## Recording Requested By and When Recorded Return to:

City of West Jordan Attention: City Recorder 8000 South Redwood Road West Jordan, Utah 84088

> For Recording Purposes Do Not Write Above This Line

#### THE CITY OF WEST JORDAN, UTAH A Municipal Corporation

#### **ORDINANCE NO. 24-23**

# AN ORDINANCE FOR APPROXIMATELY 53.2 ACRES OF PROPERTIES LOCATED AT APPROXIMATELY 7141 SOUTH U-111 HIGHWAY, IDENTIFIED AS THE ONELEVEN PROJECT; AND

# APPROVAL OF A MASTER DEVELOPMENT AGREEMENT FOR SAID DEVELOPMENT, SUBJECT TO THE APPROVAL OF A GENERAL PLAN LAND USE MAP AMENDMENT, REZONE, AND OTHER CONDITIONS PRECEDENT

WHEREAS, the City of West Jordan ("City") adopted the Comprehensive General Plan ("General Plan") in 2023, as amended, which provides for a general plan land use map ("General Plan 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 One Eleven Development, LLC a Utah Limited Liability Company ("Applicant") and Bland Recycling, LLC, a Utah Limited Liability Company ("Owner") for approximately 53.2 acres of real property located at approximately 7141 South U-111 Highway ("Property" or "Oneleven Project") for, in part, a request for a Master Development Agreement (which includes a Master Development Plan), subject to a General Plan Future Land Use Map amendment, rezone, and other conditions precedent ("Application", "MDA", and "General Plan Land Use Map Amendment and Rezone"); and

WHEREAS, on April 16, 2024, the Application was considered by the West Jordan Planning Commission ("**Planning Commission**"), which held a public hearing and made a *positive* recommendation to the West Jordan City Council ("**City Council**") concerning the Oneleven Project, including the MDA; and

WHEREAS, a public hearing was held before the City Council on May 22, 2024 concerning the Oneleven Project, including the MDA; and

WHEREAS, the Applicant has agreed to and has executed the MDA that will govern the development of the Property, should the City Council, in its sole legislative discretion, choose to adopt the MDA and the General Plan Land Use Map Amendment and Rezone, and should all the conditions precedent in the MDA be fulfilled; and

WHEREAS, the City Council has reviewed and desires to approve the MDA, 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 MDA, subject to the City Council, in its sole legislative discretion, choosing to adopt the General Plan Land Use Map Amendment and Rezone, and subject to all the conditions precedent in the MDA being fulfilled.

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

**Section 1.** Approval of MDA. The MDA (in "Attachment 1") is approved and the Mayor is authorized to execute said MDA. The approval of the MDA is subject to the conditions precedent set forth in the MDA, including but not limited to the City Council, in its sole legislative discretion, subsequently choosing to adopt, by Ordinance, the General Plan Land Use Map Amendment and Rezone. The Applicant and Owner were required to sign and execute the MDA before these Ordinances were presented to the City Council.

**Section 2.** <u>Severability</u>. 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  $31^{\rm ST}$  DAY OF JULY 2024.

#### CITY OF WEST JORDAN

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	By: Chad R Lamb  Chad R Lamb (Aug 7, 2024 15:26 MDT)	
	Chad Lamb	
	Council Vice Chair	
ATTEST:		
Cindy St. Dunk ( )		
Cindy M. Quick, MMC		
Council Office Clerk		

Voting by the City Council	"YES"	"NO"	
Council Chair Zach Jacob	~ abs	~ absent ~	
Council Vice-Chair Chad Lamb	$\boxtimes$		
Council Member Bob Bedore	$\boxtimes$		
Council Member Pamela Bloom	$\boxtimes$		
Council Member Kelvin Green	$\boxtimes$		
Council Member Kent Shelton	$\boxtimes$		
Council Member Kayleen Whitelock	$\boxtimes$		

# PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON AUGUST 1, 2024. Mayor's Action: X Approve Veto Aug 7, 2024 Date Mayor Dirk Burton ATTEST: Tangee Sloan, CMC City Recorder STATEMENT OF APPROVAL OF PASSAGE (check one) \_\_\_ The Mayor approved and signed Ordinance No. 24-23. The Mayor vetoed Ordinance No. 24-23 on \_\_\_\_\_ and the City Council timely overrode the veto of the Mayor by a vote of \_\_\_\_\_ to \_\_\_\_. Ordinance No. 24-23 became effective by operation of law without the Mayor's approval or disapproval. Tangee Sloan 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 8th day of August, 2024. 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 City Recorder

# Attachment 1 to ORDINANCE NO. 24-23

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MASTER DEVELOPMENT AGREEMENT For the Oneleven Project (See the following pages)

## Ordinance No. 24-23 Oneleven MDA-P

Final Audit Report 2024-08-07

Created: 2024-08-06

By: Cindy Quick (Cindy.quick@westjordan.utah.gov)

Status: Signed

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### "Ordinance No. 24-23 Oneleven MDA-P" History

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