



REQUEST FOR COUNCIL ACTION

Action: Request feedback from

Meeting Date Requested : 6/9/2021

Presenter: Brian Berndt

Deadline of item : 6/9/2021

Department Sponsor: Community Development

Agenda Type: New Business

Time Requested: 5 minutes presentation, 10 minute Council

(Council may elect to provide more or less time)

Approval Signatures (required for all transmittals)

Brian Berndt

Submitter: Brian Berndt (May 26, 2021 09:21 MDT)

Scott Langford

Dept. Head: Scott Langford (May 26, 2021 09:21 MDT)

Reviewed as to Form: *Duncan Murray* Duncan Murray (May 26, 2021 09:26 MDT)

Executive: *Dick Burton*

Council Office: *Cindy G. M. Duvall*

Council Committee: _____

1. AGENDA SUBJECT

McDougal Funeral Home; NE Corner of 3200 West 9000 South; General Plan Land Use Map Amendment for 4.004 acres from Very Low Density Residential to Community Commercial and Rezone from RR-1D (Rural Residential - 1 acre) Zone to C-G (General Commercial) Zone; Mountain Vista United Methodist Church (owner)/ McDougal West Jordan Holding, LLC/Randall McDougal (applicant) [#22586, 22587; parcel 27-04-152-011]

2. SUMMARY

For Council consideration of public hearing and decision of Future Land Use Map Amendment from Very Low Density Residential to Community Commercial and to rezone the property from RR-1 D (Rural Residential – 1 acre) to C-G (General Commercial).

3. TIME SENSITIVITY / URGENCY

No known deadlines

4. BUDGET IMPACT

No fiscal cost.

5. DEPARTMENT RECOMMENDATION

Recommend Approval

6. PLANNING COMMISSION RECOMMENDATION

The Planning Commission heard this item on May 18, 2021. A motion to forward a positive recommendation to the City Council was approved 7-0.

7. MOTION RECOMMENDED

I move that the City Council APPROVE Ordinance No. 21-22 regarding a General Land Use Map Amendment NE Corner of 3200 West 9000 South; General Plan Land Use Map Amendment for 4.004 acres from Very Low Density Residential to Community Commercial and Rezone from RR-1D (Rural Residential - 1 acre) Zone to C-G (General Commercial) Zone.

8. MAYOR RECOMMENDATION

9. PACKET ATTACHMENT(S)

Staff Report

Ordinance No. 21-22

10. OTHER INFORMATION

Planning Commission Meeting of

Agenda Item No. _____

REQUEST FOR PLANNING COMMISSION ACTION

SUBJECT: McDougal Funeral Home General Plan Land Use Map Amendment and Rezoning.

SUMMARY: **McDougal Funeral Home;** NE Corner of 3200 West 9000 South; General Plan Land Use Map Amendment for 4.004 acres from Very Low Density Residential to Community Commercial and Rezone from RR-1D (Rural Residential - 1 acre) Zone to C-G (General Commercial) Zone; Mountain Vista United Methodist Church (owner)/ McDougal West Jordan Holding, LLC/Randall McDougal (applicant) [#22586, 22587; parcel 27-04-152-011]

STAFF RECOMMENDATION: Based on the information and findings set forth in this staff report, staff recommends that the Planning Commission recommend approval of the General Plan Land Use Map Amendment and Rezoning for the McDougal Funeral Home located at the NEC of 32nd West and 90th South.

MOTION RECOMMENDATION: “Based on the information and findings set forth in this staff report and upon the evidence and explanations received today, I move that the Planning Commission forward a positive recommendation to the City Council to amend the Future Land Use map from Very Low Density Residential to Community Commercial and Rezone from RR-1D (Rural Residential 1-acre) to C-G (General Commercial) on property located at NE Corner of 3200 West 9000 South.”

Prepared by:

Brian Berndt
Senior Planner

Reviewed by:

Larry Gardner AICP
City Planner

Recommended by:

Nate Nelson PE
City Engineer

Reviewed as to legal form:

Duncan Murray
Assistant City Attorney

I. BACKGROUND:

The applicant is requesting that the property at the Northeast corner of 32nd West and 90th South to be rezoned from RR-1D (Rural Residential 1-acre) to General Commercial (C-G) and that the Future Land Use Map in the General Plan be amended from Very Low Density Residential to Community Commercial to reflect the proposed zoning. The subject property has recently been subdivided into two parcels. The north parcel houses the Mountain Vista United Methodist Church that will remain the same as it sits today. The south parcel will eventually be used as a funeral home.

II. GENERAL INFORMATION & ANALYSIS

The subject property is located at the Northeast corner of 32nd West and 90th South. The property is approximately 4 acres. The applicant intends to build a funeral home on the south parcel next to the Mountain Vista United Methodist Church.

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

| | Future Land Use | Zoning | Existing Land Use |
|--------------|------------------------------|---------------|---|
| North | Very Low Density Residential | RR-1 D | Church |
| | Professional Office | PO | Office |
| South | Medium Density Residential | R1-10 E | Single Family Residential |
| West | Medium Density Residential | A-1 | Public Facilities/Electrical substation |
| East | Very Low Density Residential | RR-1 D | Single-Family Residential |

III. FINDINGS OF FACT

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

In considering a General Plan Future Land Use Map Amendment, the Planning Commission shall make the following findings:

Finding A: The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

Discussion: The applicant is proposing to amend the Future Land Use Map from Very Low Density Residential to General Commercial and rezone the property from RR-1D (Rural Residential 1-acre) to C-G (General Commercial) to accommodate a new funeral home. This property has recently been subdivided from the Mountain Vista United Methodist Church property to the north.

The proposed change in land use shares a similarity with the adjacent Professional Office and Research Park land uses. Additionally, the future use as a funeral home works well with the existing church and adjacent residential properties.

