear applications for a Preliminary Site Plan, Development Plan and Conditional Use Permit.

The concept plan, attached with this request, is not under review (or submitted for approval) by the City Council at this time, but its inclusion in the report allows for further inspection of the potential land use for the subject site. The Planning Commission will review the submitted Preliminary Site Plan and Development Plan before any approval(s) may be reached on building, parking, and landscaping locations. Upon approval of a land use map amendment and rezone, staff will coordinate with the applicant to determine adequate and required parking, landscaping, and all other bulk/area for the proposed land use, all to be shown on subsequent Site Plan and Development Plan submissions.

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

	<b>Future Land Use</b>	<b>Zoning</b>	<b>Existing Land Use</b>
North	Neighborhood Commercial/ Very High Density Residential	SC-2/R-3-12	Commercial/Residential
South	Very High Density Residential	R-3-12	Residential
East	High Density Residential	R-3-10	Residential
West	Low Density Residential	A-20	Church

#### **IV. FUTURE LAND USE MAP AMENDMENT FINDINGS OF FACT**

According to City Code, Section 13-7C-6, the following shall be met in approving any amendments to the General Plan Land Use Map:

**Criteria 1:** *The proposed amendment conforms to and is consistent with the adopted goals, objectives and policies set forth in the city general plan.*

**Discussion:** The proposed General Plan Land Use amendment is being petitioned to be changed from Neighborhood Commercial to Very High Density Residential. The designation of Very High Density Residential includes the R-3-12, R-3-16, R-3-20, R-3-22, PC, and PRD zoning districts. The residential density range of the proposed zoning district designation is to be no greater than 12 dwelling units per acre, where the minimum required lot size for the district is one-acre.

The Comprehensive General Plan states Very High Density Residential areas are best suited for areas where public transit and major transportation routes are available. Additionally, it states higher density classifications should be located around commercial nodes such as major intersections. The subject property is located at the intersection of what is planned to be an arterial street (Cougar Lane – north of 7000 South) and collector streets (7000 South and 4800 West).

Goal 4 (pg. 30) of the Residential Land Use subsection of the Comprehensive General Plan encourages a diversity of dwelling unit types for residential areas. This is further expanded on by Policy 4 (pg. 32) which specifies that certain locations within the City should provide for age-restricted housing. The proposed amendment will provide for both of these policies by designating a new location within the City allowing for a diversity of housing types. Furthermore, Goal 2 of the General Plan encourages the, “creation of attractive, well-designed, and maintained neighborhoods”. This is created by promoting, “compatible, aesthetically pleasing architecture and urban design in residential areas in conformance with the urban form and design guidelines included in this Plan and within West Jordan Planning Division’s *Design Guideline Manual*” (pg. 28). The concept plan of the subject site will be reviewed in detail during the Preliminary and Final Site Plan and Preliminary and Final Development Plan reviews and are subject to change. Nevertheless, in staff’s opinion the conceptual architectural plans are compatible to the surrounding existing single-family and multiple-family developments in the immediate vicinity.

**Finding:** The proposed amendment conforms to and is consistent with the adopted goals, objectives and policies set forth in the city general plan.

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

**Discussion:** The subject property is currently designated as Neighborhood Commercial on the City's Future Land Use Map. The Neighborhood Commercial Land Use designation provides for areas within the City which serve daily convenience needs of the surrounding community. These services are intended to attend a population up to 10,000 people.

Due to the location of the subject site, where access and uses to the immediate east are limited because of the South Valley Airport, staff does not anticipate the intended commercial use expected for this site to be feasible and/or marketable. The subject site is within a community which is now located within 2 miles of a new Smith's Marketplace and several other areas with small commercial/service convenience (example; the northeast corner of 7800 South and 4800 West).

**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.

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

**Discussion:** The properties to the east and south of the subject property are both multi-family developments. To the north is a commercial building, and to the west a church. Because the uses surrounding the subject property are all more intense types of land use it is not anticipated the surrounding property owners or tenants will be adversely impacted to the proposed amendment.

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

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

**Discussion:** The proposed amendment will improve the Future Land Use Map as the changes will make the map more accurate by incorporating changes to the City's development environment. The proposed changes will not benefit any specific person but are a reaction to recent changes in the community.

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

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

**Discussion:** The Engineering Department has reviewed the proposed Future Land Use Map amendment along with the submitted concept plan and has determined there are adequate public facilities in the area to facilitate an assisted living center at this location.

The Fire Department will also review the Site Plan, Development Plan, and Conditional Use at the time of submittal to ensure all public safety standards and conditions are met.

**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.

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

**Discussion:** The subject property is not located within any other adopted plan other than what was described within this report.

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

## V. ZONING MAP AMENDMENT FINDINGS OF FACT

According to City Code, Section 13-7D-6(A), the following shall be met in approving any amendments to the Zoning Map:

**Criteria 1:** *The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan.*

**Discussion:** The applicant is petitioning to rezone the subject property from SC-2 (Community Shopping Center) to R-3-12 (Very High Density Residential) with Senior Housing Overlay District (SHO). As previously discussed, the rezone will also include a Future Land Use Map amendment from Neighborhood Commercial to Very High Density Residential. Upon approval of this land use designation (with the explanations listed in the section and criteria described above) the proposed rezone will meet the intent of the General Plan.

**Finding:** The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan.

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

**Discussion:** The proposed rezone will not negatively affect adjoining properties or residents. The properties immediately adjacent to the subject property are also designated as High and Very High Density Residential. The submitted concept plan also displays a proposed development which should not adversely affect surrounding properties.

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

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

**Discussion:** The proposed rezone is a reaction to recent commercial developments within the vicinity of the subject site and it is anticipated it will positively affect the area and increase the diversity of housing within the City. Assisted living facilities typically do not generate daily vehicular traffic counts when compared to traditional single-family/multi-family projects, where also, such facilities are a necessity given the increased housing needs for citizens who wish to live in this City and are over 55 years of age.

