



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 7/28/2021

Presenter: Ray McCandless

Deadline of item : 7/28/2021

Department Sponsor: Community Development

Agenda Type: Public Hearing

Time Requested: 10 minutes presentation, 10 minutes Council

(Council may elect to provide more or less time)

Approval Signatures (required for all transmittals)

Submitter: Scott Langford
Scott Langford (Jul 19, 2021 10:56 MDT)
Scott Langford on behalf of Ray McCandless

Dept. Head: Scott Langford
Scott Langford (Jul 19, 2021 10:56 MDT)

Reviewed as to Form: Duncan Murray
Duncan Murray (Jul 19, 2021 10:56 MDT)

Executive: [Signature]

Council Office: [Signature]

Council Committee: Land Use

1. AGENDA SUBJECT

Copper Rim Town Center Rezone from a P-C (Planned Community) Zone to P-C (IOZ) (Planned Community – Interchange Overlay Zone) Zone (as requested by the applicant) and General Plan Land Use Map Amendment from Community Commercial and Medium Density Residential to Mixed Use (as Recommended by Staff)

2. SUMMARY

Town Center at Copper Rim; Ordinance No. 21-08 regarding General Plan Land Use amendments and zoning map amendments for The Town Center at Copper Rim, for 35.66 acres of property, part of the Copper Rim Development, located at approximately 7800 South and 5900 West/Copper Rim Drive, on the east side of Mountain View Corridor and north of 7800 South, as outlined in the request for Council action report. CW Land Co./Colin Wright (applicant) #20748; parcels 20-26-326-022 and 20-26-326-017]

3. TIME SENSITIVITY / URGENCY

No known deadlines

4. BUDGET IMPACT

No fiscal cost

5. DEPARTMENT RECOMMENDATION

Approval

6. PLANNING COMMISSION RECOMMENDATION

Approval (7 to 0) for General Land Use Map Amendment
Approval (7 to 0) for Rezone

7. MOTION RECOMMENDED

"Based on the findings contained in the Request for Council Action staff report, I move that the City Council approve the requested rezone and future land use map amendment"

8. MAYOR RECOMMENDATION

N/A

9. PACKET ATTACHMENT(S)

Attachment 1. – [Preliminary Master Development Plan](#) (*embedded electronically*)

Attachment 2. – Application

Attachment 3. – City Council Work Session Meeting Minutes

Attachment 4. – Planning Commission Meeting Minutes

Attachment 5. – Ordinance No. 21-08

Attachment 6. – City Council Meeting Minutes of February 24, 2021

Attachment 7. – [Traffic Study](#) (*embedded electronically*)

10. OTHER INFORMATION

I. BACKGROUND:

This property is located at approximately 5950 West 7800 South on the east side of the Mountain View Corridor and north of 7800 South as shown on Figure 1.



Figure 1.

The property is 35.66 acres in area and is vacant. The current land use designations for the property are Community Commercial and Medium Density Residential as shown in Figure 2.



Figure 2.

Staff recommends that the Future Land Use Map be amended to Mixed Use to be consistent with the applicant's rezoning request and proposed development plan. The plan has gone through several revisions.

The property is currently zoned Planned Community (P-C) as shown in Figure 3.



Figure 3.

On April 15, 2020, the City Council held a worksession to review the concept development plan. The minutes of that worksession are attached as (Attachment 4). The applicant subsequently revised the site plan which was reviewed by the Planning Commission on January 19, 2021. The Planning Commission unanimously voted 7-0 to forward a positive recommendation to the City Council to approve the requested rezoning and land use map amendment (Attachment 5).

On February 24, 2021, the City Council held a public hearing and voted to continue the item to no later than June 1, 2021 to allow the applicant to address Council concerns (see Attachment 7) relating to the size of the commercial area. On June 9, 2021, the Council voted to continue the item to a date uncertain to give the applicant additional time to address the Council's concerns.

II. GENERAL INFORMATION & ANALYSIS

The applicant is requesting to add the IOZ (Interchange Overlay Zone) to the existing P-C (Planned Community) zoning on the property which is a zoning map amendment as outlined in the summary of this report. Zoning map amendments require Planning Commission review and City Council approval. A Master Development Plan and Master Development Agreement have been provided in conjunction with this application. The purpose of this request is to accommodate a planned development that includes a range of single-family dwellings, multi-family dwellings, institutional

and commercial uses as allowed by the IOZ zone. The development also includes recreational amenities, parks and passive and active open space as described in the Master Development Plan.

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

	Future Land Use	Zoning	Existing Land Use
North	Medium Density Residential,	PC	Vacant
South	Community Commercial, Light Industrial	M-1	Vacant
West	High Density Residential, Community Commercial	A-20	Vacant, Mountain View Corridor
East	Parks and Open Land, Community Commercial	SC-2, PC	Vacant, Commercial

The final density for this project is set by the City Council upon receiving a recommendation from the Planning Commission approving the Master Development Plan. City Code, Section 13-6K-3.D states that "Residential densities shall be established by the City Council, after receiving a recommendation from the Planning Commission and shall be adopted with the master development plan and agreement".

