

# **SOUTH JORDAN CITY PLANNING COMMISSION REPORT**

**Meeting Date: 01/24/2023**

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**Issue:**           **D & D RESIDENTIAL/HATCH SUBDIVISION**  
                  **Rezone from Agricultural (A-1) / (A-5), & Professional Office (P-O) to**  
                  **Residential (R-1.8)**  
                  **Land Use Amendment from Economic Infill Opportunity (EIO) to Stable**  
                  **Neighborhood (SN)**

**Address:**       **10828 S. 1055 W. & 10827 S. 1055 W.**  
**File No:**       **PLZBA202200217**  
**Applicant:**     **Devan Hatch, D & D Residential Development, LLC**

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

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**Staff Recommendation (Motion Ready):** Based on the findings in this report, I move that the Planning Commission forward a recommendation to the City Council to **approve** the land use amendment, Resolution R2023-08, and rezone, Ordinance No. 2023-02-Z.

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<b>ACREAGE:</b>	Approximately 3.31 (acres)
<b>CURRENT ZONE:</b>	A-1, A-5, & P-O
<b>CURRENT LAND USE:</b>	Residential
<b>FUTURE LAND USE MAP:</b>	Agricultural Preservation (AP) & Economic Infill Opportunity (EIO)
<b>NEIGHBORING ZONES / LAND USES:</b>	North – A-5 / SN South – R-1.8 & P-O / AP & EIO West – R-1.8 / SN East – P-O / EIO

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## **STANDARD OF APPROVAL:**

### **1. LAND USE AMENDMENT:**

The general plan may be amended by resolution of the City Council as follows:

- A. The process to amend the general plan and future land use map may be initiated by members of the City Council, by the City Manager or Community Development Director, or by the owner of a subject property or his or her agent. A general plan land use or text amendment which is not initiated by the city may not be reinitiated for an amendment which was considered within the previous year without a majority vote of the City Council. A land use amendment should not impair the development potential of the subject parcel or neighboring properties.

- B. The Planning Commission shall hold a public hearing, as required by state law, after which the commission may modify the proposed general plan amendment. The Planning Commission shall then forward the proposed general plan amendment to the City Council.
- C. After receiving the recommendation of the Planning Commission, the City Council shall hold a public hearing, and may accept, accept with modifications, or reject the proposed general plan amendment.

(City Code § 17.12.030)

## 2. REZONE:

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)

The Planning Commission shall receive public comment at the public hearing regarding the proposed rezoning and make a recommendation on the rezoning to the City Council (*see* City Code § 17.22.040).

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## **BACKGROUND:**

Devon Hatch submitted an application for a Rezone & Land Use Amendment. The purpose of the application is to make the subject properties consistent with other property owned by D&D Residential Development, LLC, by rezoning them to R-1.8. This application involves three parcels: 27-14-376-008, 27-14-377-001, & 27-14-377-002.

The largest parcel (27-14-376-008) is currently vacant and is approximately two acres. It is zoned A-5 and the future land use is Agricultural Preservation (AP). The applicant intends to build a six-lot subdivision on this parcel together with three adjacent parcels that are already zoned R-1.8.

The other two parcels are east of 1055 West and are respectively .84 acres and .44 acres. These parcels are adjacent to each other and are currently in three different zones: A-1, A-5, and P-O. The future land use for these parcels is EIO, which was an unintentional designation that is being corrected with this application to reflect the intent of the 2020 General Plan changes (i.e., only Roseman University's property east of the canal should have been designated as EIO). The applicant intends to sell these two parcels in a deal that is pending the outcome of this application. The existing buildings will be demolished and replaced by single-family housing. These properties must be rezoned for new construction to comply with City Code requirements.

### **FINDINGS, CONCLUSION & RECOMMENDATION:**

#### **Findings:**

- The application meets the rezone standards of approval and will not impair the development potential of the neighboring properties.
- Amending the land use from EIO to SN conforms with the original intent of the 2020 General Plan amendments in this area.
- Rezoning the property will allow the properties to be developed for single-family residential use in compliance with City Code requirements, and will be consistent with adjacent uses.
- The Concept Plan shows lots that are larger than the minimum lot size in the R-1.8 Zone, which is consistent with the AP land use, which is defined in the General Plan as follows: "Agricultural Preservation identifies areas with current and/or historic agricultural usage. Though these properties are a beloved asset to the community, future development is probable. Future development shall be primarily residential and serve to preserve the agricultural character in the forms and character of the development. Cluster style development will be encouraged to preserve the agricultural use/open space where possible. Small scale, neighborhood commercial uses could be strategically placed consistent with surrounding land uses and/or at the core of the neighborhood to provide a themed service base for neighborhood gathering."