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

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

**Discussion:** The Engineering Department has reviewed the proposal to rezone the subject property and determined existing public facilities in the area are adequate to serve the proposed rezone and expected use. It has also determined that there are no serviceability issues associated with these applications and further reviews will be part of the Site Plan review.

Further detailed staff reviews will occur with submittals of the Site Plan, Development Plan, and Conditional Use permit.

**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:** In addition to the proposed rezone the applicant is also requesting a map amendment to include a Senior Housing Overlay District (SHO). This purpose of this overlay is as follows:

- Establish locations for the development of appropriate living arrangements, both assisted and independent, for residents fifty five (55) years and older.
- Provide standards for development which recognizes and accommodates the varied housing and lifestyle needs and desires of seniors, including decreasing mobility, changing health and the alternative needs of the senior person.
- Promote independence and a high quality of life to meet the physical and social needs of seniors by encouraging specialized design features, and convenient access to community and civic centers, support services, mass transit stations and stops, recreational facilities, and shopping centers.

Criteria for inclusion of this overlay zone will reviewed during the Site Plan process.

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

## VI. CONCLUSION:

The proposed amendments as being requested will be compatible with adjoining land uses and neighborhood, where no negative or adverse impacts are expected.

## VII. MOTION RECOMMENDED:

### General Plan Land Use Map Amendment:

Based on the findings set forth in this staff report, and upon the evidence and explanations received here today, I move that the City Council **approve** the General Plan Land Use Map amendment located at 7037 South 4800 West from a Neighborhood Commercial to Very High Density Residential.

*If the moving Commissioner disagrees with the staff's findings and conclusions and finds substantial evidence supporting a different result, the following motion may be given:*

Based on my reading of the staff report and/or the new evidence and further explanations and discussions received in this meeting today, I move that the City Council **deny** the General Plan Land Use Map Amendment located at 7037 South 4800 West from a Neighborhood Commercial to Very High Density Residential designation. Specifically I disagree with the Staff

and find that the following required criteria for a General Plan Land Use Map amendment has not been met:

1. The proposed amendment conforms to and is consistent with the adopted goals, objectives and policies set forth in the city general plan.
2. The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.
3. The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.
4. The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity.
5. The proposed amendment will not adversely impact the neighborhood and community as a whole by significantly altering acceptable land use patterns and requiring larger and more expensive public infrastructure improvements, including, but not limited to, roads, water, wastewater and public safety facilities, than would otherwise be needed without the proposed change.
6. The proposed amendment is consistent with other adopted plans, codes and ordinances.

Which criteria has been met or not met? Why?

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*Note: All applicable criteria must be met to support a positive action by the Planning Commission.*

**Zoning Map Amendment:**

Based on the findings set forth in this staff report, and upon the evidence and explanations received today, I move that the City Council **approve** the Zoning Map amendment for the property located at 7037 South 4800 West from SC-2 (Community Shopping Center) to R-3-12(SHO) - (Multiple-Family Residential, Very High Density – 12 units per acre; Senior Housing Overlay District).

*If the moving Commissioner disagrees with the staff's findings and conclusions and finds substantial evidence supporting a different result, the following motion may be given:*

Based on my reading of the staff report and/or the new evidence and further explanations and discussions received in this meeting today, I move that the City Council **deny** the Zoning Map amendment for the property located at 7037 South 4800 West from SC-2 (Community Shopping Center) to R-3-12(SHO) - (Multiple-Family Residential, Very High Density – 12 units per acre; Senior Housing Overlay District). Specifically I disagree with the Staff and find that the following required criteria for a Zoning Map Amendment has not been met:

Zoning Map Amendment:

1. The proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted General Plan.
2. The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.
3. The proposed amendment furthers the public health, safety, and general welfare of the citizens of the city.
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.
5. The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Which criteria has been met or not met? Why?

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*Note: All applicable criteria must be met to support a positive action by the Planning Commission.*

**IX. ATTACHMENTS:**

- Exhibit A – Planning Commission Minutes
- Exhibit B – Aerial and Vicinity Map
- Exhibit C – Future Land Use Map
- Exhibit D – Zoning Map
- Exhibit E – Concept Plan Drawing
- Exhibit F – Concept Plan Elevations
- Exhibit G – Applicant’s Letter of Intent
- Exhibit H – Application
  
- Exhibit I - Ordinance

4770 S. 5600 W.  
 P.O. BOX 704005  
 WEST VALLEY CITY, UTAH 84170  
 FED.TAX I.D.# 87-0217663  
 801-204-6910

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CITY OF WEST JORDAN,	
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CITY OF WEST JORDAN PUBLIC HEARING NOTICE A Public Hearing will be			
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**CITY OF WEST JORDAN  
PUBLIC HEARING NOTICE**

A Public Hearing will be held before the City of West Jordan City Council on Wednesday, December 3, 2014, 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 General Plan Land Use Map Amendment for approximately 2.20 acres from Neigh-Map Amendment for approximately 2.20 acres from Neighborhood Commercial to Very High Density Residential and Rezone from SC-2 (Community Shopping Center) Zone to R-3-12 (SHO) (Multi-Family Residential 12 units per acre maximum density - Senior Housing Overlay) for Sun Ridge Assisted Living located at approximately 7037 South 4800 West, Sunset Village LLC/Carrito Development LLC/Andrew McKay, Maryn Arnold, 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.

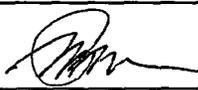
Published this 10th day of November 2014  
 Carol Herman  
 Deputy City Clerk  
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AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH 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, December 3, 2014, at the hou FOR CITY OF WEST JORDAN, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, 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.

