

**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

**ORDINANCE NO. 24-53**

**AN ORDINANCE APPROVING  
A MAJOR VARIATION TO APPROVED PLANS AND DEVELOPMENT STANDARDS FOR  
TRAFFIC CALMING AND TRAFFIC FLOW, IN ACCORDANCE WITH CITY CODE  
SECTION 13-7I-5, FOR GEM WEST JORDAN APARTMENTS (JONES LANDING NORTH),  
LOCATED AT APPROXIMATELY 6835 WEST NEW BINGHAM HIGHWAY**

WHEREAS, the Gardner Group (“**Applicant**”) and the City of West Jordan (“**City**”) previously entered into a Master Development Agreement and Development Plan for the Jones Landing North development, which includes the GEM West Jordan Apartments (the “**MDA**”), located at approximately 6835 West New Bingham Highway in West Jordan (“**Property**”), and

WHEREAS, the MDA included an attached Development Plan (“**DP**”);

WHEREAS, an application has been made by the Applicant requesting a major variation and revisions to the DP for traffic calming and traffic flow (“**Major Variation**”), in accordance with West Jordan City Code (“**City Code**”) Section 13-7I-5; and

WHEREAS, a public hearing was held before the City Council on November 20, 2024 concerning the Major Variation; 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 approve the Major Variation.

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

**Section 1. Approval and Applicability.** In accordance with the City Code, the Major Variation, attached collectively as Exhibits A and B, is approved with the exception of 9540 South which must be terminated at or before the city property line and that any modification to how 9540 South terminates is a minor variation in the development plan. Therefore, the Property shall hereafter be subject to the Major Variation.

**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 20<sup>TH</sup> DAY OF NOVEMBER 2024.

CITY OF WEST JORDAN

By: Zach Jacob  
Zach Jacob  
Council Chair

ATTEST:

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

Voting by the City Council	"YES"	"NO"
Council Chair Zach Jacob	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Vice-Chair Chad Lamb	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Bob Bedore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Pamela Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kent Shelton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kayleen Whitelock	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON DECEMBER 10, 2024.

Mayor's Action: \_\_\_\_\_ Approve X Veto

By: Dirk Burton Dec 19, 2024  
Mayor Dirk Burton Date

ATTEST:

Tangee Sloan  
Tangee Sloan, CMC  
City Recorder 

STATEMENT OF APPROVAL/PASSAGE (check one)

\_\_\_\_\_ The Mayor approved and signed Ordinance No. 24-53.

\_\_\_\_\_ The Mayor vetoed Ordinance No. 24-53 on Dec. 19, 2024 and the City Council timely overrode the veto of the Mayor by a vote of 6 to 1 Jan. 14, 2025

\_\_\_\_\_ Ordinance No. 24-53 became effective by operation of law without the Mayor's approval or disapproval.




Tangee Sloan, CMC  
City Recorder

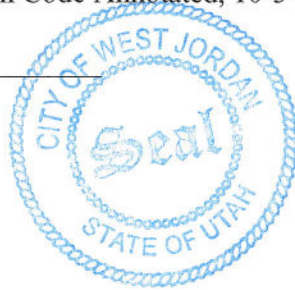


**CERTIFICATE OF PUBLICATION**

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 \_\_\_\_\_ day of 6th Feb 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, CMC  
City Recorder



*(Exhibits on the following page)*

**Exhibits A and B to  
ORDINANCE NO. 24-53**

**AN ORDINANCE APPROVING  
A MAJOR VARIATION TO APPROVED PLANS AND DEVELOPMENT STANDARDS  
FOR TRAFFIC CALMING AND TRAFFIC FLOW, IN ACCORDANCE WITH CITY  
CODE SECTION 13-7I-5, FOR GEM WEST JORDAN APARTMENTS (JONES  
LANDING NORTH), LOCATED AT APPROXIMATELY 6835 WEST NEW BINGHAM  
HIGHWAY**

