

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 27, 2013

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, AUGUST 27, 2013, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR WINDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Don Christensen
Tom Huynh
Karen Lang
Corey Rushton
Steve Vincent

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
John Evans, Fire Chief
Anita Schwemmer, Acting Police Chief
Chris Curtis, Acting CPD Director
Steve Lehman, CED Department
Steve Pastorik, CED Department
Jake Arslanian, Public Works Department
Kevin Conde', Administration

16272 **OPENING CEREMONY**

The Opening Ceremony was conducted by Corey Rushton who stated he was looking forward to Thursday's unveiling regarding Cesar Chavez Drive and read a quote from Mr. Chavez. He also led the Pledge of Allegiance to the Flag.

16273 **SPECIAL RECOGNITIONS**

Mayor Winder recognized and welcomed candidates Lars Nordfelt and Phil Conder. He also recognized Representatives Larry Wiley and Janice Fisher, and Pam Julliano from Congressman Jim Matheson's office.

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16274 **APPROVAL OF MINUTES OF REGULAR MEETING HELD AUGUST 13, 2013**

The Council read and considered Minutes of the Regular Meeting held August 13, 2013. There were no changes, corrections or deletions.

After discussion, Councilmember Lang moved to approve the Minutes of the Regular Meeting held August 13, 2013, as written. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16275 **EMPLOYEE OF THE MONTH AWARD, AUGUST 2013 – OFFICER MIKE LYNES, POLICE DEPARTMENT**

Councilmember Rushton read the nomination of Officer Mike Lynes, Police Department, to receive the Employee of the Month Award for August, 2013.

The award was presented and the City Council members offered congratulations and expressed appreciation to Officer Lynes for his efforts on behalf of West Valley City.

16276 **EAC DIVISION OF THE QUARTER AWARD – THE RIDGE GOLF CLUB OPERATIONS AND MAINTENANCE DIVISION**

Councilmember Vincent read the nomination of The Ridge Golf Club Operations and Maintenance Division to receive the EAC's Division of the Quarter Award which included the following staff members: Mike Richards, John Brubaker, Skyler Graves, Robert Winter, Mike Lever, Jim Wadsworth, Jeremy Erkkila, and Janell Allen.

The City Council expressed appreciation and congratulated the award recipients.

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16277 **PROCLAMATION DECLARING SEPTEMBER, 2013, AS**
"ATTENDANCE AWARENESS MONTH" IN WEST VALLEY CITY
Councilmember Christensen read a Proclamation declaring September, 2013, as "Attendance Awareness Month" in West Valley City.

16278 **COMMENT PERIOD**

A. PUBLIC COMMENTS

Upon inquiry by Mayor Winder the following individual addressed the City Council during the comment period:

Mike Markham addressed the City Council and referenced code enforcement issues that had been discussed the previous week with a comment having been made to go to a complaint based system. He stated that approach had been tried in the past in West Valley City with no success. He indicated a program was needed to allow code enforcement officers to stay on top of their areas and cite properties in violation of code requirements.

B. CITY COUNCIL COMMENTS

Councilmember Buhler discussed his previous comments regarding a complaint based code enforcement system and indicated he had given it reconsideration. He stated both individuals who had discussed and expressed complaints were subsequently contacted by City staff and issues had been resolved. He expressed his desire for good neighborhoods and a positive image for the City.

Mayor Winder discussed Mr. Markham's previous complaint regarding lack of maintenance on property located on Lancer Way formerly owned by the LDS Church. He advised that property would be on the agenda the following week for consideration of final plat approval for a subdivision.

Mayor Winder advised an announcement had been made earlier today regarding a new police chief and ratification of the City Manager's appointment had been scheduled on the agenda for the upcoming Regular Council Meeting. He also expressed appreciation to the Acting Police Chief, Anita Schwemmer.

16279 **PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING**
APPLICATION NO. SV-3-2013, FILED BY THE UTAH DEPARTMENT
OF TRANSPORTATION, REQUESTING TO AMEND THE HUNTER
COVE PHASE 2 SUBDIVISION; AND AMEND AND VACATE LOTS 208-
214 AND 217-225 ALONG WITH PORTIONS OF CRANSTON COVE

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AND STRICKLAND PLACE, LOCATED AT APPROXIMATELY 5888 WEST 4225 SOUTH

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. SV-3-2013, filed by the Utah Department of Transportation, requesting to amend the Hunter Cove Subdivision Phase 2 Lots 208-214 and 217-225 along with portions of Cranston Cove and Strickland Place, located at approximately 5888 West 4225 South. He discussed proposed Ordinance No. 13-36 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. 13-36 which would amend the Hunter Cove Subdivision Phase 2 Lots 208-214 and 217-225 and portions of Cranston Cove and Strickland Place located at approximately 5888 West 4225 South in West Valley City, Utah.

