

SOUTH JORDAN CITY
CITY COUNCIL MEETING

February 18, 2014

Present: Mayor Dave Alvord, Councilman Chuck Newton, Councilman Don Shelton, Councilman Steve Barnes, Councilman Chris Rogers, Interim CM Gary Whatcott, City Attorney Rob Wall, Police Chief Lindsay Shepherd, IT Director Jon Day, City Council Secretary MaryAnn Dean

Others: See Attached (Attachment A).

6:00 P.M.

REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Mayor Alvord welcomed everyone present. He excused Councilman Seethaler. All other members of the City Council were present.

B. Opening Ceremony

1. Invocation

Councilman Newton offered the invocation.

2. Pledge of Allegiance

Alex Roscoff, scout, led the audience in the Pledge of Allegiance.

Mayor Alvord recognized the scouts that were present.

C. Motion to Approve Amended Agenda Items, If Any

Councilman Rogers made a motion to table item V. C.1. and C.2. to the March 4, 2014 meeting since Councilman Seethaler is not present tonight. Councilman Barnes seconded the motion. The vote was unanimous in favor, with Councilman Seethaler absent.

D. Minute Approval

1. February 4, 2014 Council Study Session

2. February 4, 2014 Council Meeting

Councilman Newton and Councilman Rogers made amendments to the minutes.

Councilman Newton made a motion to approve the February 4, 2014 Council Study Session minutes and February 4, 2014 Council Meeting minutes, as amended. Councilman Rogers seconded the motion. The vote was unanimous in favor, with Councilman Seethaler absent.

II. PUBLIC COMMENT

David Colton, 11072 Woodfield Rd., said he is a citizenship in the community merit badge counselor. He introduced four scouts:

Will Horsley, 11281 Woodfield Rd., said his parents are bikers and frequently ride on the Mountain View Corridor. They complain about the gravel on the road and would like it cleaned more frequently.

Tyson Driggs, 11324 Red Canyon Ct., said they need more signs to direct them to go to the historical monuments in South Jordan.

Ammon Driggs, 11324 Red Canyon Ct., said the benches in Sunrise Park are hazardous; it is dangerous to sit on them.

Mr. Colton indicated that not all of the benches are complete. There is also a light pole fixture in the ground but it is unfinished.

Hunter Schmidt, 1448 Sky Scape Way, said they need to add glass into their normal recycling service.

Interim CM Whatcott said staff will follow up on each request.

Mark Mabey, 1202 W. 10125 S., said 2 cars cannot pull in and out of Mabey Lane. There is no sidewalk on the street. There are construction trucks going down their street every day. Kids walk up the street to go to the bus stop. They need the bus stop because there is not enough room for the bus to pull into Stone Haven or Hidden Village. He indicated that the neighborhood residents are concerned for the kids' safety.

Angelo Kallas, 747 W. Jordan Creek Dr., read a prepared statement regarding the development of the Mulligan property (Attachment B).

Deanna Kahfman, 10293 S. Jordan Creek Dr., said she is also concerned about the development of Mulligans. This is a financial question, but also how to preserve their space for future generations. She loves the community. They need to think about this in a measured way and what is in the best interest of the entire community. Having green assets, considering how to preserve the river trail is important to everyone. She said she is the President of the Riverwalk

Estates HOA, and they feel strongly about the preservation of the area. She would like ongoing consideration to preserve some of the land for their enjoyment, health, and prosperity for future generations.

Mayor Alvord closed the public comment period.

Councilman Newton said he would be adding the historical monument signs to the upcoming budget discussion.

Councilman Barnes said regarding Mulligans, the City Council isn't interested in taking any rash actions or doing anything quick. They will study the issue out and get resident input.

Councilman Newton said a study has been done on 1000 acres in the area. There have been proposals for developing the area, but that does not mean that is what the city will do. They will have some open houses with options. He said the driving factor is what will work for the entire community, not just those that live beside the area. He said Mulligans is not paying for itself.

Interim CM Whatcott said the north part of Mabey Lane was part of a condemnation. The road is not built yet. He said they can call the school district and inquire about the bus stop issue. City Engineer Klavano said that section of Mabey Lane was part of a development agreement for Hidden Village. The road will be widened when development to the north happens. They want to align the road with the temple, but they can't do it until the other property develops. There is no right of way to do a sidewalk in the area.