The proposal is to develop 6.2 acres of single-family residential (7.6 dwelling units per acre), 6.4 acres of multi-family residential townhomes (12.2 dwelling units per acre) and 23.1 acres of commercial. The ratio of single-family residential to multi-family residential is 37.6% to 62.4%. Ten percent (10%) or 3.81 acres of the property within these areas will be open space.

The Master Development Plan states that the overall residential density is 3.3 dwelling units per acre; However, this number includes the property in the commercial area. The densities within each residential sub area on page 5 of the Master Development Plan vary as shown in the following table:

Type	Product	Number of Units	Acreage	Density
Single-Family Residential	Cottage Lots	47	6.2 ac.	7.6 du/ac
Multi-Family Residential	Townhomes	78	6.4 ac	12.2 du/ac
Commercial			23.1	
Total		125	35.7	9.9 du/ac in the residential area

III. FINDINGS OF FACT

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

Prior to approving an amendment to the Future Land Use Map, the City Council must make the following findings:

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

Discussion: Section 13-6K-1 Purpose, of the 2009 City Code states the following:

“A. General Purpose. The general purpose of the Interchange Overlay Zone (IOZ) is to promote and facilitate the development and redevelopment of large properties with an influx of new residential, commercial and mixed-use development to promote and maintain the viability of interchange areas. It is the intent:

- 1. To utilize the Mountain View Corridor (SR-85) and Bangerter Highway (SR-154) to enhance the City image, build communities of distinction, create jobs, and assure long term sustainable development that contributes to the financial and social well-being of the City.*
- 2. To manage and promote appropriate uses around specified interchanges along the Mountain View Corridor and the Bangerter Highway.*
- 3. To assure that market demand is strategically distributed between the potential interchanges.*
- 4. To improve property and sales tax generation by locating and attracting land uses that benefit the City within the corridors.*
- 5. To reinforce the land use relationship between interchanges which will allow appropriate intensification and densification where it is appropriate.*
- 6. To establish standards with sufficient detail to assure quality architecture, site planning, enduring neighborhoods, and commercial viability.*
- 7. To provide a proactive series of expectations from developers and to avoid processes that are reactive to development proposals.*
- 8. To enhance the potential for compatible development with surrounding uses and a positive appearance from the adjacent freeway and highway.*
- 9. To design areas in a way that design off-sets any residential density impacts.*
- 10. To assure walkable connected communities are designed from the ground up. (Ord. 19-34, 11-13-2019)”*

The proposed development is consistent with the purpose and intent of the IOZ overlay zone as the Master Development Plan shows a mix of residential land uses with integrated open space and a commercial area which will benefit its residents.

The General Plan contains several goals and policies that support the proposed amendment. Examples of these are as follows:

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

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

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

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

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

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

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

The proposed development provides a range of residential densities and housing targeted for a variety of home buyers. The unit mix, including single family and multi-family units, will be guided by the Master Development Plan and Development Agreement. Given the mix in uses, variety in housing types and lot sizes, the proposed general plan amendment is consistent with the Plan’s goals and policies.

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: Interchange Overlay Zones are limited to very specific areas near freeway interchanges limiting optional sites for such development. The existing land use designations shown on the Future Land Use Map include Community Commercial and Medium Density Residential. Staff is recommending that the land use designation for the entire 35.66 acres be amended to Mixed Use to reflect the

proposed use of the property. Changing the use designation will not be contrary to the General Plan.

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

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

Discussion: The Mountain View Corridor runs north and south on the west side of the proposed development. The property will be accessed from 7800 South from Copper Rim Drive. All interior roadways will need to be constructed with the development. The single-family lots will be located to the north side of the property. The multi-family residential is near the center of the property with the commercial area fronting onto 7800 South. Staff does not anticipate any concerns or compatibility issues with adjoining property when the necessary infrastructure is developed.

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

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

Discussion: The proposed development is consistent with the goals and policies of the General Plan. The proposed land use types, open space and recreational amenities and roads will result in an overall improvement to the land use map and will not benefit a particular person or entity.

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 adopted IOZ has established acceptable land use patterns for the areas near freeway interchanges. The proposed land use patterns are consistent with

the goals and intent of the IOZ. The future land use map should reflect the actual land uses which is why staff is recommending the Mixed-Use designation. The Copper Rim Town Center is an integrated mixed-use development as opposed to a distinctly separate residential and commercial development as the future land use map now shows.

The Engineering Department supports the request; However, utility, road, storm water and traffic improvement plans will need to be developed to demonstrate that the site can be adequately serviced. All open spaces and recreational amenities must be owned and maintained by an HOA or other City approved legal entity. The applicant will also be required to construct all roads, streets, alleys, trails and sidewalks and all other required improvements associated with the development.

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

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

Discussion: The development will be reviewed against applicable Code requirements when preliminary subdivision applications and or site plans are submitted for review. This amendment has been reviewed for consistency against the City's General Plan. The preliminary plan and each subsequent development phase will be reviewed against adopted plans, codes and ordinances.