Mr. Pyle stated the Utah Department of Transportation (UDOT) had requested to amend and vacate the aforementioned lots and other portions of Cranston Cove and Strickland Place. He reported the Hunter Cove Subdivision had been recorded with the Salt Lake County Recorder's Office in October of 1994. He advised the lots and streets to be vacated were necessary due to future construction of the Mountain View Corridor (MVC).

He further explained as construction plans for the MVC advanced northward, UDOT continued to submit applications to amend recorded subdivisions within and adjacent to the Corridor. In this case, the MVC would impact a portion of land on the east side of the Hillside Elementary School and certain properties within the Hunter Cove Subdivision to the north. He stated because the proposed Corridor would eliminate a portion of the playground east of the school, UDOT had proposed to convey property they own within the Hunter Cove Subdivision to replace that portion being taken for the new freeway. In addition to the property identified as Parcel A on the subdivision plat, which would be deeded to the School District, UDOT would vacate Lots 217-225 and a portion of Strickland Place identified as Parcel B on the subdivision plat.

The City Manager reported based on a recent site visit all homes adjacent to Cranston Cove, and all but one home adjacent to Strickland Place, had been demolished. He explained as part of the subject application all public utility easements noted on the original subdivision plat and affected Lots 208-214 and 217-225 would be vacated as well. He indicated although these streets and lots would be vacated by ordinance, the ordinance would have no force or effect regarding any franchise rights of any public utilities nor would they be impaired thereby. He further stated the ordinance would also protect any holders of existing franchises, water drainage pipelines or other such uses as they may

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presently exist under, over or upon said property, or as are or may be shown on the official plats and records of Salt Lake County.

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

ACTION: CONSIDER ORDINANCE NO. 13-36, AMEND THE HUNTER COVE SUBDIVISION PHASE 2 LOTS 208-214 AND 217-225 AND PORTIONS OF CRANSTON COVE AND STRICKLAND PLACE LOCATED IN WEST VALLEY CITY, UTAH

The City Council previously held a public hearing regarding Application No. SV-3-2013, filed by the Utah Department of Transportation, and proposed Ordinance No. 13-36 which would amend the Hunter Cove Subdivision Phase 2 Lots 208-214 and 217-225 and portions of Cranston Cove and Strickland Place located at approximately 5885 West 4225 South in West Valley City, Utah.

After discussion, Councilmember Rushton moved to approve Ordinance No. 13-36, an Ordinance Amending the Hunter Cove Subdivision Phase 2 Lots 208-214 and 217-225 and Portions of Cranston Cove and Strickland Place Located at Approximately 5885 West 4225 South in West Valley City, Utah. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16280

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING APPLICATION NO. SV-2-2013, FILED BY THE UTAH DEPARTMENT OF TRANSPORTATION, REQUESTING TO VACATE THE WESTRIDGE BOULEVARD EXTENSION, ADJACENT SLOPE EASEMENTS, AND A PORTION OF 6000 WEST, LOCATED AT APPROXIMATELY 6000 WEST 4700 SOUTH

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. SV-2-2013, filed by the Utah Department of Transportation, requesting to vacate the Westridge Boulevard Extension, adjacent slope easements, and a

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portion of 6000 West, located at approximately 6000 West 4700 south. He discussed proposed Ordinance No. 13-37 to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 13-37 which would approve the vacation of Westridge Boulevard, adjacent slope easements, and a portion of 6000 West located in West Valley City.

Mr. Pyle stated the Utah Department of Transportation (UDOT) had requested consideration to vacate the extension of Westridge Boulevard including the adjacent slope easements along with a portion of 6000 West. He advised the proposed vacations were necessary due to the Mountain View Corridor.

The City Manager indicated the dedication plat for the roadway to be vacated had been recorded with the Salt Lake County Recorder's Office in May of 2005. He stated the road was constructed shortly thereafter by the City. The extension of 6000 West had been a requirement of the Planning Commission during the review process for the Vistas at Westridge Subdivision. He stated the Commission had felt strongly that given the amount of density that was new to the area, a connection at this location would be needed.