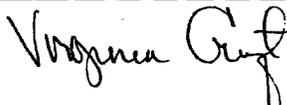
PUBLISHED ON Start 11/10/2014 End 11/10/2014

SIGNATURE 

DATE 11/10/2014

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"  
PLEASE PAY FROM BILLING STATEMENT

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

  
 NOTARY SIGNATURE



**City of West Jordan**  
8000 South Redwood Road  
West Jordan, Utah 84088  
(801) 569-5100  
Fax (801) 565-8978

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November 6, 2014

Mervyn Arnold  
Sunset Village LLC/Cerrito Development LLC  
1193 West Groves Crest Drive  
South Jordan, UT 84095

Dear Mr. Arnold,

A Public Hearing will be held before the City of West Jordan City Council on Wednesday, December 3, 2014, 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 General Plan Land Use Map Amendment for approximately 2.20 acres from Neighborhood Commercial to Very High Density Residential and Rezone from SC-2 (Community Shopping Center) Zone to R-3-12 (SHO) (Multi-family Residential 12 units per acre maximum density – Senior Housing Overlay) for Sun Ridge Assisted Living located at approximately 7037 South 4800 West; Sunset Village LLC/Cerrito Development LLC/Andrew McKay, Mervyn Arnold, applicant. You are invited to attend the Public Hearing and take part in the discussions and voice any support or concerns you may have. The Council reserves the right to consider other zoning classifications based on information presented at the Public Hearing. If you have any questions, please contact the Planning and Zoning Department at 801-569-5060.

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

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

Sincerely,

  
Carol Herman  
Deputy City Clerk

cc: Planning Department



**City of West Jordan**  
8000 South Redwood Road  
West Jordan, Utah 84088  
(801) 569-5100  
Fax (801) 565-8978

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November 6, 2014

Andrew McKay  
Sunset Village LLC/Cerrito Development LLC  
1193 West Groves Crest Drive  
South Jordan, UT 84095

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Sincerely,

Carol Herman  
Deputy City Clerk

cc: Planning Department



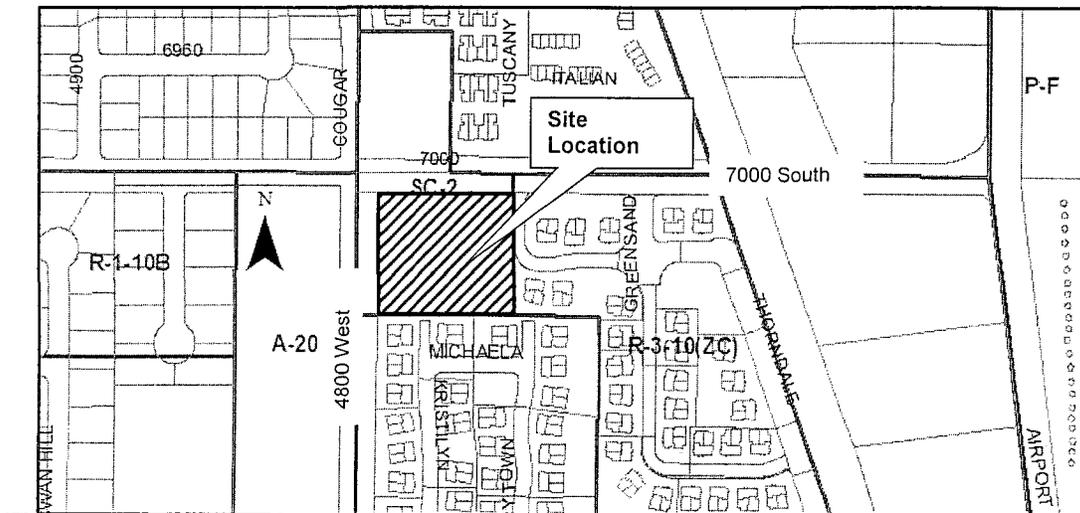
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**City of West Jordan**  
8000 South Redwood Road  
West Jordan, Utah 84088  
(801) 569-5100  
Fax (801) 565-8978