**(See the attached pages.)**

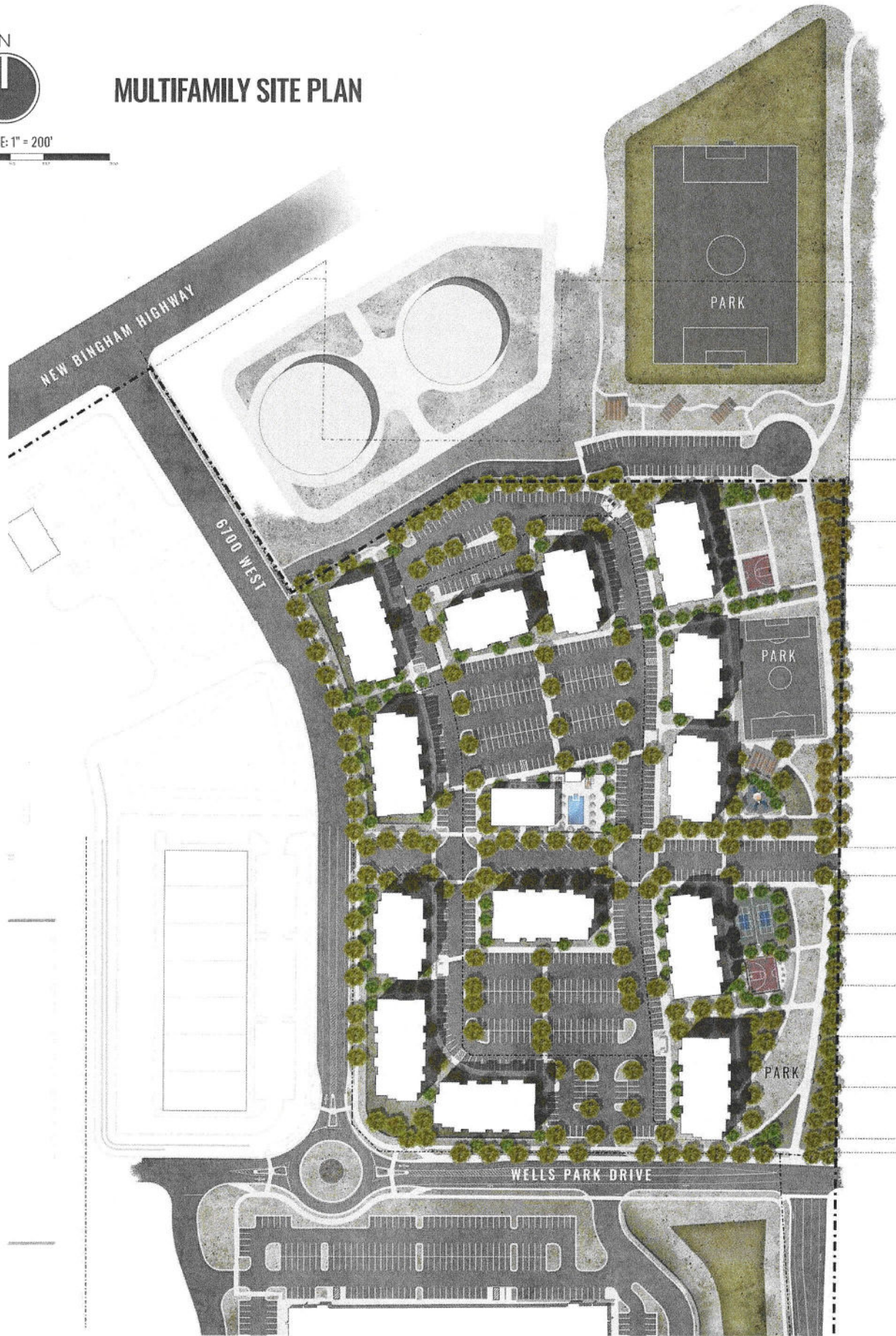
# **EXHIBIT A**



SCALE: 1" = 200'



# MULTIFAMILY SITE PLAN



# **EXHIBIT B**

A1 ILLUSTRATIVE SITE PLAN  
SCALE: 1"=35'



**ILLUSTRATIVE PLAN LEGEND**

[Symbol]	ASPHALT
[Symbol]	CONCRETE
[Symbol]	PAVERS 1
[Symbol]	CHECKED STONE PAVING
[Symbol]	PLAYGROUND
[Symbol]	PLANTER
[Symbol]	TREE
[Symbol]	PERENNIALS/ANNUALS
[Symbol]	RAISED PLANTER
[Symbol]	WATER



LA002

ILLUSTRATIVE SITE PLAN



**GEM WEST JORDAN**  
6800 WEST, WEST JORDAN UT 84081  
GARDNER GROUP  
SITE PLAN PACKAGE - AUGUST 28, 2024



**MAYOR'S VETO  
OBJECTION STATEMENT**

**From:** [Dirk Burton](#)  
**To:** [Tangee Sloan](#)  
**Cc:** [Josh Chandler](#)  
**Subject:** Ordinance No. 24-53 Major Variation for GEM Apartments  
**Date:** Thursday, December 19, 2024 4:52:55 PM

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This Veto will allow the Council to bring it back and allow staff time to review and provide options without being rushed during the pressure of a public meeting. The Council's decision went beyond the scope of the original application. Upon review, additional concerns have become apparent which may not have been fully considered during the Council meeting.