#### **Conclusion:**

The land use amendment and rezone are consistent with the General Plan, and the City Code requirements for land use amendments and rezones.

#### **Recommendation:**

Staff recommends that the Planning Commission take comments at the public hearing; and **recommend approval** of the application (File # PLZBA202200217) to City Council, 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.

### **INFRASTRUCTURE IMPACT:**

An infrastructure analysis report is included in the supporting materials.

### **FISCAL IMPACT:**

A fiscal impact analysis is included in the supporting materials.

**ALTERNATIVES:**

- Recommend approval of an amended application.
- Recommend denial of the application.
- Schedule the application for a decision at some future date

**SUPPORT MATERIALS:**

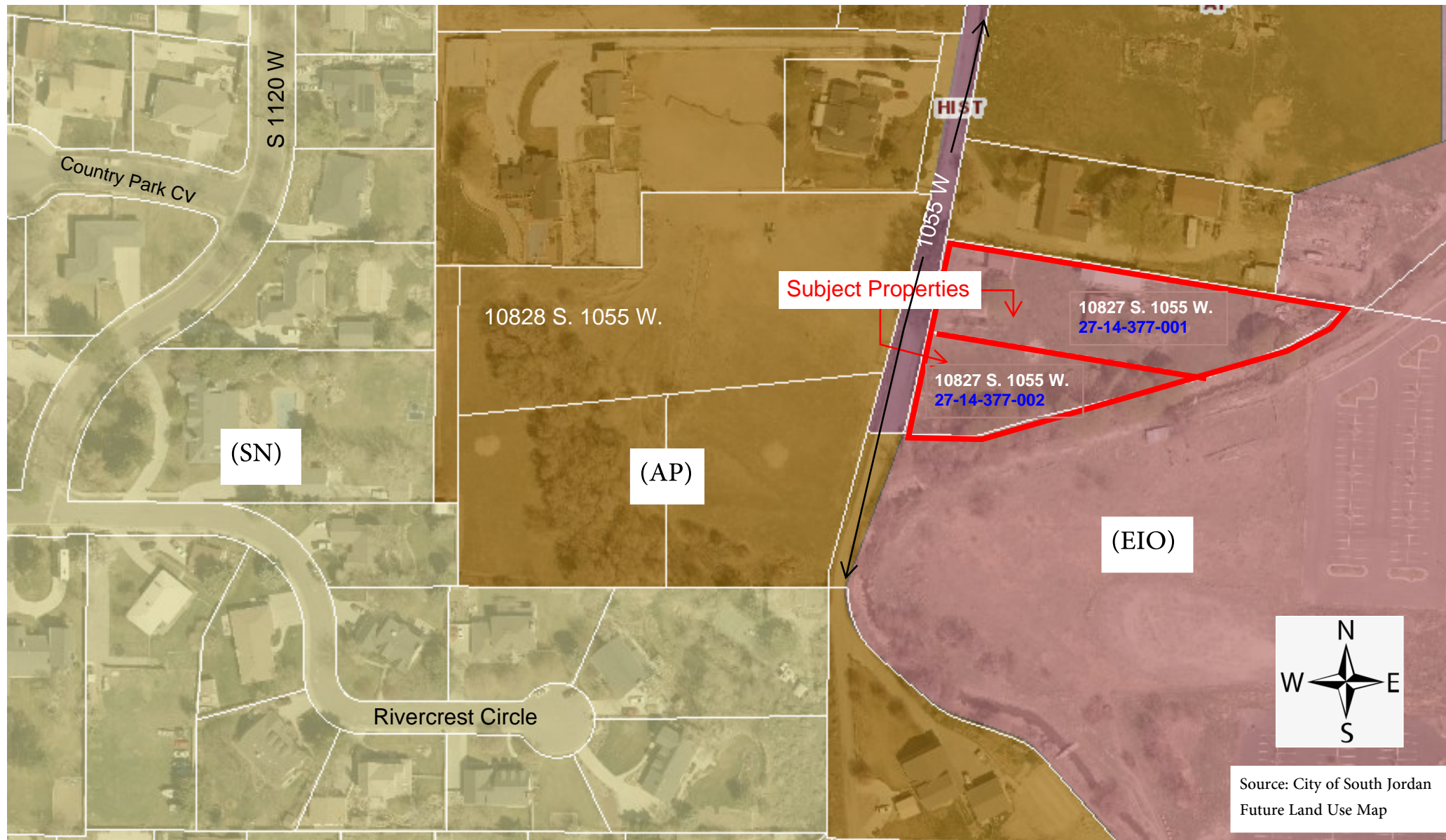
- Current Land Use Map
- Current Zoning Map
- Concept Plan
- Engineering Infrastructure Analysis Report
- Fiscal Impact Analysis Report
- Resolution R2023-08
- Ordinance 2023-02-Z