Mark Mabey said there is no other option for a bus stop. With the construction in Stone Haven, a bus cannot even go around the cul-de-sac or Mabey Lane. He said they would not allow an access without a sidewalk in any other development in the city. It is a risk to the children. There will be a time that they want to build more houses down there, and there needs to be a way to make it possible for the kids to be safe.

III. AWARDS AND PRESENTATIONS

None.

IV. SHORT RECESS PRIOR TO BEGINNING BUSINESS & PUBLIC HEARINGS

None.

BUSINESS AND PUBLIC HEARINGS

V. PUBLIC HEARINGS AND POTENTIAL LEGISLATIVE ACTION ITEMS

- A.1. **PUBLIC HEARING** – TAYLOR COVE LAND USE AMENDMENT & REZONE 10593 S., 10605 S., and 10615 S., 2200 West. Winder Properties, LLC (Applicant) Resolution R2014-09, amending the Land Use Designation from

Rural Residential to Low Density Residential and Rezone Ordinance 2014-04-Z,
Rezoning from Agricultural (A-5) and Single Family Residential (R-1.8) to Single
Family Residential (R-2.5). (By City Planner, Greg Schindler).

City Planner Greg Schindler reviewed the background information on this item.

Alex Winder, 1169 W. Koradine Dr., applicant, indicated that he is available for questions.

Councilman Rogers asked if secondary water is going to be required in this area? City Engineer Klavano said when they come in for a subdivision application, there is a process done on everyone that looks at the costs to bring secondary water to the homes. It is likely that secondary water is feasible in this area, but they do not know for sure at this time.

Councilman Shelton asked if they identified where existing animals are located? Planner Schindler said they showed which lots could have animals, but they are unsure which lots actually have animals. If the zoning is changed to R-2.5, large animals would not be allowed and a masonry wall would be required. He said a wall would not be required to the north because they are similar zoning. A wall along the front yards is not required.

Mayor Alvord opened the public hearing.

Spencer Millerburg, 9493 S. 1860 W. said he is purchasing the property directly to the north. He said he would prefer to have animals. He said he would rather see this proposal than other density that has been seen. He asked if an analysis on the school impact in the area has been done?

Karl Karren, 10596 S. 2200 W., said he likes the idea of having the opportunity for horses. He asked, what is the target area zone for 1.8 acres in the city. He thought this was a target area. How does this relate to the master plan? He said he feels this area could be zoned and developed as R-1.8. He would like to see lower density, in compliance with the master plan. He asked if there would be a stub road that leads to the two remaining agricultural properties located to the south?

Chad Cox, 10106 S. Barnsley Lane, said he has been a resident for 18 years. They have searched for a 1/3 acre lot east of Bangerter. This is a perfect opportunity to live closer to their aging parents. If the lots are larger, it will price people out of the market. He would like to see this property move forward.

Mark Mabey, 1202 W. 10125 S., said the property adjacent to where he lives now is .2 acres. You can't even fit a house on it. He said people love the area. You can put a nice home and have room for kids to play on a 1/3 acre lot. With the high density South Jordan is going to lately, 1/3 acre lots are great. Make sure sidewalks go up to 2200 West. He is in favor of the development.

Mayor Alvord closed the public hearing.

Councilman Newton said schools are not an issue when going to 1/3 acre lot homes. He said the development will include sidewalks. He said the general plan talks about rural lots as R-2.5. He said the previous council turned down 7 applications for high density housing. There are areas where moderate density is appropriate, such as along Redwood Road. He feels this is an excellent project.

Councilman Barnes said the school impact does fall within the responsibility of the school district. It is the expectation that the city and school work together. City representatives have reached out to communicate with the school district.

Councilman Barnes asked about a stub street connecting to the agricultural property? City Engineer Klavano said it is not required because the cul-de-sac is well short of 750 ft. He said in this case, the property becomes so narrow, it may be better to do another cul-de-sac rather than a stub street. The engineering staff did discuss the issue.

Councilman Rogers said this is exactly the type of development that they want to encourage and move forward with. They are getting away from high density. It is the perfect location and the perfect development.