The C-G zoning district as noted in the following definition is considered a transitional zone:

“The general commercial (C-G) zone is established to provide a district primarily for the accommodation of commercial uses and commercial areas which have been established in locations away from the central core of the city and which are not planned “shopping centers”. The C-G zone should be applied to vacant land areas for new construction only if integrated shopping center development is not practical and/or desirable because of difficult size, shape, topography, or similar problems related to land that would otherwise be considered appropriate for commercial development. Integrated and coordinated landscaping, parking, ingress and egress, signage, and pleasing architectural design should be encouraged and regulated through the use of site plan approval procedures. New construction should be in harmony with the characteristics of the surrounding developed commercial and residential area.”

The General Plan states the following:

“The Community Commercial designation :

“Promote the efficient use of land to create a more balanced land use pattern.” (Page 34)

“Provide adequate and accessible commercial and business services to all city residents.” (Page 34)

“Coordinate commercial development with transportation planning.” (Page 37)

A funeral home is a conditional use in the C-G (General Commercial) zoning district. It is anticipated that the impacts from the proposed use next to the church and residential areas will be mitigated with additional landscaping and larger setbacks and will act as a buffer from the heavy traffic on the adjacent arterial streets. In staff's view, the applicant's request for Community Commercial would be a suitable designation for the subject property.

Finding: The proposed amendment conforms to and is consistent with the adopted goals, objectives, and policies set forth in the City General Plan.

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

Discussion: Page 54 of the General Plan States the following:

“The primary goal in determining future land uses is to determine future development patterns which build upon already existing and established patterns. It is also meant to provide for effective and sustainable uses of land in a way that best promotes compatibility between those uses in order to maintain the integrity of the community.”

Being at the corner of 32nd West and 90th South creates a very busy intersection that is not conducive to a future residential use. Although it would make sense to have the same land use designation on both sides of the street (west and south) match the

underlying uses, the greater concern is moving potential commercial land uses closer to established residential areas. Changing the land use designation from Very Low Density Residential to Community Commercial promotes better compatibility between the existing electrical substation (west of property), the professional offices (south of property), and the manufacturing/warehouse (southwest of property) land uses adjacent to the heavy traffic corridors than the current Very Low Density Residential land use designation.

The subject property presents a good option for the intended use as a funeral home due to its size and location. There are not many available properties in the area that are large enough or located in the area that are suitable and more compatible with the adjacent properties than the subject property.

Finding: Although there are other optional locations in the City where Community Commercial can be located, a Community Commercial land use designation at this location is appropriate as the adjoining land use are already established. A Community Commercial land use designation will serve as a transition between these uses.

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

Discussion: As noted in Finding B above, the amendment will serve as a buffer between the existing heavy traffic corridors, office, electrical substation and manufacturing/warehouse uses and the existing church and residential neighborhood to the north and east.

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

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

Discussion: The proposed amendment will be an improvement to the Future Land Use map for the reasons previously described. Although the future funeral home will benefit from the proposed amendment, designating the property as Community Commercial on the Future Land Use Map will benefit the City as a whole.

The applicant intends to construct a funeral home with appropriate landscaping which will create an attractive buffer between the low and more intense land uses between the Very-Low Density Residential zone and the Research Park and Professional Office zones to the south, east and north.

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

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

Discussion: The proposed amendment will not adversely impact the neighborhood but will act as a buffer from the arterial streets. The subject property is at a heavily trafficked intersection with projected increases in additional traffic. Amending the future land use map and zoning map will be a natural extension of the adjacent land use designations and zoning districts to the south and west. Care will have to be taken during any future site plan review processes to ensure that impacts are properly mitigated through good site design. The infrastructure in the area is adequate for the proposed development including roads, water, wastewater and public safety facilities.

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

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

Discussion: The amendment was reviewed for consistency with the City's General Plan, the zoning ordinance and adopted engineering standards. As noted above, the proposed amendment is consistent with the goals or policies of the General Plan.

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

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

Prior to recommending approval of an amendment to the Zoning Map, the Planning Commission shall make the following findings:

Criteria 1: *The proposed amendment is consistent with the purposes, goals, objectives, and policies of the City's General Plan.*

Discussion: This is discussed in Finding A of the Amendments to the Land Use Map section of this report.

Finding: The proposed amendment is consistent with purposes, goals, objectives and policies of the City's General Plan.

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

Discussion: This is discussed in Finding C of the Amendments to the Land Use Map section of this report.

Finding: The proposed amendment will result in compatible land use relationships and may 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 land is currently vacant. By developing the land into a funeral home, it will be a compatible with adjacent uses and will have no anticipated adverse impact to the community's safety and general welfare.

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 determined that the City has the ability to service the development with water, sewer, streets and storm drainage subject to developer constructed improvements at the time of subdivision plat approval. The Fire Department will review the proposed development at the time of site plan application to ensure full serviceability.

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: N/A

Finding: N/A

IV. SUMMARY OR CONCLUSION:

Staff supports the proposed Land Use Map amendment and rezoning associated with this request for the reasons discussed in this report.

