



CITY OF SOUTH JORDAN
COMBINED CITY COUNCIL AND REDEVELOPMENT AGENCY
ELECTRONIC MEETING AGENDA
SEPTEMBER 1, 2020
6:30 PM

NOTICE IS HEREBY GIVEN THAT THE SOUTH JORDAN CITY COUNCIL WILL HOLD ITS MEETING **ELECTRONICALLY, VIA ZOOM PHONE AND VIDEO CONFERENCING WITH NO ANCHOR LOCATION**, ON TUESDAY, SEPTEMBER 1, 2020. PERSONS WITH DISABILITIES WHO MAY NEED ASSISTANCE SHOULD CONTACT THE CITY MANAGER STAFF AT (801) 254-3742, AT LEAST 24 HOURS PRIOR TO THIS MEETING.

I, Dawn R. Ramsey, the Mayor of the City of South Jordan and Chair of the South Jordan City Council Meetings, hereby determine that conducting South Jordan City Council Meetings at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. The President of the United States, The Governor of Utah, the County Health Department and Mayor, the Mayor of South Jordan City, and the World Health Organization have all recognized a global pandemic exists related to the new strain of the coronavirus, SARS- CoV-2 and outbreaks of the coronavirus disease COVID-19 that has now spread globally including in Utah. Due to the State of emergency caused by the global pandemic, the current situation in Utah and specifically in Salt Lake County, and the manner in which the COVID-19 virus spreads in groups, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present at the anchor location. According to information from State Epidemiology, the State is currently in an acceleration phase, which has the potential to threaten the State's healthcare system. This determination not to meet in an anchor location shall be valid for thirty days.

In the event an electronic meeting is disrupted in any way that the City in its sole discretion deems in appropriate, including the posting of offensive pictures, remarks, or making offensive statements, the City reserves the right to immediately remove the individual(s) from the meeting and, if needed, end the electronic meeting with or without a motion and vote. If a meeting is ended prior to all items being addressed, any items not addressed shall be moved to the next regularly scheduled meeting or a special meeting whichever is first.

Attendees will be allowed to join via phone or video, using Zoom phone and video conferencing. Note, public comment will be accessed through video conferencing, and a participant must have their video on and working to speak. Those who join via phone may listen, but not comment. Ability to connect and comment is dependent on an individual's internet connection, not the City. To ensure your comments are taken regardless of technical issues, please have them submitted in writing to the City Recorder, Anna Crookston, at Acrookston@sjc.utah.gov by 5:00 p.m. on September 1, 2020.

Instructions on how to join the meeting electronically are below.

Join South Jordan City Council Electronic Meeting September 1, 2020 at 6:30 p.m.

Join on any device, with mobile and desktop availability

Visit: www.sjc.utah.gov/meeting-agenda-minutesarchive-center/

Zoom link, Meeting ID and Meeting Password will be provided 24 hours prior to meeting start time.

Zoom instructions are posted www.sjc.utah.gov/meeting-agenda-minutesarchive-center/

Regular Meeting

6:30 p.m. **A. Welcome, Roll Call and Introduction to Electronic Meeting - By Mayor Dawn R. Ramsey**

B. Invocation – By Strategic Services Director, Don Tingey

C. Pledge of Allegiance – By Council Member Brad Marlor

D. Minute Approval

D.1. August 18, 2020 Council Study Meeting

D.2. August 18, 2020 City Council Meeting

6:35 p.m. **E. Mayor and Council Reports**

6:50 p.m. **F. Public Comment:** This is the time and place for any person who wishes to comment on items not scheduled on the Agenda for Public Hearing. Any person or group wishing to comment on any item not otherwise scheduled for Public Hearing on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Mayor. Groups wishing to comment will be asked to appoint a spokesperson. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting. Time taken on non-agenda items, interrupts the process of the noticed Agenda. In rare cases where it is determined appropriate to address items raised from Public Comments, these items will be noted and may be brought back at the conclusion of the printed agenda.

RECESS CITY COUNCIL AND MOVE TO REDEVELOPMENT AGENCY MEETING (RDA)

7:05 p.m. **G. Action Item: Resolution RDA 2020-06**, proposed Bacchus Highway Redevelopment Project Area, authorizing the preparation of a draft community reinvestment project area plan and budget and authorizing and directing all necessary action by agency, staff and counsel. (By Director of City Commerce/RDA Manager, Brian A. Preece) **RCV**

ADJOURN REDEVELOPMENT AGENCY MEETING (RDA) AND RETURN TO CITY COUNCIL MEETING

7:35 p.m. **H. Public Hearing: Zoning Ordinance 2020-06-Z**, rezoning property located at the Cliffs at Jordan Station, 10448 S. Jordan Gateway from the C-F Zone to the MU-TOD Zone. (By Planning Director, Steven Schaefermeyer) **RCV**

7:55 p.m. **I. Staff Reports and Calendaring Items**

ADJOURNMENT

CERTIFICATE OF POSTING

STATE OF UTAH)
COUNTY OF SALT LAKE)

I, Anna Crookston, the duly appointed City Recorder of South Jordan City, Utah, certify that the foregoing City Council Agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body and also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on South Jordan City's website at www.sjc.utah.gov. Published and posted August 28, 2020.

D.1. CITY COUNCIL STUDY SESSION MEETING MNUTES

SOUTH JORDAN CITY
CITY COUNCIL ELECTRONIC STUDY MEETING

August 18, 2020

Present: Mayor Dawn Ramsey, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Jason McGuire, Council Member Don Shelton, Council Member Tamara Zander, City Manager Gary Whatcott, ACM Dustin Lewis, City Attorney Ryan Loose, Engineering Director Brad Klavano, Police Chief Jeff Carr, Administrative Services Director Spencer Kyle, Planning Director Steven Schaefermeyer, Public Works Director Jason Rasmussen, Deputy Police Chief Jason Knight, CFO Sunil Naidu, CDBG Coordinator Katie Olson, City Recorder Anna Crookston, Communications Manager Rachael VanCleave, City Commerce Director Brian Preece, Strategic Services Director Don Tingey, Fire Chief Chris Dawson, IT Director Jon Day, City Council Secretary MaryAnn Dean

Others: Attendance electronically via Zoom.

4:30 PM
STUDY MEETING

A. Welcome, Roll Call and Introduction: *By Mayor Dawn R. Ramsey*

Mayor Ramsey called the meeting to order. She excused Council Member Zander, who will be arriving late. She introduced the electronic meeting.

B. Invocation: *By Council Member Don Shelton*

Council Member Shelton offered the invocation.

C. Mayor and Council Coordination

Mayor Ramsey said they are not doing a Utah League of Cities and Towns in person conference. There will be some chances for tours and some online options. It will be done similarly to how the Salt Lake Chamber of Commerce held their conference. It will be broadcast.

Council Member Zander joined the meeting at this time.

D. Discussion/Review of Regular Council Meeting

The City Council reviewed tonight's agenda.

Council Member Marlor asked about the project being done at 9800 South 2200 West. Was there a line there? Engineering Director Klavano said no, it was deterioration of the sidewalk. He said the goal was to get the project done before school started, which it will be. He also noted the T

intersection installed at 3200 W. He said people are confused over turning left out, but overall it seems to be working well in that area.

Council Member Zander said a resident called her about the project on Vermillion. Mr. Klavano said that is the 2nd part of the project for the storm water out of the ponds on Millerton.

Mayor Ramsey said proponents of the ranked choice voting want to meet with the Mayor and City Council again and make their proposal. She said Vineyard and Payson have tried it. Mayor Ramsey said she has not received an answer on how they would have a separate ballot from the rest of Salt Lake County.

Council Member Harris said South Jordan is such a large city; they need to see results and data from more cities before they should do it. Mayor Ramsey concurred. Council Member Marlor said he is opposed to the concept. He said he would be willing to meet with them for 10-15 minutes. Council Member McGuire concurred and said he does not want to meet with them. Council Member Zander concurred. She said the two cities that have tried it are so small and would not be relevant for their city. Mayor Ramsey said there are challenges if they are the only city in Salt Lake County doing it. Council Member McGuire said this is not being pushed by residents of the city, it is an outside third party organization, and that makes him hesitant. Council Member Shelton said he is open to listening to them, but he does not see the benefits of it and is not sure why they would consider it.

E. Discussion Item: Police update (*By Police Chief, Jeff Carr*)

Police Chief Carr reviewed a prepared presentation (Attachment A)

Council Member Harris asked if officers have a use of force incident and do a report, do they do the report independently of each other? Police Chief Carr said they are filled out independently. It was noted that if there are discrepancies in the report, it is addressed.

Council Member McGuire asked how soon after an incident do they fill out a report? Chief Carr said typically before the end of their shift.

Council Member Zander asked how many people sit on the community advisory board and what is the length of their term? Chief Carr said there are 7 members and they rotate every couple of years. They can stay a second term if needed, but it is unlikely the board members would remain after 2 years.

Council Member McGuire asked how do they find residents to participate on the board? Chief Carr said last time, they advertised on social media. He said they review applications and try to find as much balance as they can on the board. He said he would get the names of the community advisory board to the City Council.

Police Chief Carr said ideally, they like an officer to stay on a beat so that they get to know an area. That does not always happen. He said he can give the City Council a map of which officers are in which beat.

Police Chief Carr noted that the police department is accredited. That is not a state requirement, but is important for South Jordan.

Council Member Shelton asked if implicit bias training is required? Chief Carr said yes, it is part of the mandatory 10 hours.

