

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 12, 2015, 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 BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

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
Jim Welch, Finance Director
Kevin Astill, Parks and Recreation Director
Lee Russo, Police Chief
John Evans, Fire Chief
Chris Curtis, Acting CPD Director
Steve Lehman, CED Department
Jake Arslanian, Public Works Department

17007

OPENING CEREMONY

The Opening Ceremony was conducted by Steve Vincent who led the Pledge of Allegiance to the Flag.

17008

APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 28, 2015

The Council read and considered Minutes of the Regular Meeting held April 28, 2015. There were no changes, corrections or deletions.

After discussion, Councilmember Vincent moved to approve the Minutes of the Regular Meeting held April 28, 2015, as written. Councilmember Huynh seconded the motion.

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-2-

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

17009

COMMENT PERIOD

Upon inquiry by Mayor Bigelow, the following individuals addressed the City Council during the comment period:

A. PUBLIC COMMENTS

Fred Brock addressed the City Council and submitted photographs for the City Council to view that related to his comments. He discussed the Maple Meadows Estates subdivision in his area and expressed opposition to a general plan/zoning change to be considered by the Planning Commission the following day. He discussed reasons and referred to the photographs of the subdivision adjacent to his home that had smaller lots and larger homes. He also discussed water issues and the current drought and water shortages as related to larger lots.

John Betts addressed the City Council and expressed opposition to a proposal to re-zone the remaining parcels of undeveloped land to 15,000 square feet. He discussed water shortages and conservation efforts, water usage outside the home for landscaping, and the need to reduce the minimum lot size rather than require larger ones. He stated this would increase the per capita use of water and was not valid in today's reality. He indicated other cities were reducing minimum lot sizes and questioned the City's reasoning for increasing lots to 15,000 square feet. He stated upscale developments could be created in other ways instead of larger lot sizes. He expressed the need for land development strategies that focused on the future and not the past.

Dorreen Yeates addressed the City Council and expressed concerns regarding the proposed re-zoning of property that her father had owned for many years. She stated if the property was re-zoned her father would experience a loss of value that would impact his income. She suggested larger homes on smaller lots would be more desirable and also mentioned developments in other communities. She stated we should all conserve

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-3-

water and property owners should have a say and not be told how to develop their property.

Frank Newton addressed the City Council and expressed concern about a proposal to re-zone to residential estates that affected his property directly. He expressed favor of high-end homes and stated there were ways to do that. He inquired if there was a market for that in West Valley City as he wanted to see high quality homes and development. He expressed agreement with some previous comments regarding water issues and conservation.

Charlene Henderson addressed the City Council and submitted written objections to the City Recorder that included a map of her property. She stated she had gone before the Planning Commission last year and compromised with a mixed use designation. She discussed plans to use the property as an investment and changing the zone seemed unfair to the family as the 'RM' zoning allowed more options. She requested they be taken off the list of property owners that would be affected.

B. CITY MANAGER COMMENTS

City Manager, Wayne Pyle, commented the concerns expressed by residents as to existing development and future development were understandable and reasonable. He indicated City staff would consider all issues that had been expressed regardless of lot size and use. He stated another consideration was what the City had now and what did we wanted for the future. He discussed current housing stock and the types of dwellings that were lacking in West Valley City. He indicated there was 700 acres affected by the proposal versus over 20,000 that had been built out. He also discussed processes and indicated the proposal had flexibility for individual parcels.