V. ATTACHMENTS:

Exhibit A – Aerial

Exhibit B – Zoning Map

Exhibit C – Future Land Use Map

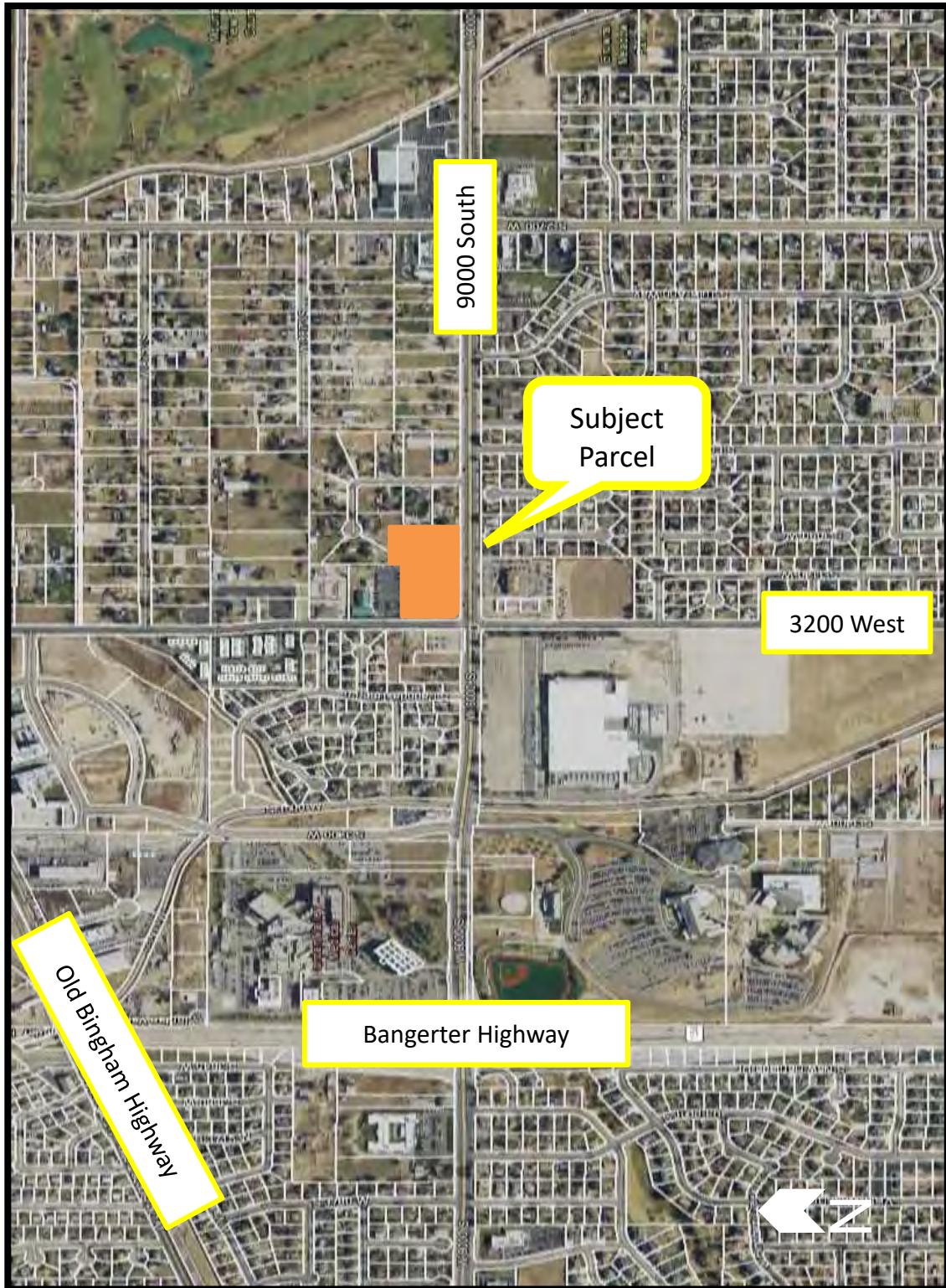
Exhibit D – Applicant Narrative

Exhibit E – Projects Photos

Exhibit F – Application

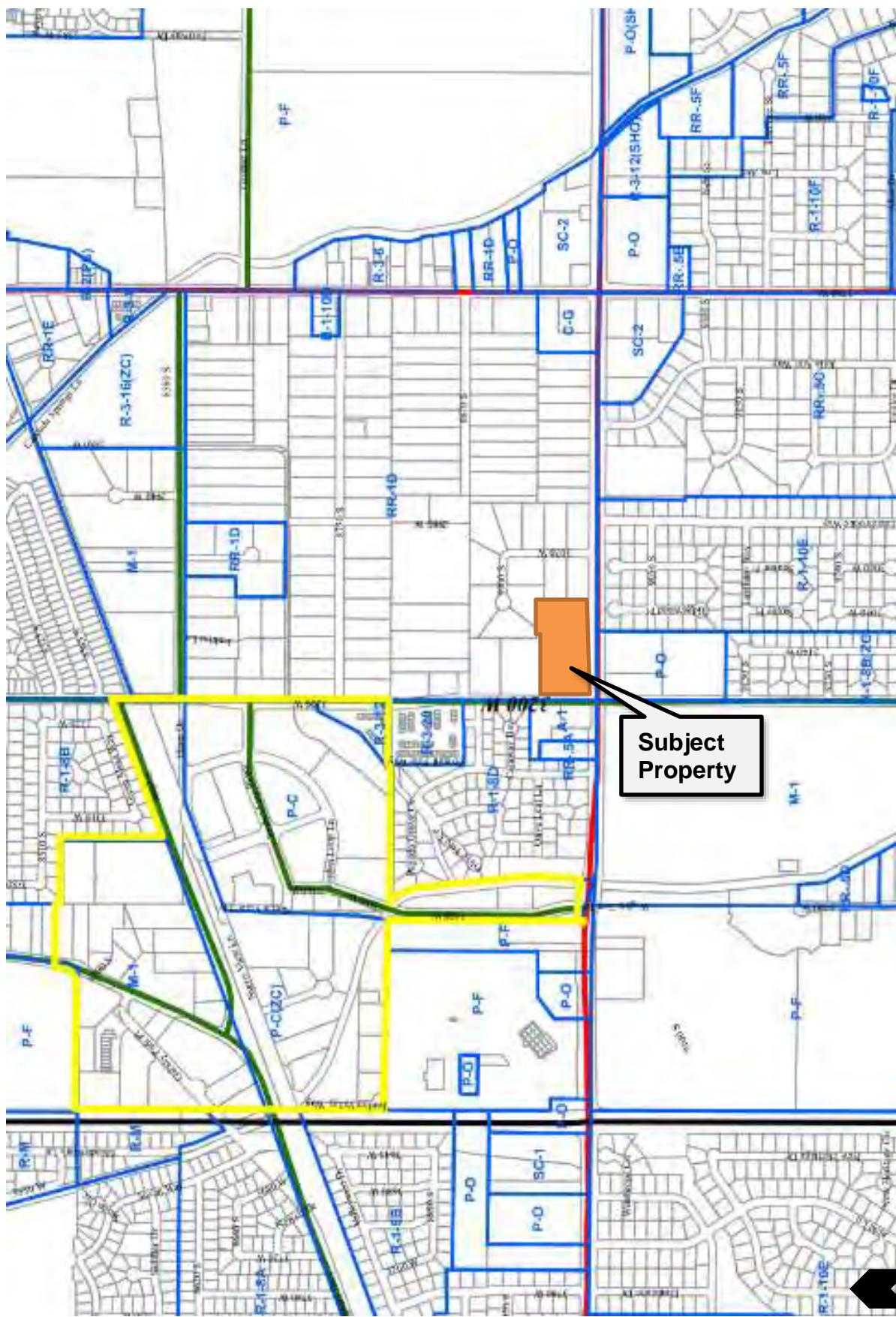
Exhibit A

Aerial Map



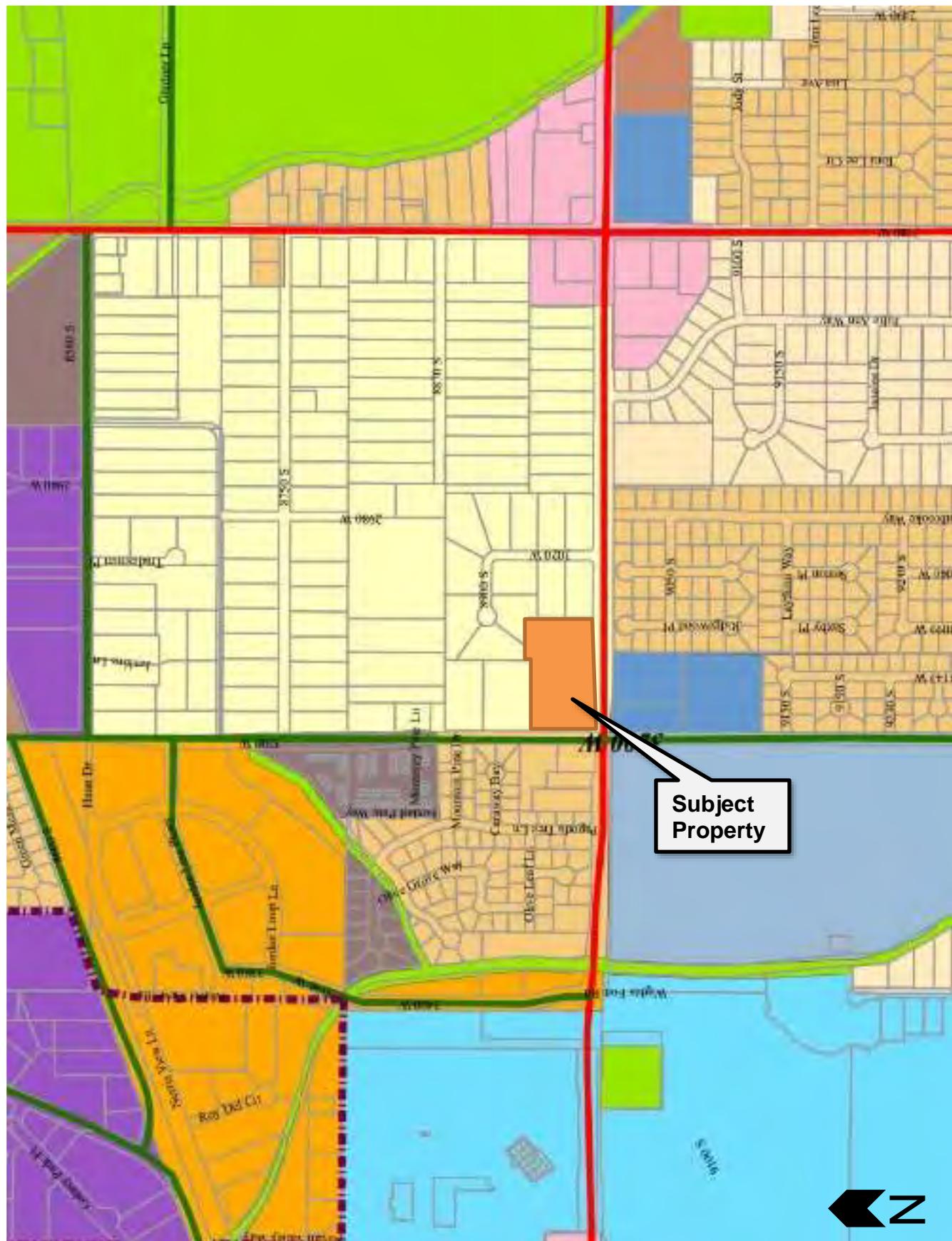
Zoning Map

Exhibit B



Future Land Use Map

Exhibit C



Land Use Map Amendment Application Items

| | |
|-----------------------|---------------------------------------|
| Subdivision: | McDougal Subdivision |
| Lot #: | Lot 2 |
| Approximate Location: | NE Corner of 3200 West 9000 South |
| Street Address: | 3182 West 9000 South, West Jordan, UT |

A. Please provide the following:

1. Legal Description for the Subject Property

Only Lot 2 is subject to the land use amendment and rezone. The legal description for this parcel is:

A parcel of land situate in the Northwest Quarter of Section 4, Township 3 South, Range 1 West, Salt Lake Base and Meridian being more particularly described as follows.