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

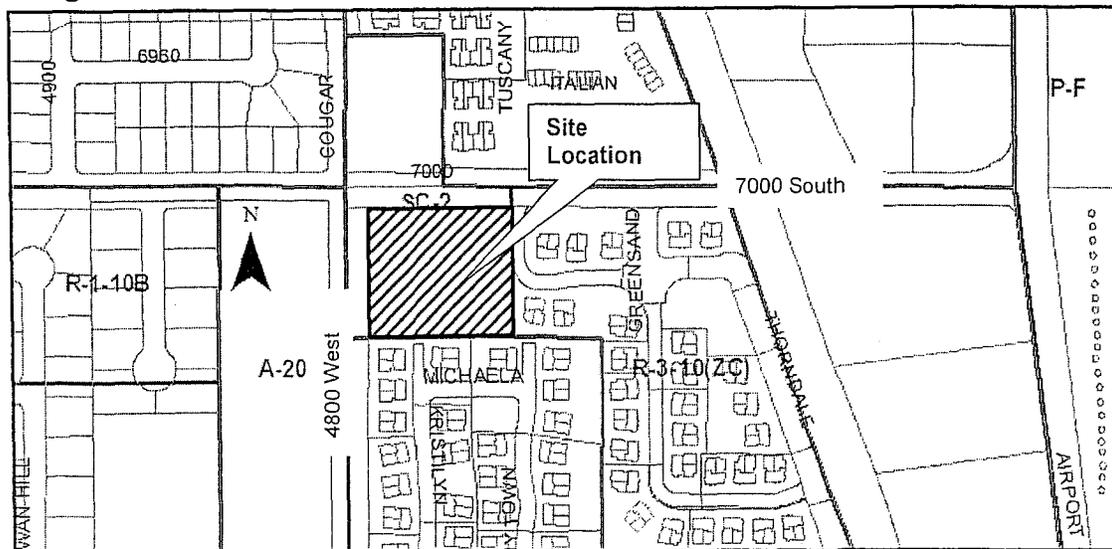


350' mailing

**City of West Jordan**  
8000 South Redwood Road  
West Jordan, Utah 84088  
(801) 569-5100  
Fax (801) 565-8978

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

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

**Exhibit A  
November 4, 2014  
Planning Commission Minutes**

**Attached:**

**Exhibit A** Planning Commission Minutes

**MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD NOVEMBER 4, 2014 IN THE WEST JORDAN COUNCIL CHAMBERS**

**PRESENT:** Dan Lawes, Sophie Rice, David Pack, Zach Jacob, Lesa Bridge, Ellen Smith, and Bill Heiner.

**STAFF:** Greg Mikolash, Nannette Larsen, Todd Johnson, Robert Thorup, and Julie Davis.

**OTHERS:** Brent Sweet, James Hatch, Andrew McKay, Nathan Bosworth, Sarah Sebastian

\*\*\*\*\*  
The briefing meeting was called to order by Dan Lawes. The agenda was reviewed and clarifying information was given with regards to the chemicals in Item #2.

\*\*\*\*\*  
The regular meeting was called to order at 6:00 p.m.

**1. Consent Calendar  
Approve Minutes from October 21, 2014**

**MOTION:** David Pack moved to approve the minutes from October 21, 2014, as contained in the staff report. The motion was seconded by Ellen Smith and passed 7-0 in favor.

\*\*\*\*\*

**3. Sun Ridge Assisted Living; 7037 South 4800 West; General Plan Land Use Amendment for 2.22 acres from Neighborhood Commercial to Very High Density Residential and Rezone from SC-2 (Community Shopping Center Zone) to R-3-12 (SHO) (Multi-family Residential 12 units per acre maximum density – Senior Housing Overlay); Sunset Village LLC/Cerrito Development LLC/Andrew McKay, Mervyn Arnold (applicant) [#GPA20140007, ZC20140007; parcel 21-30-101-005]**

Andrew McKay, property owner, and Nathan Boswell, property owner over management and operations were both in attendance. Andrew McKay said they are excited to develop a beautiful project. They concur with the staff report and the positive recommendation. The site is currently zoned as neighborhood commercial and after doing feasibility work they found this location isn't ideal or financially viable as commercial use. They want to build an assisted living center. West Jordan doesn't have a lot of resources in this field, and there is a need for it in this community. The details for the operations will come out with the site plan process.

Nathan Boswell said their facility will provide the same type of care as Beehive Homes in West Jordan. They noted that they will be the owners and operators of the completed facility.

Nannette Larsen reviewed the requested land use map amendment from neighborhood commercial to very high density residential and zoning map amendment from SC-2 to R-3-12 (SHO). She referred to the concept plan that provides an idea of what the site could consist of.

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 approve the General Plan Land Use Map

amendment from Neighborhood Commercial to Very High Density Residential and the Zoning Map amendment from SC-2 to R-3-12 (SHO).

Dan Lawes opened the public hearing.

Sarah Sebastian, West Jordan resident, stated that lives next to the proposed building. She had heard that there would be a line of trees and a garden in that area and she asked where those would be located. Her other questions had to do with site layout as well.

Dan Lawes explained that site plan issues would be discussed at the next phase of the process. He said the applicant could discuss that with her after the public hearing. If the request is approved it will come before the Planning Commission at another hearing. After tonight's meeting it will be forwarded to City Council for a hearing that will also be noticed. Tonight's hearing is to make a recommendation on whether or not the property should receive a zone change.

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

Zach Jacob said the reasoning in the staff report for the future land use map amendment is that the Highlands commercial development makes this property less viable as commercial. He was interested to know the timeline of the land use map with regards to this property and the Highlands property.

Greg Mikolash said this property has been commercial since at least 1994 and the Highlands area was mostly in an agricultural zone with low density land use and was changed to commercial with the West Side Planning Area.

David Pack wanted to look at all points of view. The property is currently underutilized and vacant and the intended commercial use is low. He understood that they aren't approving the site plan at this time, but he liked the concept.

Zach Jacob asked if 7000 South will be extended to Airport Road.

Todd Johnson said the City's property acquisition group has recently been working on that.

Zach Jacob said that could change the viability of the commercial use if the airport is used to its full potential. He thought this was a good idea as the property sits now, but he didn't know if Criteria #4 and #2 were being met. To him it seems that the change is benefiting a specific spot for a specific person or entity. He felt that the future land use map was laid out with a lot of forethought. This property is on the corner of an arterial and main collector and he wondered if that was a good place for an R-3-12 zoning. The City seems to be amending single parcels at a time.

Dan Lawes said sometimes changing a single parcel makes it more congruent to the surrounding development.

Zach Jacob wasn't saying that there is never a reason to do it or that this isn't a good option, but as a general principle they are changing parcel by parcel instead of planning a city.

Sophie Rice was concerned that this area already has too many little pockets of commercial that aren't doing very well, and she felt that the request was a good idea.

**MOTION:** Sophie Rice 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 Sun Ridge Assisted Living; 7037 South 4800 West; Sunset Village LLC/Cerrito Development/LLC (applicant) to amend the General Plan Land Use Map for 2.22 acres from Neighborhood Commercial to Very High Density Residential. The motion was seconded by Lesa Bridge and passed 6-1 in favor with Zach Jacob casting the negative vote.

**MOTION:** Sophie Rice 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 Sun Ridge Assisted Living; 7037 South 4800 West; Sunset Village LLC/Cerrito Development/LLC (applicant) to amend the Zoning Map for 2.22 acres from SC-2 to R-3-12 (SHO). The motion was seconded by Lesa Bridge and passed 7-0 in favor.

The meeting adjourned at: 6:56 p.m.