Councilman Shelton clarified that the future land use map showed this property as R-1.8. That will need to be changed. He feels this is a terrific project.

A.2. Potential Action Item – (See V. A.1.) LUA Resolution R2014-09

Councilman Newton made a motion to approve LUA Resolution R2014-09. Councilman Rogers seconded the motion. Roll call vote. The vote was unanimous in favor, with Councilman Seethaler absent.

A.3. Potential Action Item – (See V. A.1.) Rezone Ordinance 2014-04-Z

Councilman Newton made a motion to approve Rezone Ordinance 2014-04-Z. Councilman Rogers seconded the motion. Roll call vote. The vote was unanimous in favor, with Councilman Seethaler absent.

B.1. **PUBLIC HEARING – THINK STORAGE PHASE 3 LAND USE AMENDMENT & REZONE – 10640 South River Heights Drive – Warren Kirk (Applicant) Resolution R2014-10, amending the Land Use Designation from Office to Commercial and Rezone Ordinance 2014-05-Z, Rezoning from Agricultural (A-5) to Commercial Community (C-C). (By *Community Development Director, George Shaw*)**

Community Development Director Shaw reviewed the background information on this item.

Mayor Alvord opened the public hearing.

Coy Acocks, 10686 Logan Canyon Rd., said he met with staff a couple of years ago to discuss the development of this area. At that time, the storage facility was proposed to be a buffer between commercial and residential. He said he does not have an issue with the expansion of the storage facility. He is concerned about the proposed commercial on the south side. He said traffic will continue to increase with proposed developments. He recommended that the expansion of the storage take the entire 2.5 acres. He said the proposed use of the commercial is daytime office. If that is the case, he does not see a reason to rezone that portion of the property.

Mark Maumau, 10647 S. River Heights Dr., said he has been a resident for 6 years. It is a great place to raise his children. He said he moved here to retire here. They have seen a lot of high density homes and commercial developments happen across from their neighborhood. He said he is opposed to the amendment to change from A-5 to C-C. His children have already had to deal with the displacement of their elementary school because of the growth that has happened. When will it stop? They are concerned about the effect it will have on their home value.

Mayor Alvord closed the public hearing.

Mr. Kirk, applicant, said there has been a lot of good, smart growth in the area. He said they are good neighbors and a good buffer for the neighborhood. He said they had no other option but the C-C zone for this use. They are happy to leave the extra 1 acre as office. He requested that they be given consideration for the rezone and land use amendment.

Councilman Rogers said he is also concerned about what could be developed on that 1 acre of land. If they were allowed to use the entire parcel as storage, would the applicants be willing to do that? Mr. Kirk said they do not want to do too much storage. They do not want the additional acreage in storage. He noted that they own the entire parcel. Councilman Rogers asked if they put limitations on that 1 acre, would they have heartburn over that? If there is no current plan for that 1 acre, why zone it now? Mr. Kirk said with Costco coming, it changes the development pace a little. He said he is okay excluding the 1 acre parcel. If they are going to exclude the 1 acre parcel, he requested that they leave it as agricultural at this time because it helps them with their property taxes.

Community Development Director Shaw said they could only zone 1.5 acres, and leave the other acreage out and that would continue A-5 zoning, and has an underlying land use of office. If it is not a similar use than the storage units, he would have some concern because this is a good buffer that is quiet and does not generate a lot of traffic.

Councilman Newton asked isn't commercial a good use along Bangerter Highway? Community Development Director Shaw said yes. The use of this 1 acre won't increase traffic significantly. He said he would be more concerned with the use of the 1 acre being out of place with the rest of the commercial.

Councilman Newton said the traffic concerns will not be as bad as the residents have imagined. Community Development Director Shaw said Costco will increase traffic on the road, but it will not lower the level of service on the road. City Engineer Klavano said Costco is a large reason

that River Heights Drive was done. It is a major connector that connects two arterials. It is projected to have significant traffic. They can stripe the road to have 4 lanes and a turn lane if needed. He noted that if the 1 acre of land that has been discussed is developed as office, it could produce less traffic. He said that depends entirely on the type of office use. If it goes commercial, it could generate more traffic.

Mr. Kirk reiterated that there is a need and a demand for this type of product, but they do not want to develop the full 7 acres as storage. They would be okay leaving the additional 1 acre zoned as it is currently, for now.

