

MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 9, 2010

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 9, 2010, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR WINDER CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Russ Brooks
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Richard Catten, City Attorney
Nicole Cottle, CED Director
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Layne Morris, Community Preservation Director
John Evans, Fire Chief
Mike Richards, Acting Parks and Recreation Director
Steve Pastorik, CED Department
Owen Jackson, Administration
Jake Arslanian, Public Works Department
Eric Bunderson, Law Department
Ryan Robinson, Law Department
Mark James, Law Department
Dave Hoenschell, Law Department
Timothy Williams, Law Department
Rachel White, Law Department
Sharon Cosgrove, Law Department

15117 **OPENING CEREMONY**

Steve Buhler who read a poem he had written in response to a challenge from the City Recorder conducted the Opening Ceremony.

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15118 **APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 26, 2010**

The Council read and considered Minutes of the Regular Meeting held October 26, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Regular Meeting held October 26 2010, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15119 **EMPLOYEE OF THE MONTH AWARD, NOVEMBER 2010 – SHARON COSGROVE, LAW DEPARTMENT**

Councilmember Burt read the nomination of Sharon Cosgrove, Law Department, to receive the Employee of the Month award for November 2010.

The award was presented to Ms. Cosgrove and members of the City Council congratulated her on receiving the award.

15120 **COMMENT PERIOD**

Upon inquiry by Mayor Winder, there was no one who desired to address the City Council during the comment period.

15121 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. Z-2-2010, FILED BY VAN NGUYEN, REQUESTING A ZONE CHANGE FROM ZONE ‘A’ (AGRICULTURE) TO ‘C-2’ (GENERAL COMMERCIAL) FOR PROPERTY LOCATED AT 2351 SOUTH AND 2363 SOUTH REDWOOD ROAD**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public input regarding Application No. Z-2-2010, filed by Van Nguyen, requesting a zone change from zone ‘A’ (Agriculture) to ‘C-2’ (General Commercial) for property located at 2351 South and 2363 South Redwood Road. He discussed proposed Ordinance No. 10-36

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related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 10-36 which would amend the Zoning Map to show a change of zone for property located at 2351 South and 2363 South Redwood Road from zone 'A' (Agriculture) to 'C-2' (General Commercial).

Mr. Pyle stated the proposed zone change included two parcels totaling 1.8 acres. He advised the surrounding zones included 'RM' (Residential, Multi-family) to the east and south, 'A' (Agricultural) to the north, and 'M' (Manufacturing) to the west. He indicated that surrounding land uses included townhomes to the east and south, single-family homes to the north, and commercial to the west. He further stated between Highway 201 and Warnock Avenue (2525 South) the zoning along both sides of Redwood Road was predominantly 'C-2' or 'M.' He indicated the subject property was designated as mixed-use in the General Plan. The subject parcel on the south included a single-family home built in 1949 and the subject parcel on the north included a single-family home built in 1953.

The City Manager indicated if the re-zone was approved, the applicant intended to develop the property as a shopping center with a market as the anchor. He explained the Hong Phat Market currently located at 3086 South Redwood Road was looking to expand and was the proposed market for the subject shopping center. He advised a conceptual plan of the proposed shopping center and a conceptual front elevation of the building had been included in the Council's informational packets.

Mr. Pyle stated if the re-zone was approved the shopping center would be reviewed as a conditional use and would need to comply with the City's commercial design standards as well as the Redwood Road streetscape ordinance. He indicated there were at least two items to consider for the conditional use: first, the Planning Commission would need to determine whether or not to grant a waiver of the masonry wall requirements along the north side of the subject property. He advised the Zoning Ordinance stated: "When future commercial use of neighboring property is recommended in the General Plan... a waiver or substitute for the wall requirements may be approved." Secondly, since 2004 there had been three code enforcement cases on the subject property where the Hong Phat Market was currently located. He indicated those violations dealt with weeds, lack of landscaping maintenance, junk and garbage scattered throughout the site, and overflowing dumpsters.

Mayor Winder opened the public hearing. There being no one desiring to speak either in favor or in opposition, Mayor Winder closed the public hearing.

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Upon inquiry by Councilmember Burt regarding uses allowed in the ‘C-2’ zone; Steve Pastorik, CED Department, addressed the City Council and discussed conditional uses allowed in a ‘C-2’ zone.

Councilmember Vincent discussed the need to take mass transit, bike lanes and other issues into consideration in the design for developing the subject property. City Manager, Wayne Pyle, and Mr. Pastorik further discussed this issue.

ACTION: ORDINANCE NO. 10-36, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 2351 SOUTH AND 2363 SOUTH REDWOOD ROAD FROM ZONE ‘A’ (AGRICULTURE) TO ‘C-2’ (GENERAL COMMERCIAL)

The City Council previously held a public hearing regarding proposed Ordinance No. 10-36 and Application No. Z-2-2010, filed by Van Nguyen, requesting a zone change from zone ‘A’ (Agriculture) to ‘C-2’ (General Commercial) zone for property located at 2351 South and 2363 South Redwood Road.

After discussion, Councilmember Burt moved to approve Ordinance No. 10-36, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at 2351 South and 2363 South Redwood Road from Zone ‘A’ (Agriculture) to ‘C-2’ (General Commercial). Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15122

RESOLUTION NO. 10-188, ACCEPT PUBLIC SIDEWALK AND LIGHTING EASEMENTS FROM RIDDLE HOLDINGS, LLC, ACROSS PROPERTY LOCATED AT 1925 WEST 3500 SOUTH

City Manager, Wayne Pyle, presented proposed Resolution No. 10-188 which would accept Public Sidewalk and Lighting Easements from Riddle Holdings, LLC, across property located at 1925 West 3500 South.

Mr. Pyle stated the subject easement was for the proposed Enterprise Car Rental and the site would be remodeled to include a wider sidewalk and street lighting on

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3500 South. He advised as portions of the proposed sidewalk fell outside the public right-of-way, a public sidewalk easement would be required as a condition of approval.

After discussion, Councilmember Christensen moved to approve Resolution No. 10-188, a Resolution Authorizing the City to Accept Public Sidewalk and Lighting Easements from Riddle Holdings, LLC, Across Property Located at 1925 West 3500 South. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

15123

MOTION FOR EXECUTIVE SESSION

After discussion, Councilmember Rushton moved to adjourn and reconvene in an Executive Session for discussion regarding purchase, exchange or lease of real property. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, NOVEMBER 9, 2010, WAS ADJOURNED AT 6:46 P.M., BY MAYOR WINDER.

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THE WEST VALLEY CITY COUNCIL MET IN EXECUTION SESSION ON TUESDAY, NOVEMBER 9, 2010, AT 6:48 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Russ Brooks
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Richard Catten, City Attorney
Nicole Cottle, CED Director
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Layne Morris, Community Preservation Director
John Evans, Fire Chief
Mike Richards, Acting Parks and Recreation Director
Jake Arslanian, Public Works Department

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF NOVEMBER 9, 2010, WAS ADJOURNED AT 7:51 P.M., BY MAYOR WINDER.

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting and Executive Session of the West Valley City Council held Tuesday, November 9, 2010.

Sheri McKendrick, MMC
City Recorder