Beginning at a point North 89°55'14" East 624.31 feet along the Section Line and North 00°04'46" West 53.00 feet from the West Quarter Corner of Section 4, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point also being in the Southwest Corner of Lot 1, Wasatch View Acres,

thence South 89°55'14" West 509.35 feet along the North line of 9000 South Street; thence North 84°22'08" West 15.12 feet along the North line of 9000 South Street ; thence South 84°12'49" West 15.12 feet along the North line of 9000 South Street; thence South 89°55'14" West 31.64 feet along the North line of 9000 South Street; thence North 45°25'56" West 28.46 feet to the East Line of 3200 West Street; thence North 00°04'36" West 250.44 feet along said East line of 3200 West Street; thence North 89°58'12" East 348.64 feet; thence North 00°08'06" East 66.89 feet; thence North 89°55'14" East 242.43 feet (North 89°58'46" West by record) along the South line of Lots 4 and 5 extended, Wasatch View Acres Subdivision;

thence South 00°04'20" East 337.00 feet (North 0°00'48" East by record) along the West line of Wasatch View Acres Subdivision to said Southwest Corner of Lot 1, and the Point of Beginning.

Contains 175,778 square feet or 4.0035 acres.

2. Property Owner Name

Mountain Vista United Methodist Church, a Utah nonprofit corporation

This was disclosed on the Development Services Application and Property Owner Affidavit which were previously provided. It is also verified in the provided title commitment from Chicago Title Company.

2. Present Zoning Classification

RR-1D Rural Residential – 1-acre lot (*according to West Jordan City*)

3. Present Land Use

Very Low Density Residential (*according to West Jordan City*)

4. Proposed Land Use

Community Commercial (*as recommended by West Jordan City*)

5. Scaled Diagram of the Subject Parcel/Land

See draft of Plat dated 02/24/2021.

B. In writing, explain the reason and justification for a general plan map amendment.

The statement must include:

1. Explain how the required findings of the Municipal Code are met.

i. The proposed amendment conforms to and is consistent with the adopted goals,

objectives and policies set forth in the City General Plan;

It is proposed that the current land use be amended from Very Low-Density Residential to Community Commercial. This is in harmony with the adjacent land uses which include Professional Office and Research Park. Furthermore, the intended actual use (funeral home) is in harmony with the existing church and homes located with the Very-Density, Medium Density, and Very Low-Density Residential areas also adjacent to the subject property.

ii. 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;

Available land for development in the area either is not large enough for the intended use (funeral home) or is located in an area less suitable and less compatible with the adjacent properties thereby eliminating other options.

iii. The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity; See 7(a)(i) above.

iv. 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;

The current parcel of land is vacant and has always been vacant. The applicant intends to construct a funeral home with ample landscaping which will create a buffer between the low and high intensity land uses in the area as is noted between the Very-Low Density Residential zone and the Research Park and Professional Office zones to the south. This will create a benefit for the community.

v. *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*

As noted above, the proposed land use is in harmony with adjacent land uses and will enhance the area. It should also be noted that no new infrastructure will be required from the city as the streets and all utilities are already complete and available.

vi. *The proposed amendment is consistent with other adopted plans, codes and ordinances. (2009 Code; amd. Ord. 11-35, 11-22-2011; Ord. 13-33, 11-13-2013)*
See above.

2. Analysis of the potential impacts from the existing infrastructure and public services such as traffic, streets, intersections, water and sewer, storm drains, electric power, fire protection, garbage collection, etc.

There will be no significant impact on the existing infrastructure and public services as all streets and utilities are installed and operational. Furthermore, as the intended use of the property has a low intensity, there will not be a significant impact on fire protection or garbage collection.

3. Specify the potential use of the property within the area of the proposed amendment.

All uses as outlined in the city code for this land use would be potential uses. However, it is the applicant's intent to develop this as a funeral home.

4. Explain why the existing general plan designation/general plan language for the area is no longer appropriate or feasible.

As the property has never been developed despite being located on a major artery, it is believed that the current land use (Very Low-Density Residential) is inappropriate and no longer feasible.

C. Obtain a Salt Lake County Plat of the area.

Please see the PDF copies of the maps titled:

- Plat Map from County – 270411 (scalable)
- Plat Map from County – 270431 • Plat Map from County – 270522 • Plat Map from County – 270542

D. Legal Description of the Boundary to the Amended.

This appears to be a duplicate item on the checklist. See response for #1 above.

E. List of Property Owners with 300' Radius of the Subject Parcel (prepared by Salt Lake County Recorder's Office on Address Labels)

According to conversations with Larry Gardner, the City will provide this information.

F. Prepare two sets of addressed and stamped (not metered) letter-sized envelopes (no. 10) to be mailed (by the City) to the neighboring property owners. Do not use envelopes with your business return address.

