



MINUTES OF THE CITY OF WEST JORDAN
COMMITTEE OF THE WHOLE
Wednesday, October 16, 2024 – 6:00 pm
Approved November 6, 2024
8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

WORK SESSION

1. CALL TO ORDER

COUNCIL: Chair Zach Jacob, Vice Chair Chad Lamb, Bob Bedore, Pamela Bloom, Kelvin Green, Kent Shelton, Kayleen Whitelock

STAFF: Council Office Director Alan Anderson, Mayor Dirk Burton, City Attorney Josh Chandler, Utilities Manager Greg Davenport, Public Services Director Cory Fralick, Policy Analyst & Public Liaison Warren Hallmark, Community Development Director Scott Langford, City Administrator Korban Lee, Senior Planner Ray McCandless, Council Office Clerk Cindy Quick, Assistant City Administrator Paul Jerome, Economic Development Director David Dobbins, Code Enforcement Manager Brock Hudson, Senior Assistant City Attorney Patrick Boice, Cemetery Sexton Craig Hudson

Chair Jacob called the meeting to order at 6:00 pm.

2. DISCUSSION TOPICS

a. Discussion of potential Third Amendment to a Master Development Agreement for Jordan Valley Station TOD at 3400 West 8600 South for the purpose of extending the expiration date

Council Office Director Alan Anderson said the City Council heard from the applicant and held a public hearing regarding a potential amendment to the MDA for Jordan Valley Station Transit Oriented Development (TOD) on July 31, 2024, and referred the matter to the Committee of the Whole for further discussion. Jeff Vitek, President and CEO of Boulder Ventures Development, Inc., explained that Bangerter Station, LLC was a joint venture of Boulder Ventures Development, Inc. and Utah Transit Authority (UTA) for development of Jordan Valley Station, a 40-acre TOD entitled for residential units, commercial office, and retail/restaurant use. Mr. Vitek and his associate Alec Taylor answered questions from the Council about the status of development and phasing plans.

Mr. Vitek said that although extending the expiration date beyond September 2029 would cost more money to develop, he believed the result would be a better product and better for the community. He believed with an extension he could allocate capital and resources for the separate elements to be more unique. Without an extension, the development would have a more uniform appearance.

Council Member Bloom shared negative personal experiences from living at Novi at Jordan Valley Station, and expressed concern for quality and follow-through. Mr. Vitek said he was sorry Council Member Bloom had a negative experience, and briefly explained some of the construction problems associated with the first two buildings.

Council Member Green said the City Council initially approved the Jordan Valley Station TOD expecting a model TOD, and asked why the development was not even 50% complete 15 years later. Mr. Vitek believed Jordan Valley Station was close to being a model TOD.

Council Member Green said the MDA required Bangerter Station, LLC to reimburse the City for maintenance of the public street, yet he had not seen any accounting for such reimbursement in the City budget. Council Member Green said experience with traffic in the last 15 years had not been consistent with results of the initial traffic study. He said the MDA stated Bangerter Station, LLC would be the sole developer of the TOD, which was not true, and questioned the legal ramifications. Council Member Green believed the commercial element in the TOD was an afterthought, included as a platitude to the City Council.

Mr. Vitek said at the time the MDA was approved, there were no TODs in Utah, and his team had looked to other states for examples. He believed he was clear and direct from the beginning that Jordan Valley Station would not be a big sales tax generator. Mr. Vitek felt proud of what had been accomplished.

Chair Jacob noted that the MDA had five years remaining and the applicant was requesting five to ten years more. Chair Jacob questioned what would happen if the extension was not granted and the development was not completed within the next five years. Economic Development Director David Dobbins said the TOD agreement would terminate and the land would revert to previous zoning. Mr. Vitek said he was not trying to drag out the project. He requested the extension hoping to provide a better product to do what was best for the community. Mr. Vitek estimated he could complete the project within five years but emphasized his preference for taking additional time to ensure a high-quality, enduring product. Chair Jacob felt what had been developed was attractive, with nice open space.

