

**SOUTH JORDAN CITY
CITY COUNCIL REPORT**

Meeting Date: 03/19/2024

Issue: **WALMER REZONE**
 Rezone from Residential Single-Family (R-1.8) to Residential Single-Family (R-2.5)

Address: **10593 S. 3200 W.**

File No: **PLZBA202400014**

Applicant: **Craig Bonham (High Country Homes & Developments, Inc.)**

Property Owner: **Keith Walmer**

Submitted by: **Andrew McDonald, Planner I**
 Jared Francis, Senior Engineer

Presented by: **Steven Schaefermeyer, Planning Director**

Staff Recommendation (Motion Ready):

I move that the City Council approve Ordinance No. 2024-04-Z, approving the proposed zoning change from R-1.8 to R-2.5.

ACREAGE:	Approximately .88 (acres)
CURRENT ZONE:	Residential Single-Family (R-1.8)
FUTURE LAND USE PLAN:	SN (Stable Neighborhood)
NEIGHBORING ZONES:	North – Residential Single-Family (R-1.8)
	East – Residential Single-Family (R-1.8)
	South – Residential Single-Family (R-1.8)
	West – Residential Single-Family (R-2.5)

REZONE REVIEW STANDARDS:

The rezoning of property may not be considered if the proposed zoning does not conform to the general plan. The following guidelines shall be considered in the rezoning of parcels:

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

City Code § 17.22.020

BACKGROUND:

High Country Homes & Developments, Inc. (on behalf of the property owner, Keith Walmer) filed an application to rezone the subject property from R-1.8 Residential Single-Family (maximum 1.8 units per acre) to R-2.5 Residential Single-Family (maximum 2.5 units per acre). The Owner's Affidavit is included in the supporting materials. The neighboring properties to the north, east, and south are zoned R-1.8. The properties to the west (across 3200 West) are zoned R-2.5 (see included Current Zoning Map). Information on the current site conditions is included in the supporting materials.

The property owner would like to sell the east half of the property (facing Alexanderpark Lane) to the applicant. The owner must legally subdivide the property before the east half is sold. The property is not part of recorded subdivision, and will require an application for a new subdivision. The existing home and barn will become Lot 1 facing and accessing 3200 West. Lot 2 will face and access Alexanderpark Lane. The owner intends to keep ownership of Lot 1. The concept plan has been included in the supporting materials.

The whole property must be rezoned because City Code requires that all lots within the boundaries of a subdivision have the same zoning designation. Although the expected subdivision will meet the development requirements of the R-1.8 Zone (minimum lot size of 14,520 ft²), the density of the expected subdivision (2.2 units per acre) would not comply with the current zoning density (1.8 units per acre).

There are two horses living on the property. The property owner moved to Wisconsin and is in the process of moving the horses to him. The owner fully accepts that the rezone will not permit farm animals once the horses are moved, and subdivision development begins.

The current future land use is SN (Stable Neighborhood), and will not be amended with this application. The frontage along Alexanderpark Lane has already been improved with utility connections and partial services when the Alexander Place Subdivision developed nearly twenty years ago. An Infrastructure Analysis Report has been included in the supporting materials.

STAFF FINDINGS, CONCLUSION & RECOMMENDATION:

Findings:

- The application meets the rezone standards of review.
- The rezone will bring the subject property into compliance with City Code.
- The rezone from R-1.8 Residential Single-Family to R-2.5 Residential Single-Family is consistent with the General Plan and the neighborhood.

Planning Commission Recommendation:

The Planning Commission reviewed the application on February 27, 2024; and unanimously recommended approval to the City Council. A copy of the meeting minutes is in the supporting materials.

Conclusion:

The rezone is consistent with the General Plan, and City Code.