Katie Olson reviewed some data and statistics relative to 2019 arrests. She said they took the race code, and took a random sample to represent the population. She said they pulled variables that they thought were significant. She said they looked to see how much variation in the data was explained by those variables. They found nothing. She said race was not a significant predictor; someone being armed or use of a controlled substance was a significant predictor.

Council Member Shelton said in the policy manual, does it include a policy on the use of the armored vehicle? Chief Carr said they are almost done with that policy. They have been using the federal agreement.

Council Member Harris said regarding the recommended future hires for staff, is that recommended over additional officers? Police Chief Carr said some analysis would need to be done to determine that. For example, the use of force with a mental situation, having a social worker does not change the fact that we still send multiple officers to that call. A position might prevent them from hiring an officer, but ideally, it would be in addition to officers.

Mayor Ramsey thanked the police department for their outstanding service.

Chief Carr said crime is occurring in every city in the county. He is grateful they still have people willing to do this work.

Council Member Zander thanked the police officers. She said it is a valuable report for the City Council. She is grateful to have this data to share with the public. She said she is an advocate for the police. The police need their support.

Council Member Harris said he appreciates that they are not getting complaints from the residents to defund the police. He said the people he has talked to have respect for the police officers.

ADJOURNMENT

Council Member McGuire made a motion to adjourn. Council Member Zander seconded the motion. The vote was unanimous in favor.

The August 18, 2020 City Council meeting adjourned at 6:14 p.m.

D.2. CITY COUNCIL MEETING MINUTES

SOUTH JORDAN CITY
CITY COUNCIL ELECTRONIC MEETING

August 18, 2020

Present: Mayor Dawn Ramsey, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Jason McGuire, Council Member Don Shelton, Council Member Tamara Zander, City Manager Gary Whatcott, ACM Dustin Lewis, City Attorney Ryan Loose, Engineering Director Brad Klavano, Police Chief Jeff Carr, Administrative Services Director Spencer Kyle, Planning Director Steven Schaefermeyer, Public Works Director Jason Rasmussen, CFO Sunil Naidu, City Recorder Anna Crookston, Communications Manager Rachael VanCleave, City Commerce Director Brian Preece, Strategic Services Director Don Tingey, Fire Chief Chris Dawson, IT Director Jon Day, City Council Secretary MaryAnn Dean

Others: Attendance electronically via Zoom.

6:30 PM
REGULAR MEETING

A. Welcome, Roll Call and Introduction To Electronic Meeting: *By Mayor Dawn R. Ramsey*

Mayor Ramsey called the meeting to order. All members of the City Council were present. She introduced the electronic meeting.

B. Invocation: *By Mayor Dawn R. Ramsey*

Mayor Ramsey offered the invocation.

C. Pledge of Allegiance – *By Council Member Patrick Harris*

Council Member Harris led the audience in the Pledge of Allegiance.

D. Minute Approval

- D.1. July 24, 2020 Emergency City Council Meeting
- D.2. August 4, 2020 City Council Study Meeting
- D.3. August 4, 2020 City Council Meeting

Council Member McGuire made a motion to approve the July 24, 2020 Emergency City Council meeting minutes, the August 4, 2020 City Council study meeting minutes, and the August 4, 2020 City Council meeting minutes. Council Member Shelton seconded the motion.

Council Member Shelton noted a correction to the August 4th City Council meeting minutes.

The vote was unanimous in favor.

E. Mayor and Council Reports

Council Member Shelton reported on the Association of Municipal Council and Legislative Policy Committee meetings. He attended both electronically. He noted that Police Chief Carr is on the Love, Listen, and Lead task force making recommendations for policing changes/modifications in the state. He thanked Strategic Services Director Tingey for his email following up on questions he asked at the last meeting.

Council Member Zander said she met with the Mosquito Abatement District Board meeting via zoom. She said Salt Lake County has had their first positive west Nile virus cases. She said the city will be doing a ribbon cutting for the pickle ball courts. She thanked the police department for helping with a parking issue in her district.

Council Member McGuire said he met with the Arts Council. They approved some cross walk murals in the Town Center area. There will be artists painting those during the farmers market.

Council Member Marlors said he met with the Architectural Review Committee on the 12th. He noted the passing of his mother in law, at 100 years old.

Council Member Harris said the committees that he serves on have not met since the last City Council meeting. He said he has been working on various issues with CM Whatcott.

Mayor Ramsey said at today's Salt Lake County Council meeting, they approved an extension of the current health order including the mask mandate. It is anticipated it will go through January 5, 2021. Mayor Ramsey said she and Police Chief Carr met with Representative Pierucci, and representatives from Herriman and Riverton for a round table discussion on domestic violence. They are trying to determine policies, potentially at the state level, that make it easier to address domestic violence and help curb the consistently rising numbers. She said they have a special Legislative session Thursday. There are several issues they are watching closely. She said she had a phone meeting with Senator Romney. Mostly he discussed a potential 4th stimulus. They are watching that close. They also have Senator McAdams visiting a small business in South Jordan evaluating how the CARES funding is helping. She said the Covid numbers are coming down, and that is a positive thing. She said she attended the EDCU staff summer outing. She has been asked to co-chair the EDCU Board starting in September. She has visited with several candidates. She said they need to learn about all of the candidates and vote. She said she serves on the board of Resilient Utah to help families teach their kids resilience. She said there is an initiative being started called Serving South Jordan to help with some service opportunities. There will be collection bins available at City Hall and the public works building. It is a home grown idea, and they want to give people that chance to serve.

F. Public Comment:

None.

G. Presentation Item: Project Empathy (By John Hansen and Chase Hansen)

John and Chase Hansen were introduced.

Chase Hansen indicated that he and his dad have been working with the homeless community to lift them up and make them feel human. He said they have focused on how to make them feel heard. He talked about a man that they helped get reconnected with his sons. They helped that individual for 2 years and got to see the evolution of him. That man recently moved into his own house. He said Project Empathy is based around human interaction. He and his dad have given 130 meals. They are trying to impact problems that they see in Salt Lake City and to see the homeless individuals as friends and people.

John Hansen said Project Empathy is their attempt to organize outreach and help them find connection. He said their greatest success story was in South Jordan, because they gave someone their time. He said empathy is listening at its best. They have interviewed addicts. Project Empathy is a prescription for human connection, and deliberate intention. It is about how to take a base of people and infect others by asking questions of what they need.

H. Public Hearing: Zoning Ordinance 2020-10-Z, Rezone for Skye Drive 3-Lot Subdivision located at 9811 S. Dunsinane Drive. (By Planning Director, Steven Schaefermeyer)

Planning Director Schaefermeyer reviewed the background information on this item (Attachment A). He said Dale Hull is the applicant. The proposal is a 3 lot subdivision, but that includes the existing home. The lots will be close to ½ acre.

Mr. Hull said he has owned this property for 30 years. They desire to develop this to its highest and best use. He said they went with staff's recommendation.

Mayor Ramsey opened the public hearing. There were no comments. She closed the public hearing.

Council Member Zander asked if there were objections from the surrounding property owners, including the school and church. Mr. Schaefermeyer said not that he is aware. It was noted that the masonry wall is required because the adjacent property owned by the church is zoned A-5 and has animal rights.

Council Member Zander asked if staff is concerned with traffic impacts in this area? Mr. Schaefermeyer said the planning staff is not. Engineering Director Klavano said it would be a minor change in traffic. He does not have a concern with traffic.

Council Member Zander made a motion to approve zoning Ordinance 2020-10-Z. Council Member Marlor seconded the motion.

Council Member Harris noted that these are big lots being proposed.

The vote was unanimous in favor.

I. Staff Reports and Calendaring Items

CM Whatcott said staff would like to schedule a Strategic Planning meeting with the Council. They determined to hold the meeting October 27, 2020 at 5 p.m.

CM Whatcott said they would have a budget update the first meeting in October. He said right now, things are not bad in terms of the budget. He said they submitted their first CARES reimbursement to Salt Lake County. They will probably do 1 more submission. It does not appear that they will use all of the money provided to them. They have been careful to follow the guidelines.

Public Works Director Rasmussen said they have been working on a snow event parking Ordinance. He said Council Member Zander had asked if staff was willing to host a meeting to get additional feedback from the residents. He said they will be putting something together; it will be done electronically.

Council Member Zander said the city road that is the worst for a snow event is Oakmond. She said she would like the residents on Oakmond invited to that meeting.

City Attorney Loose indicated that masks with the South Jordan logo are available for the City Council.

City Attorney Loose said legislative interim is today and tomorrow. The special session is Thursday. Staff will be watching and will report back to the City Council.

ADJOURNMENT

Council Member Marlor made a motion to adjourn. Council Member McGuire seconded the motion. The vote was unanimous in favor.

The August 18, 2020 City Council meeting adjourned at 7:31 p.m.

G. ACTION ITEM: RESOLUTION RDA 2020-06, BACCHUS HIGHWAY CRA PROJECT

SOUTH JORDAN CITY REDEVELOPMENT AGENCY BOARD STAFF REPORT

Meeting Date: 09/01/2020

Issue: REQUESTING RDA BOARD APPROVAL OF RESOLUTION RDA 2020-06, A RESOLUTION OF THE CITY OF SOUTH JORDAN REDEVELOPMENT AGENCY DESIGNATING THE PROPOSED BACCHUS HIGHWAY REDEVELOPMENT PROJECT AREA, AUTHORIZING THE PREPARATION OF A DRAFT COMMUNITY REINVESTMENT PROJECT AREA PLAN AND BUDGET, AND AUTHORIZING AND DIRECTING ALL NECESSARY ACTION BY THE AGENCY, STAFF AND COUNSEL.