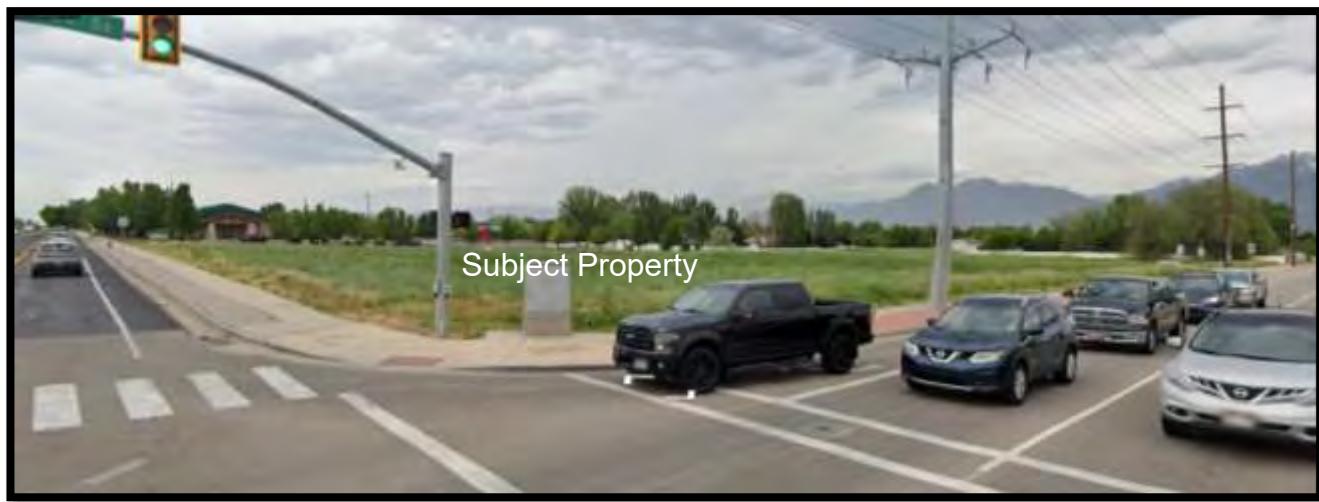
We will provide this information once the number required is confirmed by the City.

G. Digital copy in PDF format.

All items listed in the checklist are provided in PDF format.

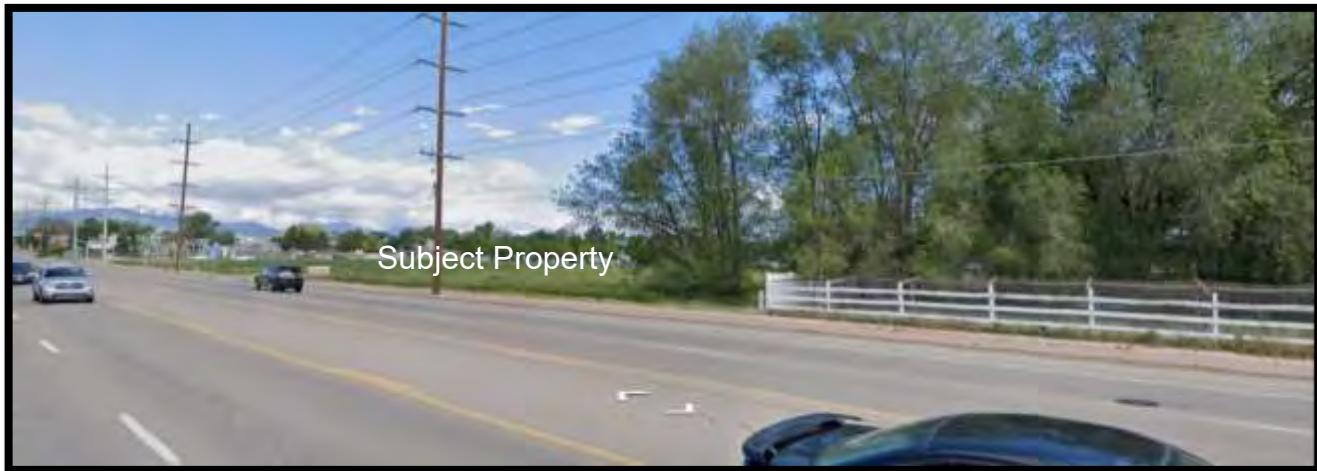
Project Photos

Exhibit E



Project Photos

Exhibit E





Development Services Application

8000 South Redwood Road, 2nd Floor, South

801-469-5100

www.ci.westjordan.ut.us

Property:

Subdivision/Farm SL City: Part of 2704152010000 Acreage 4.04 Lot: 1

Approximate Owner Address: NE Corner of 9000 South 3200 West, West Jordan, UT

Project Name: McDougal West Jordan Holdings, LLC, a/k/a McDougal Subdivision

Project Location: NE Corner of 9000 South 3200 West, West Jordan, UT

Type of Application:

Corridor Preliminary Final

| | | |
|--|--|---|
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Site Plan Amendment | <input checked="" type="checkbox"/> Zoning Change |
| <input type="checkbox"/> Design Review Committee | <input type="checkbox"/> Subdivision Map | <input type="checkbox"/> Planned Community |
| <input type="checkbox"/> Development Plan | <input type="checkbox"/> Subdivision Map | |
| <input checked="" type="checkbox"/> General Land Use Amendment | <input type="checkbox"/> Subdivision Map | |
| <input type="checkbox"/> Other: | | |

Applicant: Randall McDougal Company: McDougal West Jordan Holdings, LLC
Address: 4730 South Redwood Road
City: Taylorsville State: Utah Zip: 84115
Phone: 801-469-5102 Cell: 805-969-8897
Email: randallmcdougal@westjordan.com

Consultant:

Name: _____ Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Cell: _____
Email: _____

Property Owner(s):

Name: Mountain View United Methodist Church Corporation
Address: 4841 South 3200 West
City: West Jordan State: Utah Zip: 84088
Phone: _____ Cell: _____
Email: trustees@mtvumc.org

Name: _____ Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Cell: _____
Email: _____

**Applicant must identify as a "Property Owner", all holders of any legal title to the Property; if necessary, attach additional page(s) to this Application to identify additional Property Owners.