Recommendation:

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

ALTERNATIVES:

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

SUPPORT MATERIALS:

- Location Map
- Owner's Affidavit
- Current Zoning Map
- Existing Site Conditions
- Existing Contour Elevations
- Subdivision Concept Plan
- Infrastructure Analysis Report
- Ordinance 2024-04-Z
- February 27, 2024 Planning Commission Meeting Minutes
- Public Mailing Notice
- Rescheduled Public Notice for City Council

Andrew McDonald

Andrew McDonald (Mar 11, 2024 16:44 MDT)

Andrew McDonald, AICP Candidate
Planner I, Planning Department

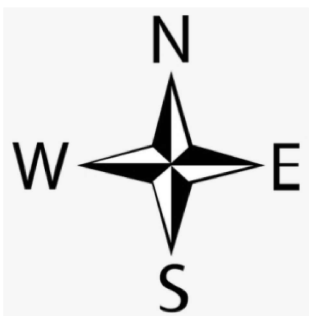
Department Approval

Steven Schaefermeyer

Steven Schaefermeyer (Mar 11, 2024 17:33 MDT)

Steven Schaefermeyer
Director of Planning

Location Map



Source: City of South Jordan GIS Map as of February 2024.

OWNER'S AFFIDAVIT

This Owner's Affidavit (this "Affidavit") is made by Keith Walmer (the "Owner") who is the legal and right property owner(s) of the following parcel(s): 27-16-152-016
10593 S 3200 W So Jordan, Utah 84095 (the "Property").

The Owner acknowledges that Craig Bonham (the "Representative") is authorized to represent Owner's interests in the Property for the following purposes (check all that apply):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Rezone the Property | <input type="checkbox"/> Variance Request |
| <input type="checkbox"/> Change Property's Future Land Use designation | <input type="checkbox"/> Accessory Dwelling Unit |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Reasonable Accommodation Request |
| <input type="checkbox"/> Subdivision or Subdivision Amendment | <input checked="" type="checkbox"/> Other: <u>Rezone the East facing back portion of the property</u> |
| <input type="checkbox"/> Site Plan (may include a minor site plan or site plan amendment) | <u>the area size is .45 Acres of land to be sold.</u> |
| <input type="checkbox"/> Small Residential Development | <u>_____</u> |
| <input type="checkbox"/> Conditional Use Permit | <u>_____</u> |
| | <u>_____</u> |

The Owner understands that this authorization allows the Representative to submit applications to the City of South Jordan for the above-checked purposes.

OWNER SIGNATURE

Spinal water

OWNER SIGNATURE

N/A

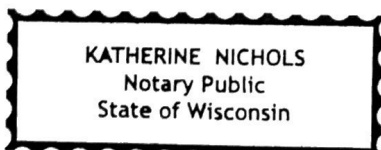
State of Wisconsin)
County of Rock)

On the 31 day of January, 2024, personally appeared before me Keith Walmer N/A, the signer of the above instrument, who duly subscribed and swore before me that he executed the same.