Submitted By: Brian A. Preece, Director of City Commerce/RDA Manager

Staff Recommendation (Motion Ready): The Redevelopment Agency Board approves Resolution RDA 2020-06 directing the RDA Staff to study the feasibility of creating the Bacchus Highway Community Reinvestment Agency Project Area and to start the public process for potential approval.

BACKGROUND

The subject property is located on the northeast corner of the intersection of 11800 South and Bacchus Highway (see attached map). The property has been owned and operated by the South Valley Reclamation District (SVRD) and has been used to store jellified waste from its sewage treatment plant. The sewage waste is an impediment and blight on the property for future development. Left as is, the sewage waste is not determined to be a health hazard to the community, but reclamation of the property requires it to be treated and safely disposed of. The cost of this process is enough to make it financially unfeasible to develop the property.

Mr. Doug Young has worked with the SVRD to obtain purchase rights for the property and has requested the City and its Redevelopment Agency (RDA) to create a Project Area under Title 17C of the Utah Code, the Limited Purpose Local Government Entities-Community Reinvestment Agency Act (the “**Act**”).

A few years ago, the City worked with the State Legislature to amend the Community Reinvestment Agency Act to define sewage waste as “Blight” in anticipation of cleaning up this property for economic development and expansion. In this case, the determination of blight is key in responsibly creating the project area. Because of the blight on the property, staff believes this proposed Project Area passes the “But For” test that is an important part of determining whether or not to commit public funds to enter into a Public-Private partnership for economic development and expansion. The “But For” test basically is a determination of whether or not the property could reasonably be developed, both financially and/or in a reasonable amount of time “But For” the infusion of tax increment into the proposed project.

The proposed plan for this Project Area will be for the City to commit its property tax increment for 15 years to assist the developer in the cleanup of the property. No other taxing entities will be asked to commit their tax increment for this project.

The first step in creating this Project Area is for the RDA Board to pass a “Kick-off Resolution” (see the attached Resolution RDA 2020-06 and the Project Area Creation Timeline). This resolution directs staff to do the necessary studies and create the required documents, which will be brought back to the City Council/RDA Board for further review. No public hearing is required at this point in the process, however, if the RDA Board passes Resolution RDA 2020-06, public hearings will be held in the future for public review and comment. Resolution RDA 2020-06 does not create a binding obligation for the RDA Board to create the project area now or in the future. It just allows the RDA staff to pursue studies, create the legal documents and start advertising the public hearings for consideration of approval at a later date.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- The sewage contamination on the property is an impediment to its development and the eventual approval of the Bacchus Highway CRA Project Area would be instrumental in cleaning up the area for future development and economic expansion.

Conclusions:

- Because the request from Mr. Young passes the “But For” test and will provide economic expansion and new jobs for the community, it is in the City’s and the RDA’s best interest to look into the feasibility of creating the proposed Bacchus Highway Project Area.

FISCAL IMPACT:

- Fiscal Impact will be studied by RDA Staff and presented to the City Council/RDA Board for review at a future meeting.

ALTERNATIVES:

- RDA Board not approve Resolution RDA 2020-06.
- RDA Board approve an amended version of Resolution RDA 2020-06.
- Postpone approval to a future date.

SUPPORT MATERIALS:

1. Resolution RDA 2020-06;
2. Project Area Map
3. Project Creation Timeline

City of South Jordan Redevelopment Agency Resolution No. RDA 2020-06

A RESOLUTION OF THE CITY OF SOUTH JORDAN REDEVELOPMENT AGENCY DESIGNATING THE PROPOSED BACCHUS HIGHWAY REDEVELOPMENT PROJECT AREA, AUTHORIZING THE PREPARATION OF A DRAFT COMMUNITY REINVESTMENT PROJECT AREA PLAN AND BUDGET, AND AUTHORIZING AND DIRECTING ALL NECESSARY ACTION BY THE AGENCY, STAFF, AND COUNSEL.

WHEREAS the City of South Jordan (the “City”), created the City of South Jordan Redevelopment Agency (the “Agency”) and the Agency continues to operate under, Title 17C of the Utah Code, the Limited Purpose Local Government Entities-Community Reinvestment Agency Act (the “Act”) for the purposes of conducting urban renewal, economic development, community development, and community reinvestment activities within the City, as contemplated by the Act; and

WHEREAS the Agency, having made a preliminary investigation and conducted initial studies and inquiries, desires now to conduct community reinvestment activities in approximately the area depicted on the map attached hereto as **Exhibit A** and incorporated herein by this reference (the “Survey Area”), pursuant to UCA § 17C-5-103; and

WHEREAS the Agency desires to begin the process of adopting a project area plan for the Survey Area by adopting this Resolution authorizing the preparation of a draft Project Area Plan and Budget, pursuant to the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE CITY OF SOUTH JORDAN REDEVELOPMENT AGENCY AS FOLLOWS:

1. That the Agency finds the Survey Area requires study to determine whether project area development is feasible within one or more proposed community reinvestment project areas within the survey area;
2. That the Agency hereby tentatively designates the Survey Area as the Bacchus Highway Community Reinvestment Project Area, the approximate proposed boundaries of which are depicted on the map attached hereto as **Exhibit A**;
3. That the Agency counsel, Smith Hartvigsen, PLLC, and staff, be and are hereby authorized and directed:
 - a. to prepare a draft Redevelopment Project Area Plan for the Survey Area
 - b. to prepare a draft Redevelopment Project Area Budget;
 - c. conduct any examination, investigation, or negotiation regarding the proposed community reinvestment project area that the Agency considers appropriate

- d. to undertake all such actions as may be required by the Act, or which may otherwise be necessary or desirable to the successful establishment of the proposed community reinvestment project area, including, without limitation, the negotiation of agreements with taxing entities and participants, the preparation for all necessary hearings and the preparation, publication, and/or mailing of statutorily required notices; and

4. That this Resolution shall take effect upon adoption.

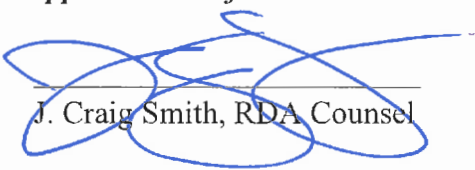
APPROVED AND ADOPTED on the ___th day of _____, 2020.

_____, Chair
City of South Jordan Redevelopment Agency

Attest:

_____, Secretary

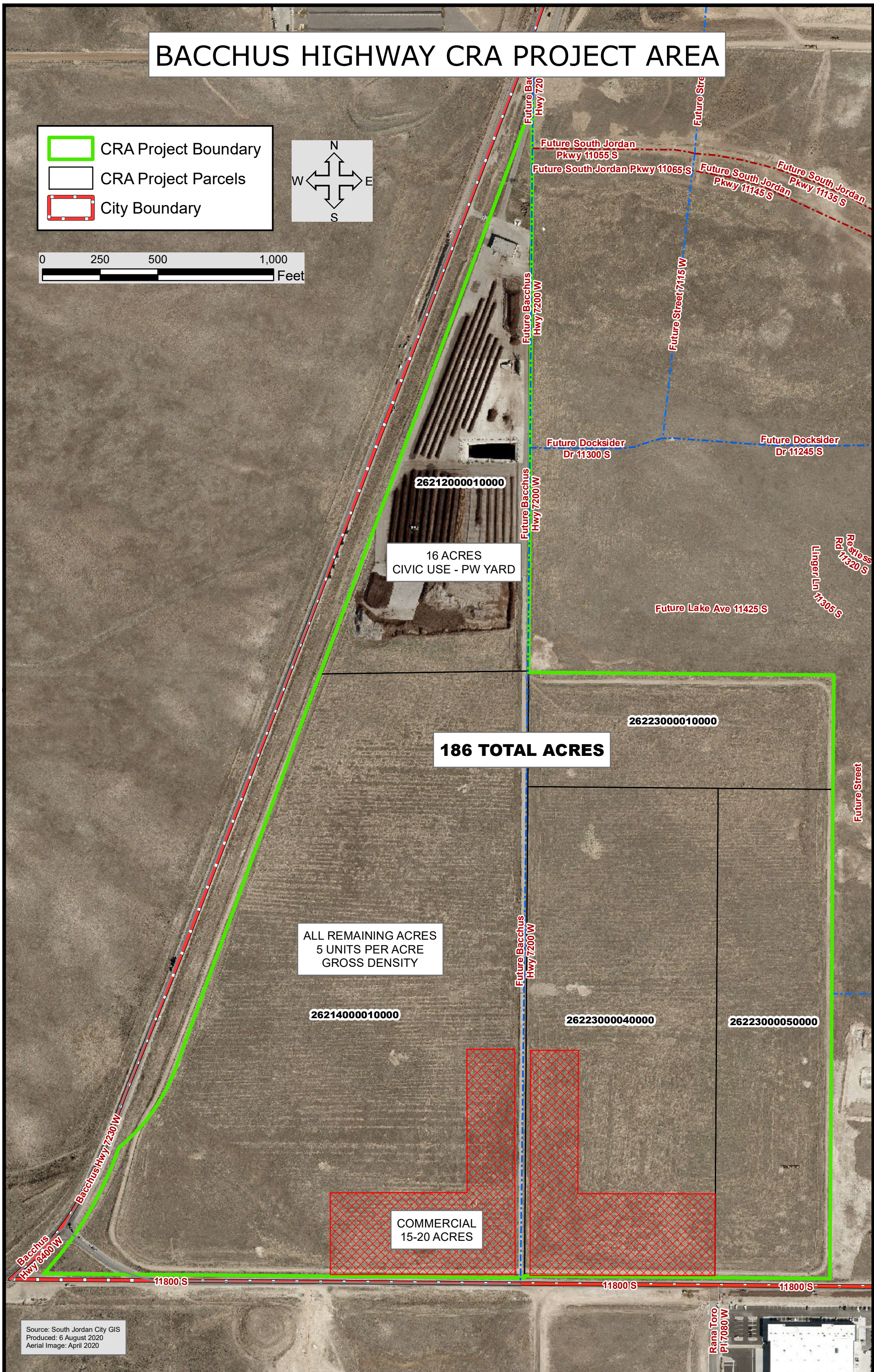
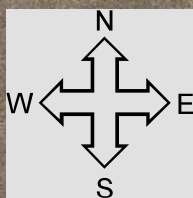
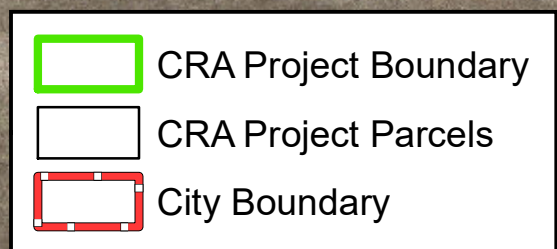
Approved as to form:



J. Craig Smith, RDA Counsel

Exhibit A
Proposed Community Reinvestment Project Area Map

BACCHUS HIGHWAY CRA PROJECT AREA



Source: South Jordan City GIS
Produced: 6 August 2020
Aerial Image: April 2020

Rana Toro
PI 7080 W

TIMELINE: BACCHUS HIGHWAY COMMUNITY REINVESTMENT PROJECT AREA

Date	Action	Responsibility
ASAP	Prepare map and legal description of proposed project area	Agency Staff
ASAP	Prepare survey area resolution (1) designating proposed Project Area and (2) authorizing preparation of Project Area Plan (and Budget).	SH
September 15, 2020	Adopt survey area resolution (1) designating proposed Project Area and (2) authorizing preparation of Project Area Plan (and Budget).	Agency Board
ONGOING	Prepare draft project Plan and Budget	SH
ASAP	Compile list of property owners within the Project Area	Agency Staff
Begin anytime and complete ASAP	Negotiate and draft Interlocal Agreements with participating taxing entities.	Joint
No later than October 18, 2020 Hearing	Review and finalize draft Plan	Joint
No later than October 18, 2020	Smith Hartvigsen or the Agency Staff will mail at least 30 days before the hearing to each record owner of property within the proposed Project Area (as shown in county recorder records obtained no more than 30 days prior to mailing), the State Tax Commission the County Assessor, the County Auditor, State Board of Education, and each taxing entity	TBD/Joint
No later than November 3, 2020 (send to newspaper on Oct. 30)	Publish: Notice of Plan hearing and Budget hearing (at least 14 days before hearing). Agency will submit notice to newspaper by publication deadline and submit proof to Smith Hartvigsen	Agency Staff
For November 17, 2020 Hearing	Prepare Resolutions and Ordinances for Plan Adoption	SH
Tuesday November 17, 2020	JOINT AGENCY AND COMMISSION MEETING Combined Public Hearing to allow public comment, to receive all written and hear all oral objections on the draft Project Area Plan and Project Area Budget Action on Resolution to draft Project Area Plan & Budget Agency Ordinances	Agency Board
Tuesday November 17, 2020	[-----] MEETING Ordinance (prepared by Smith Hartvigsen) adopting the Plan, and calling for publication of the ordinance (or a summary) with a statement that the Plan is available for public inspection.	Agency Board - City Council
Immediately after Agency/Commission meeting	The Agency publishes a Statement that the Ordinance Adopting Plan was passed and the Plan is available for general public inspection during the regular business hours. Publication triggers the beginning of the 30-day contestability period.	SH
Upon Publication of Statement that the ordinance Adopting Plan was passed	Effective date of the Project Area Plan	N/A
ASAP after Agency/Commission meeting (no later than December 17)	The Agency records , within 30 days of adoption, with the County Recorder a document (prepared by Smith Hartvigsen) containing: A description of the land within the project area, A statement that the project area plan for the project area has been adopted, and the date of adoption.	SH
ASAP - after Agency/Commission meeting (no later than December 17)	The Agency (completed by Smith Hartvigsen) transmits to the Automated Geographic Reference Center: A copy of the project area description, and An accurate map or plat of the project area boundaries,	SH
ASAP after Agency/Commission meeting (no later than December 27)	The Agency (completed by Smith Hartvigsen) also transmits a copy of the project area description, a copy of the ordinance adopting the plan , and an accurate map or plat of the project area boundaries, to each of the following: the County Auditor, the County Recorder, the County Attorney, the County Surveyor, the County Assessor, the State Tax Commission, the State Board of Education, and each taxing entity.	SH
ASAP ONGOING	Review and finalize draft Budget	Joint
TBD	Smith Hartvigsen or the Agency Staff will mail (and make available for inspection) at least 30 days before the hearing to each record owner of property within the proposed Project Area (as shown in county recorder records obtained no more than 30 days prior to mailing), the State Tax Commission the County Assessor, the County Auditor, State Board of Education, and each taxing entity	TBD/Joint

TBD	Publish: Notice of Budget hearing (at least 14 days before hearing). Agency will submit notice to newspaper by publication deadline and submit proof to Smith Hartvigsen	Agency Staff
TBD	Prepare Resolutions and Ordinances	SH
TBD	JOINT AGENCY AND COMMISSION MEETING Combined Public Hearing to allow public comment, to receive all written and hear all oral objections on the draft Project Area Plan and Project Area Budget Action on Resolution to draft Project Area Plan & Budget Agency Ordinances	Agency Board
	[-----] MEETING Ordinance (prepared by Smith Hartvigsen) adopting the Plan, and calling for publication of the ordinance (or a summary) with a statement that the Plan is available for public inspection.	Agency Board - City Council
ASAP after Agency/Commission meeting (no later than 30 days after TBD hearing)	Within 30 days after the day on which an Agency adopts a community reinvestment project area budget, the agency shall file a copy of the community reinvestment project area budget with: (1) the State Tax Commission; (2) the State Board of Education; (3) the state auditor; (4) the auditor of the county in which the community reinvestment project area is located; and (5) each taxing entity affected by the agency's collection of project area funds under the community reinvestment project area budget.	SH
TBD	Interlocal approvals by taxing entities	Agency Board
TBD	Agency approval of interlocals	Agency Board
No later than 30 days after interlocal agreement(s) fully executed	The Agency also transmits (completed by SH) a copy of the adopted Interlocal Agreements (with approving Resolutions) to each of the following: the County Auditor, the State Auditor, the State Board of Education, the State Tax Commission, and each taxing entity.	SH
No later than 30 days after interlocal agreement(s) fully executed	The Agency publishes joint notices of each interlocal agreement on the Public Notice Website and in the newspaper.	SH
ASAP after interlocal agreement(s) fully executed	Smith Hartvigsen completes attorney certification for each interlocal agreement	SH
Begin anytime and complete ASAP	Negotiate and draft participation agreement(s) (if applicable)	JOINT
TBD	Review & Close out project record	SH

**H. PUBLIC HEARING: ZONING ORDINANCE 2020-06-Z, REZONING PROPERTY LOCATED AT THE CLIFFS
AT JORDAN STATION, 10448 S JORDAN GATEWAY FROM C-F ZONE TO THE MU-TOD ZONE.**

SOUTH JORDAN CITY CITY COUNCIL REPORT

Meeting Date: 09/01/2020

Issue: **THE CLIFFS AT JORDAN STATION
REZONE**
 **Rezone from C-F (Commercial - Freeway) to MU-TOD (Mixed Use – Transit
Oriented Development) Zone**

Address: **10448 S. Jordan Gateway**
File No: **PLZBA202000215**
Applicant: **Chris Simms, GMC Turtle Creek LLC**

Submitted by: Damir Drozdek, Planner III
 Jared Francis, Senior Engineer
Presented by: Damir Drozdek, Planner III

Staff Recommendation (Motion Ready):
 I move that the City Council **approve** the following:
 ○ Ordinance No. 2020-06-Z approving the zone change.

ACREAGE:	Approximately 4 acres
CURRENT ZONE:	C-F (Commercial - Freeway) Zone
CURRENT USE:	Apartment complex (multi-family homes for rent)
FUTURE LAND USE PLAN:	MUTOD (Mixed Use TOD opportunity)
NEIGHBORING ZONES/USES:	North – C-F / Vacant land
	South – C-F / Office tower
	West – A-1 / undisturbed open space
	East – MU-TOD / Phase 1 of the Jordan Station apartments

STANDARD OF APPROVAL

2. REZONE:

The rezoning of property may not be considered if the proposed zoning does not conform to the [G]eneral [P]lan. The following guidelines shall be considered in the rezoning of parcels:

- A. The parcel to be rezoned meets the minimum area requirements of the proposed zone or if the parcel, when rezoned, will contribute to a zone area which meets the minimum area requirements of the zone.
- B. The parcel to be rezoned can accommodate the requirements of the proposed zone.
- C. The rezoning will not impair the development potential of the parcel or neighboring properties.

(City Code § 17.22.020)

BACKGROUND:

The applicant is requesting to amend the Zoning Map on property generally located at 10448 S. Jordan Gateway. This is the second, new phase of the Jordan Station Apartments (The Cliffs at Jordan Station) and is located at the west side of the project. The phase contains three buildings. All three buildings are constructed and currently occupied by residents. Phase 1 of the project is the original phase. It is located to the east of the Cliffs, and it directly abuts Jordan Gateway. Phase 1 has a MU-TOD (mixed use – transit oriented development) zoning designation.