C. CITY COUNCIL COMMENTS

Councilmember Rushton stated he was glad to see discussion moving forward and beginning public dialog and receiving input. He expressed appreciation to residents who spoke earlier. He indicated in addition to being a member of the City Council who would decide this issue he was also chair of the Jordan Valley Water Conservancy District board. He stated studies had shown if large lots were done correctly they could use less water than high-density development. He explained turf grass needed a lot of water and he emphasized the need for landscaping that was drought tolerant and used less water. He expressed some concern of water use being a determinant of zoning and stated wise methods needed to be found to have larger lots and conserve water. Councilmember Rushton also stated West Valley City had double the allocated amount of

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-4-

low/moderate income housing and; therefore, needed to raise the standard in the most thoughtful way possible. He advised an attempt was being made to put the City in a position of strength related to zoning rather than one of weakness, with appropriate tools to guide development. He explained the proposed changes were to empower the City to negotiate with developers from a position of strength. He discussed reasons for the proposal including encouraging developers to come with proposals that had ingenuity to ensure a long-term viable and sustainable city. He stated the City had been proactive in recruiting businesses and jobs and business executives were looking for higher end homes and could not find those in West Valley City. He stated housing stock was important to companies along with recreation and shopping. Councilmember Rushton stated he looked forward to discussions moving forward and continually working on common goals for a more vibrant, livable and workable West Valley City.

Mayor Bigelow pointed out there were two different roles – the individual property owners’ rights to develop as they pleased, and the role of the City Council that is elected to represent the citizens of West Valley City. He stated what one did impacted the other. He discussed preserving as much property rights as possible and still looking at the needs of all citizens along with effects of traffic, services, manpower, and green space. He stated there was no easy or simple answer. He explained the City Council was tasked with coming up with the right balance. He stated some properties might be changed when looked at individually or they might not. He explained the best to be hoped for was to make the best decisions possible and preserve options for the future.

17010

RESOLUTION NO. 15-76, ADOPT A TENTATIVE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2015, AND ENDING JUNE 30, 2016; AND SET AUGUST 11, 2015, AS THE DATE FOR PUBLIC HEARING

Mayor Bigelow presented proposed Resolution No. 15-76 that would adopt a Tentative Budget for the fiscal year commencing July 1, 2015, and ending June 30, 2016; and set August 11, 2015, as the date for public hearing.

The Tentative Budget, if approved, would be made available for public inspection during regular office hours in the City Recorder’s Office and notice would be given of a hearing to receive public comment prior to consideration of final adoption of the Tentative Budget for FY 2015-2016.

After discussion, Councilmember Huynh moved to approve Resolution No. 15-76, a Resolution Adopting a Tentative Budget for the Fiscal Year Commencing July 1, 2015, and Ending June 30, 2016; and Setting August 11, 2015, as the Date for Public Hearing. Councilmember Rushton seconded the motion.

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-5-

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

17011

RESOLUTION NO. 15-77, AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH PROPERTY RESERVE, INC. (FKA DESERET TITLE HOLDING CORPORATION), FOR PROPERTY LOCATED AT 6511 WEST 6200 SOUTH; AND ACCEPT A QUIT CLAIM DEED FOR THE PROPERTY

Mayor Bigelow presented proposed Resolution No. 15-77 that would authorize the City to enter into a Right-of-Way Contract with Property Reserve, Inc. (fka Deseret Title Holdings Corporation), in the amount of \$163,500.00 plus closing costs, for property located at 6511 West 6200 South; and accept a Quit Claim Deed for the property.

Property Reserve, Inc. (fka Deseret Title Holdings Corporation) had signed a Right-of-Way Contract and Quit Claim Deed for a portion of its property located at 6511 West 6200 South (Parcel 20-22-200-010-4001) for the 6200 South Extension Project.

The 1.631-acre parcel was one of the properties to be acquired for the 6200 South Extension Project that would extend 6200 South to State Highway No. 111, westerly from its current terminus at Mountain View Corridor. Compensation for purchase of the parcel would be \$163,500.00 based on an appraisal report prepared by Integra Realty Resources. Funding for the acquisition would be through the State Corridor Preservation Fund, and had been approved by the Salt Lake County Council of Governments in October of 2014.