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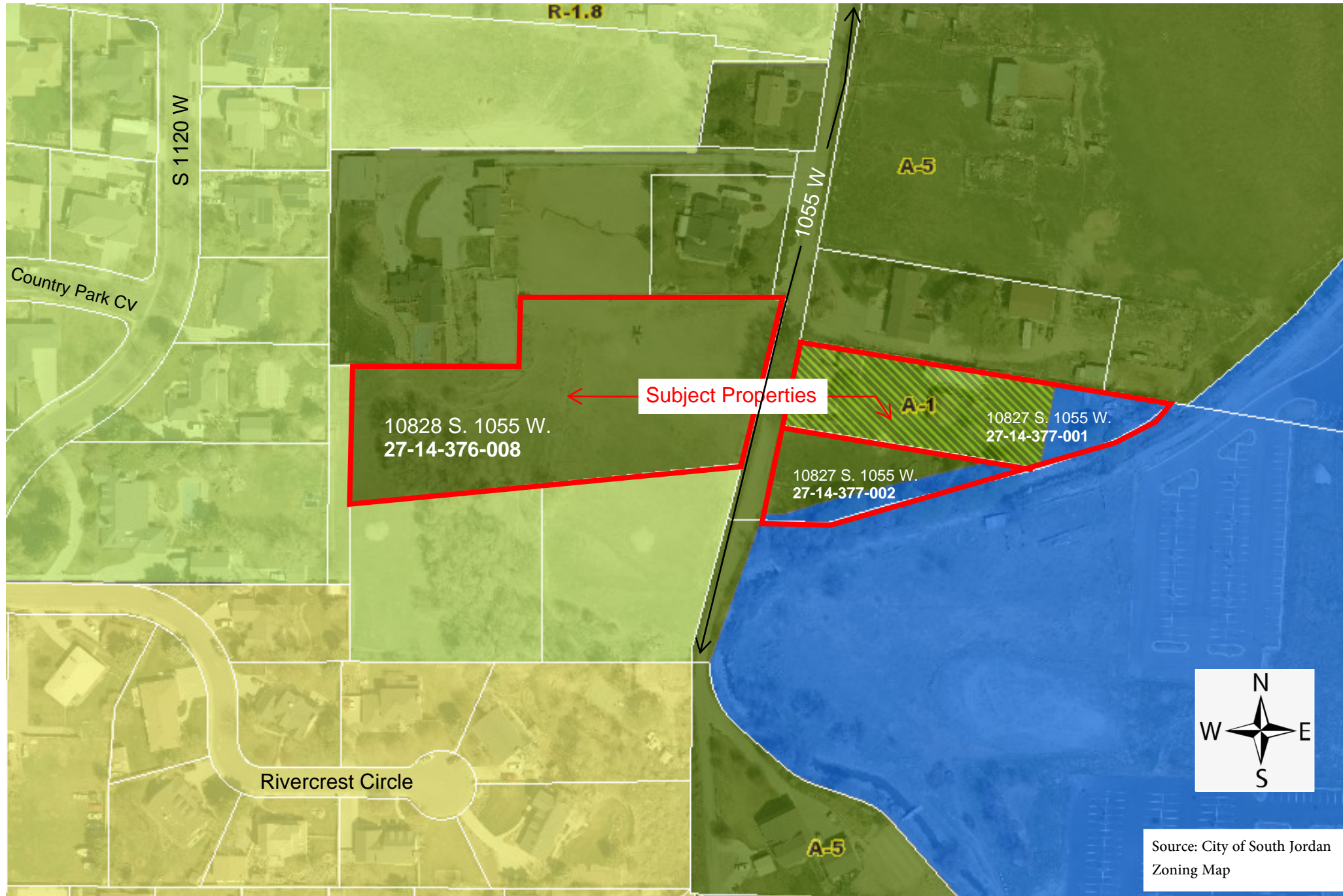
City of South Jordan  
Andrew McDonald  
Planner I