Council Member Green pointed out that impact fees for the project were reduced under the MDA and expressed reluctance to amend the agreement without reconsidering the impact fees. Mr. Vitek explained the timing for the intersection at 3200 West offering to coordinate with the City Engineer and fund the traffic signal when it was needed. He also mentioned complications with a neighboring property owner.

Responding to a question from Council Member Whitelock, Community Development Director Scott Langford said staff could be prepared to explain trail connection plans at a future meeting.

Vice Chair Lamb pointed out that the area had been empty since the completion of Novi in 2017, he wanted to see it move forward. He suggested the applicant come back to the Council early in 2025 with an explanation of what could be done by the 2029 deadline,

and what could be done with more time. Mr. Vitek said he could come back with options fairly quickly, but emphasized that less time for development would mean rectangular buildings and far less landscaping. Mr. Vitek believed that higher-quality, visually appealing developments would be better in the long run, as they tend to retain value and typically demand less police involvement over time.

Council Member Bedore wanted to see what the product would look like if completed in five years versus what would be possible with additional time. Council Member Whitelock asked Mr. Vitek if he would be willing to agree to concessions, such as full impact fees, for approval of an extension. Mr. Vitek repeated that he believed it was in the best interest of the City to allow more time for a better product, but he could complete the project within the original timeframe. Council Member Whitelock believed what the State needed, and what the Governor and Legislature currently wanted, were more single-family homes on small lots. She would have trouble approving an extension if the City didn't get anything in return.

Responding to a question from Council Member Bloom, Mr. Vitek said he sold Novi to a different company years ago. Council Member Green commented that all property owners were required to sign an MDA and additional property owners would need to be party to an amendment to the MDA. Mr. Vitek responded that the MDA only applied to undeveloped land. Council Member Green felt the amendment could specify that it only applied to undeveloped property.

Chair Jacob wanted to do what was right for the City long-term. He believed that sometimes it took longer to get a good product and he did not have a problem with an extension. He would like to see an illustration of what Mr. Vitek had discussed. Vice Chair Lamb would like the project to be done before 2039. Council Member Green wanted to make sure the Council did the right thing the right way. Mr. Vitek said he could bring back some illustrations. Mr. Anderson said he would work with Mr. Vitek and his team to schedule a future Committee of the Whole discussion prior to the end of the year. Vice Chair Lamb reiterated that the Council wanted to see why Mr. Vitek wanted ten more years instead of five.

b. Discussion of proposed amendments to Title 16 – Administrative Code Enforcement Hearing

Council Office Director Alan Anderson said Senior Assistant City Attorney Patrick Boice drafted proposed amendments to Title 16 in response to direction from the Council at a March 2024 Committee of the Whole meeting. Mr. Boice spoke of the need to update timelines for the code enforcement process. Mr. Boice answered questions and received feedback from the Council. Council Member Whitelock expressed a desire to include the possibility of revoking Good Landlord status in Title 16. Staff would investigate the possibility.

Mr. Boice described a scenario in which the City had expended funds preparing for an abatement after an established deadline, only for the property owner to address the issue just before the City intervened. Although abatement was no longer necessary, City funds had been expended. Mr. Boice advocated for retaining the option to assess costs for similar situations.

The Council and staff discussed minor grammatical changes. A majority of the Council indicated support for putting the proposed Title 16 amendments on a future City Council agenda.

c. Presentation of 2024 West Jordan Water Conservation Plan

Public Utilities Director Greg Davenport reported that the City was required to submit an updated Water Conservation Plan every five years. The last update was adopted in 2019, and a new update must be adopted before the end of 2024. Mr. Davenport presented a proposed update to the West Jordan Water Conservation Plan, and received feedback from the Council. Mr. Davenport said he would bring the update plan back to the Council after review by the Planning Commission.

d. Discussion of proposed amendments to City Code Sections 13-17-2, 12-3-2 and 13-5L-7 to establish sign standards for the Planned Community Hillside (PCH) Zone

Senior Planner Ray McCandless explained the request for the Council to consider amending the West Jordan Code to establish sign standards for the PCH Zone was in response to a developer asking if a sign could be placed on a storage unit in the PCH Zone.