DAN LAWES  
Chair

ATTEST:

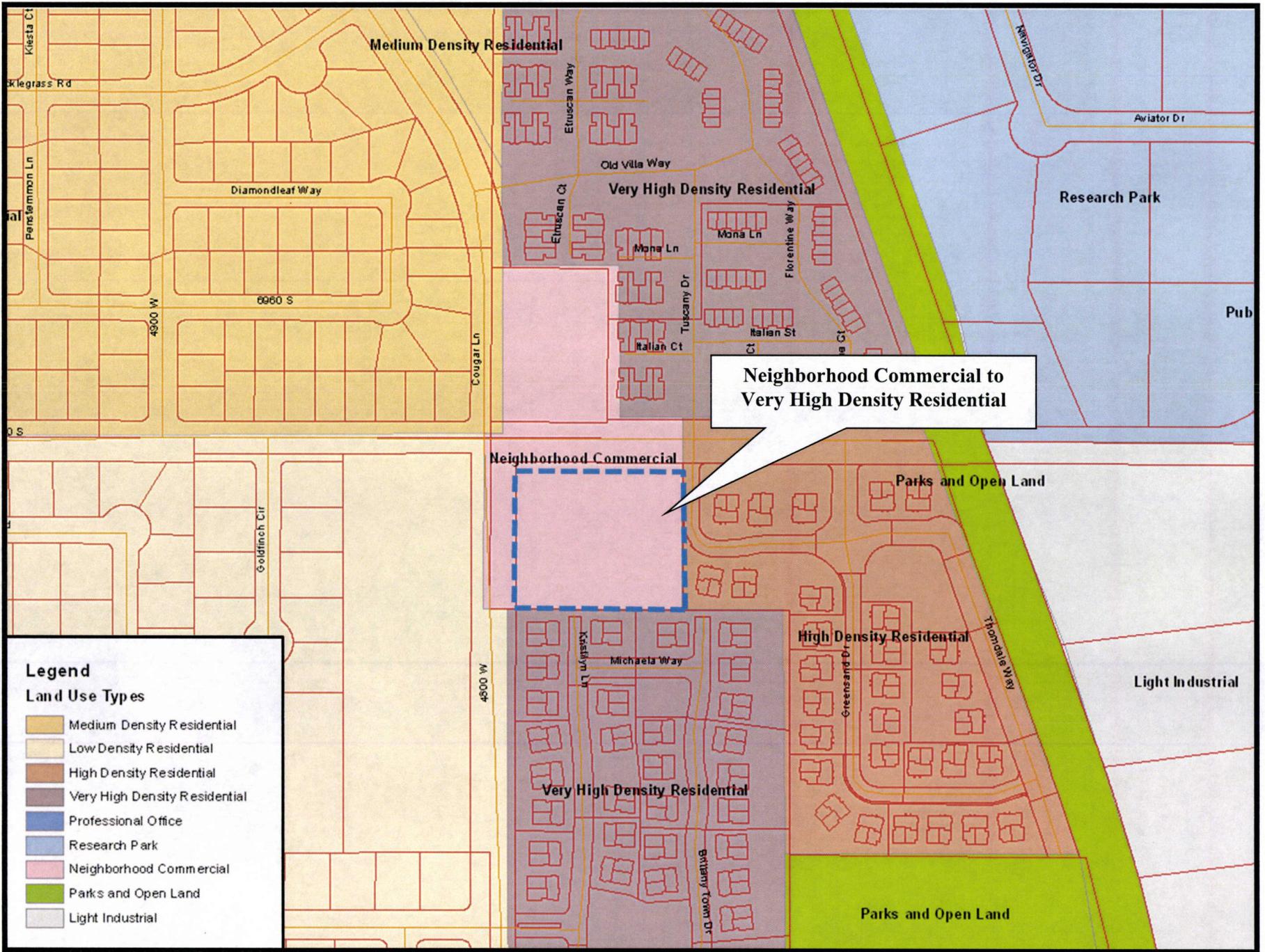
JULIE DAVIS  
Executive Assistant  
Development Department