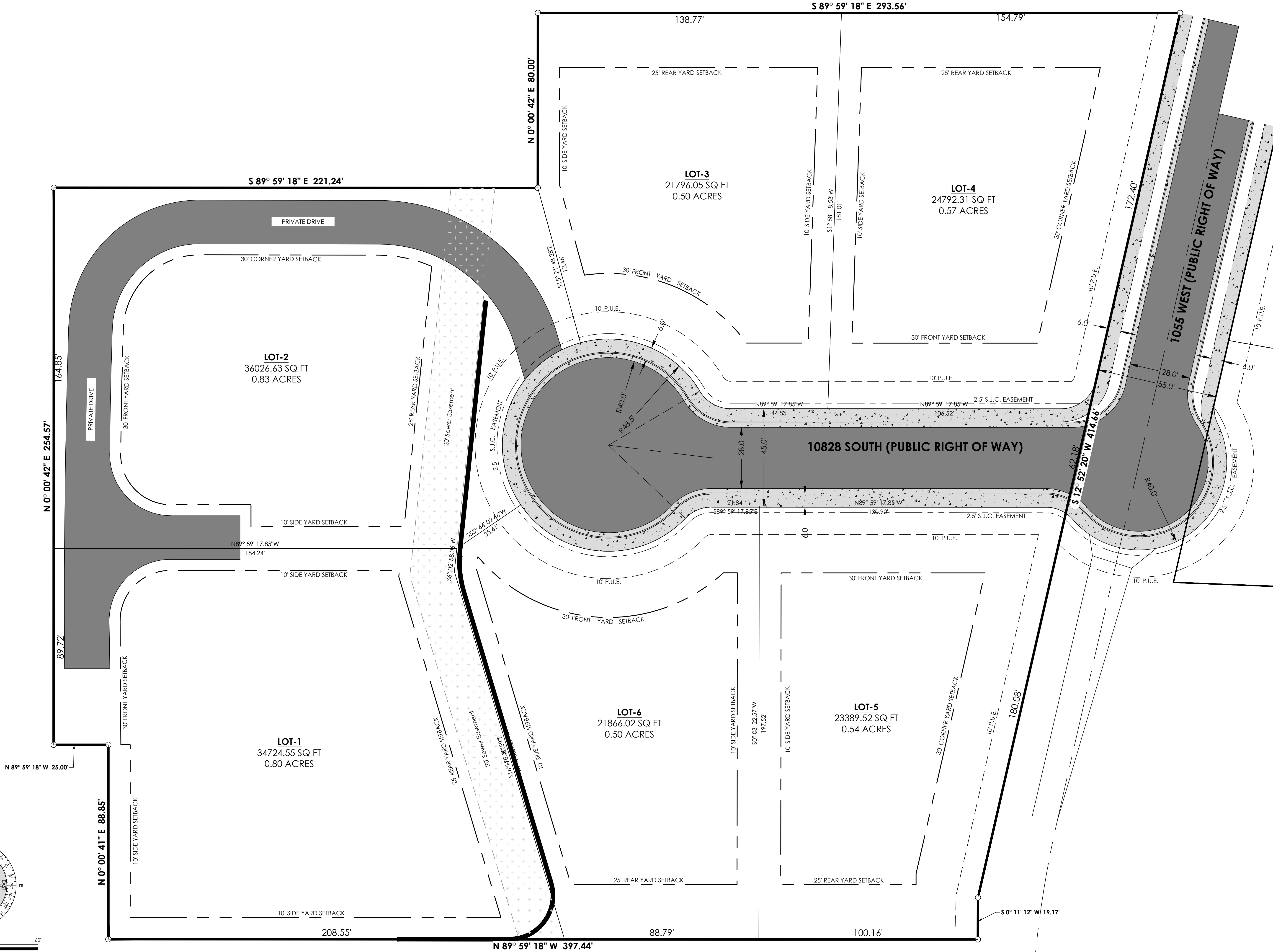
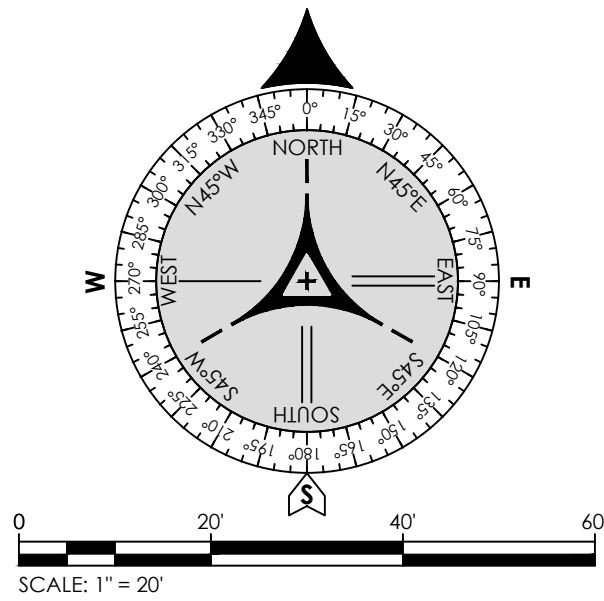
# Location Map of Subject Property