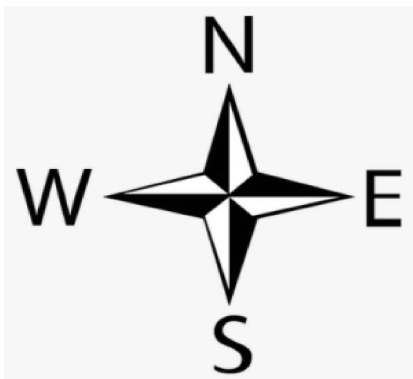
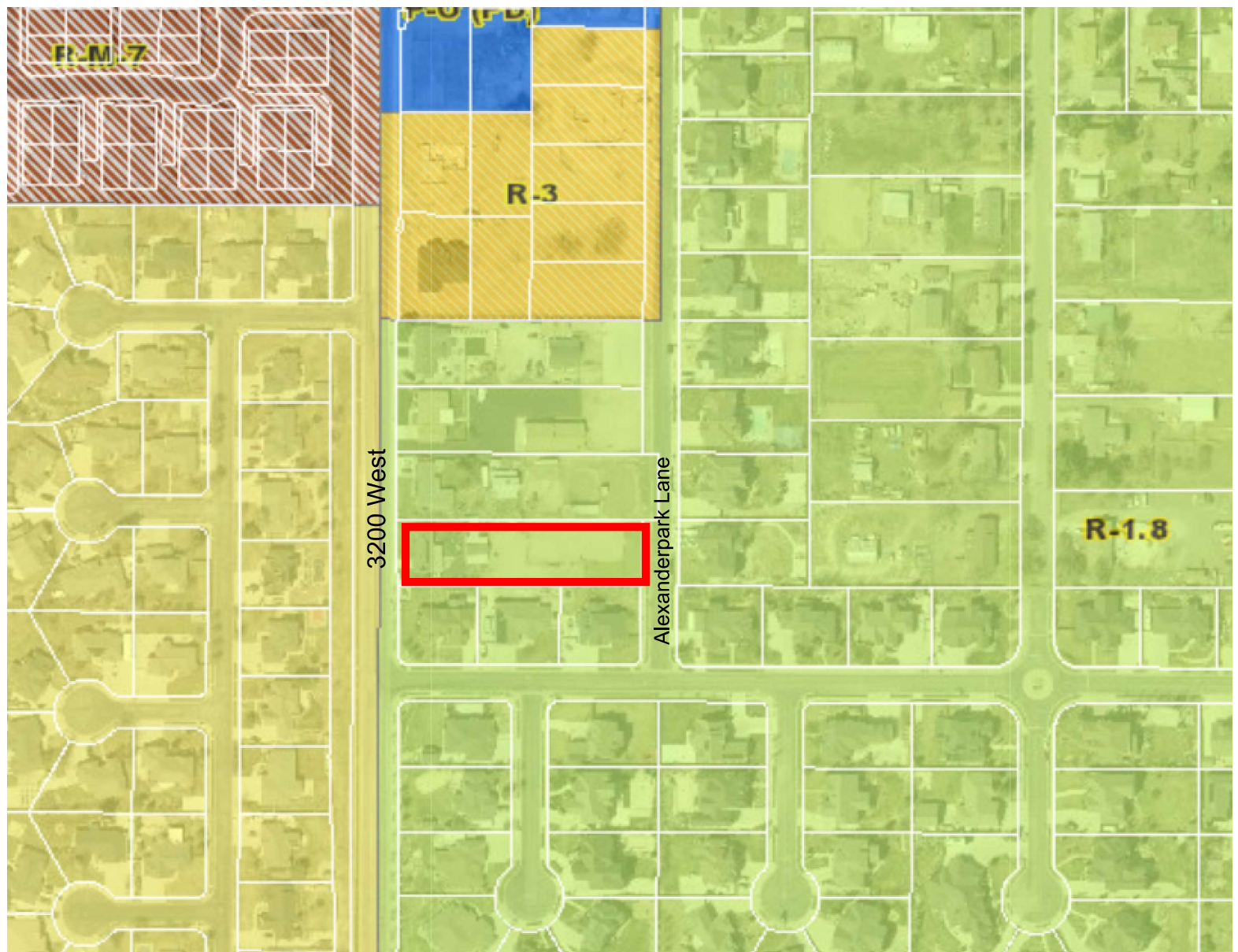
Kate Nichol

Notary Public

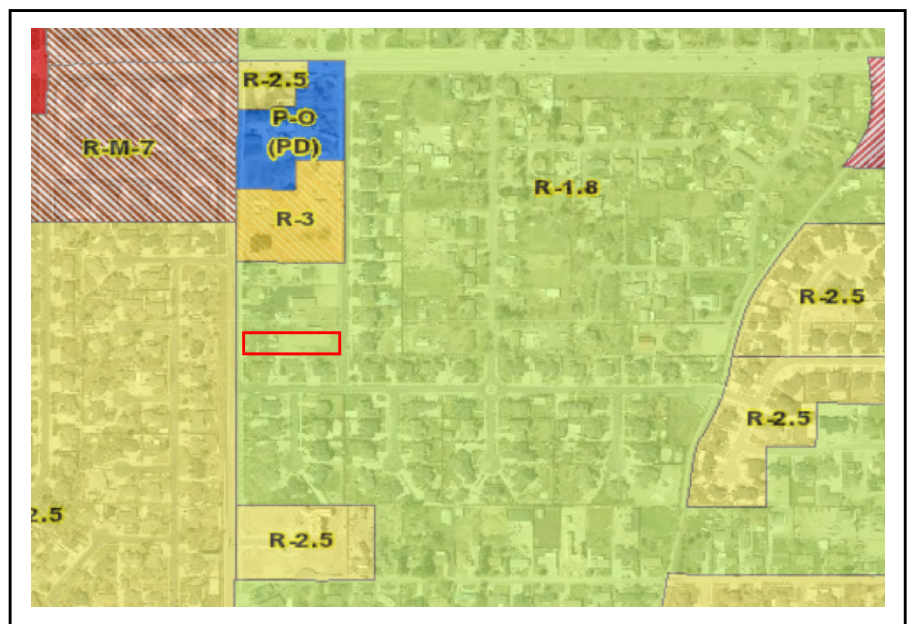
(seal)