Finding: The proposed Future Land Use Map Amendment is consistent with other adopted plans, codes and ordinances.

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

Prior to approving a zoning map amendment, the City Council shall make the following findings:

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

Discussion: See Future Land Use Map Amendment Finding A.

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

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

Discussion: The proposed mix of land uses are compatible with existing and anticipated land uses on adjoining properties. Other impacts will be mitigated as discussed in Future Land Use Map Amendment Findings A through F.

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

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

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

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

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

Discussion: See Future Land Use Map Amendment Finding E.

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

Criteria 5: *The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.*

Discussion: The property is not in any other overlay zone meaning that no additional overlay zoning district standards are applicable to this property.

Finding: The proposed development is not in any overlay zoning districts that would impose additional standards.

Attachment 1

Preliminary Master Development Plan

(embedded electronically)

Attachment 2

Application



Development Services Application

8000 South Redwood Road, 2nd Floor, South

801-569-5180

ODA@westjordan.utah.gov

Property:

Sidwell/Parcel # from SL Cnty: 20263260054002 Acreage ~36 Lots: 364

Approximate Street Address: 7800 South and Copper rim Blvd.

Project Name: Town Center at Copper Rim

Project Location: 7800 South and Copper Rim Blvd.

Type of Application:

☐ Concept

☐ Preliminary

☐ Final

☐ Agreement

☐ Site Plan

☐ Temporary Use Permit

☐ Conditional Use Permit

☐ Site Plan Amended

☐ Zone Change

☐ Design Review Committee

☐ Subdivision Major

☐ Planned Community

☐ Development Plan

☐ Subdivision Minor

☒ General Land Use Amendment

☐ Subdivision Amended

☐ Other: _____

Applicant: Colin Wright

Company: CW Land Co.

Address: 1222 Legacy Crossing Blvd No. 6

City: West Jordan State: Utah Zip: 84014

Phone: 801-721-9079 Cell: 801-721-9079

Email: colin@cw.land

Consultant: LOCI

Address: 569 East 2nd Ave

City: Salt Lake City State: Utah Zip: 84103

Phone: 801-906-0399 Cell: _____

Email: mbudge@loci-slc.com

** Property Owner(s): see rezone application for property owner signatures

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____

Email: _____

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.**

2019

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

1. Definitions.
 - a. "Application": Application includes (i) this 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) in furtherance of the Application ("Supporting Parties").
 - b. "Property Owner(s)": Holders of any legal title to the Property.
2. Information is True and Correct. The information described on this 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) Consent to this Application. All Property Owner(s) (i) have reviewed and expressly approve of the contents of this Application form, and (ii) consent to the Applicant pursuing approval of the Application.
4. City's Right to Contact Property Owner(s). The City has the right to contact the Property Owner(s) directly, in writing 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 and shall not be considered interference with the Applicant's business dealings.
6. Incorrect or Untrue Information Voids this Application. If any information provided as part of the Application is untrue or incorrect, at the option of the City (i) this Application shall 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 also 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 Parties of which the Applicant has or had knowledge.
7. Notice to the City 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 details of a Changed Event, and (iii) provide such notice and information within two (2) 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 representation or information in this Application or the Property Owner's Affidavit to be, in whole or in part, untrue, incorrect, or inaccurate.

Applicant Signature: _____ Date: 3-19-20
(Completed Notary Block for Applicant's signature must be attached to this Application form)

OFFICE USE ONLY			
MUNIS #:	<u>20748</u>	Date Received:	<u>3-19-2020</u>
		Date of Meeting:	
ODA	<u>Kristi</u>	Planner:	<u>Ray</u>
		Engineer:	<u>Todd</u>
		Fire:	

Attachment 3

City Council Work Session Meeting Minutes of April 15, 2020

City Council Meeting Minutes
April 15, 2020
Page 7

IX. WORK SESSION

a. COPPER RIM INTERCHANGE OVERLAY ZONE (IOZ) – GREG DAY, CW LAND – PROJECT MANAGER/APPLICANT

Colin Wright with CW Land talked about the different phases of the Copper Rim project, and showed a concept development plan for the Copper Rim IOZ. He explained landscape and special amenity plans, showed potential configurations for the commercial space, and said the concept plan included 10.2 dwelling units per acre.

Scott Langford said staff were in the process of reviewing the application for the first time, and said he believed Council feedback at that point would benefit the process. Chair McConnehey expressed concern regarding potential impact on infrastructure, and emphasized a desire to see the best possible use of the commercial space. Councilmember Jacob expressed confidence that future growth of the area would justify significant commercial at that location.

Councilmember Green pointed out that the language approved for the IOZ designated those 35 acres for the IOZ with a mixture of housing and limited commercial. He commented that the Council would need to determine the intent of “limited commercial”. Mr. Langford pointed out that the Council had discretion whether or not to apply the IOZ.

Councilmember Worthen agreed with the need to be careful with the use of the land.