The proposed zone change will only encompass two parcels that are part of the Cliffs project. No new development will take place as these parcels are already developed. The purpose of the requested zone change is to satisfy requirements of the applicant's lender. The lender is requesting the proposed zone change to match the zoning designation of Phase 1 of the project. The zone change, if approved, will not result in new development or approvals.

PLANNING COMMISSION RESULT AND FINDINGS:

- On August 11, 2020, the City Planning Commission unanimously (4-0) voted to recommend approval of the zone change application.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- The proposed zone change will not have any impact on the built environment. The only changes resulting from the approval will be to the zoning map.
- No new infrastructure will be constructed, and no additional demands will be placed on the existing infrastructure.

Conclusion: Based on the findings, the Application, if approved, will have no impact on the adjacent properties and will be consistent with the goals and policies of the General Plan.

Recommendation: Based on the findings and conclusion listed above, Staff recommends that the City Council take comments at the public hearing and **approve** the application, unless, during the hearing, facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

FISCAL IMPACT:

There will be no fiscal impact since no development will take place.

ALTERNATIVES:

- Approve an amended application.
- Deny the application.
- Schedule the application for a decision at some future date.

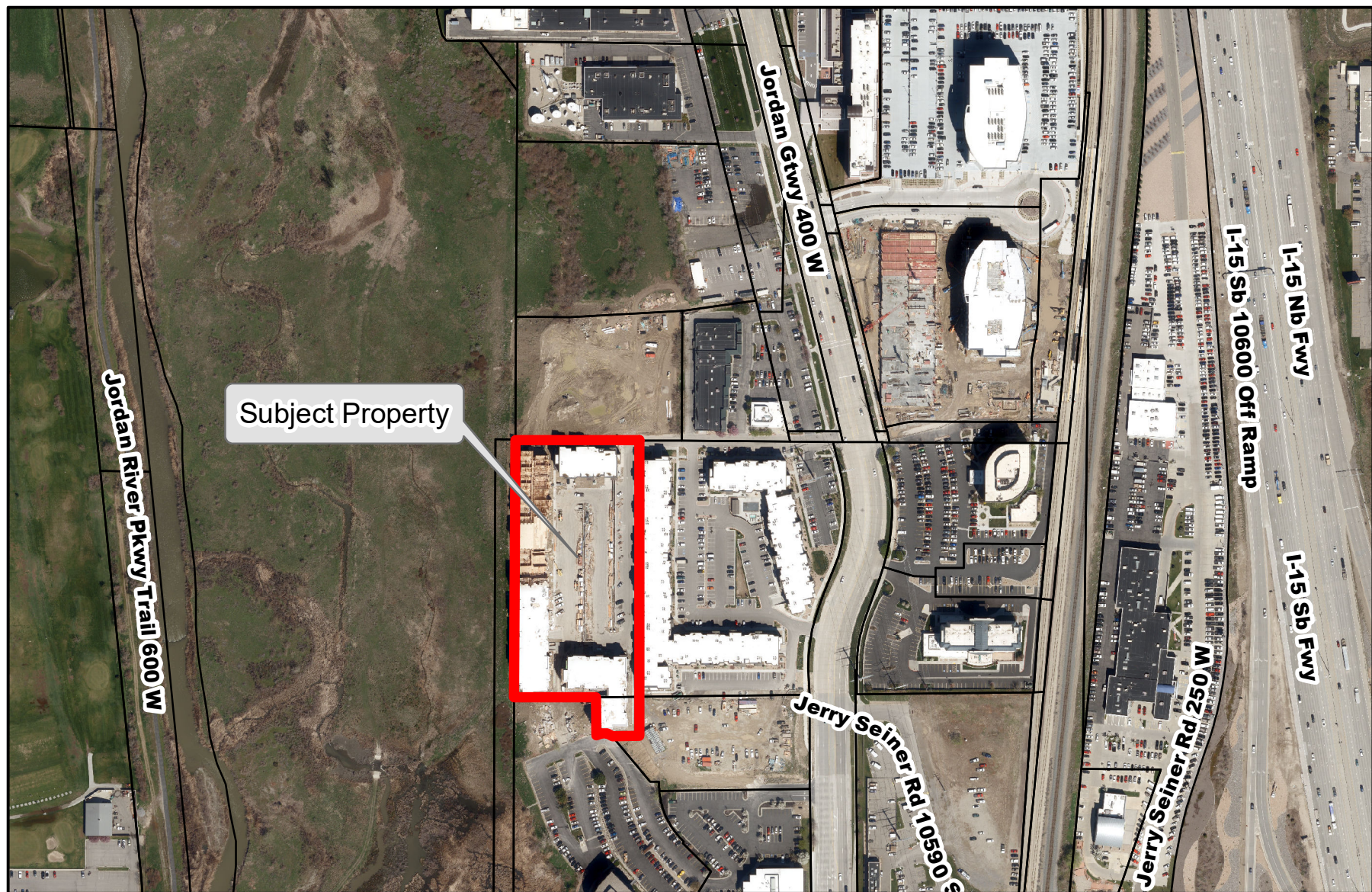
SUPPORT MATERIALS:

- Aerial Map
- Future Land Use Map
- Zoning Map
- As-built (current project build)
- Ordinance 2020-06-Z
 - Exhibit 'A' – Zoning Map

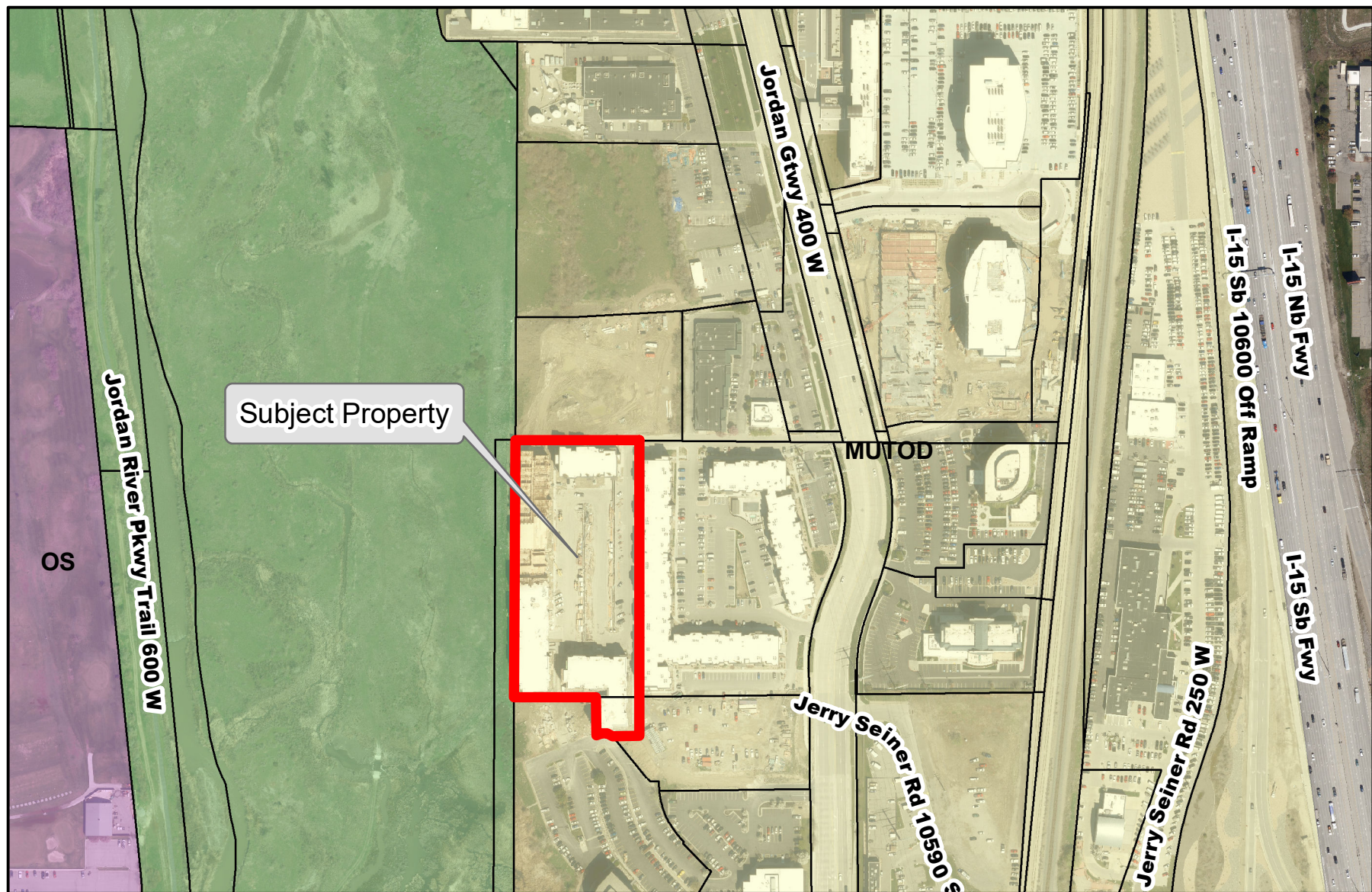
DEPARTMENT APPROVAL

Steven Schaefermeyer
Steven Schaefermeyer (Aug 26, 2020 11:58 MDT)