He reported in order to continue providing the required access from 6000 West to 4700 South, a dedication plat would be recorded, which would be reviewed by the City Council in a separate application. Although the existing street would be vacated by ordinance, the ordinance would have no force or effect of any franchise rights of any public utilities, nor would they be impaired thereby. He indicated the ordinance would also protect any holders of existing franchises, water drainage pipelines, or other such uses as they may presently exist under, over or upon said property, or as are or may be shown on the official plats and records of Salt Lake County.

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

ACTION: CONSIDER ORDINANCE NO. 13-37, APPROVING THE VACATION OF WESTRIDGE BOULEVARD, ADJACENT SLOPE EASEMENTS AND A PORTION OF 6000 WEST LOCATED IN WEST VALLEY CITY

The City Council previously held a public hearing regarding Application No. SV-2-2013, filed by the Utah Department of Transportation, and proposed Ordinance No. 13-37, which would approve vacation of Westridge Boulevard, adjacent slope easements and a portion of 6000 West located at approximately 6000 West 4700 South in West Valley City.

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After discussion, Councilmember Buhler moved to approve Ordinance No. 13-37, an Ordinance Approving the Vacation of Westridge Boulevard, Adjacent Slope Easements, and a Portion of 6000 West Located in West Valley City, Utah. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16281

RESOLUTION NO. 13-125, APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH SALT LAKE COUNTY FOR PLANNING AND DEVELOPMENT OF PARKS AND RECREATION FACILITIES

City Manager, Wayne Pyle, presented proposed Resolution No. 13-125 which would approve an Interlocal Cooperation Agreement with Salt Lake County for planning and development of parks and recreation facilities.

Mr. Pyle stated that through the proposed agreement, Salt Lake County would pledge \$605,000.00 to West Valley City for preparation of a master plan for Pioneer Crossing Park, development of Phase II of the Utah & Salt Lake Canal Trail, and development of a skate park in West Valley City. He discussed some terms of the proposal, summarized as follows:

1. \$40,000.00 toward the Master Plan document for Pioneer Crossing Park
2. \$200,000.00 toward Phase II of the Utah & Salt Lake Canal Trail
3. \$365,000.00 toward the building of a skate park in West Valley City

After discussion, Councilmember Huynh moved to approve Resolution No. 13-125, a Resolution Approving an Interlocal Cooperation Agreement between West Valley City and Salt Lake County for Planning and Development of Parks and Recreation Facilities. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16282

RESOLUTION NO. 13-126, APPROVE A PROFESSIONAL SERVICES CONTRACT WITH BOWEN COLLINS & ASSOCIATES, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE RITER CANAL DETENTION FACILITY PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 13-126 which would approve a Professional Services Contract with Bowen Collins & Associates, Inc., in the amount of \$47,842.00, to provide professional engineering services and design of a regulatory flow control structure on the Riter Canal at approximately 6800 West.

Mr. Pyle reported nearly 30% of the land area of West Valley City drained to the Riter Canal which was owned by Kennecott and regulated by Salt Lake County Flood Control. He indicated drainage studies in the Riter Canal drainage basin indicated the Canal did not have the capacity to convey the designed storm water without overtopping the canal banks. In order to store excess storm water in the Riter Canal a detention basin was planned to be constructed on 60 acres adjacent to the Canal. He continued the control structure to be designed by Bowen Collins would be located on the Canal at the northwestern boundary of the detention basin.

After discussion, Councilmember Vincent moved to approve Resolution No. 13-126, a Resolution Authorizing the City to enter into an Agreement with Bowen Collins & Associates, Inc., to Provide Professional Services for the Riter Canal Detention Facility Project. Councilmember Lang seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

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Unanimous.

16283

APPLICATION NO. SD-1-2013, FILED BY BEN HUOT (REPRESENTING THE UTAH DEPARTMENT OF TRANSPORTATION), REQUESTING DEDICATION OF AN EXTENSION OF 6000 WEST AT 4700 SOUTH

City Manager, Wayne Pyle, presented Application No. SD-1-2013, filed by Ben Huot, representing the Utah Department of Transportation, requesting dedication of an extension of 6000 West at 4700 South.

Mr. Pyle advised the new street was the result of the Mountain View Corridor project and the vacation of Westridge Boulevard. He also advised dedication of this road would replace the vacated Westridge Boulevard extension and satisfy the requirements of the Planning Commission and City Council relating to a connection of 6000 West at 4700 South.

The City Manager indicated the new road had a slight curve due to the slope north of 4700 South. He stated the proximity of the existing slope and its relation to the existing railroad would not allow 6000 West to connect directly with 4700 South. He reported the new road had been installed and was operational.