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2014

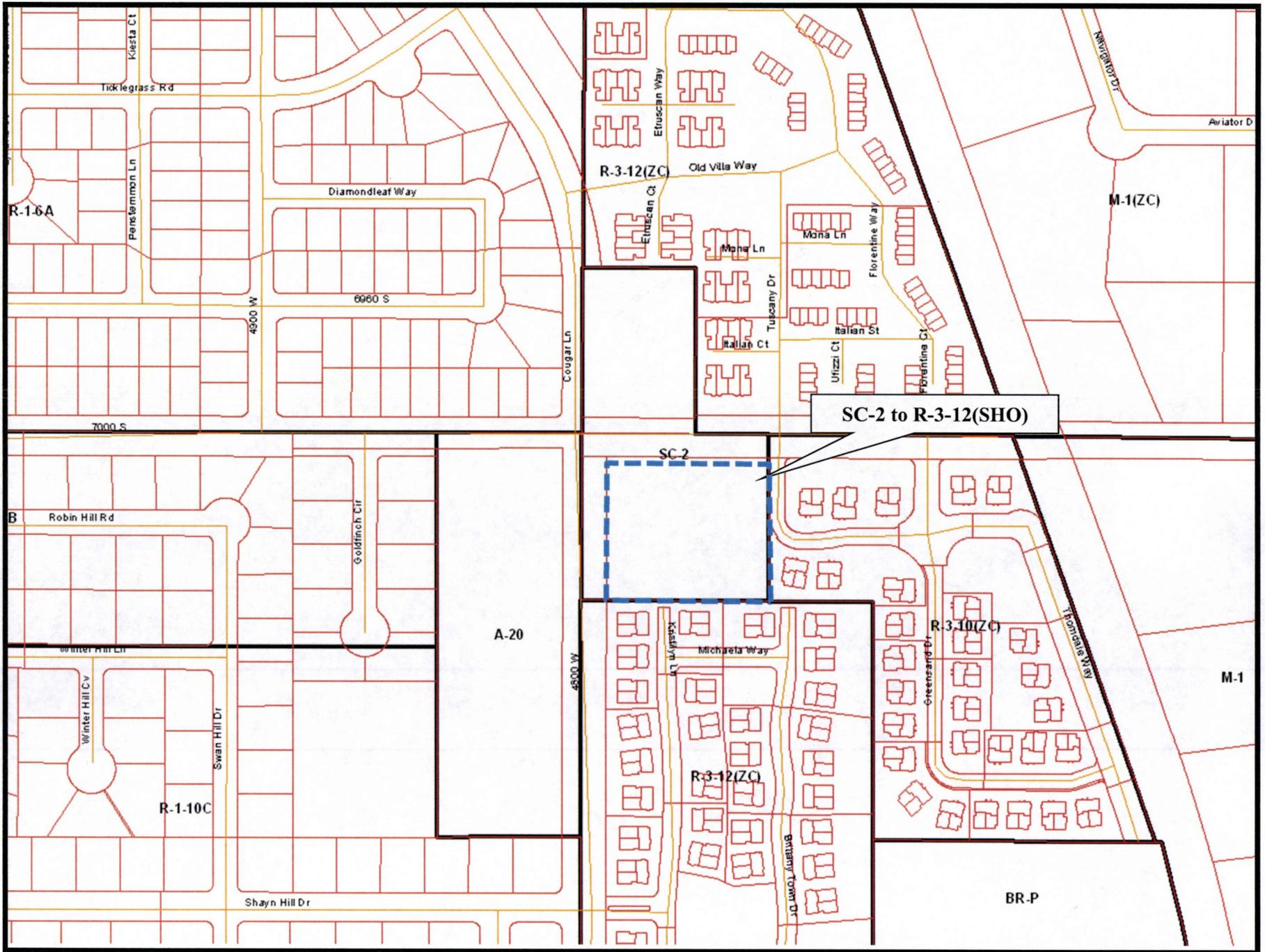


**Exhibit B**

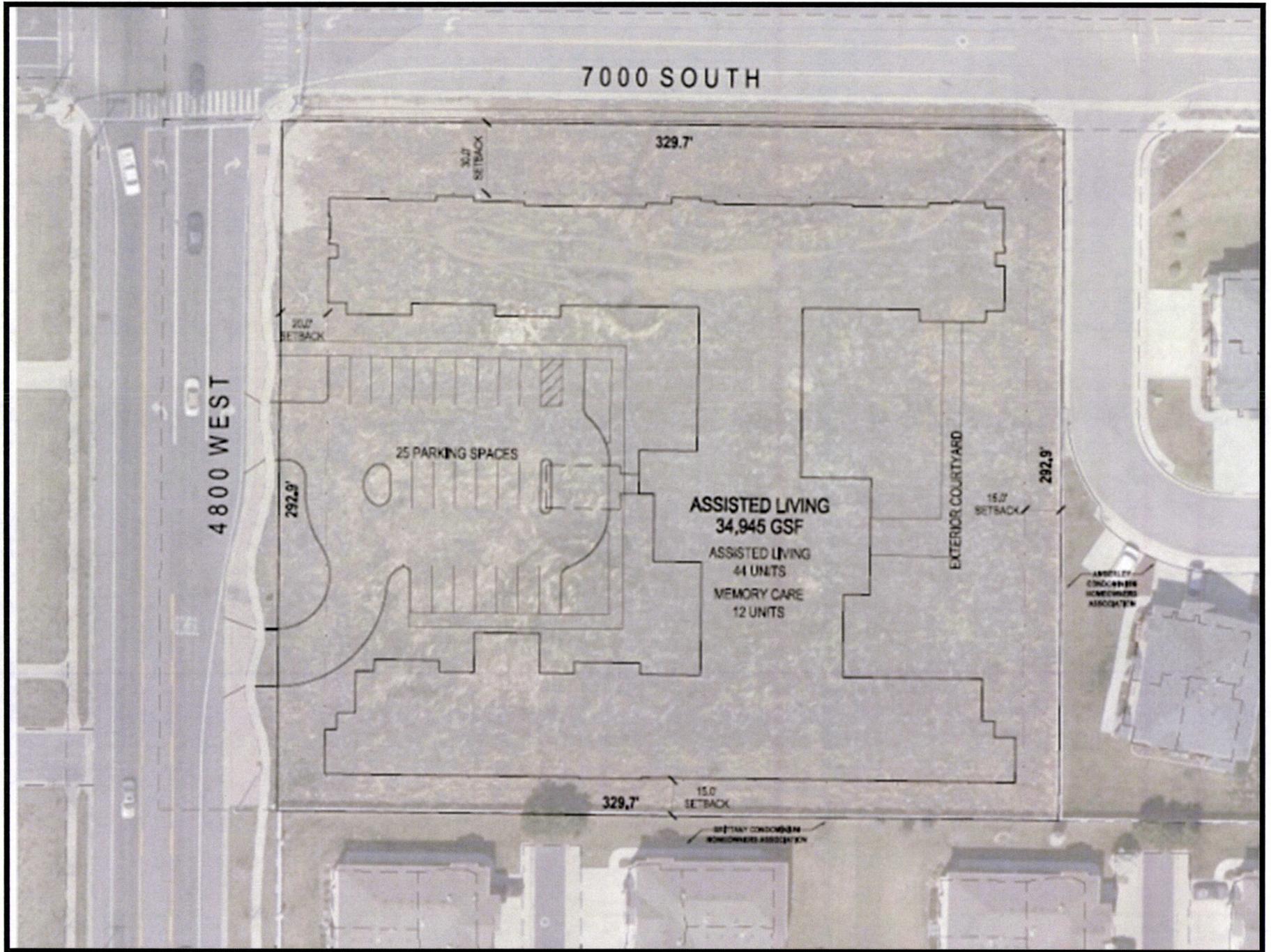
**Aerial and Vicinity Map**



**Exhibit C** Future Land Use Map



# Exhibit D Zoning Map



**Exhibit E**

**Concept Plan Drawing**



***Exhibit F***

**Concept Plan Elevations**

## Letter of Intent

September 22, 2014

To Whom It May Concern:

We look forward to working with West Jordan City to be able to provide a wonderful service to the elderly residents of the City. Our goal is build an assisted living residential housing. We will create a home like environment that makes our residents feel like they are at home. Many of our residents, before they move in have been living at home alone, with their family members worrying about their safety and the fact they are unable to take care of themselves. Sunridge Assisted Living will provides a safe environment where the residents will be monitored 24 hours a day and receive assistance with their medications, 3 meals a days, housekeeping and laundry service, and will provide a variety of social activities that make the residents feel more independent and engaged with life.