# Location Map of Subject Property





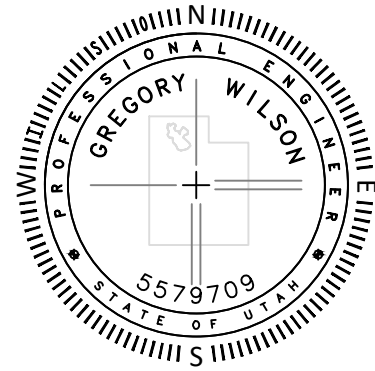
HATCH SUBDIVISION

HATCH SUBDIVISION

10828 SOUTH - 1055 WEST

SOUTH JORDAN, UTAH

SOUTHWEST 1/4, SECTION-14, T3S, R1W, SLB&M



SCALE

REV	DATE	COMMENT
A	OCT 13, 2022	1st Submittal

SCALE CONSULTANTS, P.C.  
RIVINGTON, UTAH 84096  
(801) 664-6624

# LAND USE AMMENDMENTS & REZONE DEVELOPMENT PROJECTS

## *INFRASTRUCTURE ANALYSIS*

<b>Project Name/Number</b>	Hatch Subdivision	10828 S 1055 W
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<b>Planner Assigned</b>	Andrew McDonald
<b>Engineer Assigned</b>	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 subject property will be accessed from 1055 West. The development will be required to install public right of way improvements along the portion of 1055 West that borders the project, and dedicate the necessary right of way. The project is proposed to have a public street and cul-de-sac, providing frontage for 4 of the proposed lots. The remaining two lots will be accessed from a private drive extending off the end of the cul-de-sac.

**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 6" water main in 1055 West. Fire hydrants will be required on site as per City standards. A water model will be required as part of the preliminary subdivision submittals.

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

There does not appear to be a City owned secondary water system adjacent to the project. An engineer's cost estimate will be required during the preliminary subdivision review to determine if it's feasible per City code for the new development to provide a functioning secondary water system.



**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 line running north and south on the west side of the subdivision that may be able to service the upper two, west most lots. A new sewer main may be required in 1055 West and within the project to provide service to the rest of the lots. Sewer main design and connection requirements will be determined by the South Valley Sewer District.

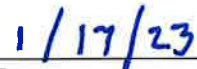
**Storm Drainage:** *(How will this area be serviced for storm drainage, kept on site, Master Storm Plan, etc. any other issues with drainage)*


In order to comply with State and City guidelines, the proposed development 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 80<sup>th</sup> percentile rainfall event. For storm events greater than the 80<sup>th</sup> percentile, the additional storm water must either be retained on site or discharged into an approved storm drain system. There is not an existing public storm drain system in 1055 West.