After discussion, Councilmember Christensen moved to approve Application No. SD-1-2013, filed by Ben Huot (representing the Utah Department of Transportation) and approve the dedication of an extension of 6000 West at 4700 South. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16284

CONVENE AS BOARD OF CANVASSERS FOR THE 2013 MUNICIPAL PRIMARY ELECTION HELD AUGUST 13, 2013

The City Council convened as the Board of Canvassers and with City Recorder, Sheri McKendrick, reviewed results of the Municipal Primary Election held August 13, 2013, as shown on the Canvass Report.

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City Manager, Wayne Pyle, presented proposed Resolution No. 13-127 which would accept and approve the results of the Municipal Primary Election held August 13, 2013, as shown on the Canvass Report.

Mr. Pyle stated the City Council was the legislative body of West Valley City and comprised the Board of Municipal Canvassers pursuant to Utah Code 20A-4-301(2). He reported the Code required the Board of Municipal Canvassers to meet to canvass the returns of the Municipal Primary Election no sooner than seven days and no later than 14 days after the election.

ACTION: CONSIDER RESOLUTION NO. 13-127, ACCEPTING AND APPROVING THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION HELD AUGUST 13, 2013, AS SHOWN ON THE CANVASS REPORT

After convening as the Board of Canvassers, the City Council considered proposed Resolution No. 13-127 which would accept and approve the results of the Municipal Primary Election held August 13, 2013, as shown on the Canvass Report.

After discussion, Councilmember Christensen moved to approve Resolution No. 13-127, a Resolution Accepting and Approving the Results of the Municipal Primary Election held August 13, 2013, as Shown on the Canvass Report. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

16285

APPLICATION NO. GPZ-2-2013 FILED BY IVORY DEVELOPMENT, REQUESTING A GENERAL PLAN CHANGE FROM LOW DENSITY RESIDENTIAL AND RURAL RESIDENTIAL TO VERY HIGH DENSITY RESIDENTIAL AND LOW DENSITY RESIDENTIAL; AND A ZONE CHANGE FROM A (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) AND A-1 (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO R-1-10 (SINGLE –FAMILY RESIDENTIAL, MINIMUM LOOT SIZE 10,000 SQUARE FEET) AND RM (RESIDENTIAL MULTI-FAMILY) FOR

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**PROPERTY LOCATED AT 5886 WEST PARKWAY BOULEVARD
(PUBLIC HEARING HELD AND CLOSED; AND ACTION CONTINUED AT
REGULAR MEETING HELD AUGUST 20, 2013)**

City Manager, Wayne Pyle, stated a public hearing had been advertised, held and closed, and the matter continued, at the Regular Council Meeting held August 20, 2013, at 6:30 P.M. regarding Application No. GPZ-2-2013, filed by Ivory Development, requesting a General Plan change from Low Density Residential and Rural Residential to Very High Density Residential and Low Density Residential; and a zone change from ‘A’ (Agriculture, Minimum Lot Size 1/2 Acre) and ‘A-1’ (Agriculture, Minimum Lot Size 1 Acre) to ‘R-1-10’ (Single-Family Residential, Minimum Lot Size 10,000 sq. ft.) and ‘RM’ (Residential Multi-Family) for property located at 5886 West Parkway Boulevard.

The City Manager advised that Chris Gamvroulas, representing the applicant, was in attendance at the meeting.

Mayor Winder discussed the comments voicing disapproval of the subject proposal by Spencer Young of Rocky Mountain Raceway made during the Council’s study session earlier this date.

After discussion, Councilmember Rushton moved to re-open the public hearing. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

Mayor Winder re-opened the public hearing regarding Application No. GPZ-2-2013, filed by Ivory Development.

Chris Gamvroulas, representing Ivory Development, addressed the City Council. Mr. Gamvroulas thanked the City Council for continuing the matter as he had been unable to attend last week's meeting. He referenced his previous comments during a study session regarding the proposed development plan and reiterated those comments. He stated the General Plan designation might have made sense years ago for larger lots but because of eminent arrival of the Mountain View

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Corridor (MVC) and changing lifestyles, it was believed the development proposal was appropriate for the subject property. He also reminded that the nearby MVC limited interchange would intersect in front of the subject property. He indicated they were trying to plan for a neighborhood that made sense with the Riter Canal running through the property to the north. He stated there were some uses around the subject property that might not be compatible but Ivory had made appropriate accommodations on other similar properties such as USANA amphitheater, the over pressure zone, and properties next to highways. He indicated the desire to not negatively impact other's property rights. He questioned if not the proposed plan then what could be next to the Rocky Mountain Raceway property. He stated multi-family made more sense than estate homes next to the interchange and would be compatible with the development scheme for the area in the future. He advised they were willing to mitigate potential negative impacts to their property and neighboring properties.