These concerns include:

- Because this was not included in the original application, additional neighbors in the Echo Ridge development were not provided notice of the potential of the cul-de-sac and were not able to comment regarding the impact of a cul-de-sac or their potential concerns.
- The decision to eliminate the through road will require an 80' diameter cul-de-sac (city standard), this will reduce the amount of parking that is currently planned for the park by up to 28 stalls.
- The park parking lot will only be accessible from the existing neighborhood, requiring the new development residents to drive around the neighborhood to park in the new lot.
- When the smaller parking lot gets full, this could cause overflow into the Echo Ridge development.

This application was taken to the city council on November 20, 2024 as a "Major Variation" to a previously approved Master Development Plan (MDP). Per 13-71 of the city code. A "Major Variation" request has a focused purpose (scope) and is measured against criteria outlined in 13-71-5. The focused scope of the application and notice to residents was to determine if the east-west road running through the development should be straight or should be routed around some of the buildings. The question was not about the dead-ending this east-west road. Therefore, it is my opinion that this action was outside the scope of the application.

- Title 14-5-5 of the city code states,  
"Streets in new subdivisions shall connect to existing stub streets from

adjacent subdivisions. If adjacent land is undeveloped, stub streets shall be provided at reasonable locations to provide convenient access for future development.”

This code section applies to all land uses. Road connectivity is a critical component to building community, promoting the efficiency of emergency response personnel, reliable utility systems, and mitigating traffic congestion.

- The traffic study produced for this development (and reviewed by the city’s traffic engineer) indicates few trips from the apartments will go through the Echo Ridge subdivision but supports that likely some of the units in Echo Ridge might go through GEM apartments.

- This may set a precedent affecting other existing stub streets. Across the city (we have preserved stub streets for connectivity) and other developers may say they don’t need to connect, as we did not require a connection in this case.

Thank you,



**Dirk Burton**  
**Mayor**

**City of West Jordan**  
**8000 S Redwood Rd, West Jordan, UT 84088**  
**Phone: 801.569.5100**  
**Email: [dirk.burton@westjordan.utah.gov](mailto:dirk.burton@westjordan.utah.gov)**

**VETO OVERRIDE OF  
ORDINANCE NO. 24-53**

**AN ORDINANCE APPROVING A MAJOR VARIATION TO APPROVED PLANS AND DEVELOPMENT STANDARDS FOR TRAFFIC CALMING AND TRAFFIC FLOW, IN ACCORDANCE WITH CITY CODE SECTION 13-71-5, FOR GEM WEST JORDAN APARTMENTS (JONES LANDING NORTH), LOCATED AT APPROXIMATELY 6835 WEST NEW BINGHAM HIGHWAY**

**STATEMENT OF APPROVAL/PASSAGE**

The Mayor vetoed Ordinance No. 24-53 on December 19, 2024 and the City Council timely overrode the veto of the Mayor by a vote of 6 to 1 at the January 14, 2025 City Council meeting.

CITY OF WEST JORDAN

*Chad R Lamb*

By: Chad R Lamb (Jan 15, 2025 19:44 MST)

Chad Lamb  
Council Chair

ATTEST:

*Cindy M. Quick* 

Cindy M. Quick, MMC  
Council Office Clerk

**Voting by the City Council**

Council Chair Chad Lamb

"YES"

"NO"

Vice Chair Kayleen Whitelock

Past Chair Zach Jacob

Council Member Bob Bedore

Council Member Pamela Bloom

Council Member Kelvin Green

Council Member Kent Shelton

**CITY COUNCIL MINUTES**  
**JANUARY 14, 2025**

make sure the City followed up on citizen concerns, and commended Ms. Combs for her perseverance. Vice Chair Whitelock said she would be happy to meet with residents in the area.

**MOTION: Council Member Green moved to APPROVE Resolution No. 25-002 to accept the Oquirrh Highlands Annexation Petition.  
Vice Chair Whitelock seconded the motion.**

**The vote was recorded as follows:**

**YES: Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kent Shelton, Kayleen Whitelock**

**NO:**

**ABSENT:**

**The motion passed 7-0.**

**c. *Resolution No. 25-004 City Council to accept or deny the Copper Meadows Annexation Petition***

The item was pulled for a later date.

**d. *Consider Mayor's Veto of Ordinance No. 24-53, a major variation to approved plans for the GEM Apartments***

Council Office Director Alan Anderson said the Council adopted Ordinance No. 24-53 in November 2024. The Council Office received a Statement of Objection and signed veto of the Ordinance from the Mayor in December. Mr. Anderson explained the Council could override the veto if they chose.

Mayor Burton said he felt the Ordinance had been approved quite quickly, and wanted to make sure all options and consequences of the decision were reviewed.

