

**TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: July 9, 2014

AGENDA ITEM: Public Hearing - Ordinance #14-13 regarding a proposed zone change from R-1-8 (Residential Single Family) to OS (Open Space), RM-12 (Residential Multi-Family) to CC (Community Commercial), and LC (Limited Commercial) to CC (Community Commercial) on properties located in the vicinity of the northeast and northwest corners of 4700 South and Redwood Road.

PRESENTER: MARK MCGRATH

AUTHOR: MICHAEL MELDRUM

ISSUE SUMMARY:

The City has initiated this rezone to accomplish two main goals. The first is the need to include the properties owned by the Salt Lake Community College (SLCC) into the same zoning district as the rest of their property in this area. The second reason is two-fold. The Casa Linda apartments have been recently purchased by the City for the future facilitation of a BRT (Bus Rapid Transit) access to SLCC and also to eliminate the non-conforming status of several uses through this zone change.

The Walgreens, 7-Eleven, and Mad Greek restaurants are currently included in the LC (Limited Commercial) zoning district. Drive-up windows (Walgreens and Mad Greek) and gas pumps (7-Eleven) are not allowed under the current provisions of the LC zoning district. While these uses were established prior to the existing zoning and have a legal, but non-conforming status, the City would prefer to include these properties in a zoning district that is more appropriate for those uses and the area.

The City proposes to zone the property where the Casa Linda apartments, 7-Eleven, Walgreens, Village Inn, Taco Time, and Mad Greek restaurants to CC (Community Commercial) to be more in line with current uses and future plans for the area.

Staff does not anticipate any negative consequences associated with this zone change. The properties included herein that currently have commercial uses on them will continue without change. The properties associated with SLCC will not have any land use changes and will be allowed to continue as they currently do as they transition from R-1-8 (single-family residential) to OS (Open Space). The most significant change included with this zone change request is that of the Casa Linda apartments. The property is proposed to go from the RM-12 zoning district (Multiple Family with up to 12 units per acre) to the CC (Community Commercial) zoning designation. The proposed change will facilitate anticipated future uses on the property while making the current multi-family use a legal non-conforming use. The properties that abut the Casa Linda apartment properties are owned by the Taylorsville-Bennion Improvement District. That property is currently zoned CC (Community Commercial) and will not be negatively impacted by this proposal.

Ordinance #14-13

Text Amendment

July 9, 2014

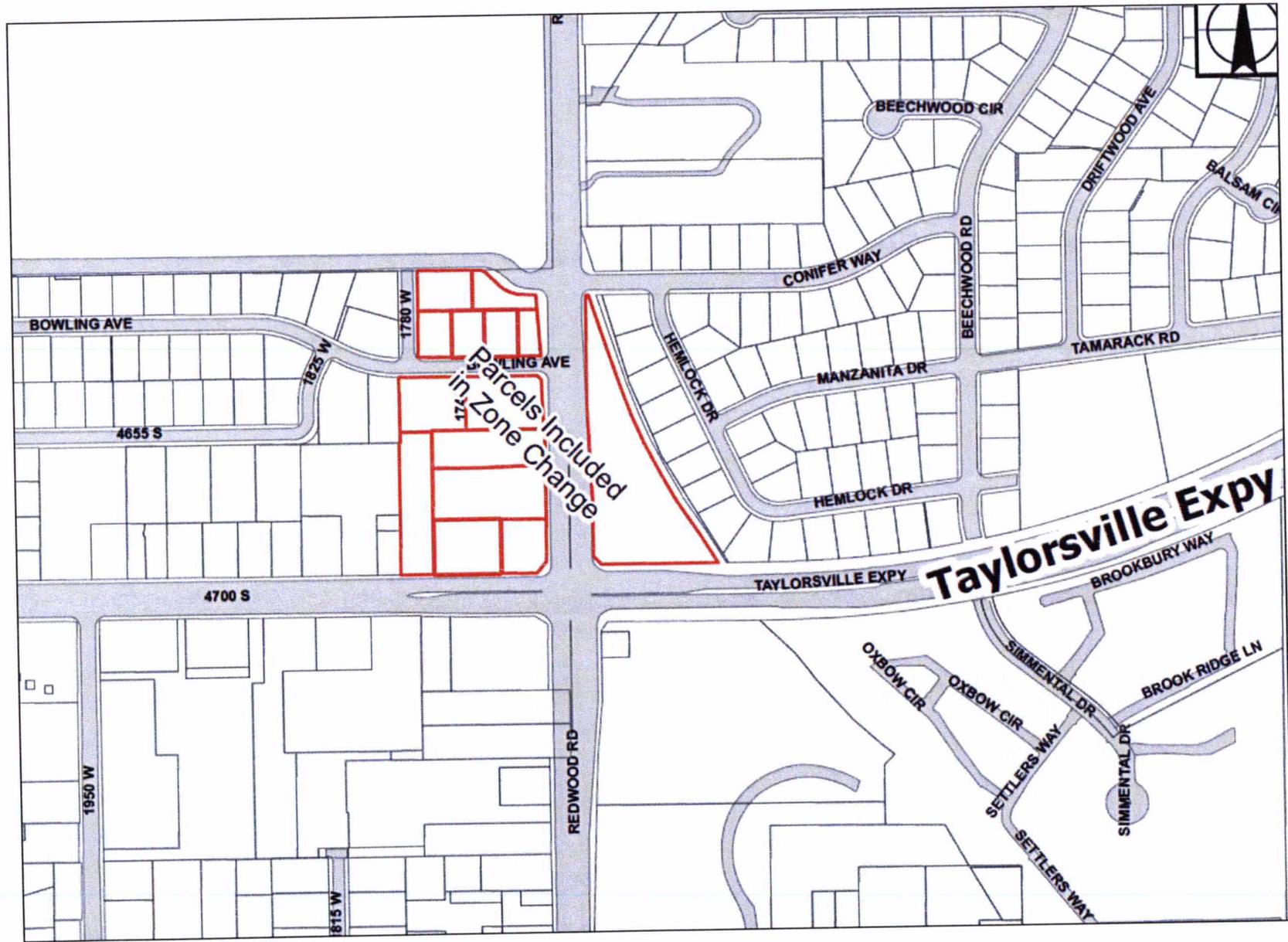
The City has contacted all of the property owners and has discussed this proposal with each of them individually. Each of the property owners indicated their support for the zoning amendment and did not wish to remain in a legal, non-conforming status. Staff has also mailed a notice to each property owner within 300 feet of the perimeter of this proposal. No phone calls or e-mails were received by staff either in support or against this proposal.