Current Zoning Map

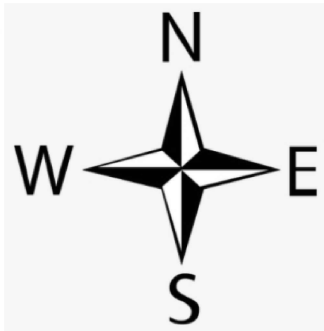


Source: City of South Jordan
Public Online Current Zoning Map
as of February 2024



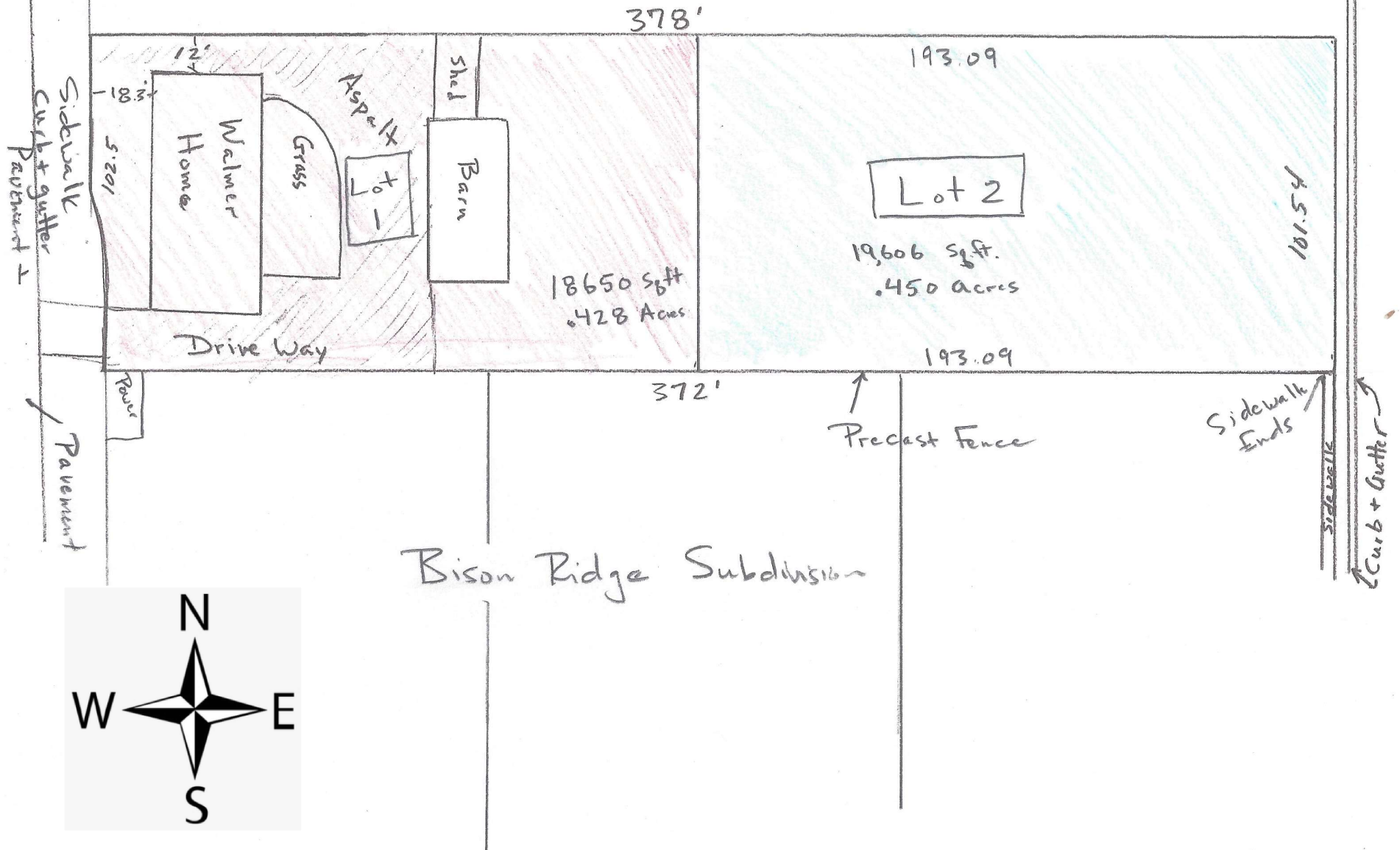
Existing Site Conditions/Record of Survey