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

**Report Approved:**

  
Development Engineer

  
Date

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

  
Date

# Project Analysis

**Project:** Hatch Subdivision

December 7, 2022

## Scenario Descriptions

### Scenario 1: No Change - R-1.8

No Change - Residential R-1.8 (2.15 acres), Agriculture A-1 (0.8 acres), Agriculture A-5 (2.47 acres)

## Financial Summary by Scenario

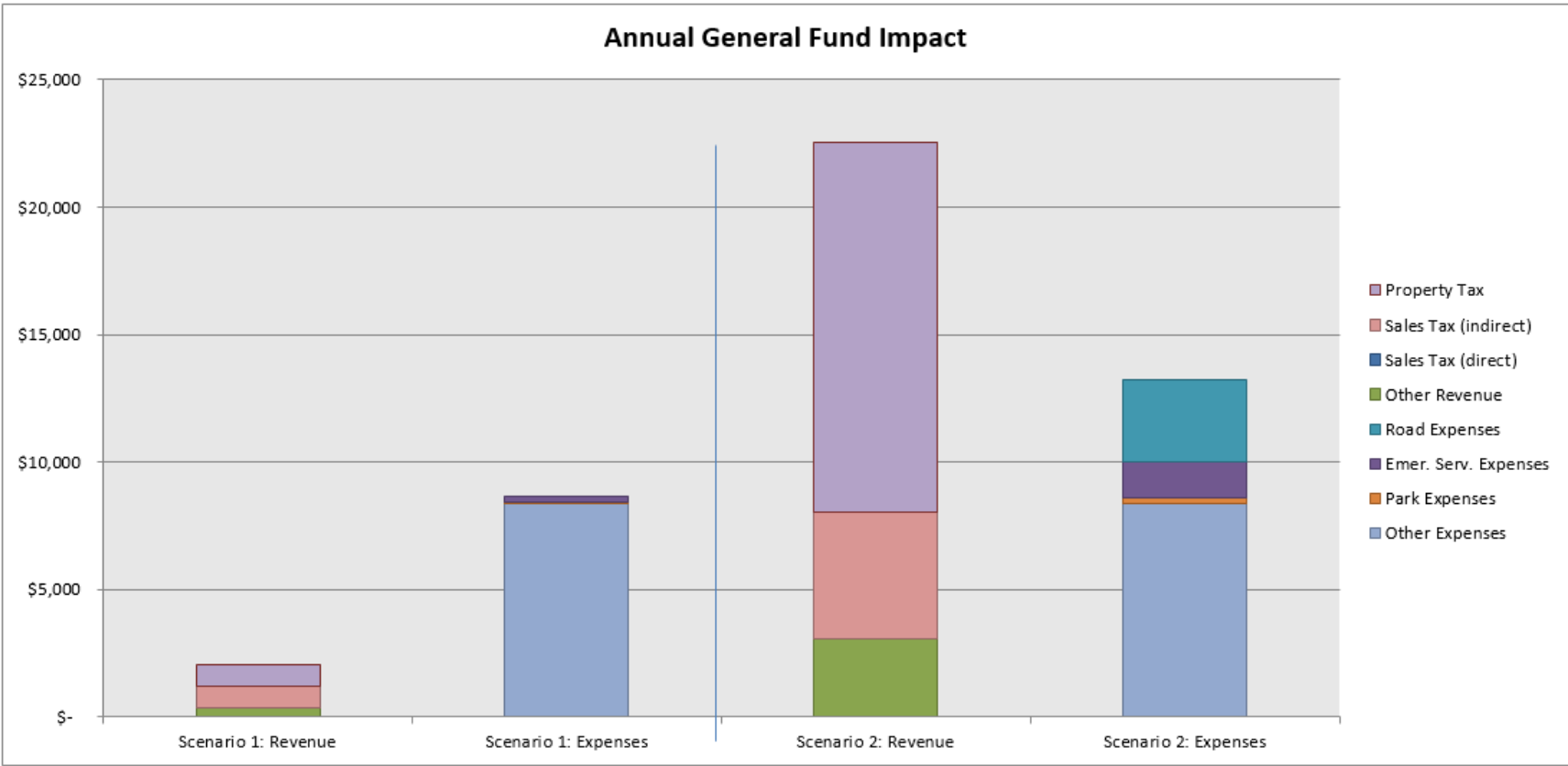
Direct Impact (General Fund)	No Change - R- 1.8	R-1.8
<b>Revenue</b>	<b>\$ 1,257</b>	<b>\$ 17,601</b>
Property Tax	\$ 900	\$ 14,505
Sales Tax (direct)	\$ -	\$ -
Other	\$ 357	\$ 3,096
<b>Expenses</b>	<b>\$ 8,653</b>	<b>\$ 13,241</b>
Roads	\$ -	\$ 3,232
Emergency Serv.	\$ 230	\$ 1,382
Parks	\$ 41	\$ 247
Other	\$ -	\$ -
<b>Total</b>	<b>\$ (7,396)</b>	<b>\$ 4,360</b>
Per Acre	\$ (1,782.24)	\$ 1,050.76
Per Unit	\$ (7,396.28)	\$ 726.69
Per Person	\$ (2,096.03)	\$ 205.94