After discussion, Councilmember Vincent moved to approve Resolution No. 15-77, a Resolution Authorizing the City to enter into a Right-of-Way Contract with Property Reserve, Inc., (fka Deseret Title Holding Corporation), for Property Located at 6511 West 6200 South; and Accept a Quit Claim Deed for the Property. Councilmember Buhler seconded the motion.

A roll call vote was taken:

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-6-

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

17012

RESOLUTION NO. 15-78, AUTHORIZE THE CITY TO ENTER INTO A RIGHT-OF-WAY CONTRACT WITH PROPERTY RESERVE INC. (FKA DESERET TITLE HOLDING CORPORATION), FOR A PORTION OF PROPERTY LOCATED AT 7011 WEST 6200 SOUTH; AND ACCEPT A QUIT CLAIM DEED FOR THE PROPERTY

Mayor Bigelow presented proposed Resolution No. 15-78 that would authorize the City to enter into a Right-of-Way Contract with Property Reserve Inc. (fka Deseret Title Holding Corporation), in the amount of \$7,700.00 plus closing costs, for a portion of property located at 7011 West 6200 South; and accept a Quit Claim Deed for the property.

Property Reserve, Inc. (fka Deseret Title Holdings Corporation) had signed the Right-of-Way Contract and Quit Claim Deed for a portion of its property located at 7011 West 6200 South (Parcel 10-22-126-002-4001) for the 6200 South Extension Project.

The 3,309 square foot parcel was one of the properties to be acquired for the 6200 South Extension Project that would extend 6200 South to State Highway No. 111, westerly from its current terminus at Mountain View Corridor. Compensation for the purchase would be in the amount of \$7,700.00 per an appraisal report prepared by Integra Realty Resources. Funding for the acquisition would be through the State Corridor Preservation Fund and had been approved by the Salt Lake County Council of Governments in October of 2014.

After discussion, Councilmember Nordfelt moved to approve Resolution No. 15-78, a Resolution Authorizing the City to enter into a Right-of-Way Contract with Property Reserve, Inc. (fka Deseret Title Holding Corporation), for a Portion of Property Located at 7011 West 6200 South; and Accept a Quit Claim Deed for the Property. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
-------------	-----

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-7-

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

17013

APPLICATION NO. S-3-2015, FILED BY DAN NORTHRUP, REQUESTING FINAL PLAT APPROVAL FOR NORTHRUP SUBDIVISION LOCATED AT 5190 WEST 3500 SOUTH

Mayor Bigelow presented Application No. S-3-2015, filed by Dan Northrup, requesting final plat approval for Northrup Subdivision located at 5190 West 3500 South.

The application requested approval for a 3-lot subdivision in ‘R-1-8’ and ‘A’ zones. In January of 2014, the City Council had approved a re-zone request for approximately .73 acres from the ‘A’ zone to the ‘R-1-8’ zone and the purpose of this re-zone would be to facilitate a new subdivision with a proposed flag lot.

At the present time, there were two existing dwellings. The east dwelling (Lot 1) was located on property zoned agricultural and was approximately 1.4 acres in size. The west dwelling (Lot 3) was located on property rezoned in 2014 and was approximately 13,240 square feet in size. The flag lot (Lot 2) would be located behind Lot 3, and was approximately 15,400 square feet in size excluding the stem portion.

Regarding public improvements, curb and gutter presently existed along 3500 South. To ensure correct right-of-way width, the City’s Engineering Division requested the subdivision plat show a dedicated right-of-way of 40-feet. The Engineering Division also recommended sidewalk be installed across the lots on 3500 South Street. The applicant would be required to coordinate improvements with the Utah Department of Transportation (UDOT) as well as with Granger-Hunter Improvement District.

There were two dead end streets located on the northeast and northwest boundaries of Lot No. 1. According to the Engineering Division those streets would remain in their existing condition for the present time. Should the agricultural property develop in the future, the Engineering Division would provide a recommendation as to the terminus of these streets.