Councilmember Whitelock commented that the impact of residential density on health and welfare evidenced with the COVID-19 outbreak would play a role in her decision making moving forward.

Councilmember Pack expressed a desire for development to be as self-sustaining as possible, with a balance between residential rooftops and commercial. Councilmember Jacob encouraged Mr. Wright to be creative with mixed-use and not short-change the commercial. Councilmember Green commented that office use built up property tax base better than retail use, and added that property tax tended to be less volatile than sales tax. He said he did not want to reject the proposal outright, and said he would encourage office use.

Mr. Wright thanked the Council for their feedback.

Attachment 4

Planning Commission Meeting Minutes of January 19, 2021

3. Town Center at Copper Rim; 7800 South Copper Rim Drive; Amend the Future Land Use Map from Community Commercial and Medium Density Residential to Mixed Use (as Recommended by Staff) and Rezone of approximately 35.66 acres from P-C (Planned Community) Zone to P-C (IOZ) (Planned Community – Interchange Overlay Zone) Zone (as requested by the applicant) including Master Development Plan and Master Development Agreement; CW Land Co./Colin Wright (applicant) [#20748; parcels 20-26-326-022 and 20-26-326-017]

Colin Wright, applicant, said that he started working on this project in 2005. Thirteen million dollars of infrastructure has been installed since the planning charette held in 2017. Construction on many homes and the clubhouse and amphitheater is underway. In 2019 the planning commission and city council approved an Interchange Overlay Zone, which identified this property as a potential location. In March 2020, they applied for a rezoning to the IOZ and the city council provided feedback, which resulted in a reduction of over 100 units. Also, there will be no stacked multi-family product. There is a strong interest on the corner commercial property.

Ray McCandless said this 35-acres within the Copper Rim development along 7800 South and Mountain View Corridor. Overall density in the proposed IOZ including the commercial area is just more than 7 du/ac. Density within only the residential area is between 10 and 17 du/ac in a mix of single-family residential and townhomes. The site plan was reviewed. Residential products include larger cottage lots, alley-loaded cottage lots, townhomes, and higher density mixed-use. A signature amenity and the commercial development is located toward the southern end of the property. Phasing shows the commercial area first with a variety of options. Residential extends to the north and the final product is mixed-use and townhomes. The development standards have been reviewed by staff and call out minimum lot and bulk standards. The city code requires at a minimum two-car parking. The diagrams in the plan don't show two-car garages, so staff recommended a condition that two-car, side-by-side parking be included along with renderings of that product. A 22-foot front setback gives enough room for a larger vehicle, and the 5-foot rear yard alley-loaded setback will discourage parking in the alley. The proposed amenity types include a courtyard, pickleball courts, picnicking area, a great lawn, playground, pool and hot tub, and the signature amenity. Fencing types are stated in the plan along Mountain View Corridor and side yards. Staff recommended that the future land use map be amended to mixed use for the IOZ property in order to reflect the intent of the project.

Based on the findings set forth in the staff report, staff recommended approval of the amendment to the Future Land Use Map, Zoning Map, Master Development Plan and Development Agreement for Copper Rim Town Center with approval conditions as described in the staff report.

Corbin England said that the staff report recommends approval of the Master Development Plan and Master Development Agreement with the 'conditions as described'. He asked if there were any other conditions than two-car parking.

Ray McCandless said that was his biggest concern.

Colin Wright said the one-car rendering was from a previous higher density product, but the current plan shows every home with an attached two-car garage.

Matt Quinney said the applicant stated he will provide 2-car garages, but since this is the first time we are using the IOZ, he wondered why we are not open to see if something other than a two-car garage would look more appropriate. He also asked why the IOZ is only being applied to 35 acres and not the entire Copper Rim development, because it is all a similar product.

Ray McCandless said the intent of the IOZ is to focus on major intersections along Mountain View Corridor to encourage development. The code called out only certain areas that are eligible for IOZ zoning. The code would have to be amended to increase that area.

Matt Quinney thought this was a great project and thought the whole project would be included and not just the area immediately adjacent to the corner. He asked if that area was specifically described in the code approval.

Ray McCandless said that was discussed at the time the code was approved. This area for the IOZ makes sense because the other portions are more residential and not a mixed-use product. The current parking requirement is for a two-car attached garage. The problem with tandem parking is that you have to move one car in order to get the other out, and garages fill up with storage fast.

Bill Baranowski said people typically use garages for storage and there will probably be on-street parking, so staff needs to look carefully at that to make sure there is adequate area.

Scott Langford explained that this proposal coincides with the map in Section 13-6K-2 that designates all of the areas that city council felt were appropriate for a potential application of the IOZ. Section 13-12-3G states that tandem parking is allowed for parking that is not required, otherwise it can only be counted as required in the following instances, multifamily with garages and where valet parking services are approved by the planning commission. If the planning commission wanted to allow it as part of the required parking, then that specific code reference would have to be part of the approval.

