

THE CITY OF WEST JORDAN, UTAH  
A Municipal Corporation

**ORDINANCE NO. 23-01**

**AN ORDINANCE FOR APPROXIMATELY 18.76 ACRES OF PROPERTY,  
LOCATED AT APPROXIMATELY 7652 SOUTH HIGHLANDS LOOP ROAD,  
IDENTIFIED AS PARK VALLEY TOWNHOMES DEVELOPMENT; AND  
APPROVAL OF A DEVELOPMENT AGREEMENT FOR SAID DEVELOPMENT**

WHEREAS, the City of West Jordan (“**City**”) adopted the Comprehensive General Plan (“**General Plan**”) in 2012, as amended, which provides for a general plan future land use map (“**Future Land Use Map**”), which is periodically updated; and the City adopted the West Jordan City Code (“**City Code**”) in 2009, as amended, which provides for development agreements, and which provides for a zoning map for the City (“**Zoning Map**”), which is periodically updated; and

WHEREAS, an application was made by Peterson Development Company, L.L.C., a Utah Limited Liability Company; Kick Creek, L.L.C., a Utah Limited Liability Company; Pond House LLC, a Utah Limited Liability Company, Sawtell Properties, LLC, a Utah Limited Liability Company, and Park Valley Townhomes, LC, a Utah Limited Liability Company, the applicants and property owners (collectively “**Applicant**”) for approximately 18.76 acres of property located at approximately 7652 South Highlands Loop Road, and including portions of Assessor’s Parcel Numbers 20-26-424-024, 20-26-400-043, 20-26-400-044, 20-26-476-005, and 20-26-456-005 (“**Property**” or “**Park Valley Townhomes Development**”), for a request for a Development and Reimbursement Agreement (“**Application**” and “**DA**” or “**Development Agreement**”); and

WHEREAS, the DA establishes (a) the amenities and special improvements that will be installed (and how they will be maintained) in the Property area and (b) the reimbursement requests that will come back to the West Jordan City Council (“**City Council**”) for subsequent approval; and

WHEREAS, the Application does not request any change to the Zoning Map or to the Future Land Use Map; but rather, the Property shall be developed within the current WSPA-HFR Zone (West Side Planning Area, High Density, Multi-Family Residential Zone); and

WHEREAS, the Application was not required to be considered by the West Jordan Planning Commission (“**Planning Commission**”); and

WHEREAS, a public hearing was held before the City Council on January 25, 2023 concerning the Park Valley Townhomes Development, including the DA; and

WHEREAS, the Applicant has agreed to and has executed the DA that will govern the development of the Property should all the conditions precedent in the DA be fulfilled; and the Applicant acknowledges that subsequent reimbursement agreements, with engineering cost estimates and drawings are required to be submitted to and to be approved by the City Council to obtain reimbursement; and

WHEREAS, the City Council has reviewed and desires to approve the DA, subject to the conditions precedent therein; and

WHEREAS, in its sole legislative discretion, the City Council now finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the DA, subject to all the conditions precedent in the DA being fulfilled.

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

**Section 1. Approval of DA.** The DA is approved and the Mayor is authorized to execute the DA in "Attachment 1". The approval of the DA is subject to the conditions precedent to the enforcement of the DA, as set forth in the DA.

**Section 2. 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 3. Effective Date.** This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (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 the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 25<sup>TH</sup> DAY OF JANUARY 2023.

CITY OF WEST JORDAN

By: Christopher McConnehey  
Christopher McConnehey (Jan 30, 2023 16:10 MST)  
Christopher McConnehey  
Council Chair

ATTEST:

Cindy M. Quick   
Cindy M. Quick, MMC  
Council Office Clerk

<b>Voting by the City Council</b>	<b>"YES"</b>	<b>"NO"</b>
Council Chair Christopher McConnehey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Vice Chair Pamela Bloom	~ absent ~	
Council Member Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Zach Jacob	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member David Pack	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kayleen Whitelock	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Melissa Worthen	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON JANUARY 30, 2023**

Mayor's Action:   X   Approve             Veto

By: Dirk Burton  
Mayor Dirk Burton

Jan 30, 2023  
Date

ATTEST:

Tangee Sloan  



Tangee Sloan, CMC  
City Recorder

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

  X   The Mayor approved and signed Ordinance No. 23-01.

       The Mayor vetoed Ordinance No. 23-01 on \_\_\_\_\_ and the City Council timely overrode the veto of the Mayor by a vote of \_\_\_\_\_ to \_\_\_\_\_.

       Ordinance No. 23-01 became effective by operation of law without the Mayor's approval or disapproval.

Tangee Sloan  


Tangee Sloan, CMC  
City Recorder

**CERTIFICATE OF PUBLICATION**

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the   1st   day of   February   2023. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan  


Tangee Sloan, CMC  
City Recorder

**Attachment 1 to  
ORDINANCE NO. 23-01**

**AN ORDINANCE FOR APPROXIMATELY 18.76 ACRES OF PROPERTY,  
LOCATED AT APPROXIMATELY 7652 SOUTH HIGHLANDS LOOP ROAD,  
AND IDENTIFIED AS PARK VALLEY TOWNHOMES DEVELOPMENT;  
AND APPROVAL OF A DEVELOPMENT AGREEMENT FOR SAID DEVELOPMENT**

**DEVELOPMENT AND REIMBURSEMENT AGREEMENT  
For the Park Valley Townhomes Development  
(See the following pages)**











# Ordinance No. 23-01 Approving DA for Park Valley Townhomes


Final Audit Report


2023-01-31


Created:	2023-01-30
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAaz7Qa2-6WH4V8fqOYpLXRGsNH0EciDoc


## "Ordinance No. 23-01 Approving DA for Park Valley Townhomes" History


-  Document created by Cindy Quick (Cindy.quick@westjordan.utah.gov)  
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-  Document emailed to chris.mcconnehey@westjordan.utah.gov for signature  
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-  Signer chris.mcconnehey@westjordan.utah.gov entered name at signing as Christopher McConnehey  
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Signature Date: 2023-01-30 - 11:24:08 PM GMT - Time Source: server- IP address: 73.98.254.78
-  Document emailed to dirk.burton@westjordan.utah.gov for signature  
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-  Email viewed by dirk.burton@westjordan.utah.gov  
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 Signer dirk.burton@westjordan.utah.gov entered name at signing as Dirk Burton  
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 Agreement completed.  
2023-01-31 - 8:53:09 PM GMT