## Indirect Impact

<b>Potential Retail Sales</b>	<b>\$ 81,383</b>	<b>\$ 488,296</b>
Sales Tax (indirect)	\$ 827	\$ 4,960

\*Other Revenue - Includes Permits, Licenses, Motor Vehicle Tax, Energy Sales & Use Tax, Telecommunications Tax, and Cable Franchise Tax.

\*\* Other Expense - Includes all other General Fund Expenses excluding Roads, Emergency Services, and Parks.



## **RESOLUTION R2023-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING THE FUTURE LAND USE PLAN MAP OF THE GENERAL PLAN OF THE CITY OF SOUTH JORDAN FROM ECONOMIC INFILL OPPORTUNITY (EIO) TO STABLE NEIGHBORHOOD (SN) ON PROPERTY LOCATED AT 10827 S. 1055 W.; DEVON HATCH (APPLICANT).**

**WHEREAS**, the City Council of the City of South Jordan (“City Council”) has adopted the Future Land Use Plan Map of the General Plan of the City of South Jordan (“Land Use Map”); and

**WHEREAS**, the Applicant requested that the City Council amend the Land Use Map by changing the land use designation on property located at 10827 S. 1055 W. from Economic Infill Opportunity to Stable Neighborhood ; and

**WHEREAS**, the South Jordan Planning Commission reviewed Applicant’s proposed amendment and made a recommendation to the City Council; and

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

**WHEREAS**, the City Council finds that amending the Land Use Map as proposed by the Applicant will enhance the public health, safety and general welfare, and promote the goals of the General Plan.

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

**SECTION 1. Amendment.** The land use designation of the Land Use Map of a portion of property described in Application PLZBA202200217, filed by Devan Hatch, which is located at 10827 S. 1055 W. in the City of South Jordan, Utah, is hereby changed from Economic Infill Opportunity to Stable Neighborhood as shown in **Exhibit A**.

**SECTION 2. Severability.** If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

**SECTION 3. Effective Date.** This Resolution shall become effective immediately upon passage.

[SIGNATURE PAGE FOLLOWS]

**APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH,  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 BY THE FOLLOWING VOTE:**

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

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
City Recorder

Approved as to form:

\_\_\_\_\_  
Office of the City Attorney



## EXHIBIT A

(Property Description)