2013

Application

By signing below, the Applicant hereby certifies, and affirms the following:

• *Perfumery*

- a. **Application.** Application includes (i) the Application Form, (ii) the Property Owner(s) Affidavit, and (iii) all information (whether written or verbal) provided by the Applicant, by the Consultant, by the Property Owner(s), or by any other person or entity engaged by the Applicant or the Property Owner(s) or furnishing of the Application ("Supporting Persons").
- b. **Property Owner(s).** holder(s) of any legal title to the Property.
2. **Information is True and Current.** The information described on the Application Form and contained in the Property Owner's Affidavit, is true and correct. The Applicant will use its best efforts to ensure all contents of the Application are accurate and current.
3. **Property Owner(s) Consents to the Application.** All Property Owner(s) (i) have reviewed and expressly approve of the contents of the Application Form, and (ii) consent to the Applicant pursuing appraisal of the Application.
4. **City's Right to Contact Property Owner(s).** The City has the right to contact the Property Owner(s) directly, including or through other means, to verify any information contained in the Application.
5. **Contact with Property Owner(s) is not Interference.** Contact by the City as outlined in "4." above is not and will not be considered interference with the Applicant's business dealings.
6. **DISCLOSURE OF UNTRUE INFORMATION VERSUS THE APPLICANT.** If any information provided as part of the Application is untrue or incorrect, at the option of the City (i) the Applicant will be considered void ab initio, (ii) the City shall have no obligation to process the Application, (iii) any commitments allegedly made by the City or flowing from the Application, including any the alleged grant of any development rights by the City, shall be considered void ab initio and unenforceable, and (iv) the Applicant shall indemnify and hold the City harmless for any costs or claims resulting from false or incorrect representations (A) of or from the Applicant, and/or (B) of or from the Property Owner(s), the Consultant, and/or the Supporting Persons, if and when the Applicant has actual knowledge.
7. **RIGHTS IN THE CASE OF A CHANGED EVENT.** The Applicant has an affirmative duty to (i) notify the City in writing of a Changed Event, (ii) fully inform the City of the nature and cause of a Changed Event, and (iii) provide such notice and information within ten (10) business days of a Changed Event. A Changed Event is any action or occurrence, (i) that occurs subsequent to the date the Applicant executes this Application Form, and (ii) which alters the legal relationship of the Applicant and the Property Owner(s) to an extent that either (A) the Applicant no longer has authorization from the Property Owner(s) to pursue the Application, or (B) results in any misrepresentation or falsehood in the Application or the Property Owner's Affidavit to the City, in whole or in part, untrue, incorrect, or inaccurate.

Agenda and Signatory

Q57

10/3/20

(Comments/Notes/Check for Approval) A signature must be attached to this Application form.

Application

Exhibit F

Notary Block for Applicant's Signature

STATE OF Utah
County of Salt Lake

On the 3rd day of October, 20²⁰, before the undersigned notary public in and for the said state, personally appeared Randall McDougal (name of person), known or identified to me to be the Manager (position of responsibility) of Randall West Jordan Molding (name of company or entity), and the person who executed the foregoing instrument and acknowledged to me that said company or entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.


Notary Public



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5
6 THE CITY OF WEST JORDAN, UTAH
7 A Municipal Corporation

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5
6 **ORDINANCE NO. 21-22**
7

8 **AN ORDINANCE FOR PROPERTY LOCATED AT THE NORTHEAST CORNER**
9 **OF 3200 WEST AND 9000 SOUTH;**

10 **AMENDING THE GENERAL PLAN LAND USE MAP FOR 4.004 ACRES FROM**
11 **VERY LOW DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL;** AND

12
13 **REZONE FROM RR-1 (RURAL RESIDENTIAL – 1 ACRE)**
14 **TO C-G (GENERAL COMMERCIAL)**

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16
17 WHEREAS, the City of West Jordan (“City”) adopted the Comprehensive General Plan
18 (“General Plan”) in 2012, which provides for a general plan land use map (“General Plan Land Use
19 Map”), which is periodically updated; and the City adopted the West Jordan City Code (“City Code”) in
20 2009, which provides for a zoning map (“Zoning Map”), which is periodically updated; and

21
22 WHEREAS, an application was made by Mountain Vista United Methodist Church (owner)/
23 McDougal West Jordan Holding, LLC/Randall McDougal (applicant) for property (“Property”) located
24 at the northeast corner of 3200 West and 9000 South (“Application”) for, in part, a General Plan Land
25 Use Map amendment (“General Plan Land Use Map Amendment”) on **4.004** acres from Very Low
26 Density Residential to Community Commercial; and

27
28 WHEREAS, the Application also included a request for a Zoning Map amendment or rezone
29 (“Rezone”) for the same area from RR-1 (Rural Residential 1-acre) Zone to C-G (General Commercial)
30 zone (collectively the “General Plan Land Use Map Amendment and Rezone”); and

31
32 WHEREAS, on May 18, 2021 the Application was considered by the Planning Commission,
33 which held a public hearing and which made a positive recommendation to the City Council concerning
34 the General Plan Land Use Map Amendment and Rezone; and

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36 WHEREAS, a public hearing was held before the West Jordan City Council (“City Council”) on
37 June 23, 2021 concerning the General Plan Land Use Map Amendment and Rezone; and

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39 WHEREAS, consistent with City Code Section 13-7C-6, the City Council has determined the
40 following concerning the General Plan Land Use Map Amendment:

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48 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,

49 water, wastewater and public safety facilities, than would otherwise be needed without
50 the proposed change; and

51 6. The proposed amendment is consistent with other adopted plans, codes and ordinances;
52 and

53
54 WHEREAS, consistent with City Code Section 13-7D-7A, the City Council has determined the
55 following concerning the Rezone:

56
57 1. The proposed amendment is consistent with the purposes, goals, objectives and policies
58 of the adopted General Plan and land use map;

59 2. The proposed amendment will result in compatible land use relationships and does not
60 adversely affect adjacent properties;

61 3. The proposed amendment furthers the public health, safety and general welfare of the
62 citizens of the City;

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

67 5. The proposed amendment is consistent with the provisions of any applicable overlay
68 zoning districts which may impose additional standards; and

69
70 WHEREAS, the City Council has found it to be in the best interest of the public health,
71 safety, and welfare of the residents of the City to adopt the following amendments to the General Plan
72 Land Use Map Amendment and Rezone.