Mayor Alvord said they can address traffic issues with the rezone application for that 1 acre when it comes forward.

B.2. Potential Action Item – (See V. B.1.) LUA Resolution R2014-10

Councilman Barnes made a motion to approve LUA Resolution R2014-10, except as it relates to the 1 acre (roughly), as discussed by the City Council. Councilman Rogers seconded the motion. Roll call vote. The vote was unanimous in favor, with Councilman Seethaler absent.

B.3. Potential Action Item – (See V. B.1.) Rezone Ordinance 2014-05-Z

Councilman Rogers made a motion to approve Rezone Ordinance 2014-05-Z, except the approximate 1 acre that has been discussed. Councilman Barnes seconded the motion. Roll call vote. The vote was unanimous in favor, with Councilman Seethaler absent.

C.1. **PUBLIC HEARING** – Ordinance 2014-06, Repeal of the RM and VMR Zones, and the VMU Sub-District of the MU Zone in the Land Use Title 17 of the South Jordan Municipal Code. *(By Councilman Chris Rogers)*

C.2. Potential Action Item – (See V. C.1.) Ordinance 2014-06

Item V. C.1. and C.2. were tabled earlier in the meeting (See I. C.)

Councilman Shelton made a motion to recess the City Council meeting. Councilman Rogers seconded the motion. The vote was unanimous in favor, with Councilman Seethaler absent.

VI. PUBLIC HEARINGS AND POTENTIAL ADMINISTRATIVE ACTION ITEMS

None.

VII. OTHER BUSINESS

- A.1. Resolution R2014-14, identifying \$700,000 from Fiscal Year 2012/2013 General Fund Carry-Over to be set aside in the Fiscal Year 2014/2015 Budget for the 2700 West Street Improvement Project. *(By City Engineer, Brad Klavano)*

City Engineer Klavano reviewed the background information on this item. They have been concerned with improving 2700 W. for a number of years. They received \$1 million from the state. They have already done some improvements between 11400 South to 10400 South to assist in a safe walking route for Monte Vista. North of 10400 South, there are a lot of middle school kids that walk on the road. There is \$500,000 budgeted for the storm drain of this project. They are in need of \$700,000 to complete the project as efficiently and economically as possible. They cannot wait until May; they need to go out to bid on this project in the next month or two. He said they can set up a mechanism, such as a reimbursement agreement, so that future development could pay the city back for their improvements to 2700 West.

City Attorney Wall said they need to consider the fairness question that will be raised by developers about why they have to pay for the improvement of the frontage when the residents did not. It was noted that this project is not covered with impact fees. The City Council discussed the fact that the residents have been paying property taxes for years. When the residents built their homes, the improvements were not required at that time. City Engineer Klavano said reimbursement from the developers can be recorded against the property.

Councilman Newton asked what if they approve this \$700,000, and the Legislature approves to give the city more money for this project? City Attorney Wall said the City can ask for a reimbursement. It is not guaranteed. City Engineer Klavano said it could help their position with the legislature if they move forward with the project.

City Engineer Klavano reiterated that they can set up a mechanism to charge future developers for improvements that the City makes.

- A.2. Potential Action Item – (See VII. A.1.)

Councilman Newton made a motion to approve Resolution R2014-14. Councilman Shelton seconded the motion. Roll call vote. The vote was unanimous in favor, with Councilman Seethaler absent.

- B.1. Resolution R2014-17, removing Ms. Kathie Johnson as a Member of the Planning Commission and appointing Mr. Richard Feist as replacement to fulfill the remainder of the term which ends 12/31/2015. *(By Councilman Steve Barnes)*

Councilman Barnes expressed gratitude to Ms. Johnson for her service to the city, in many capacities. This change will give more residents a chance to participate and spread the opportunity for service. Mr. Feist recently approached him about serving on the Planning Commission. He is a well-known member of the community and has the respect of his neighborhood.

Councilman Rogers asked what, if any, experience Mr. Feist has in the area of real estate. What are his thoughts on high density housing and residential housing in South Jordan, in general?

Mr. Feist said he has been involved with investments for most of his career. He sees proposals every day from cities and schools looking for financing, and he can analyze them and ask pertinent questions. He said regarding high density housing, it has a purpose in every city. He is not for or against it. It has to be carefully considered where it goes so a city's culture is able to be maintained.