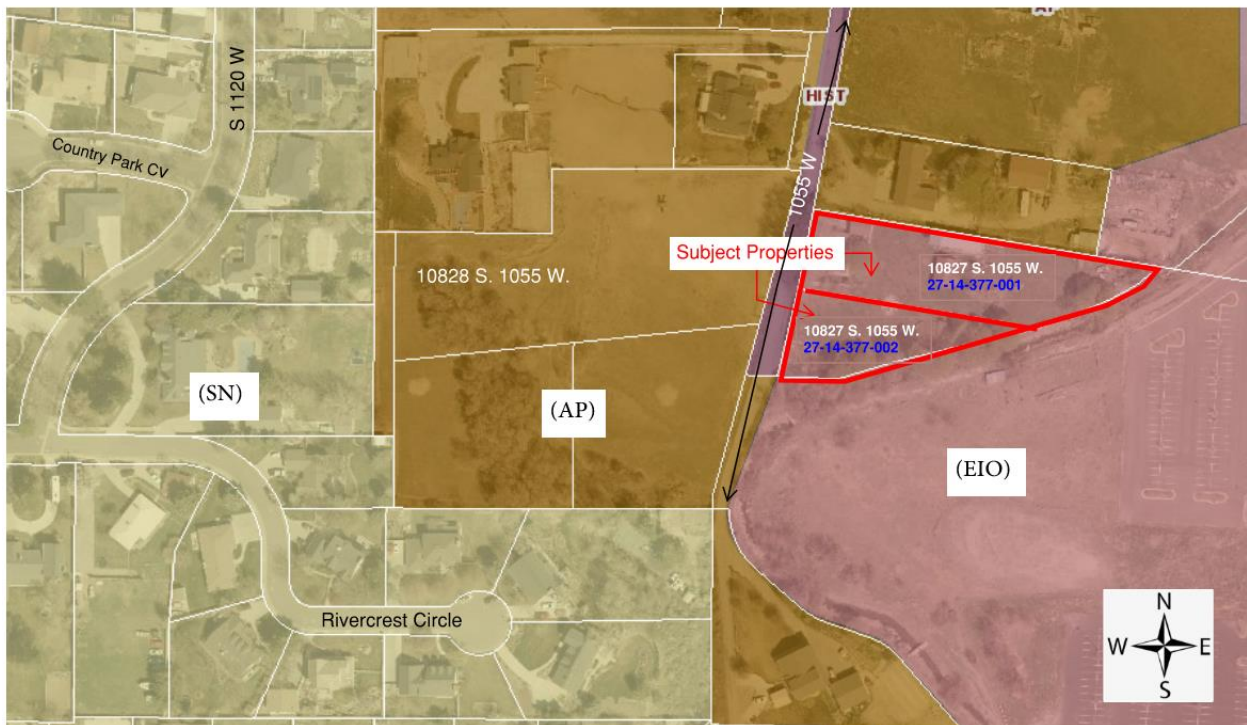
PARCEL NUMBER: 27-14-377-001

BEG S 12 CHS & E 74 CHS & W 37.5 CHS & N 39;30' W 2.3 CHS & N 75; W 1.5 CHS & N 43; W 2.55 CHS & N 11;30' E 6 CHS FR NW COR OF S 1/2 OF SW 1/4, SEC 14, T3S, R1W, SLM; S 11;30' W 100 FT; S 80;40' E 350 FT; N 71;10'42" E 37.34 FT; N 67;45'39" E 60.96 FT; N 61;21'55" E 37.29 FT; N 51;33'35" E 37.85 FT; NWLY TO BEG. 0.80 AC. 2199-144 8794-2809

PARCEL NUMBER: 27-14-377-002

COM 2216.77 FT E & 1570.83 FT S FR W 1/4 COR SEC 14 T 3S R 1W SL MER S 12^30' W 114.25 FT S 87^45'25" E 70.75 FT TO W FENCE LINE OF BECKSTEAD DITCH N 73^20'10" E 72.7 FT N 76^30'E 180.48 FT N 80^00' W 295.6 FT TO BEG 0.47 AC. 2760-0070 4463-0543

## Location Map of Subject Property



**ORDINANCE NO. 2023-02-Z**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REZONING PROPERTY LOCATED AT 10828 S. 1055 W. AND 10827 S. 1055 W. FROM THE A-1, A-5, AND P-O ZONES TO THE R-1.8 ZONE.**

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

**WHEREAS**, the Applicant, Devan Hatch, 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 PLZBA202200217 located in the City of South Jordan, Utah is hereby reclassified from the A-1, A-5, and P-O Zones to R-1.8 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 \_\_\_\_\_, 2023 BY THE FOLLOWING VOTE:**

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

Mayor: \_\_\_\_\_  
Dawn R. Ramsey

Attest: \_\_\_\_\_  
City Recorder

Approved as to form:

\_\_\_\_\_  
Office of the City Attorney

## **EXHIBIT A**

(Property Description)

### **A-5 Zone to R-1.8 Zone**

**PARCEL NUMBER: 27-14-376-008**

BEG S 1501.88 FT & E 1786 FT FR W 1/4 COR SEC 14, T 3S, R 1WS L M; E 195.5 FT; N 80 FT; E 309.5 FT; S 14°59'22" W 198.05 FT; S 83°52'33" W 456.38 FT; N 160 FT TO BEG. 2.0 AC M OR L.5316-0001

### **A-1, A-5, P-O to R-1.8 Zone**

**PARCEL NUMBER: 27-14-377-001**

BEG S 12 CHS & E 74 CHS & W 37.5 CHS & N 39°30' W 2.3 CHS & N 75° W 1.5 CHS & N 43° W 2.55 CHS & N 11°30' E 6 CHS FR NW COR OF S 1/2 OF SW 1/4, SEC 14, T3S, R1W, SLM; S 11°30' W 100 FT; S 80°40' E 350 FT; N 71°10'42" E 37.34 FT; N 67°45'39" E 60.96 FT; N 61°21'55" E 37.29 FT; N 51°33'35" E 37.85 FT; NW'LY TO BEG. 0.80 AC. 2199-144 8794-2809

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