73
74 NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST
75 JORDAN, UTAH AS FOLLOWS:

76
77 **Section 1. Amendment to General Plan Land Use Map.** The General Plan Land Use Map is
78 hereby amended by changing the general plan land use designation on approximately 4.004 acres, located
79 at the northeast corner of 3200 West and 9000 South, from Very Low Density Residential to Community
80 Commercial, as per the legal description in "Attachment 1", which is attached hereto.

81
82 **Section 2. Amendment to Zoning Map.** The Zoning Map is hereby amended by changing the
83 zoning on the same approximately 4.004 acres from RR-1 (Rural Residential 1-acre) Zone to C-G
84 (General Commercial) zone; as per the legal description in "Attachment 1", which is attached hereto,
85 with the described property being hereafter subjected to the C-G (General Commercial) land use
86 restrictions, limitations, and other requirements, as are stipulated for this zone.

87
88 **Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court
89 of competent jurisdiction, the remainder shall not be affected thereby.

90
91 **Section 4. Effective Date.** This Ordinance shall become effective immediately upon posting or
92 publication as provided by law and either (i) the Mayor signing the Ordinance, (ii) the City Council duly
93 overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the
94 Ordinance within fifteen (15) days after the City Council presents the Ordinance to him.

95
96 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS
97 DAY OF _____, 2021.

100
101
102
103
104
105 CITY OF WEST JORDAN

106 By: _____
107
108 Zach Jacob
109 Council Chair

110 ATTEST:

111 _____
112 Cindy M. Quick, MMC
113 Council Office Clerk

114 **VOTING BY THE CITY COUNCIL**
115 Council Chair Zach Jacob
116 Council Vice Chair Kelvin Green
117 Council Member Chad R. Lamb
118 Council Member Christopher McConnehey
119 Council Member David Pack
120 Council Member Kayleen Whitelock
121 Council Member Melissa Worthen

| | "YES" | "NO" |
|---------------------------------------|--------------------------|--------------------------|
| Council Chair Zach Jacob | <input type="checkbox"/> | <input type="checkbox"/> |
| Council Vice Chair Kelvin Green | <input type="checkbox"/> | <input type="checkbox"/> |
| Council Member Chad R. Lamb | <input type="checkbox"/> | <input type="checkbox"/> |
| Council Member Christopher McConnehey | <input type="checkbox"/> | <input type="checkbox"/> |
| Council Member David Pack | <input type="checkbox"/> | <input type="checkbox"/> |
| Council Member Kayleen Whitelock | <input type="checkbox"/> | <input type="checkbox"/> |
| Council Member Melissa Worthen | <input type="checkbox"/> | <input type="checkbox"/> |

122 **PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON _____.**

123 Mayor's Action: _____ Approve _____ Veto

124 By: _____
125 Mayor Dirk Burton Date

126 ATTEST:

127 _____
128 Tangee Sloan
129 City Recorder

130 **STATEMENT OF APPROVAL OE PASSAGE (check one)**

131 _____ The Mayor approved and signed Ordinance No. 21-22.

132 _____ The Mayor vetoed Ordinance No. 21-22 on _____ and the
133 City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

134 _____ Ordinance No. 21-22 became effective by operation of law without the
135 Mayor's approval or disapproval.

136 _____
137 Tangee Sloan
138 City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City 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 _____, 2021 pursuant to Utah Code Annotated, 10-3-711.

148 _____
149 Tangee Sloan
150 City Recorder
151
152
153
154
155
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157
158
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Attachment 1 to

ORDINANCE NO. 21-22

**AN ORDINANCE FOR PROPERTY LOCATED AT THE NORTHEAST CORNER
OF 3200 WEST AND 9000 SOUTH**

[Legal Description]

A parcel of land situate in the Northwest Quarter of Section 4, Township 3 South, Range 1 West, Salt Lake Base and Meridian being more particularly described as follows.

Beginning at a point North 89°55'14" East 624.31 feet along the Section Line and North 00°04'46" West 53.00 feet from the West Quarter Corner of Section 4, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point also being in the Southwest Corner of Lot 1, Wasatch View Acres,

thence South 89°55'14" West 509.35 feet along the North line of 9000 South Street;
thence North 84°22'08" West 15.12 feet along the North line of 9000 South Street ;
thence South 84°12'49" West 15.12 feet along the North line of 9000 South Street;
thence South 89°55'14" West 31.64 feet along the North line of 9000 South Street;
thence North 45°25'56" West 28.46 feet to the East Line of 3200 West Street;
thence North 00°04'36" West 250.44 feet along said East line of 3200 West Street;
thence North 89°58'12" East 348.64 feet;

thence North 00°08'06" East 66.89 feet;
thence North 89°55'14" East 242.43 feet (North 89°58'46" West by record) along the South line of Lots 4 and 5 extended, Wasatch View Acres Subdivision;

thence South 00°04'20" East 337.00 feet (North 0°00'48" East by record) along the West line of Wasatch View Acres Subdivision to said Southwest Corner of Lot 1, and the Point of Beginning.

Contains 175,778 square feet or 4.0035 acres.

NB b McDougal Funeral Home

Final Audit Report

2021-05-27

| | |
|-----------------|---|
| Created: | 2021-05-26 |
| By: | Cindy Quick (Cindy.quick@westjordan.utah.gov) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAUf5lNV8tVfrSxlqhG-NHJ6NvgiPBMT9 |

"NB b McDougal Funeral Home" History

- 📄 Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)
2021-05-26 - 3:18:34 PM GMT- IP address: 207.225.200.66
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✓ Agreement completed.
2021-05-27 - 2:49:30 PM GMT



Adobe Sign