Rep. Larry Wiley addressed the City Council and discussed changes in housing in West Valley City over the years that did not fit with some neighborhoods. He also discussed property rights and stated the applicant and Mr. Gamvroulas would not live on the subject property and thus not experience negative impacts such as noise from the Rocky Mountain Raceway. He stressed the importance of those having planning responsibilities to manage open land properly. He discussed his heritage and stated he would rather see agricultural and open space rather than urban sprawl. He advised regarding his experience as a legislator and gave examples of developments such as Eagle Mountain and development close to the airport that had turned into problems over several years regarding noise complaints. He stated the long term issue of building high density homes next to the Raceway would beg the question as to whether it was a matter of time before the Raceway would be "choked out". He indicated the Rocky Mountain Raceway was an asset to West Valley City that needed to be kept. He stated he applauded the Ivory group for the good work they did, however, the development of the subject property should be looked at as possibly self-serving to the applicant and developed for a long term solution so residents would not be affected in an adverse way. He also expressed fear that allowing this property to be re-zoned would create problems not only with noise but also blight. Rep. Wiley stated he was speaking on behalf of himself and constituents and indicated issues needed to be considered carefully. He requested the Council take action to table the matter for further study or denial of the proposal.

Jim Jacketta addressed the City Council and stated his recent Zillow search of the 84128 zip code showed 166 – 200 homes presently for sale or rent demonstrating there was no need for more high density in the area. He discussed a high density project by Ivory east of 5600 West and apartments west of the WinCo store. He stated Parkway Boulevard from approximately 6000 West to 7200 West was all agriculture property and high density would infringe on that area of one acre lots.

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He discussed the noise ordinance in the West Valley City Code and read some definitions and standards. He stated building that close to the racetrack would cause noise issues and indicated his opposition to the proposed project and application to re-zone.

Rep. Janice Fisher addressed the City Council and stated she lived just south of the Rocky Mountain Raceway and anyone who lived near there knew about the noise. She explained of her awareness that Ivory built great homes but the subject location was not the appropriate place for an Ivory home or any other kind of home. She affirmed support of friends, neighbors and colleagues who had already spoken. She expressed great concerns regarding people who purchased homes during the off season of the raceway as they were unsuspecting of the noise impact at their new home. She further stated this would not be good planning or a good use for the property and discussed examples of results of bad planning in other communities. She stressed the need to also carefully consider the noise from the Mountain View Corridor. Rep. Fisher further commented on Mr. Gamvroulas' inquiry "if not this, then what?" She indicated the General Plan was a living document and being constantly reviewed and changed. She stated light manufacturing or commercial would be more favorable at the subject location. She urged the City Council to deny the proposal.

Mike Markham addressed the City Council. Mr. Markham stated at one time there had been a great oval racetrack at the fairgrounds, but it was "run out" due to housing being built nearby.

Chris Gamvroulas addressed the City Council and expressed desire to respond to the above comments. He stated Ivory desired to be good neighbors and respected the rights of the Rocky Mountain Raceway. He discussed the importance of appropriate disclosure and requirements such as triple pane windows and central air, along with other mitigation measures to reduce effects of noise. He stated everyone's property rights were important and numerous unsuccessful proposals had been developed over several years including industrial and commercial. He discussed the continuing need for new residential housing and advantages of mixed density in a community. He advised future buyers would receive full disclosure and requested approval of the application.

Mick Sudbury addressed the City Council and advised he lived in the Magna area. Mr. Sudbury stated the homes in the WinCo area dealt with a smell of swamp including odor from the landfill.

Mayor Winder closed the public hearing.

Councilmember Rushton expressed hope the discussion to be had would not evolve around the raceway as being a "sacred cow." He discussed the wisdom of

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long term planning for best use of properties and evaluating how projects appropriately fit into neighborhoods.

Councilmember Christensen discussed housing in the vicinity of 6200 West and Airport Road and the multi-unit housing developments next to the small airport on the south end of the Kearns area. He also discussed mitigation of noise factors such as with windows and other methods.

Councilmember Rushton stated the highest and best use should rise to the top and the discussion would best focus on that standard.