Matt Quinney said he understood the code references, but he just wanted to know why they wouldn't want the IOZ applied to the entire project. He wanted it to be done right the first time so that it is an attractive option going forward with other projects.

Kent Shelton asked if on-street parking will be allowed.

Ray McCandless said parking will be allowed on the public streets, depending on where the streets are located and how wide they are. He pointed out some of those locations. Alley-loaded streets will probably not be included. That is why it is important to have two-car garages. Additional guest parking is shown on the site plan.

Trish Hatch opened the public hearing.

Bryan and Jamie Youtz, West Jordan residents, indicated that they wanted to speak to Item #6. They will wait until that portion of the hearing.

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

There was a discussion regarding the water tank within this project. It was clarified that the zone 3 tank will not necessarily serve this development, but it is for areas to the south. The area north of where the current construction is will be on hold until a zone 5 tank comes online. However, there is water available for this portion of the project under review today.

Ammon Allen asked staff if they felt that this density was in line with what the city council envisioned.

Ray McCandless said yes. Council also wanted to make sure there was enough commercial to serve the area and it addresses the city council's comments at that time.

MOTION: Corbin England moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to forward a positive recommendation to the City Council to rezone 35.66 acres, and approve the Future Land Use Map amendment as described in the staff report. The motion was seconded by Matt Quinney and passed 7-0 in favor.

MOTION: Corbin England moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to forward a positive recommendation to the City Council to approve the Master Development Plan and Master Development Agreement for Copper Rim Town Center with the conditions of approval as described in the staff report for two-car, side-by-side parking to meet city code. The motion was seconded by Matt Quinney and passed 7-0 in favor.

Attachment 5

ORDINANCE NO. 21-08

1
2 THE CITY OF WEST JORDAN, UTAH

3 **ORDINANCE NO. 21-08**

4 **AN ORDINANCE FOR 35.66 ACRES OF PROPERTY, PART OF THE**
5 **COPPER RIM DEVELOPMENT, LOCATED AT APPROXIMATELY 7800**
6 **SOUTH AND 5900 WEST/COPPER RIM DRIVE, ON THE EAST SIDE OF**
7 **MOUNTAIN VIEW CORRIDOR AND NORTH OF 7800 SOUTH;**

8 **AMENDING THE GENERAL PLAN LAND USE MAP FOR SAID 35.66**
9 **ACRES OF PROPERTY FROM COMMUNITY COMMERCIAL AND**
10 **MEDIUM DENSITY RESIDENTIAL TO MIXED USE; AND**

11 **REZONING SAID 35.66 ACRES OF PROPERTY FROM P-C (PLANNED**
12 **COMMUNITY) ZONE TO P-C (IOZ) (PLANNED COMMUNITY –**
13 **INTERCHANGE OVERLAY ZONE) ZONE**
14

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

21 WHEREAS, an application was made by CW Land Co., LLC (“Applicant”) for 35.66 acres
22 of property (“Town Center at Copper Rim Development”), part of the Copper Rim Development,
23 located at approximately 7800 South and 5900 West/Copper Rim Drive, on the east side of
24 Mountain View Corridor and north of 7800 South (“Application” and “Property”) for a General
25 Plan Land Use Map Amendment on said 35.66 acres from Community Commercial and Medium
26 Density Residential to Mixed Use; and Rezone on said 35.66 acres from P-C (Planned Community)
27 Zone to P-C (IOZ) (Planned Community – Interchange Overlay Zone) Zone (collectively the
28 “General Plan Land Use Map Amendment and Rezone”); and
29

30 WHEREAS, on January 19, 2021 the Application was considered by the West Jordan
31 Planning Commission (“Planning Commission”), which held a public hearing and which has made
32 a positive recommendation to the West Jordan City Council (“City Council”) concerning the
33 General Plan Land Use Map Amendment and Rezone; and
34

35 WHEREAS, public hearings, pursuant to public notice, were held before the City Council
36 on February 24, 2021 and July 28, 2021 concerning the General Plan Land Use Map Amendment
37 and Rezone; and

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

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

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

1. The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted General Plan and land use map;
2. The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties;
3. The proposed amendment furthers the public health, safety and general welfare of the citizens of the City;
4. The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways; and
5. The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and

WHEREAS, House Bill 1003 (2021 Utah Legislature, 1st Special Session), as codified at Utah Code Ann. Section 10-9a-534(3)(h), allows for a land use regulation, including “Building Design Elements”, as defined therein, to apply to property in exchange for an increase in density; and

WHEREAS, the Applicant has agreed to and has executed an Amendment to the Copper Rim Master Development Agreement (“AMDA”), with the attached Preliminary Master

Development Plan (“PDP”) that will govern the development of the Property, should the City Council, in its sole legislative discretion, choose to adopt the General Plan Land Use Map Amendment and Rezone; and

WHEREAS, the City Council has reviewed and approved the AMDA and attached PDP, subject to the adoption of the General Plan Land Use Map Amendment and Rezone; and

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

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

Section 1. Amendment to General Plan Land Use Map. The General Plan Land Use Map of the City of West Jordan, Utah, is hereby amended by changing the general plan land use designation on said 35.66 acres of the Town Center at Copper Rim Development from Community Commercial and Medium Density Residential to Mixed Use; as per the legal description in the Town Center at Copper Rim Development Preliminary Master Development Plan, which is attached to the Amendment to Master Development Agreement.