For clarification, the zone change proposal is as follows:

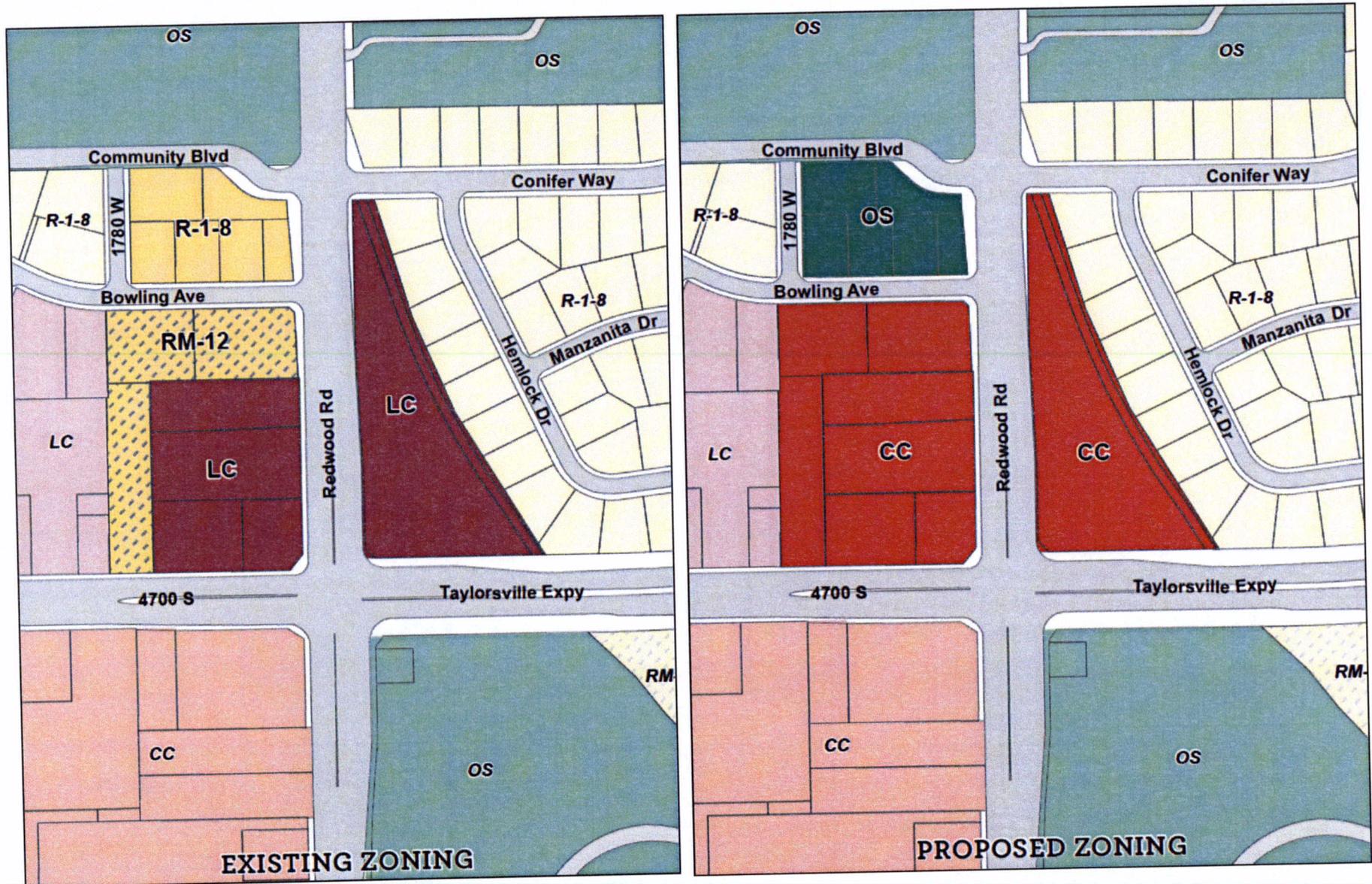
Casa Linda apartments would change from RM-12 to CC
Walgreens, 7-Eleven, Village Inn, Taco Time, and Mad Greek would change from LC to CC
SLCC properties would change from R-1-8 to OS