[illegible]

Source: City of South Jordan GIS Map as of February 2024

Proposed Concept Plan



LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

INFRASTRUCTURE ANALYSIS

Project Name/Number	Walmer Property Rezone	10593 S. 3200 West
----------------------------	------------------------	--------------------

Planner Assigned	Andrew McDonald
Engineer Assigned	Jared Francis

The Engineering Department has reviewed this application and has the following comments:

Transportation: *(Provide a brief description of the access, transportation master plan and how this change affects Master Plan, condition/status of existing roadways. Determine whether a Traffic Study should be completed)*

The project proposes to subdivide an existing lot with frontage on both 3200 West and on Alexander Park Lane, with its primary access being from 3200 West. The existing home will continue to access 3200 West and the newly created lot will access Alexander Park Lane. The right of way improvements on 3200 West have already been installed, however, the development will be required to install public right of way improvements along it's frontage on Alexander Park Lane and dedicate public right of way as necessary. There is also a reimbursement agreement recorded against the property that will need to be met prior to development.

Culinary Water: *(Provide a brief description of the water servicing the area, look into deficiencies, and determine if water modeling needs to be performed at this time, look at Water Master Plan and evaluate the change to the Master Plan)*

There is an existing City owned 8" water main on the east side of Alexander Park Lane that will be used to provide culinary water to the proposed lot. If a service lateral hasn't previously been installed for the proposed lot, it will need to be done as part of the development.

Secondary Water: *(Provide a brief description of the secondary water servicing the area, briefly look into feasibility)*

There is an existing secondary water main on the west side of Alexander Park Lane.

Sanitary Sewer: *(Attach letter from South Valley Sewer stating that this zone/land use change does not affect service and that any future project can be serviced by the District)*

There is a sewer main in Alexander Park Lane. Sewer main design and connection requirements will be determined by the South Valley Sewer District.

Storm Drainage: *(How will this area be serviced for storm drainage, kept on site, Master Storm Plan, etc. any other issues with drainage)*

In order to comply with State and City guidelines, proposed developments must retain on site, through use of approved low impact development devices and best management practices, all rainfall events less than or equal to the 80th percentile rainfall event. For storm events greater than the 80th percentile, the additional storm water must either be retained on site or discharged into an approved storm drain system. There is an existing public storm drain system in Alexander Park Lane.

Other Items: *(Any other items that might be of concern)*

Report Approved:


Development Engineer

2/20/24
Date


Brad Klavano, PE, PLS
Director of Engineering Services/City Engineer

2/20/24
Date

ORDINANCE NO. 2024 – 04–Z

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT 10593 SOUTH 3200 WEST FROM R-1.8 (RESIDENTIAL) ZONE TO R-2.5 (SINGLE-FAMILY RESIDENTIAL) ZONE; HIGH COUNTRY HOMES & DEVELOPMENTS, INC (APPLICANT).

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

WHEREAS, Applicant, High Country Homes & Developments, Inc., proposed that the City Council amend the Zoning Map by rezoning the property described in the attached **Exhibit A**; and

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

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

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

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

SECTION 1. Rezone. The property described in Application PLZBA202400014 filed by High Country Homes & Developments Inc., located at 10593 S. 3200 W. in the City of South Jordan, Utah is hereby reclassified from R-1.8 (Residential) Zone to R-2.5 (Single-Family Residential) Zone on property described in the attached **Exhibit A**.