We know that there are many elderly residents in West Jordan City that could benefit from the services that Sun Ridge Assisted Living will provide. Many elderly residents who have lived in West Jordan all of their lives have to move to other cities to receive assisted living service because West Jordan City does not currently have enough necessary facilities to serve the elderly population.

As the applicant and owner of this 2.22 acre parcel, Cerrito Development LLC & Sunset Village LLC, are respectfully requesting a rezoning from SC-2 to R-3-12. We will file a conditional use permit application to operate an assisted living center as soon as the city allows us to do so. We have worked with multiple commercial real estate brokers over the past 6 months to explore the feasibility of a neighborhood commercial use in this location. All of these professionals, including Warren Tate of Tate-Brubaker Real Estate Services have concluded that a commercial center is not feasible in this location. In addition, the extensive plans for new commercial development along the Legacy Highway and other nearby intersections will eliminate the need for SC-2 commercial offerings at this location.

We propose a zone change to R-3-12 to allow the construction of a single level Assisted Living and Alzheimer's/Dementia Elderly Care Facility at this location. This would be a single level building of approximately 35,000 square foot with 66 units (44 assisted living, 12 memory care), accessed from 4800 West. A major feature of the project will be the extensive landscape gardens and open green space (see current site plan). This is a major asset to our elderly residents, and something the surrounding neighbors will enjoy. What has been a vacant weed patch will now become a beautiful landscaped addition to the community.

There will be no adverse impact on any of the surrounding neighborhoods. The current plan has no adverse impact on water, sewer, storm drain, public streets, and very little if any impact on traffic, fire, and police. There is no impact on the schools. There will be a positive impact on the local economy as elderly residents will be able to shop within West Jordan City. The subject property, which sat vacant for years, will now produce increased property taxes and employ numerous employees. The rezone requested is compatible with surrounding zones. The plan has no adverse impact on utilities, very

**Exhibit G** Applicant's Letter of Intent

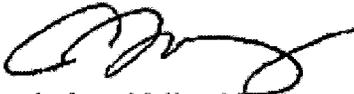
minimal impact if any on traffic. All fire requirements will be met, and the garbage will be picked up by a private company. There will be no adverse impact on any of the surrounding neighborhoods.

We feel that this project will help meet the growing need West Jordan residents have for an elderly care facility that is close to home. Aaron Brown & Associates, Inc. has conducted a market study of the demand for elderly care housing for the proposed assisted living and Alzheimer's/dementia facility and concluded that the market demand in this part of West Jordan will easily support the proposed facility at this location. The owners of Legacy House of Taylorsville (on 6200 S & Bangerter Highway) confirmed that they have been at full occupancy since their first few months of opening.

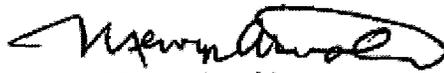
Normal Business Hours for this facility will be 9am-5pm. We will have about 13 staff members between 8am-5pm, about eight between 5:00pm and 10:00pm, and about 3 staff from 10pm-8am. Outdoor storage isn't necessary. The dumpster will be screened and landscaped. This project will have no impact on noise, very little impact on lighting, and parking is minimal and away from the nearby residences.

Currently, the general plan calls for SC-2, however, this type of zoning is no longer viable and, as previously stated, the requested R-3-12 zone allows for this type of a use, and is the same as adjoining zones on the north and south.

Sincerely,



Andrew McKay, Manager  
Sunset Village LLC



Mervyn Arnold, Manager  
Cerrito Development LLC

Exhibit G Applicant's Letter of Intent



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

**Sidwell #** 21301D10050000      **Acres** 2.22      **Lots** 1      **Zoning** SC-2

**Project Location:** 7037 South 4800 West, West Jordan, UT 84084

**Project Name:** SunRidge Assisted Living

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

**Applicant:** Andrew McKay, Mervyn Arnold      **Company:** Sunset Village LLC/Cerrito Development LLC

**Address:** 1193 W. Groves Crest Dr

**City:** South Jordan                              **State:** UT                              **Zip:** 84095

**Telephone: Office:** (Andy) 801-565-0777      **Cell:** (Merv) (801) 230-4680

**Email:** andyutah@gmail.com, arnoldmb@ldschurch.org

**Property Owner:** Sunset Village LLC & Cerrito Development LLC

**Address:** 1193 W. Groves Crest Dr

**City:** South Jordan                              **State:** UT                              **Zip:** 84095

**Telephone: Office:** (Andy) 801-565-0777      **Cell:** (Merv) (801) 230-4680

**Email:** andyutah@gmail.com, arnoldmb@ldschurch.org

**Engineer:** Brady Morris, P.E.                      **Company:** Ensign Engineering

**Address:** 45 West 10000 South, Suite 500

**City:** Sandy    **State:** UT    **Zip:** 84070

**Telephone: Office:** (801) 255-0529      **Cell:** (801) 450-7282

**Email:** bmorris@ensignutah.com

**Architect:** Casey O'Brien McDonough      **Company:** COM Designed

**Address:** 777 E. South Temple #14D

**City:** SLC    **State:** UT    **Zip:** 04102

**Telephone: Office:** \_\_\_\_\_      **Cell:** 801-971-9053

**Email:** comdesigned@gmail.com

**SIGNATURE:**       **DATE:** 9-12-14

<b>Project #:</b> <u>2020140007</u>	<b>Date:</b> <u>9/23/14</u>
<b>Received By:</b> <u>ODA LA</u>	<u>PLANNING LG</u> <u>ENGINEERING NN</u>