Mr. Feist explained that he sees the role of the Planning Commission as vetting out issues with developers and adjacent land owners regarding city planning and giving background and support in a recommendation to the City Council so they are not doing all of the work. The City Council needs someone to trust.

Councilman Rogers said they want honest, independent thinking people on the Planning Commission that can help them accomplish some of their work; if that means defying recommendations from staff, that is fine.

B.2. Potential Action Item – (See VII. B.1.) Resolution R2014-17

Councilman Barnes made a motion to approve Resolution R2014-17. Councilman Newton seconded the motion. Roll call vote. The vote was unanimous in favor, with Councilman Seethaler absent.

C.1. Discussion – Country Fest Grand Marshal Consideration (*By Interim City Manager Gary Whatcott*)

Parks and Recreation Director Tingey said they need an appointment for Country Fest Grand Marshal. One idea was the entire Historical Committee.

Councilman Rogers said the Historical Committee was not excited about the idea of having them all as grand marshal. The committee recommended that the Naylor's be given Grand Marshal consideration. The Naylor's place flags in the cemetery on all veterans graves, every Memorial Day. They have volunteered this service for years.

The City Council concurred to nominate the Naylor's. Parks and Recreation Director Tingey indicated that he would contact the Naylor's. He also recommended a formal letter be sent from Mayor Alvord.

VIII. REPORTS AND COMMENTS

A. MAYOR

Mayor Alvord reviewed the various meetings he has attended. He said air quality was a large topic at WFRC. He said he toured the sewer facility in Bluffdale. It is a wonderful facility, but he

is glad it is not located in Mulligans. It would not be a good entrance into the city. He took a tour of the underground water reservoir. He said he met with former Mayor Osborne on a water reuse issue.

Interim CM Whatcott said they have been trying to secure their share of treated affluent water from the new facility in Riverton, so it belongs to the city at some point. The first hurdle was to get approval from Jordan Valley Water Conservancy District. It is the first agreement of its kind. They received approval from JVVCD, and JVVCD will also help them move the document through the process. It has to get sign off from every agency regarding water, including a lot of federal agencies. They anticipate it will take 6-12 months to get all of the needed approvals. It is a huge help to have JVVCD's support.

Mayor Alvord said he is happy that Mayor Osborne is holding the seat as the water board member. He will be reporting to the City Council quarterly.

Mayor Alvord said Parks and Recreation Director Tingey will be preparing a report on how South Jordan's parks compare to other cities of their size. He will also compare the effect that the Welby Pit and horse track park area will have on the park ratio.

B. CITY COUNCIL MEMBERS

Councilman Shelton expressed appreciation to staff for their professionalism and willingness to help.

Councilman Shelton noted a recent meeting with members of the City Council, staff, Legislative representatives, and Daybreak representatives to discuss education. It was a great meeting to get people all on the same page.

Councilman Newton indicated that Councilman Rogers did an excellent job testifying before the house committee regarding HB84. They are making progress on a number of bills. They may be able to protect their Ordinance regarding breed specific legislation. He said they are hoping to retain local control on various important critical issues. He noted that staff testified in regard to local control for breed specific legislation at a committee meeting.

Councilman Barnes thanked staff for representing the city's interest at Capitol Hill. He said he favors local control on the various issues.

Councilman Rogers said it is important to get their electorate involved in various issues, lobbying their representatives. They need to be communicating to the people who elected them.

Councilman Rogers updated the Council on a recent EDCU meeting that he attended.

Councilman Rogers indicated that he met with the Historical Committee. He said they are doing a lot of things that the City should pay for, and they may need to increase their budget a little.

He said Community Development Director Shaw presented a concept to the Historical Committee about mural art in the city. He said he would like Mr. Shaw to make that presentation to the City Council as well.

C. CITY MANAGER

None.

D. NEW BUSINESS

None.

ADJOURNMENT

Councilman Newton made a motion to adjourn. Councilman Barnes seconded the motion. The vote was unanimous in favor, with Councilman Seethaler absent.

*The City Council reconvened in the upstairs conference room to continue a budget discussion as part of their earlier study session.