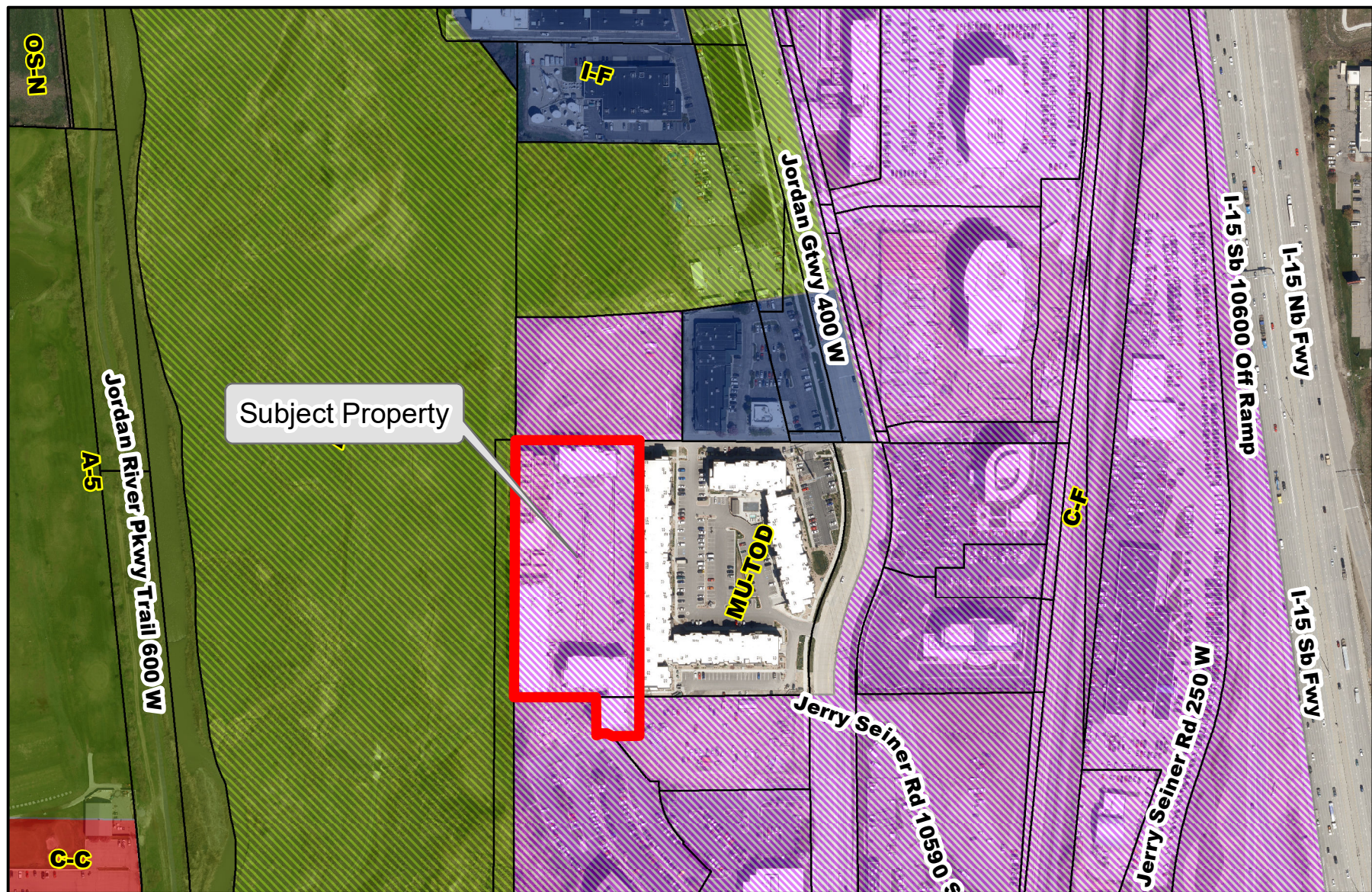
Steven Schaefermeyer
Director of Planning



Legend STREETS PARCELS	Aerial Map <i>City of South Jordan</i>	0 105 210 420 630 840 Feet Aerial Imagery 2019 
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Legend STREETS PARCELS	Future Land Use Map <i>City of South Jordan</i>	0 105 210 420 630 840 Feet Aerial Imagery 2019 
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Legend STREETS PARCELS	Zoning Map City of South Jordan	0 105 210 420 630 840 Feet Aerial Imagery 2019 
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LAYTON
1485 W. Hill Field Rd., Ste. 204
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
Raymond, Van Nodol and Associates, Inc. Architects
32 West Center Street
PROVO, UTAH 84601

CONTACT:
Michael C. Raymond
PHONE: 801-374-2100

JORDAN STATION APARTMENTS PHASE 2
10464 SOUTH JORDAN GATEWAY
SOUTH JORDAN, UTAH



NO.	DATE	REVISION	BY
1	1-04-2020	FOR REVIEW	M.HERBST
2	1-31-2020	FOR REVIEW	M.HERBST
3	2-03-2020	FOR REVIEW	M.HERBST
4	2-7-2020	FINAL SURVEY RELEASE	M.HERBST
5			
6			
7			
8			

ALTA/ACSM
LAND TITLE
SURVEY

PROJECT NUMBER 5949K	PRINT DATE 2/7/20
DRAWN BY A.SHELLEY	CHECKED BY K.RUSSELL
PROJECT MANAGER M.HERBST	

SURVEYOR'S CERTIFICATE

I, Michael B. Herbst, do hereby represent that I am a Professional Land Surveyor and that I hold Certificate no. 5046930 as prescribed by the laws of the State of Utah and I have made a survey of the following described property. The Basis of Bearing is as noted on the drawing portion of this survey from the found Salt Lake County Section Corners at the Center of Section 13 and the North Quarter Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian.

To: New York Life Insurance Company, GMC Turtle Creek, LLC, a Florida limited liability company, Highland Title Agency, Inc. of Orem, Utah, and First American Title Insurance Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTANSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items: 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 13, 14, 16, 17, 18, 19, and 20 of Table A thereof. The field work was completed on December 10, 2019 with a subsequent visit to the site on December 17, 2019.

Date of Plat of Map: February 7, 2020

Michael B. Herbst

Michael B. Herbst
License no. 5046930



DEED DESCRIPTIONS

PARCEL 1:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, OVATION VILLAGE NORTH SUBDIVISION, SAID POINT BEING NORTH 0°54'50" EAST 1241.78 FEET ALONG THE QUARTER SECTION LINE AND NORTH 89°48'25" WEST 1009.98 FEET TO AND ALONG THE NORTH LINE OF LOT 1, OVATION VILLAGE NORTH SUBDIVISION FROM THE CENTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN, AND RUNNING THENCE SOUTH 672.55 FEET ALONG THE WEST LINE OF LOT 1, LOT 2 AND LOT 3, OVATION VILLAGE NORTH SUBDIVISION, AND BEYOND, THENCE WEST 60.27 FEET, (60.28 FEET BY DEED) TO THE SOUTHWESTERLY LINE OF LOT 3, OVATION VILLAGE NORTH SUBDIVISION, ALSO BEING ON THE NORTHEASTERLY LINE OF LOT 1, TOWERS AT SOUTH TOWNE SUBDIVISION; THENCE WESTERLY 26.19 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT, (CENTER BEARS SOUTH 39°33'59" WEST AND LONG CHORD BEARS NORTH 80°28'43" WEST 25.01 FEET, WITH A CENTRAL ANGLE OF 80°10'24"), ALONG THE SOUTHWESTERLY LINE OF LOT 3, OVATION VILLAGE NORTH SUBDIVISION, ALSO BEING ON THE NORTHEASTERLY LINE OF LOT 1, TOWERS AT SOUTH TOWNE SUBDIVISION; THENCE SOUTH 69°32'35" WEST 11.89 FEET ALONG THE SOUTHWESTERLY LINE TO THE SOUTHWEST CORNER OF LOT 3, OVATION VILLAGE NORTH SUBDIVISION, ALSO BEING ON THE NORTHEASTERLY LINE TO AN INTERIOR CORNER OF LOT 1, TOWERS AT SOUTH TOWNE SUBDIVISION; THENCE NORTH 0°05'54" WEST 87.53 FEET ALONG THE WEST LINE TO A NORTHWEST CORNER OF LOT 3, OVATION VILLAGE NORTH SUBDIVISION, ALSO BEING ON THE EAST LINE TO THE NORTHEAST CORNER OF LOT 1, TOWERS AT SOUTH TOWNE SUBDIVISION; THENCE SOUTH 89°07'37" WEST 186.24 FEET ALONG THE NORTH LINE TO THE NORTHWEST CORNER OF LOT 1, TOWERS OF SOUTH TOWNE SUBDIVISION; THENCE NORTH 0°05'55" WEST 588.77 FEET; THENCE SOUTH 89°48'25" EAST 283.45 FEET TO THE POINT OF BEGINNING.