Section 2. Amendment to Zoning Map. The Zoning Map of the City of West Jordan, Utah, is hereby amended by changing the zoning on said 35.66 acres of the Town Center at Copper Rim Development from P-C (Planned Community) Zone to P-C (IOZ) (Planned Community – Interchange Overlay Zone) Zone; as per the legal description in the Town Center at Copper Rim Development Preliminary Master Development Plan, which is attached to the Amendment to Master Development Agreement, with the described property being hereafter subjected to the P-C (IOZ) (Planned Community – Interchange Overlay Zone) Zone land use restrictions, limitations, and other requirements, as are stipulated for this zone.

Section 3. Applicability of Building Design Elements. In accordance with Utah Code Ann. Section 10-9a-534(3)(h), and at the request of the Property Owner and Applicant, and in consideration for the increase in density allowed by the Rezone, all applicable Building Design Elements of the City shall apply to the Property and to the dwellings, structures, and buildings constructed thereon.

Section 4. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 5. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and either (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to him.

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

CITY OF WEST JORDAN

By: _____

Zach Jacob

Council Chair

ATTEST:

Cindy M. Quick, MMC

Council Office Clerk

VOTING BY THE CITY COUNCIL

"YES"

"NO"

Council Chair Zach Jacob

☐☐

Council Vice Chair Kelvin Green

☐☐

Council Member Chad R. Lamb

☐☐

Council Member Christopher McConnehey

☐☐

Council Member David Pack

☐☐

Council Member Kayleen Whitelock

☐☐

Council Member Melissa Worthen

☐☐

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

150
151 Mayor's Action: _____ Approve _____ Veto

152
153
154 By: _____
155 Mayor Dirk Burton Date

156
157 ATTEST:

158
159 _____
160 Tangee Sloan
161 City Recorder

162
163
164
165 **STATEMENT OF APPROVAL OE PASSAGE** (check one)

166
167 _____ The Mayor approved and signed Ordinance No. 21-08.

168
169 _____ The Mayor vetoed Ordinance No. 21-08 on _____ and the
170 City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

171
172 _____ Ordinance No. 21-08 became effective by operation of law without the
173 Mayor's approval or disapproval.

174
175
176 _____
177 Tangee Sloan
178 City Recorder

179
180
181 **CERTIFICATE OF PUBLICATION**

182
183 I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and
184 that a short summary of the foregoing ordinance was published on the Utah Public Notice Website
185 on the _____ day of _____, 2021. The fully executed copy of the
186 ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-
187 711.

188
189 _____
190 Tangee Sloan
191 City Recorder

ATTACHMENT 6

City Council Meeting Minutes of February 24, 2021

b. The Town Center at Copper Rim

Senior Planner Ray McCandless oriented the Council with the Town Center at Copper Rim development, and explained the applicant requested that the City Council apply the Interchange Overlay Zone (IOZ) to the southern-most approximately 35 acres of the development. Mr. McCandless stated the subject area was identified by the City as a candidate for the IOZ when the IOZ overlay was established as a development tool. He showed proposed placement of commercial (10 acres), mixed-use (17 dwelling units per acre), townhomes (14 dwelling units per acre), and single-family residential (10 dwelling units per acre) on the 35 acres, with an overall residential density of 7.8 dwelling units per acre.

Responding to a question from Council Member McConnehey, Mr. McCandless stated the full 35 acres were zoned commercial in the adopted Preliminary Master Development Plan (MDP). Responding to Council Member Green, Mr. McCandless confirmed the IOZ would be an overlay on top of the base P-C Zone. He added that the IOZ had its own development standards and provided greater flexibility with density.

Mr. McCandless presented development standards in the proposed MDP and suggested two-car side-by-side parking for the single-family and townhome lots as a condition for approval. Council Member Green stated he did not like conditions of approval.

Council Member Worthen expressed concern that too much of the commercial was being cut out of the development and asked if the senior living element previously discussed would be included. Mr. McCandless responded that as far as he was aware senior living was not a proposed element. Mr. McCandless presented an open space amenity plan and landscaping plan.

Council Chair Zach Jacob explained that one public hearing would be held for both the proposed amendment to the MDA and preliminary MDP (Ordinance No. 21-07), and the proposed rezone (Ordinance No. 21-08).

Council Chair Zach Jacob opened a public hearing at 7:59 p.m.**Citizen Comments:**

Darrell Davis expressed concern about traffic in the subject area. He asked if there was a plan for improving traffic flow with so many dwelling units being added, and suggested traffic should be addressed prior to approval.

Collin Cagle stated 7800 South was already a very busy corridor and asked how the proposed development would affect views of the valley along the Mountain View Corridor. He said he had thought Mountain View Corridor was meant to remain a scenic route. He asked if sound barriers would be installed and asked if the roads would be accessible to heavy vehicle traffic.