The February 18, 2014 City Council meeting adjourned at 8:49 p.m.

This is a true and correct copy of the February 18, 2014 Council meeting minutes, which were approved on March 4, 2014.


South Jordan City Recorder

SOUTH JORDAN CITY City Council Meeting

February 18, 2014

6:00 P.M.

**ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS**

PRINT NAME	PRINT ADDRESS
Mark Woolley	2244 Jordan Haven Ct.
DAVID COLTON	11072 WOOD FIELD Rd. SJ.
LAWIS BARBRIDGE	10639 SO 2200 West SJ
JERRY SALT	11493 So. 2510 W. SJ
CONNOR Benjamin	11756 GOLD DUST DRIVE
MIKE BLACK	13136 S 2050 W PUEBLO
Karl Karren	10596 South 2200 WEST
Travis Robinson	10219 Mystic Falls Way
Alex Winder	11009 W Karadine
Coy Acocks	10686 LOGAN CANYON RD.
Angelo Kallas	747 W. Jordan Creek Dr.
ROBERT JAMES DENNEY	18923 So REDWOOD
Richard Feist	11661 S. 4340W
Joshua Dyal	2301 Bonanza Ct.
Jon Dyal	2301 Bonanza Ct.
MAX BARKER	10333 So Temple View Dr
Ray Willis	2251 Bonanza Way
Suzan Egbert	11323 S 2700 W.
Rodd Stewart	246 South 2475 West Lehi UT 84043
Rhett M Collins	5748 So King Benjamin Court.
Deanne Kaufman	10293 S Jordan Creek Dr SJ
Chad and Amanda Cox	10106 S. Barnsley Lane
Matt McClain	10673 S Redwood Road

SOUTH JORDAN CITY City Council Meeting

February 18, 2014

6:00 P.M.

ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS

PRINT NAME

PRINT ADDRESS

Paul Stringham

2535 Yellow View

Warren Reed

225 So. 200 E. Ste. W 84117

Spencer Milleberg

94935. 1860 W S Jo UT 84095

Rulon Dutton

4700 Daybreak Plany SW.

Mark Mabey

1202 W 10125 St

Gabe Grotlin

2215 W Hobbs dr.

Steve Young

10447 culmination sp.

Dave Freiss

4326 W. F Kim Rd.

Dobbie Cooper

10326 So Micham Ct

Ari Bruening

4637 Lumina Dr.

Honorable Mayor and Council members,

@ 747 W. Jordan Creek Drive
My name is Angelo Kallas and I ~~live on the eastern side of South Jordan~~. Having served as a city councilman myself for 5 years, I want to thank you for your time serving our city and I appreciate the efforts you put in to make our city a great place to live. My family moved here from Wyoming in 2011 and of all the cities we chose to live in the metro area, we chose South Jordan because we felt it was one of the more beautiful and family oriented cities to raise a family. Part of that beauty is the Jordan Riverwalk trail and Mulligan's. Having beautifully landscaped green space at the virtual entrance to our city is something every city would be envious of, and our early city planners truly understood how green space is something that should be treasured, protected, and saved for future generations. We are ~~even~~ fortunate enough that not only is Mulligan's beautiful green space, but it virtually pays for itself while providing reasonably priced, family oriented entertainment not only for our residents, but others in the area too. This space is an environmental treasure, with wildlife abounding and it is a natural winter habitat for Canadian geese. As a councilman, I did everything I could to protect open space, because that is the one immeasurable treasure that people truly appreciate when choosing a city to call their home. You don't see New York thinking about developing Central Park, Denver developing Washington Park, Salt Lake developing Liberty Park, or San Francisco moving the Presidio for developers. Do you know what Colorado does with their share of lottery money? They use it to buy, preserve and maintain green space. That is how important green space is as a tool to entice smart growth. I work at Rio Tinto and I've asked some of my co-workers their thoughts about development at Mulligans and the universal response is basically "are they crazy"? There currently is plenty of commercially zoned land in South Jordan to last us for years, the last thing we need is a treasured green space at the entrance to our city be sacrificed for more buildings and parking, ultimately contributing to more traffic jams at our city entrance and additional pollution. Please listen to your constituents and keep this prized treasure as it is not only for our generation, but for generations to come.

Thanks again for your time.