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

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

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

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

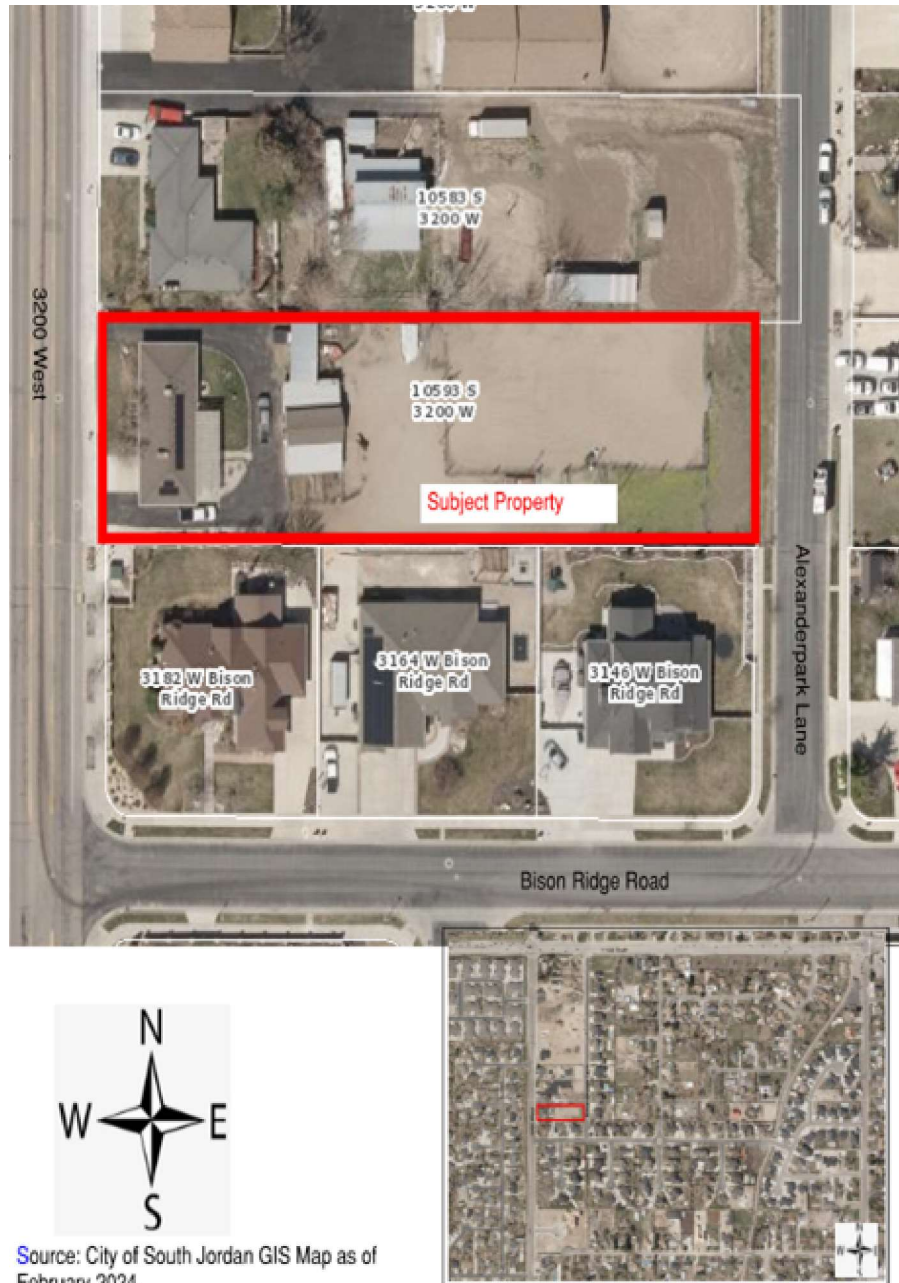
Approved as to form:

Gregory Simonsen
Gregory Simonsen (Mar 13, 2024 11:13 MDT)
Office of the City Attorney

EXHIBIT “A”

(Property Description)

BEG E 31.075 FT FR W 1/4 COR SEC 16, T3S, R1W, SLM; E 372 FT; N 101.54 FT; W 378 FT; S 48.50 FT; S 8°09'27" E 15.47 FT; S 0°01' W 20.03 FT; S 12°17'29" E 18.15 FT TO BEG. 10725-0653