After discussion, Councilmember Lang moved to approve Application No. S-3-2015, filed by Dan Northrup, and give final plat approval for Northrup

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-8-

Subdivision located at 5190 West 3500 South. 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. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

17014

APPLICATION NO. PUD-2-2015, FILED BY RUSSELL PLATT, REQUESTING FINAL PLAT APPROVAL FOR TRUONG PUD PHASE 2 SUBDIVISION LOCATED AT 1550 WEST 3860 SOUTH

Mayor Bigelow presented Application No. PUD-2-2015, filed by Russell Platt, requesting final plat approval for Truong PUD Phase 2 Subdivision located at 1550 West 3860 South.

The applicant, representing the property owner, had requested final plat approval for the second phase of the Truong Planned Unit Development. The first phase had been recorded in September of 2013 and was presently under construction.

The second phase of the Truong PUD would consist of 50 residential lots, one commercial lot and four parcels. Access to the subdivision would be gained from 3860 South. All streets within the development would be private. The private right-of-ways would be 26-feet in width. Improvements within the right-of-way would be 24-feet of asphalt, a rolled gutter and ribbon curb to contain the asphalt.

Due to 3860 South being the only dedicated access to this property, a secondary access would be required as part of this phase. During the preliminary review process, a secondary access had been proposed at Grasmere Lane. The secondary access road would be located along the north side of the future City Park being adjacent to the Gates at Kingpointe PUD and would be 20-feet in width.

Housing proposed for this project would be a combination of two and three story units. The two story units would be approximately 1,540 square feet of finished floor area. In addition, a 680 square foot basement was also planned for many of the units. The three story units would be approximately 1,960 square feet but would not have a basement. Each unit would have a two-car garage accessed from the rear of the building allowing the front of each dwelling to front a

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-9-

common green.

All units would have two-car garages. The three story units would have a driveway in front of the unit, while two story units would not. Even though the City's parking requirements would be satisfied, (two spaces per unit) a number of guest parking spaces would be provided as well. The total number of required spaces of 100 to 172 were being provided. The developer was considering additional guest spaces somewhere on the eastern portion of the development, but had not yet decided if that would be necessary, as all of the units would have full driveways.

A development agreement would set forth the fencing requirements, with no solid fencing along 3860 South, but a six to eight-foot masonry wall would be required along the east, west and north sides of the existing commercial building. The Parks and Recreation Department recommended a six-foot black-coated vinyl fence be installed along the west boundary of what would become the city park that would help delineate the private from public space and be a marker for maintenance crews. A fencing type other than chain link could be used but would need to meet Parks and Recreation Department standards.

Per the development agreement, a parcel one-acre in size would be deeded to the City for use as a city park. As mentioned previously, a secondary access road would be installed by the developer along the northern portion of the park property. The Parks and Recreation Department would maintain everything on the City's property and the Homeowner's Association (HOA) would maintain everything else.

To deter people from using the secondary access the Fire Department recommended the developer install removable bollards at the entrance to the access road. In addition, a gate on the north side of 1530 West would be installed to secure the secondary access for Fire Department use if ever needed. These improvements were being coordinated with the Fire Department.

The developer would provide a HOA for the entire project. The HOA would be responsible to hire a property management company. As per previous PUD applications, staff recommended that prior to this development being turned over to the HOA, a meeting with City staff, the developer and the management company take place. This would provide an opportunity to ensure all development standards and improvements had been completed in accordance with the Planning Commission's approval of this project.

After discussion, Councilmember Huynh moved to approve Application No. PUD-2-2015, filed by Russell Platt, and give final plat approval for Truong PUD Phase 2 located at 1550 West 3860 South. Councilmember Lang seconded the

MINUTES OF COUNCIL REGULAR MEETING – MAY 12, 2015

-10-

motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, MAY 12, 2015, WAS ADJOURNED AT 7:26 P.M., BY MAYOR BIGELOW.

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, May 12, 2015.

Sheri McKendrick, MMC
City Recorder