PARCEL 1A:

TWO NON-EXCLUSIVE RIGHTS OF WAY AND EASEMENTS, AS SHOWN IN MESNE DEEDS OF RECORD, INCLUDING THAT CERTAIN EASEMENT AGREEMENT RECORDED MAY 23, 2001, AS ENTRY NO. 7900424, IN BOOK 8480, AT PAGE 3647 AND THAT CERTAIN WARRANTY DEED RECORDED FEBRUARY 20, 2004, AS ENTRY NO. 8883775, IN BOOK 8947, AT PAGE 9019, FOR PURPOSES OF ACCESS TO PARCEL 1, BY PEDESTRIAN OR VEHICULAR TRAFFIC AND FOR PURPOSES OF THE LAYING, INSTALLATION, OPERATION, SERVICING, AND MAINTENANCE OF UTILITY LINES, WIRES, CONDUITS AND FACILITIES SERVICING OR TO SERVICE SAID PARCEL 1 (INCLUDING, BUT NOT LIMITED TO THOSE FOR OR REGULATED TO STORM DRAINAGE SYSTEMS, SANITARY SEWER SYSTEMS, NATURAL GAS, CULINARY OR IRRIGATION WATER, FIRE PROTECTION WATER, POWER OR ELECTRICITY AND TELEPHONE), SAID RIGHTS OF WAY AND EASEMENTS BURDEN AND AFFECT THE FOLLOWING DESCRIBED TWO STRIPS OF LAND, EACH OF WHICH CONNECTS SAID PARCEL 1 (CONSIDERED TOGETHER) WITH 106TH SOUTH STREET, DESCRIBED AS FOLLOWS:

30 FOOT STRIP ON WEST (COMPRISED OF THE TWO SEGMENTS DESCRIBED BELOW):
WEST RIGHT OF WAY STRIP: A STRIP OF LAND 30 FEET IN WIDTH DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON A FENCE LINE, SAID POINT BEING SOUTH 89°07'37" WEST 1273.924 FEET ALONG QUARTER SECTION LINE AND NORTH 00°28'42" EAST 33.009 FEET FROM THE SALT LAKE COUNTY MONUMENT AT THE CENTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE ALONG SAID FENCE FOR THE NEXT TWO COURSES AND DISTANCES: NORTH 00°28'42" EAST 200.056 FEET AND NORTH 00°05'54" WEST 200.00 FEET; THENCE NORTH 89°07'37" WEST 30.003 FEET; THENCE SOUTH 00°05'54" EAST 200.497 FEET; THENCE SOUTH 00°28'42" WEST 195.559 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF 66.00 FOOT WIDE COUNTY ROAD (106TH SOUTH STREET); THENCE SOUTH 89°07'37" WEST 30.008 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

RIGHT OF WAY "C" STRIP: A STRIP OF LAND 30 FEET IN WIDTH DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON FENCE, SAID POINT BEING SOUTH 89°07'37" WEST 1273.924 FEET ALONG SECTION LINE AND NORTH 0°28'42" EAST 233.065 FEET AND NORTH 0°05'54" WEST 200.00 FEET FROM THE SALT LAKE COUNTY SURVEY MONUMENT AT THE CENTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 00°05'54" WEST 243.566 FEET; THENCE NORTH 89°07'37" EAST 30.003 FEET; THENCE SOUTH 0°05'54" EAST 243.566 FEET; THENCE SOUTH 89°07'37" WEST 30.003 FEET TO THE POINT OF BEGINNING.

PARCEL 1B:

AN 18 FOOT WIDE RECIPROCAL ACCESS EASEMENT AS GRANTED IN THAT CERTAIN EASEMENT RECORDED MAY 21, 2001, AS ENTRY NO. 7900877, IN BOOK 8459, AT PAGE 2289 OF OFFICIAL RECORDS, BEING ON THE NORTH SIDE OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT SOUTH 13°39'43" EAST 1383.44 FEET ALONG THE MONUMENT LINE OF 400 WEST STREET AND NORTH 89°48'26" WEST 403.40 FEET FROM THE STREET MONUMENT FOUND AT INTERSECTION OF 10200 SOUTH AND 400 WEST STREETS, SAID STREET MONUMENT BEARS NORTH 89°27'04" WEST 860.82 FEET FROM THE NORTH QUARTER CORNER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 89°48'26" WEST 377.94 FEET ALONG THE SOUTH LINE OF SAID PROPERTY TO THE POINT OF TERMINUS.

PARCEL 1C:

AN 18 FOOT WIDE RECIPROCAL ACCESS EASEMENT AS GRANTED IN THAT CERTAIN EASEMENT RECORDED MAY 21, 2001, AS ENTRY NO. 7900878, IN BOOK 8459, AT PAGE 2292 OF OFFICIAL RECORDS, BEING ON THE SOUTH SIDE OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHEAST CORNER OF THE GRANTOR'S PROPERTY, SAID POINT BEING SOUTH 13°39'43" EAST 1382.57 FEET ALONG THE MONUMENT LINE OF 400 WEST STREET AND SOUTH 89°53'00" WEST 156.19 FEET FROM THE STREET MONUMENT FOUND AT INTERSECTION OF 10200 SOUTH AND 400 WEST STREETS, SAID STREET MONUMENT BEARS NORTH 89°27'04" WEST 860.82 FEET FROM THE NORTH QUARTER CORNER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 89°48'26" WEST 377.94 FEET ALONG THE SOUTH LINE OF SAID PROPERTY TO THE POINT OF TERMINUS.

PARCEL 1D:

AN 18 FOOT WIDE RECIPROCAL ACCESS EASEMENT AS GRANTED IN THAT CERTAIN EASEMENT RECORDED MAY 21, 2001, AS ENTRY NO. 7900878, IN BOOK 8459, AT PAGE 2292 OF OFFICIAL RECORDS, BEING ON THE SOUTH SIDE OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHEAST CORNER OF THE GRANTOR'S PROPERTY, SAID POINT BEING SOUTH 13°39'43" EAST 1382.57 FEET ALONG THE MONUMENT LINE OF 400 WEST STREET AND SOUTH 89°53'00" WEST 9.99 FEET FROM THE STREET MONUMENT FOUND AT INTERSECTION OF 10200 SOUTH AND 400 WEST STREETS, SAID STREET MONUMENT BEARS NORTH 89°27'04" WEST 860.82 FEET FROM THE NORTH QUARTER CORNER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°53'00" WEST 146.21 FEET ALONG THE NORTH LINE OF SAID PROPERTY TO THE POINT OF TERMINUS.

PARCEL 1E:

AN 18.00 FOOT WIDE RECIPROCAL ACCESS EASEMENT RECORDED JANUARY 24, 2020, AS ENTRY NO. 13177099, IN BOOK 10888, AT PAGE 2307 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER BEING MORE PARTICULARLY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE GRANTOR'S PROPERTY, SAID POINT BEING SOUTH 1310.70 FEET AND WEST 507.00 FEET AND NORTH 89°53'00" WEST 189.35 FEET AND SOUTH 13°46'24" EAST 25.21 FEET FROM THE NORTH QUARTER CORNER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°48'25" WEST 247.00 FEET, MORE OR LESS, ALONG THE SOUTH LINE AND TO THE SOUTHWEST CORNER OF THE GRANTOR'S PROPERTY; THENCE NORTH 89°48'26" WEST 247.00 FEET; THENCE NORTH 18.00 FEET; THENCE SOUTH 89°48'25" EAST 242.58 FEET, MORE OR LESS TO THE EAST LINE OF THE GRANTOR'S PROPERTY; THENCE SOUTH 13°46'24" EAST 18.55 FEET ALONG SAID EAST LINE OF THE GRANTOR'S PROPERTY, TO THE POINT OF BEGINNING.

PARCEL 1F:

AN 18.00 FOOT WIDE RECIPROCAL ACCESS EASEMENT RECORDED FEBRUARY 6, 2020, AS ENTRY NO. 13188248, IN BOOK 10893, AT PAGE 4667 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER BEING MORE PARTICULARLY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE GRANTOR'S PROPERTY, SAID POINT BEING SOUTH 1310.70 FEET AND WEST 507.00 FEET AND NORTH 89°53'00" WEST 189.35 FEET AND SOUTH 13°46'24" EAST 25.24 FEET FROM THE NORTH QUARTER CORNER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 13°46'24" WEST 18.55 FEET ALONG THE WEST LINE OF THE GRANTOR'S PROPERTY; THENCE SOUTH 89°48'25" EAST 99.74 FEET, MORE OR LESS, TO THE WEST LINE OF 400 WEST STREET (JORDAN GATEWAY); THENCE SOUTH 13°39'43" EAST 18.54 FEET ALONG SAID WEST LINE AND TO THE INTERSECTION OF SAID WEST LINE OF 400 WEST STREET (JORDAN GATEWAY) AND THE SOUTH LINE OF THE GRANTOR'S PROPERTY; THENCE NORTH 89°48'25" WEST 99.67 FEET, MORE OR LESS, ALONG SAID SOUTH LINE OF THE GRANTOR'S PROPERTY TO THE POINT OF BEGINNING.

TAX PARCEL NOS. 27-13-178-011 AND 27-13-176-041

Notes:

- For conditions of record not shown hereon as well as specific references to items in the title report, please refer to a Preliminary Title Report supplied by Highland Title Agency, Inc. of Orem, Utah, under File No. 46639, 13th Amended dated January 17, 2020.
- Schedule B-2, Items no. 1 - 7 refers to general exceptions and cannot be plotted on the drawing.
- Schedule B-2, Item no. 8 refers to property taxes and cannot be plotted on the drawing.
- Schedule B-2, Item no. 9 states that the land is included within the boundaries of government and service districts that service the property and is subject to charges and assessments made thereby and cannot be plotted on the drawing.
- Schedule B-2, Items no. 10 refers to a certain survey prepared by Ensign Engineering having been certified under the date of January 4, 2020, and revised on February 7, 2020 as job number 5949K, by Michael B. Herbst, a Registered Land Surveyor, holding license number 5046930. Matters disclosed thereon are included on this survey.
- Schedule B-2, Item no. 11 refers to an easement in favor of Knight Power Company and Utah Power and Light, whose exact location cannot be determined due to an incomplete legal description and therefore, is not plotted on the drawing.
- Schedule B-2, Items no. 12-15 has intentionally been deleted.
- Schedule B-2, Items no. 16 and 17 refer to a Redevelopment Plan in South Jordan City and the subject property is contained within the redevelopment area.
- Schedule B-2, Item no. 18 has intentionally been deleted.
- Schedule B-2, Item no. 19 has intentionally been deleted.
- Schedule B-2, Item no. 20 is a Notice of Adoption of Redevelopment Plan in South Jordan City and the subject property is contained within the redevelopment area.
- Schedule B-2, Item no. 21 has intentionally been deleted.
- Schedule B-2, Item no. 22 has intentionally been deleted.
- Schedule B-2, Item no. 23 refers to an Easement Agreement primarily for the lots in Towers At South Towne plat, which is property to the south of the subject property. Nothing regarding this Easement Agreement can be plotted on the drawing.
- Schedule B-2, Item no. 24 is a Notice of Restriction on Lot 2, Towers At South Towne, of which the Northwest Corner of Lot 2 is within the subject parcel. Also, a second document titled First Amendment to the Star Pointe Development, Development Agreement stating financial obligations to South Jordan City for certain parcels of land. In some cases, the tax parcel numbers in this document are not the same as the current tax parcel numbers so it is unclear which parcels are part of this financial agreement. Also a third document titled Second Amendment to the Star Pointe Development, Development Agreement specifically defines the property as being the subject property as well as property directly north of the subject property, does not include the financial commitment to South Jordan City as stated in the First Amendment but does specify the number of residential condominium units that can be constructed. Nothing can be plotted on the drawing.
- Schedule B-2, Item no. 25 has intentionally been deleted.
- Schedule B-2, Item no. 26 is a 40-foot easement as disclosed on the recorded plat of Ovation Village North Subdivision, and is plotted on the drawing.
- Schedule B-2, Item no. 27 is a storm drain easement that appears to be on the north line of the subdivision property, however the legal description is erroneous and does not close so the location of the easement cannot be determined and nothing is plotted on the drawing.
- Schedule B-2, Item no. 28 and refers to a Resolution authorizing the South Jordan City Mayor to execute The Development Agreement. Nothing regarding this Development Agreement was plotted on the drawing.
- Schedule B-2, Item no. 29 has intentionally been deleted.
- Schedule B-2, Item no. 30 refers to the South Jordan City Stormwater Facilities Maintenance Agreement and the terms and conditions contained therein and cannot be plotted on the drawing.
- Schedule B-2, Item no. 31 refers to an easement for Storm Drain and is plotted on the drawing.
- Schedule B-2, Item no. 32 refers to two easements for a Waterline and is plotted on the drawing.
- Schedule B-2, Item no. 33 refers to a No-Build Easement and is plotted on the drawing.
- Schedule B-2, Item no. 34 has intentionally been deleted.
- Schedule B-2, Item no. 35 refers to a Commercial Sewer Connection Agreement and cannot be plotted on the drawing.
- Schedule B-2, Item no. 36 refers to unrecorded Rights of Parties in possession of the land and nothing is plotted on the drawing.
- Schedule B-2, Item no. 37 has intentionally been deleted.
- Schedule B-2, Item no. 38 refers to a Trust Deed in favor of Zions Bank and nothing is plotted on the drawing.
- Schedule B-2, Item no. 39 refers to an Assumption of Risk Agreement for a Substantial Lateral Trench across parcels 27-13-176-041 and 27-13-178-011 and nothing is plotted on the drawing.
- Schedule B-2, Item no. 40 refers to an Easement Agreement in favor of GUNJ, L.L.C., Gateway Retail Partners, L.L.C. and James A. Morse Jr. and describes an 18-foot access easement lying north and south (36 feet total) of the subject property line and adjacent property line and is plotted on the drawing.
- Schedule B-2, Item no. 41 refers to an Emergency Access Agreement which is blanket in nature over and across lot 1 of the Towers at South Towne and as such it is not plotted on the drawing.
- Schedule B-2, Item no. 42 refers to a mechanics lien claimed by KW Excavation and not plotted on the drawing.
- Schedule B-2, Item no. 43 refers to the State Construction Registry and the lien rights associated therein and cannot be plotted on the drawing.
- Item 1 of Table A: Property Corners have been set as noted on the drawing.
- Item 2 of Table A: The address of the property is listed as 10464 South Jordan Gateway, South Jordan, UT. Addresses for each unit have been noted on the drawing.
- Item no. 3 of Table A: The property is located within a Zone "X" according to the FEMA Flood Map, Community Panel no. 49035C 0442G, dated effective September 25, 2009.
- Item no. 4 of Table A: The gross land area is 174,198 square feet or 3.999 acres.
- Item no. 6(a) of Table A: The zoning classification is "C-F" Commercial Freeway as set forth in the Zoning Report prepared by: PZR - The Planning & Zoning Resource Company, dated: 12/30/2019. In said Zoning Report it states that the required building setback lines around the property are not applicable because the property does not front a Public Right of Way and is also surrounded by commercial zones. Building Height restriction is listed as "no maximum". Note: the surveyed building height is shown on the drawing. Building Site Area Requirements are listed as 1-Acre; the existing acreage is 3.999 Acres. The parking requirement is: 393 Total Parking Spaces. As per the Zoning Report, the total existing parking spaces are: 369. (See Note 45 below)
- Item no. 6(b) of Table A: The zoning setback requirements as disclosed in said zoning report in Section IV, "Property Specification", and as part of Schedule B-2, Item 6(a) of Table A. The Zoning Report states that the required building setback lines around the property are not applicable because the property does not front a Public Right of Way and is also surrounded by commercial zones. Because of such, these setbacks are not shown graphically or plotted on the drawing.
- Item no. 7(a) of Table A: The exterior dimensions of all buildings are plotted on the drawing.
- Item no. 7(b)(1) of Table A: The Square footage of the exterior footprint of all buildings at ground level are plotted on the drawing.
- Item no. 7(c) of Table A: The measured elevation of all buildings is plotted on the drawing.
- Item no. 8 of Table A: The parcel contains apartment buildings some recently completed and some still under construction. Current improvements and utilities to the extent known have been plotted on the drawing.
- Item no. 9 of Table A: The parking stalls painted on the ground are shown on the drawing. The lower-west parking area is the staging area for completion of the west building interior. No other parking stalls have been painted at the time of the survey. Also, the inside parking under the west buildings has not been painted. The north and south buildings were inaccessible and parking is assumed to be painted in those buildings. The latest site plan shows a total of 385 parking stalls with the following breakdown:
 - A) Outside Regular Stalls: 221
 - Outside Van Accessible Stalls: 1
 - Outside Handicap Accessible Stalls: 2
 - Outside Total: 224
 - B) Inside Regular Stalls: 166
 - Inside Van Accessible Stalls: 2
 - Inside Handicap Accessible Stalls: 3
 - Inside Total: 161
- Item no. 10(a) of Table A: No party walls were observed at the time of the survey.
- Item no. 13 of Table A: Names of adjoining owners and tax id no.'s are shown on the drawing.
- Item no. 14 of Table A: The distance to the nearest intersecting street has been dimensioned on the drawing.
- Item no. 16 of Table A: This is an active construction site. The newly constructed buildings, improvements and additions observed in the process of conducting the fieldwork have been shown on the drawing.
- Item no. 17, of Table A: There was no information of proposed changes in street right of way lines made available to the surveyor and nothing was plotted on the drawing. Recent street and sidewalk construction were observed and shown on the drawing.
- Item no. 18, of Table A: There was no delineation of wetlands observed in the process of conducting the fieldwork.
- Item no. 19, of Table A: The offsite easements as disclosed in the Title Report Documents are plotted and shown on the drawing.
- Item no. 20, of Table A: Professional Liability Insurance has been obtained and a Certificate of Insurance can be furnished upon request.
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ORDINANCE NO. 2020-06-Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT 10448 S. JORDAN GATEWAY FROM THE C-F ZONE THE MU-TOD ZONE.

WHEREAS, the City Council of the City of South Jordan (“City Council”) has adopted the Zoning Ordinance of the City of South Jordan (Title 17 of the City Code) with the accompanying Zoning Map; and

WHEREAS, the Applicant, Chris Simms of the GMC Turtle Creek LLC, proposed that the City Council amend the Zoning Map by rezoning the below-described property; and

WHEREAS, the South Jordan Planning Commission reviewed the proposed rezoning and made a recommendation to the City Council; and

WHEREAS, the City Council held a public hearing concerning the proposed rezoning; and

WHEREAS, the City Council finds that the rezoning will enhance the public health, safety and welfare and promote the goals of the General Plan.

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

SECTION 1. Rezone. The property described in Application PLZBA202000215 located in the City of South Jordan, Utah is hereby reclassified from the C-F Zone to the MU-TOD Zone on property described in the attached **Exhibit A**.

SECTION 2. Filing of Zoning Map. The Official Zoning Map showing such changes shall be filed with the South Jordan City Recorder.

SECTION 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2020 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

gregory m. Simonsen
gregory m. Simonsen (Aug 26, 2020 12:59 MDT)
Office of the City Attorney

EXHIBIT A

(Property Description)

Parcel #1

27-13-176-041

BEG NW COR LOT 1 TOWERS AT SOUTH TOWNE; N 0°05'55" W 588.77 FT; S 89°48'25" E 283.45 FT; S 583.51 FT; S 89°07'38" W 282.46 FT TO BEG. 3.82 AC. 10026-9060

Parcel #2

27-13-178-011

BEG S 89°07'37" W 990.27 FT & N 587.79 FT FR CEN SEC 13, T3S, R1W, SLM; W 60.28 FT; W'LY ALG A 25 FT NON TANGENT CURVE TO L 26.19 FT; S 69°32'35" W 11.89 FT; N 0°05'54" W 87.53 FT; N 89°07'37" E 96.23 FT; S 89.03 FT TO BEG.(BEING A PORTION OF LOT 3 OVATION VILLAGE NORTH). 0.18 AC. 10026-9060