**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
February 27, 2024**

Present: Chair Michele Hollist, Commissioner Nathan Gedge, Commissioner Steven Catmull, Commissioner Laurel Bevans, Commissioner Ray Wimmer, Commissioner Sam Bishop, Assistant City Attorney Greg Simonsen, City Planner Greg Schindler, City Recorder Anna Crookston, GIS Coordinator Matt Jarman, IT Director Jon Day, Meeting Transcriptionist Diana Baun, Planner Andrew McDonald, Planner Miguel Aguilera

Others: Jeff Seaman, John Warnick, Craig Bonham, Robert Hilsinger

Absent:

**6:35P.M.
REGULAR MEETING**

A. WELCOME AND ROLL CALL – *Chair Michele Hollist*

Chair Hollist welcomed everyone to the Electronic Planning Commission Meeting.

B. MOTION TO APPROVE AGENDA

Commissioner Gedge motioned to amend tonight’s agenda as published. Chair Hollist seconded the motion; vote was unanimous in favor.

C. APPROVAL OF THE MINUTES

C.1. February 13, 2024 - Planning Commission Meeting Minutes

Commissioner Bevans motioned to approve the February 13, 2024 Planning Commission Meeting Minutes as published. Chair Hollist seconded the motion; vote was unanimous in favor.

D. STAFF BUSINESS - *None*

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

Chair Michele Hollist shared concerns over Commissioners Wimmer and Bishop not having access to their city emails. Staff instructed them to talk with Director Day on getting that remedied.

- **Item 5d amendment is entered into by both the Authorized City Designee and the applicant.**

Commissioner Catmull suggested to amend the motion that, in addition, the applicant and staff review the agreement together to ensure it will meet the additional development plans for the future commercial space.

Commissioner Gedge sustained the suggested amendment. Chair Hollist seconded the original motion with the amendment.

Roll Call Vote

Yes – Commissioner Gedge

Yes – Chair Hollist

Yes – Commissioner Wimmer

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Yes – Commissioner Bishop

Motion passes 6-0, unanimous in favor.

I. LEGISLATIVE PUBLIC HEARINGS

I.1. WALMER REZONE

Address: 10593 S 3200 W

File No.: PLSPR202300053

Applicant: High Country Homes & Development

Commissioner Laurel Bevans disclosed that she is a neighboring property owner to this property being discussed, and acknowledged that she has no financial stake in this property and will vote as per usual process barring any additional information brought forward that changes her association with the applicant or property. This was discussed before the meeting and approved by the city's legal counsel.

Planner Andrew McDonald reviewed background information from the Staff Report.

Commissioners and staff discussed the subdivision status of properties around the subject property, noting that there are still a few that are not part of a larger subdivision, like the subject property.

Commissioner Laurel Bevans noted that the applicant is not the property owner, and asked if the paperwork was in order to acknowledge the property owner's awareness and approval of these changes.

Planner McDonald responded that the city does have an affidavit from the property owners authorizing the applicant to handle this process on his behalf.

Chair Hollist invited the applicant up to speak.

Commissioner Bevans asked about water movement issues in the area and other properties beginning to sink in towards this one.

Craig Bonham (Applicant with High Country Homes) - Acknowledged that they will have to retain all water on the property, and that will have to be dealt with and figured out. The dirt that was dug up will also be used to fill other spaces on the property. There is already curb and gutter, so they will only have to run the sidewalk on Alexander, they will not be touching anything on 3200 W.

Chair Hollist opened the public hearing for comments; there were none and the hearing was closed.

Commissioner Bishop motioned to forward a recommendation to approve File No. PLZBA202400014, Ordinance 2024-04-Z, Rezone, based on the Staff Report and discussion this evening. Chair Hollist seconded the motion.

Roll Call Vote

Yes – Commissioner Bishop

Yes – Chair Hollist

Yes – Commissioner Gedge

Yes – Commissioner Wimmer

Yes – Commissioner Catmull

Yes – Commissioner Bevans

Motion passes 6-0, unanimous in favor.

J. OTHER BUSINESS

Planner Schindler discussed the future meetings come up in March.

ADJOURNMENT

Chair Hollist motioned to adjourn the February 27, 2024 Planning Commission Meeting. Commissioner Bevans seconded the motion; vote was 6-0, unanimous in favor.

The February 27, 2024 Planning Commission Meeting adjourned at 8:47 p.m.