Councilmember Vincent stated residential could possibly produce complaints but complaints would also be possible with agricultural or fewer homes and large lots. He indicated there was much undeveloped property along the Mountain View Corridor and Legacy Highway with intersections being developed in commercial and not residential. He discussed a past re-zone proposal for 'R-1-10' zoning and stated the subject location and the Chesterfield area seemed to be the only properties left for agriculture or for large lots. He stated the City respected Ivory and had enjoyed the quality of their projects constructed over a number of years.

Councilmember Huynh stated 15 years ago the area along 5600 West was vacant property and since developed into a beautiful commercial and retail area with many quality businesses. He discussed the need for more "roof tops" in the subject area to support businesses. He also noted the area was close to wetlands and expressed his concurrence with the project.

Councilmember Lang stated the west side was in the General Plan and saved for large lots. She expressed concern with the small amounts of property left available for large lots and stated rentals and high density at the subject location would not benefit the City.

Mayor Winder discussed projects produced in the past by Ivory, such as in Highbury and Fairbourne Station, and commented regarding his confidence in the quality that would be built in the subject development. He expressed concern about having single-family homes next to a freeway interchange and stated good policy would develop a transition of higher density closer to the interchange moving to single-family homes closer to the wetlands. He also discussed the importance of support for businesses on 5600 West.

Councilmember Rushton discussed the good partnership enjoyed by the City with Ivory Homes and that they had been an asset and example of quality projects for many years. He reviewed past discussions and overall plans for the subject area and stated he had not gained a comprehensive overall view of what should be

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developed in the area. He discussed the prudence of following the General Plan and not focusing solely on a single piece of property or a single application.

Councilmember Buhler discussed property rights issues and the prudence of reviewing the General Plan. He expressed concurrence with comments made by Councilmember Rushton regarding not focusing on a single piece of property or a single application but rather following the General Plan.

Mayor Winder noted when the application had been made the ramifications of the Mountain View Corridor had not been fully known. He discussed revisiting the General Plan in the future.

Councilmember Lang reiterated that Ivory Homes built quality projects but felt the proposal would not be the right development for the subject area.

ACTION: CONSIDER ORDINANCE NO. 13-33, AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM LOW DENSITY RESIDENTIAL LAND USES AND RURAL RESIDENTIAL LAND USES TO VERY HIGH DENSITY RESIDENTIAL LAND USES AND LOW DENSITY RESIDENTIAL LAND USES FOR PROPERTY LOCATED AT 5886 WEST PARKWAY BOULEVARD

The City Council previously held a public hearing regarding Application No. GPZ-2-2013, filed by Ivory Development, requesting to amend the General Plan to show a change of land use from Low Density Residential land uses and Rural Residential land uses to Very High Density Residential land uses and Low Density Residential land uses, for property located at 5886 West Parkway Boulevard.

After discussion, Councilmember Lang moved to deny Application No. GPZ-2-2013, filed by Ivory Development and proposed Ordinance No. 13-33. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	No
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	No

Majority.

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Proposed Ordinance No. 13-33 denied.

ACTION: CONSIDER ORDINANCE NO. 13-34, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5886 WEST PARKWAY BOULEVARD FROM ZONES ‘A’ (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) AND ‘A-1’ (AGRICULTURE, MINIMUM LOT SIZE 1 ACRE) TO ZONE ‘R-1-10’ (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE 10,000 SQUARE FEET) AND ZONE ‘RM’ (RESIDENTIAL MULTI-FAMILY)
The Council previously held a public hearing regarding Application No. GPZ-2-2013, filed by Ivory Development, and denied proposed Ordinance No. 13-33.

After discussion, Councilmember Lang moved to deny proposed Ordinance No. 13-34. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	No
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Majority.

Proposed Ordinance No. 13-34 denied.

Upon request and recognition, Chris Gamvroulas, representing Ivory Development, addressed the City Council indicating Ivory would continue to work with the City. Mr. Gamvroulas expressed appreciation to the City Council for thoughtful discussion, comments and deliberation.

Joe Garcia addressed the City Council and stated he recently lost the election and, with tongue in cheek, inquired if it was really necessary that the results be finalized.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, AUGUST 27, 2013, WAS ADJOURNED AT 7:47 P.M., BY MAYOR WINDER.

MINUTES OF COUNCIL REGULAR MEETING – AUGUST 27, 2013

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I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, August 27, 2013.

Sheri McKendrick, MMC
City Recorder