Alexandra Eframo, West Jordan resident, said she was in favor of the development, and hoped the landscaping would not include any grass. She expressed concern about traffic, and suggested the Council consider widening 7800 South.

Council Chair Zach Jacob closed the public hearing at 8:06 p.m.

Ray McCandless stated an eight-foot sound wall would be installed along Mountain View Corridor, and a traffic light would eventually be installed to handle traffic in and out of the development at Copper Rim Drive.

Council Chair Zach Jacob commented that some of the issues mentioned were already addressed in the approved MDA.

Council Member Lamb said his biggest concern was for the lack of commercial in these proposed changes. He acknowledged that commercial had changed over the years but stated that areas for commercial would be needed with the residential growth in the area. Council Member Worthen said she agreed and did not want to give up the commercial acreage. She asked the applicant to speak to the senior community question.

Council Member Whitelock commented that the proposal would increase residential density significantly and decrease commercial exponentially. She asked if the City would require a new traffic study with the changes requested by the applicant. Council Member Whitelock said she wanted to know the impact on the City's water and sewer systems, and said she was not comfortable reducing commercial from 38 acres down to 10 acres. She commented that the need for commercial was not going away, it was simply changing.

Vice Chair Green said he felt conflicted because he agreed with concerns regarding reduced commercial, but knew the City established the IOZ to allow this type of development. Vice Chair Green pointed out required elements of the application that were not included in the agenda packet and asked that the Design Review Committee review the application. He said he was not willing to approve the application with elements missing. Vice Chair Green commented that the IOZ would give Staff discretion to reduce commercial by another 10% (10 acres down to 9 acres). He said he was not willing to approve cutting commercial from 35 acres to 10 acres, and risk dropping another acre of commercial to add more residential units. Vice Chair Green stated he would need assurances and would need a complete application.

Council Member McConnehey said he wanted to ensure best use of the freeway interchange. He said the developer made it clear in previous conversations the subject property was a tricky spot, and the Council had been comfortable with 30 acres of commercial. Council Member McConnehey said he did not believe a solid effort was made to make 30 acres of commercial work and expressed concern that the proposed 10 acres would not have the critical mass to be relevant and remain stable. He stated residents in that area would need services and businesses. Council Member McConnehey stated he did not believe using the IOZ to whittle away more commercial and gain more residential was what the Council had in mind when the IOZ was established.

Colin Wright, applicant, stated Copper Rim was on the way to being one of the nicest developments in West Jordan. He described improvements and amenities in the development plan. He said he listened to feedback from the Council in April of 2020 regarding too much residential density and not enough commercial and reduced the IOZ proposal by 100 residential apartment units. He said he was in discussions with a five-acre commercial user ready to submit for site plan approval. Mr. Wright said he agreed that 7800 South/Mountain View Corridor was a great commercial corner and added that the interest of the prospective commercial user was dependent on the proposed amount of residential. He assured the Council that the proposed 12 acres of commercial would remain commercial.

Mr. Wright stated a traffic study specific to the proposed plan was submitted to the City with the plan. He explained that part of the north end of the development on 7000 South would be dedicated to age-restricted use (senior living). He stated every townhome would have a two-car garage and explained that capacity for sewer and water was confirmed by City Staff. Mr. Wright stated amazing signature amenities and thematic elements that met IOZ requirements had been designed over the course of 13-14 months.

Responding to questions from the Council, Mr. McCandless said the traffic study was with the City Traffic Engineer and was not included in the agenda packet.

Council Chair Zach Jacob said he was on the Planning Commission when the development was originally brought to the City. He said he recalled that the 35 acres of commercial was a compromise. The concept originally included much more commercial, further up Mountain View Corridor. Council Chair Zach Jacob said at 10 units per acre, the development would be the densest residential development, outside of senior living, that he had seen approved in his time on the Council and Planning Commission. He stated the only portion he was comfortable approving was the two-car garages for the townhomes.

City Attorney Rob Wall said he became nervous when councils approved master development plans and master development agreements that were incomplete. He emphasized that once the agreement was approved, it was out of the Council's hands.

MOTION: Council Chair Zach Jacob moved to deny Ordinance No. 21-07 regarding the amendment to the Master Development Agreement and the Preliminary Master Development Plan, and direct Staff to bring back an amendment regarding the garages to consider separately on a date uncertain. Council Member Lamb seconded the motion.

Vice Chair Green commented that the garage issue would only apply to the IOZ, and additional consideration of the garage issue was not necessary if Ordinance No. 21-07 were denied. He pointed out that with a denial, the applicant would have to wait a year to reapply and suggested that tabling would give the applicant a chance to fix the packet and relook at the commercial in a shorter timeframe.

Council Member McConnehey said he believed the applicant could bring an application back to the Council in less than a year if the application were substantially different. He said he would be in favor of a flat denial, or tabling Ordinance No. 21-07 for up to three months. He commented that tabling would not involve extra application fees.