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission unanimously (6-0 vote) recommends that the City Council adopt Ordinance 14-13 to change the zoning on the properties identified in the attached map to the zoning districts identified on the same map (see attachment).



Vicinity Map



Zoning Maps [existing (left); proposed (right)]

TAYLORSVILLE, UTAH
ORDINANCE NO. 14-13

AN ORDINANCE OF THE CITY OF TAYLORSVILLE TO AMEND THE ZONING MAP FROM R-1-8 TO OS, RM-12 TO CC, AND LC TO CC ON PROPERTIES LOCATED ON THE NORTHWEST AND NORTHEAST CORNERS OF THE INTERSECTION OF 4700 SOUTH AND REDWOOD ROAD

The City Council of Taylorsville ordains as follows:

WHEREAS, on June 10, 2014 the Taylorsville Planning Commission properly noticed and held a public hearing and voted 6-0 to forward a positive recommendation to amend the zoning map from R-1-8 to OS, RM-12 to CC, and LC to CC on properties located on the northwest and northeast corners of the intersection of 4700 South and Redwood Road; and

WHEREAS, on June 26, 2014 a notice of public hearing regarding the proposed Zoning map amendment was posted on the state public notice website; and

WHEREAS, on June 26, 2014 a notice of public hearing regarding the proposed text amendment was posted in 3 different places within the City of Taylorsville boundaries; and

WHEREAS, the Taylorsville City Council met in a regular session on July 9, 2014 to conduct and consider, among other things, a public hearing regarding the proposed zone map amendment; and

WHEREAS, after careful consideration and review, the City Council has determined that it is in the best interest, health, safety, and welfare of the citizens of Taylorsville to amend the zone map from R-1-8 to OS, RM-12 to CC, and LC to CC on the northwest and northeast corners of the intersection of 4700 South and Redwood Road

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville, Utah City Council that this document be adopted to amend the zone map from R-1-8 to OS, RM-12 to CC, and LC to CC on the northwest and northeast corners of the intersection of 4700 South and Redwood Road with the following legal descriptions:

CASA LINDA APARTMENT PROPERTIES

BEGINNING AT THE SOUTHWEST CORNER OF THE INTERSECTION OF REDWOOD ROAD AND 4610 SOUTH STREET, ACCORDING TO THE RECORD SUBDIVISION OF BOWLING GREEN NO. 1, WHICH POINT IS 554.48 FEET NORTH 0°03'15" WEST AND 33.00 FEET SOUTH 89°55'31" WEST FROM THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 89°55'31" WEST 387.91 FEET; THENCE SOUTH 0°03'15" EAST 139.2 FEET; THENCE NORTH 89°55'31" EAST 387.91 FEET; THENCE NORTH 0°03'15" WEST 139.2 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM THAT CERTAIN TRACT OF LAND CONVEYED TO THE STATE ROAD COMMISSION OF UTAH BY WARRANTY DEED RECORDED JUNE 30, 1975 AS ENTRY No. 2721087 IN BOOK 3901 AT PAGE 436 OF OFFICIAL RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE FOR A HIGHWAY KNOWN AS PROJECT No. 0136, BEING PART OF AN ENTIRE TRACT OF PROPERTY, IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID ENTIRE TRACT, SAID CORNER BEING 554.48 FEET NORTH AND 33.0 FEET WEST FROM THE SOUTH QUARTER CORNER OF SAID SECTION 3; THENCE WEST 35.82 FEET ALONG THE NORTH BOUNDARY OF SAID ENTIRE TRACT; THENCE SOUTH $44^{\circ}14'26''$ EAST 14.33 FEET; THENCE SOUTH $1^{\circ}31'08''$ EAST 129.25 FEET TO THE SOUTH BOUNDARY OF SAID ENTIRE TRACT; THENCE EAST 22.26 FEET ALONG SAID SOUTH BOUNDARY TO THE SOUTHEAST CORNER OF SAID ENTIRE TRACT; THENCE EAST 22.26 FEET ALONG SAID SOUTH BOUNDARY TO THE SOUTHEAST CORNER OF SAID ENTIRE TRACT; THENCE NORTH 139.2 FEET ALONG THE EAST BOUNDARY OF SAID ENTIRE TRACT TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE STATE ROAD COMMISSION OF UTAH.

ALSO LESS AND EXCEPT THAT CERTAIN TRACT OF LAND CONVEYED TO RICHARD M. DEVERALL BY QUIT CLAIM DEED RECORDED JULY 20, 1992 AS ENTRY No. 5295827 IN BOOK 6488 AT PAGE 784 OF OFFICIAL RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF REDWOOD ROAD, SAID POINT BEING NORTH 414.154 FEET AND WEST 53.391 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH $89^{\circ}55'31''$ WEST 283.786 FEET; THENCE SOUTH $00^{\circ}03'15''$ EAST 27.00 FEET; THENCE SOUTH $89^{\circ}55'31''$ EAST 3.155 FEET; THENCE NORTH $00^{\circ}03'15''$ WEST 30.75 FEET; THENCE NORTH $89^{\circ}55'31''$ EAST 286.941 FEET; THENCE SOUTH $00^{\circ}03'15''$ WEST 3.75 FEET TO THE POINT OF BEGINNING.

BEGINNING 340.065 FEET WEST FROM THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE WEST 84.0 FEET; THENCE NORTH 388.08 FEET; THENCE EAST 3.15 FEET; THENCE NORTH 27.2 FEET; THENCE EAST 84 FEET; THENCE SOUTH 27.2 FEET; THENCE WEST 3.15 FEET; THENCE SOUTH 388.08 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT CERTAIN TRACT OF LAND CONVEYED TO THE STATE ROAD COMMISSION OF UTAH BY QUIT CLAIM DEED RECORDED NOVEMBER 13, 1974 AS ENTRY No. 2664576 IN BOOK 3721 AT PAGE 263 OF OFFICIAL RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE FOR A HIGHWAY KNOWN AS PROJECT No. 144, BEING PART OF AN ENTIRE TRACT OF PROPERTY, IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING IN THE SOUTH LINE OF SAID SECTION 3 AT A POINT 340.065 FEET SOUTH $89^{\circ}55'31''$ WEST FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, AND RUNNING THENCE SOUTH $89^{\circ}55'31''$ WEST 84.0 FEET; THENCE NORTH 53 FEET; THENCE NORTH $89^{\circ}55'31''$ EAST 84.0 FEET; THENCE SOUTH 53 FEET TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE STATE ROAD COMMISSION OF UTAH.

ALSO LESS AND EXCEPT THAT CERTAIN TRACT OF LAND CONVEYED TO RICHARD M. DEVERALL BY QUIT CLAIM DEED RECORDED JULY 20, 1992 AS ENTRY No. 5295827 IN BOOK 6488 AT PAGE 784 OF OFFICIAL RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF REDWOOD ROAD, SAID POINT BEING NORTH 414.154 FEET AND WEST 53.391 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGEL WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH $89^{\circ}55'31''$ WEST 283.786 FEET; THENCE

SOUTH 00°03'15" EAST 27.00 FEET; THENCE SOUTH 89°55'31" WEST 3.155 FEET; THENCE NORTH 00°03'15" WEST 30.75 FEET; THENCE NORTH 89°55'31" EAST 286.941 FEET; THENCE SOUTH 00°03'15" WEST 3.75 FEET TO THE POINT OF BEGINNING.