Council Member Green said he made the motion to approve Ordinance No. 24-53 in November. He described the street situation involved, and said with the motion he had envisioned a street that would stub into a park, similar to Cricket Lane in the Sycamore neighborhood. Council Member Green said he did not believe neighborhoods would be disconnected, because neighbors would be able to walk back and forth across the park, with traffic flow only a little restricted. Council Member Green said he believed his motion met the intent of City Code, and said he would vote to override the veto.

Council Member Bloom asked for the staff perspective, and asked if the situation would set a precedent for issues in the future. She asked if there was a better process. City Attorney Josh Chandler said he had heard several concerns from staff that Ordinance No. 24-53 did not comply with the intent or language of City Code 14-5-5(A). He said there were obviously differing opinions, and the situation was open to challenge. Mr. Chandler said he had concerns about the possible precedent with inconsistent applications of the law. He suggested if the Council did not like the way the law was written, they could change the way it was written.

Mr. Langford said the subject area was isolated from other residential uses, and from a planning perspective, he would always lobby for greater connectivity. He said staff would support the Council, but said his staff was not in favor of limiting access. Mr. Langford said when the full section of Code was considered, it was clear the intent was to provide connectivity between neighborhoods.

Council Member Bloom said she wanted to make sure it was done right, and asked if there were other options that could be discussed with the developer. Mr. Langford said the applicant had filed a focused modification to the already approved plan, catching staff unaware, and the Mayor took his action to provide time to review and react. He said the Code had been in place for a couple decades, and the City had exacted property from developers for connectivity on many occasions. Mr. Langford expressed concern about setting such a precedent.

Vice Chair Whitelock said she appreciated the opinions of staff, but to her the opinions of residents mattered. She said residents from the subject neighborhood had attended and asked the Council to not increase the traffic. She said it made sense to her, and she would vote in favor of overriding the veto.

Council Member Green said the intent of the Code was to join subdivisions to connect neighborhoods, and agreed the Code was open to interpretation. He said the Council heard from the residents that they wanted the neighborhood to remain isolated. Speaking of precedent, Council Member Green referred to a different neighborhood in West Jordan where the residents had not wanted a road to connect, and the Council voted for the road to not connect. He expressed the opinion that a public hearing needed to mean something.

Council Member Jacob asked what would happen procedurally if the override failed and the veto stood. Mr. Chandler said the applicant would be back to the plan originally approved with the road going straight through. The applicant would have the opportunity to reapply if desired. Mr. Chandler commented that the example of Cricket Lane shown by Council Member Green was different from what he had envisioned when Ordinance No. 24-53 was approved.

Council Member Jacob asked if there had been any indication from the applicant that they were unclear regarding what had been approved. Mr. Jensen said the applicant had been unable to attend the meeting that evening. He said to him the applicant had expressed surprise by the motion, and had been unclear regarding how to proceed. Mr. Jensen said the applicant had indicated they were willing to work with the City to provide whatever was best for the City and neighborhood.

Responding to a question from Council Member Bedore, Mr. Chandler said it was his understanding the applicant and staff could move forward with Ordinance No. 24-53 as approved by the Council in November if the Council voted to override the veto. Council Member Bedore said he did not feel the design approved by the Council would mess up connectivity.

Council Member Shelton said he appreciated connectivity and believed connectivity was important for the City. However, he said he believed putting connectivity off at the subject

location was best for the neighborhood. He said he was in favor of maintaining the disconnect in the one particular case.

**MOTION: Chair Lamb moved to Override Veto of Ordinance No. 24-53, a major variation to approved plans for the GEM Apartments.  
Council Member Green seconded the motion.**

Council Member Bloom said she would vote against the motion because she believed it could have been done better, and she felt processes needed to be improved.

**The vote was recorded as follows:**

**YES: Zach Jacob, Chad Lamb, Bob Bedore, Kelvin Green, Kent Shelton,  
Kayleen Whitelock**

**NO: Pamela Bloom**

**ABSENT:**

**The motion passed 6-1.**

## **8. CONSENT ITEMS**

### **a. Approve Meeting Minutes**

- December 18, 2024 – Regular City Council Meeting**

**MOTION: Council Member Green moved to APPROVE Consent Items as listed.  
Vice Chair Whitelock seconded the motion.**

**The vote was recorded as follows:**

**YES: Zach Jacob, Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kent  
Shelton, Kayleen Whitelock**

**NO:**

**ABSENT:**

**The motion passed 7-0.**

## **9. ADJOURN**

**Chair Lamb moved to adjourn the meeting. Council Member Green seconded the motion, which passed by unanimous vote (7-0).**

The meeting adjourned at 8:46 pm.

*I hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on January 14, 2025. This document constitutes the official minutes for the West Jordan City Council meeting.*

Cindy M. Quick, MMC, Council Office Clerk

Approved this 28<sup>th</sup> day of January 2025