Council Chair Zach Jacob pulled the motion.

MOTION: Council Vice Chair Green moved to table Ordinance No. 21-07 regarding the Master Development Agreement and the Preliminary Master Development Plan for Copper Rim, to be heard by the Council no later than June 1, 2021. Council Member McConnehey seconded the motion.

Council Member McConnehey suggested the applicant be allowed to engage with the Council Land Use Subcommittee. Responding to a comment from Mr. Anderson, Council Member McConnehey said he would prefer for the issue to be re-noticed if another public hearing were scheduled.

The vote was recorded as follows:

Council Chair Zach Jacob	Yes
Vice Chair Green	Yes
Council Member Lamb	Yes
Council Member McConnehey	Yes
Council Member Pack	Yes

Council Member Whitelock Yes

Council Member Worthen Yes

The motion passed 7-0.

Council Chair Zach Jacob stated that with Ordinance No. 21-07 tabled, there was no need to vote on Ordinance No. 21-08.

Attachment 7

Traffic Study

(embedded electronically)

The Traffic Study is embedded electronically on the previous page. The following is an updated summary provided by the project Traffic Engineer on July 13, 2021:

SUMMARY OF KEY FINDINGS & RECOMMENDATIONS

Project Conditions		
<ul style="list-style-type: none"> The development will consist of single-family homes, townhomes, a furniture store, a free-standing discount superstore, retail/commercial space, a fast-food restaurant, and office space. The project is anticipated to generate approximately 5,432 new weekday daily trips, including 337 trips in the morning peak hour, and 408 trips in the evening peak hour. An estimated 536 new trips will be generated during the Saturday peak hour. Safe routes to schools were analyzed in full project buildout conditions for the nearby Falcon Ridge Elementary and West Hills Middle Schools. 		
2021	Background	Plus Project
Assumptions	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> 7800 South: Widened to a 5-lane roadway between MVC and 5600 West as outlined in the WFRC RTP Copper Rim Drive / 7800 South: signalized intersection
Findings	<ul style="list-style-type: none"> NB MVC / 7800 South: Excessive westbound queuing backing into the Highlands Drive / 7800 South roundabout 	<ul style="list-style-type: none"> Acceptable LOS at all study intersections
Mitigations	<ul style="list-style-type: none"> 7800 South: Widen to a 5-lane roadway between MVC and 5600 West as outlined in the WFRC RTP 	<ul style="list-style-type: none"> None
2026	Background	Plus Project
Assumptions	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> NB MVC / 7800 South: Install exclusive westbound right-turn pocket. Highland Vale Drive: constructed between Copper Rim Drive and Highlands Loop Road Commercial project accesses constructed
Findings	<ul style="list-style-type: none"> Poor LOS at the NB MVC / 7800 South intersection during the afternoon peak hour 	<ul style="list-style-type: none"> Acceptable LOS at all study intersections
Mitigations	<ul style="list-style-type: none"> NB MVC / 7800 South: Install exclusive westbound right-turn pocket 	<ul style="list-style-type: none"> None
2041	Background	Plus Project
Assumptions	<ul style="list-style-type: none"> Mountain View Corridor: Freeway completed 	<ul style="list-style-type: none"> None
Findings	<ul style="list-style-type: none"> Poor LOS at the 7400 South / 5600 West intersection during morning and evening peak hours 	<ul style="list-style-type: none"> Poor LOS at the 7400 South / 5600 West intersection during morning and evening peak hours
Mitigations	<ul style="list-style-type: none"> None, traffic will reroute to avoid delays 	<ul style="list-style-type: none"> None, traffic will reroute to avoid delays












5b.2 Town Ctr at Copper Rim - Rezone & FLUM


Final Audit Report

2021-07-20

Created:	2021-07-19
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7qmIT-z7dDXag3LkW4ZRzgabqXdO5_BV

"5b.2 Town Ctr at Copper Rim - Rezone & FLUM" History

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-  Document emailed to Duncan Murray (duncan.murray@westjordan.utah.gov) for signature
2021-07-19 - 4:54:59 PM GMT
-  Email viewed by Duncan Murray (duncan.murray@westjordan.utah.gov)
2021-07-19 - 4:55:50 PM GMT- IP address: 73.52.173.73
-  Document e-signed by Duncan Murray (duncan.murray@westjordan.utah.gov)
Signature Date: 2021-07-19 - 4:56:58 PM GMT - Time Source: server- IP address: 73.52.173.73
-  Document emailed to Scott Langford (scott.langford@westjordan.utah.gov) for signature
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-  Document emailed to Alan Anderson (alan.anderson@westjordan.utah.gov) for signature
2021-07-19 - 11:49:07 PM GMT

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 Document e-signed by Alan Anderson (alan.anderson@westjordan.utah.gov)

Signature Date: 2021-07-20 - 3:04:51 PM GMT - Time Source: server- IP address: 207.225.200.66

 Agreement completed.

2021-07-20 - 3:04:51 PM GMT