Dawn R. Ramsey, *Mayor*
Patrick Harris, *Council Member*
Kathie L. Johnson, *Council Member*
Donald J. Shelton, *Council Member*
Tamara Zander, *Council Member*
Jason T. McGuire, *Council Member*



PH: 801.446-HELP @SouthJordanUT

NOTICE OF PUBLIC HEARING

February 17, 2024

Dear Recipient:

High Country Homes & Development Inc., on behalf of property owner, has filed an application (File #**PLZBA202400014**) at **10593 S. 3200 W.** The applicant is requesting that the South Jordan City Planning Commission review and forward a recommendation to the City Council to rezone the subject property from the Residential Single-Family (R-1.8) Zone to the Residential Single-Family (R-2.5) Zone.

You are receiving this notice because Salt Lake County records indicate that you own property that is within 300' (feet) of the subject property; or are listed as an affected entity. A map showing the property location is attached to this notice.

A public hearing regarding this proposal will be held before the South Jordan City Planning Commission **at 6:30 p.m. on Tuesday February 27, 2024; and at 6:30 p.m. on Tuesday March 5, 2024** for the South Jordan City Council in the South Jordan City Council Chambers (1600 W. Towne Center Drive). All interested parties are invited to attend. Virtual attendance can be done by following instructions provided at: **<http://www.sjc.utah.gov/planning-commission/>** for Planning Commission; and **<https://www.sjc.utah.gov/241/City-Council>** for City Council. Virtual attendance is contingent upon an individual's internet connection, not the City.

Public comments may be submitted in writing by mail or by emailing Andrew McDonald at **amcdonald@sjc.utah.gov**, **by 12:00 p.m. on February 27, 2024 for the Planning Commission and by 12:00 p.m. on March 5, 2024 for City Council**. This ensures that any comments received can be reviewed by the Commission and Council, and included in the record prior to the meeting. Any emails or signed letters received will be placed on record. **There is a 10 MB file size limit on emailed comments**. Comments may also be given, and added to the record, during the public comment portion of the hearing.

Should you desire further information, you may contact the South Jordan Planning & Zoning Department: **(801) 446-4357** during regular business hours or by contacting the email provided.

[Type text]

Respectfully,
Andrew McDonald, AICP Candidate
City of South Jordan Planning Department

Location Map of Subject Property



Source: City of South Jordan GIS Map as of February 2024.

Dawn R. Ramsey, *Mayor*
Patrick Harris, *Council Member*
Kathie L. Johnson, *Council Member*
Donald J. Shelton, *Council Member*
Tamara Zander, *Council Member*
Jason T. McGuire, *Council Member*



PH: 801.446-HELP @SouthJordanUT

NOTICE OF PUBLIC HEARING

February 27, 2024

Dear Recipient:

High Country Homes & Development Inc., on behalf of property owner, has filed an application (File #**PLZBA202400014**) to rezone a property located at **10593 S. 3200 W.**

You are receiving this notice because Salt Lake County records indicate that you own property that is within 300' (feet) of the subject property; or are listed as an affected entity. A map showing the property location is attached to this notice.

The public hearing regarding this proposal that was originally scheduled for the City Council on March 5, 2024 has been cancelled, and rescheduled for March 19, 2024.

The public hearing will occur in the South Jordan City Council Chambers (1600 W. Towne Center Drive). All interested parties are invited to attend. Virtual attendance can be done by following instructions provided at: **<https://www.sjc.utah.gov/241/City-Council>** for City Council. Virtual attendance is contingent upon an individual's internet connection, not the City.

Public comments may be submitted in writing by mail or by emailing Andrew McDonald at **amcdonald@sjc.utah.gov**, **by 12:00 p.m. on March 19, 2024.** This ensures that any comments received can be reviewed by the Council, and included in the record prior to the meeting. Any emails or signed letters received will be placed on record. **There is a 10 MB file size limit on emailed comments.** Comments may also be given, and added to the record, during the public comment portion of the hearing.

Should you desire further information, you may contact the South Jordan Planning & Zoning Department: **(801) 446-4357** during regular business hours or by contacting the email provided.

Respectfully,
Andrew McDonald, AICP Candidate
City of South Jordan Planning Department

Location Map of Subject Property



Source: City of South Jordan GIS Map as of February 2024.