Council Member Green asked the detrimental impact of allowing a maximum four-foot monument sign. Staff responded it had to do with aesthetics. The Council discussed permitted versus administrative conditional sign uses. Council Member Green suggested taking a closer look at all administrative conditional sign uses and eliminating any with which the Council was not comfortable.

Council Member Shelton would be in favor of permitting monument signs four feet or less in height in the PCH Zone, but not taller. Chair Jacob spoke in favor of administrative conditional approval for kiosk and monuments over four feet in height in the PCH Zone to allow for mitigation of potential detrimental impacts. Council Member Whitelock was comfortable with monument signs under four feet being permitted, and taller requiring administrative conditional approval. A majority of the Council appeared to agree.

The Council discussed the difference between electronic LED and animated signs. Council Member Bloom believed the electronic LED sign technology had improved. Council Member Whitelock would support administrative conditional approval for electronic LED signs in the PCH Zone. Council Member Shelton expressed opposition to allowing electronic LED signs in the PCH Zone due to aesthetic concerns. Chair Jacob would be comfortable with administrative conditional approval for electronic LED signs. Aside from the specific support for administrative conditional approval of LED signs and monument signs over four feet, a majority of the Council expressed general support for the remaining staff recommendations proposed.

e. Discussion of proposed amendments to Title 8-14-7 - Grave Decorations

Senior Assistant City Attorney Patrick Boice said previous Council discussion regarding grave decorations included a desire to set a timetable for seasonal decorations, and to allow the Sexton to use compassion and good judgement in administration of the policy.

Mr. Boice noted that a sexton was defined as a keeper of sacred things and he believed the proposed policy prepared by staff encompassed that intent.

Mr. Boice said the proposed policy would allow placement of seasonal decorations three days prior to a holiday through no less than seven days after the holiday. He said concern was expressed by Council Member Whitelock with placing the policy in the hands of the Sexton and removing the Council, but expressed the opinion that there would be benefit in not changing the policy as frequently as had been done. Mr. Boice expressed the opinion that day-to-day operations should be given to the Sexton. Cemetery Sexton Craig Hudson believed it was important to have a strong written policy in place. Mayor Burton suggested the Sexton needed flexibility to manage complaints and issues.

Council Member Green referred to language in the proposed policy regarding headstone attachments or fixtures and felt the language was too vague. He expressed concern with the executive branch having control over the policy, with no oversight from the Council. He preferred incorporating public notice or an input process for any policy changes to ensure that the policy's direction was not influenced by the personality of the Sexton. Council Member Shelton believed being a cemetery sexton required a nuanced approach and he did not want to tie the Sexton's hands. Council Member Green wanted a consistent long-term policy that could be understood.

Mr. Boice emphasized the importance of consistent standards. He reported that the code had been amended in 2017, 2019, and 2022. Chair Jacob believed the decoration policy was an administration issue, not a legislative Council issue. Council Member Whitelock believed policy guardrails were needed. Council Member Green was comfortable with the proposed change but wanted to look at the larger issue of administrative law making in the future.

Staff answered questions from the Council regarding specific proposed policies. Council Members suggested adding an exception in the policy to allow grave decorations to remain for new burials. Chair Jacob believed the decoration policy was an administration issue, he preferred having City Code refer to the policy and agreed it should be consistent. A majority of the Council indicated support for the proposed policy.

4. ADMINISTRATIVE ITEMS

City Administrator Korban Lee shared his experiences visiting the new wheels park, where he witnessed the joy of a six-year-old enjoying the park's wide layout in his wheelchair and large groups of kids gathering after school to use the facility. He described the park as a huge success and presented the Council with signed skateboard decks as a token of appreciation for their support in making the project possible.

5. ADJOURN

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

The meeting adjourned on 9:05 pm.

I certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on October 16, 2024. This document constitutes the official minutes for the West Jordan Committee of the Whole meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 6th day of November 2024