SALT LAKE COMMUNITY COLLEGE PROPERTIES

BEGINNING NORTH 0°03'15" EAST 604.48 FEET FROM THE SOUTH ¼ CORNER SECTION 3, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°55'31" WEST 288.02 FEET; THENCE NORTH 0°04'29" WEST 118.3 FEET; THENCE NORTH 89°55'31" EAST 55.06 FEET; THENCE NORTH 0°04'29" EAST 102.22 FEET; THENCE SOUTH 89°55'31" WEST 1,013.68 FEET; THENCE SOUTH 9 FEET; THENCE WEST 66 FEET; THENCE NORTH 9 FEET; THENCE SOUTH 89°55'31" WEST 1,348.337 FEET; THENCE NORTH 0°06'20" EAST 434.94 FEET; THENCE EAST 616 FEET; THENCE SOUTH 294.49 FEET; THENCE EAST 308 FEET; THENCE NORTH 354.55 FEET; THENCE WEST 924 FEET; THENCE NORTH 0°06'20" EAST 1,566.42 FEET; THENCE EAST 682.915 FEET MORE OR LESS; THENCE SOUTH 0°12' EAST 21.075 FEET TO THE SOUTHWEST CORNER OF LOT 16, TAYLORSVILLE GARDENS #6; THENCE NORTH 89° EAST 334.835 FEET; THENCE SOUTH 77°07'22" EAST 169.69 FEET; THENCE SOUTH 74°44'55" EAST 236.717 FEET; THENCE SOUTH 58° 11' EAST 223.9 FEET; THENCE EAST 82.08 FEET; THENCE SOUTH 46.8 FEET; THENCE SOUTH 74°36' EAST 97.5 FEET; THENCE SOUTH 79°27' EAST 446.832 FEET; THENCE SOUTH 61°06' EAST 70 FEET; THENCE SOUTH 54°08' EAST 122 FEET; THENCE SOUTH 61°35' EAST 248.31 FEET; THENCE EAST 60 FEET; THENCE SOUTH 0°03'15" WEST 1,667.621 FEET MORE OR LESS TO THE POINT OF BEGINNING, LESS STREETS. CONTAINS 108.54 ACRES MORE OR LESS.

AND

LOT 4 BOWLING GREEN #1

LOT 5 BOWLING GREEN #1

WALGREENS

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 89°55'31" WEST 168.50 FEET ALONG THE SOUTH BOUNDARY OF SAID SECTION 3, AND NORTH 00°03'15" WEST 53.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 4700 SOUTH STREET, FROM THE SOUTH QUARTER CORNER OF SAID SECTION 3, THENCE SOUTH 89°55'31" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 171.56 FEET; THENCE NORTH 00°03'15" WEST 364.97 FEET; THENCE NORTH 89°55'31" EAST 227.89 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF REDWOOD ROAD; THENCE SOUTH 89°55'31" WEST 115.50 FEET; THENCE SOUTH 00°03'15" EAST 137.08 FEET TO THE POINT OF BEGINNING.

7-ELEVEN

BEGINNING AT A POINT WEST 168.5 FEET AND NORTH 53 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE

BASE AND MERIDIAN; THENCE NORTH 137.08 FEET; THENCE EAST 115.5 FEET;
THENCE SOUTH 106.85 FEET MORE OR LESS; THENCE SOUTH 39°15'03" WEST 39.10
FEET; THENCE WEST 90.81 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINS 0.36 ACRES MORE OR LESS.

This Ordinance, assigned Ordinance No. 14-13, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2014.

TAYLORSVILLE CITY COUNCIL

By: _____
Kristie S. Overson, Chairman

VOTING:

Daniel Armstrong	Yea ___ Nay ___
Dama Barbour	Yea ___ Nay ___
Ernest Burgess	Yea ___ Nay ___
Bradley W. Christopherson	Yea ___ Nay ___
Kristie S. Overson	Yea ___ Nay ___

PRESENTED to Mayor of Taylorsville for his approval this _____ day of _____, 2014.

APPROVED this _____ day of _____, 2014.

By: _____
Lawrence Johnson, Mayor

ATTEST:

Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this _____ day of _____, 2014.

POSTED this _____ day of _____, 2014.