Revised 9/1/11

**Application**

**Exhibit H**

**ATTACHED ORDINANCE**

**Ordinance**

**Exhibit I**

**THE CITY OF WEST JORDAN, UTAH**

**A Municipal Corporation**

**ORDINANCE NO. 14-36**

**AN ORDINANCE AMENDING THE GENERAL PLAN FUTURE LAND USE MAP FOR 2.22 ACRES OF LAND FROM NEIGHBORHOOD COMMERCIAL TO VERY HIGH DENSITY RESIDENTIAL AND REZONE 2.22 ACRES OF LAND FROM SC-2 (COMMUNITY SHOPPING CENTER) TO R-3-12 (SHO) (MULTI-FAMILY RESIDENTIAL 12-UNITS PER ACRE – SENIOR HOUSING OVERLAY) FOR SUN RIDGE ASSISTED LIVING LOCATED AT APPROXIMATELY 7037 SOUTH 4800 WEST.**

WHEREAS, an application was made by Sunset Village LLC/Cerrito Development LLC/Andrew McKay/Mervyn Arnold to amend the General Plan Future Land Use Map for 2.22-acres from Neighborhood Commercial to Very High Density Residential for property located at approximately 7037 South 4800 West;

WHEREAS, an application was made by Sunset Village LLC/Cerrito Development LLC/Andrew McKay/Mervyn Arnold to amend the Zoning Map for 2.22-acres property from SC-2 (Community Shopping Center) to R-3-12 (SHO) (Multi-Family Residential, 12-units per acre – Senior Housing Overlay) for the property located at approximately 7037 South 4800 West;

WHEREAS, on November 4, 2014, the Future Land Use Map amendment and Rezone request was considered by the Planning and Zoning Commission, which made a positive recommendation (6-1 vote) to the City Council concerning the Future Land Use Map amendment from Professional Office to Medium-Density Residential and positive recommendation (7-0 vote) to the City Council concerning the Rezone of 2.22-acres from SC-2 (Community Shopping Center) to R-3-12 (SHO) (Multi-Family Residential, 12-units per acre – Senior Housing Overlay) for the property located at approximately 7037 South 4800 West;

WHEREAS, a public hearing, pursuant to public notice, was held before the City Council on December 3, 2014; and,

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

1. The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City's General Plan;
2. The development pattern contained on the land use plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment;
3. The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity;
4. The proposed amendment constitutes an overall improvement to the adopted general land use map and is not solely for the good or benefit of a particular person or entity;

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

WHEREAS, the City Council of the City of West Jordan finds the following with respect to an amendment of the Zoning Map:

1. The proposed amendment is consistent with the purposes, goals, objectives and policies of the City's General Plan;
2. The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties;
3. The proposed amendment furthers the public health, safety and general welfare of the citizens of the city;
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; and,
5. The proposed amendment is consistent with the provisions of any applicable overlay zoning district which may impose additional standards.

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

Section 1. The Future Land Use Map of the City of West Jordan, Utah, is hereby amended by changing the future land use designation for 2.22-acres of property from Neighborhood Commercial to Very High Density Residential for the property located at approximately 7037 South 4800 West, more appropriately described below:

Beginning North 00°08'29" West 2,612.687 feet from the West quarter corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base and Meridian; (said point being South 00°08'28" East 47 feet from the Northwest corner of said Section 30, and also being on the Southerly line of 70th South Street) and South 89°57'09" East 50.00 feet; and running thence along the proposed Southerly line of 70th South Street; thence South 89°57'09" East 329.832 feet; thence South 00°08'29" East 293.00 feet; thence North 89°57'09" West 329.832 feet to the proposed Easterly line of 4800 West Street; thence North 00°08'29" West 293.00 feet more or less to the Southerly line of the proposed 70th South Street and the point of beginning.

Containing more or less 2.22-acres.

Section 2. The Zoning Map Of The City Of West Jordan, Utah, is hereby amended by changing the zoning classification for 2.22-acres of property from SC-2 (Community Shopping Center) to R-3-12 (SHO) (Multi-Family Residential, 12-units per acre – Senior Housing Overlay) for the property located at approximately 7037 South 4800 West, more appropriately described below:

Beginning North 00°08'29" West 2,612.687 feet from the West quarter corner of Section 30, Township 2 South, Range 1 West, Salt Lake Base and Meridian; (said point being South 00°08'28" East 47 feet from the Northwest corner of said Section 30, and also being on the Southerly line of 70th South Street) and South 89°57'09" East 50.00 feet; and running thence along the proposed Southerly line of 70th South Street; thence South 89°57'09" East 329.832 feet; thence South 00°08'29" East 293.00 feet; thence North 89°57'09" West 329.832 feet to the proposed Easterly line of 4800 West Street; thence North 00°08'29" West 293.00 feet more or less to the Southerly line of the proposed 70th South Street and the point of beginning.

Containing more or less 2.22-acres.

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 3<sup>rd</sup> day of December, 2014.

ATTEST:

CITY OF WEST JORDAN

\_\_\_\_\_  
Melanie Briggs  
City Recorder

\_\_\_\_\_  
Kim V. Rolfe  
Mayor – City of West Jordan

Voting by the City Council	"AYE"	"NAY"
Jeff Haaga	_____	_____
Judy Hansen	_____	_____
Chris McConnehey	_____	_____
Chad Nichols	_____	_____
Ben Southworth	_____	_____
Justin D. Stoker	_____	_____
Mayor Kim V. Rolfe	_____	_____

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

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC  
City Clerk/Recorder

[SEAL]