



AMENDED BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, March 11, 2015

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, March 11, 2015 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at 7:00 p.m. or as soon thereafter as possible. Notice is further given that access to this meeting by the Mayor and or City Council may be by electronic means by telephonic conference call.

The Agenda will be as follows:

BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING 7:00 P.M.

1. Roll Call, Invocation and Pledge.*
2. **PUBLIC FORUM** – (4 minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
3. **CONSENT AGENDA:**
 - 3.1 Approval of the February 4, 2015 meeting minutes.
 - 3.2 Approval of the February 25, 2015 meeting minutes.
4. Consideration and vote on a resolution approving an Agreement Regarding PRB Property Conveyances, staff presenter, Vaughn Pickell.
5. Consideration and vote on a resolution for a proposed Third Amendment to Development Agreement for Independence at the Point, which includes a Major Change to the Project Plan, staff presenter, Jennifer Robison.
6. Consideration and vote on a Preliminary and Final subdivision Plat Application for Plat I-3 for 28 residential Lots and associated streets at approximately 15000 South allegiance Drive within the Independence Master Planned Community, 4 Independence, LLC applicant, staff presenter, Jennifer Robison.
7. Discussion regarding a proposed re-alignment to the travel lanes on 14400 South to allow parking on the north side of the street, Mayor Derk Timothy.
8. Mayor's Report.
9. City Manager's Report and Discussion.

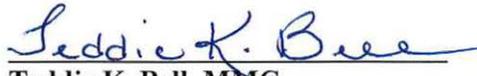
PLANNING SESSION

10. Please Note: The planning session is for identifying future items and other council discussion in accordance with Utah Code § 52-4-201(2)(a). While the meeting may be open to the public, there will not be any opportunity for public input during the planning session.

11. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
12. Adjournment.

Dated this 10th day of March, 2015

I HEREBY CERTIFY THAT THE FOREGOING NOTICE AND AGENDA WAS FAXED TO THE SOUTH VALLEY JOURNAL, THE SALT LAKE TRIBUNE, AND THE DESERET MORNING NEWS; POSTED AT THE BLUFFDALE CITY HALL, BLUFFDALE CITY FIRE STATION, AND THE COMMUNITY BULLETIN BOARD AT THE BLUFFS APARTMENTS; EMAILED OR DELIVERED TO EACH MEMBER OF THE BLUFFDALE CITY COUNCIL; ON THE CITY'S WEBSITE AT WWW.BLUFFDALE.COM AND ON THE PUBLIC MEETING NOTICE WEBSITE, WWW.PMN.UTAH.GOV


Teddie K. Bell, MMC
City Recorder

Note: The Bluffdale City Council will take a recess at approximately 9:30 p.m. and will evaluate the time needed to complete items not yet heard on the evening's agenda. Items the Council determines may take the meeting past 10:00 p.m. may be removed from the agenda and re-scheduled for the next regularly scheduled meeting. In compliance with the American with Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City Hall at least 24 hours in advance of this meeting at 801-254-2200. TTY 7-1-1. *Contact the City Recorder if you desire to give the Invocation.

Agenda Item 3.1



**AGENDA
BLUFFDALE CITY COUNCIL AND PLANNING COMMISSION
JOINT MEETING**

February 4, 2015

Notice is hereby given that the Bluffdale City Council and Planning Commission will hold a public meeting **Wednesday, February 4, 2015**, at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah. Notice is further given that access to this meeting by Planning Commissioners may be by electronic means by telephonic conference call. The Agenda will be as follows. Please note that all times listed on the Agenda are provided as a courtesy and are approximate and subject to change.

PLANNING COMMISSION BUSINESS MEETING - 7:00 P.M.

1. Invocation and Pledge.*
2. Public comment (for non-public hearing items).
3. Approval of minutes from January 7, 2015 meeting of the Planning Commission.
4. Work Shop by the Wasatch Front Regional Council to implement a Complete Streets Policy. Greg Scott from WFRC and Jason Green from Lochner, presenters.
5. City Council Report.
6. Planning Commission business (planning session for upcoming items, follow up, etc.).
7. Adjournment.

Dated: February 3, 2015

A handwritten signature in blue ink that reads "Grant Crowell".

Grant Crowell, AICP
City Planner/Economic Development Director

In compliance with the American Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City at least 24 hours in advance of this meeting at (801)254-2200. TTY 7-1-1.

*Contact Gai Herbert if you desire to give the Invocation.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL AND
PLANNING COMMISSION
JOINT MEETING MINUTES
Wednesday, February 4, 2015**

1 **Present:**

2
3 **City Council Members:**

4
5 **Mayor Derk Timothy**
6 **Alan Jackson**
7 **Bruce Kartchner**
8 **Ty Nielsen**
9 **Heather Pehrson**
10 **Justin Westwood**

11
12 **Planning Commission Members:**

13
14 **Brad Peterson, Chair**
15 **Von Brockbank**
16 **Kory Luker**
17 **Connie Pavlakis**

18
19 **Others:** **Grant Crowell, City Planner/Economic Development Director**
20 **Anika Estioko, Code Enforcement Officer**
21 **Gregg Scott**
22 **Jason Green**
23 **Carlye Sommers**

24
25 **Excused:** **Johnny Loumis, Jr.**

26
27 **BUSINESS MEETING**

28
29 Chair Brad Peterson called the meeting to order at 7:00 p.m.

30
31 **1. Invocation and Pledge.**

32
33 Mayor Timothy offered the Invocation. Brad Peterson led the Pledge of Allegiance.

34
35 **2. Public Comment.**

36
37 There were no public comments.

38
39 **3. Approval of Minutes from the January 7, 2015, Meeting of the Planning Commission.**

40
41 The minutes were reviewed and amended.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL AND
PLANNING COMMISSION
JOINT MEETING MINUTES
Wednesday, February 4, 2015**

1 **Connie Pavlakis moved to approve the minutes of the January 7, 2015 meeting, as amended.**
2 **Von Brockbank seconded the motion. Vote on motion: Brad Peterson-Aye, Von Brockbank-**
3 **Aye, Kory Luker-Aye, Connie Pavlakis-Aye. The motion passed unanimously.**

4
5 **4. Work Shop by the Wasatch Front Regional Council to Implement a Complete Streets**
6 **Policy, Greg Scott from WFRC and Jason Green from Lochner, Presenters.**
7

8 Greg Scott from the Wasatch Front Regional Council (WFRC) was present along with Jason Green
9 and Carlye Sommers from Lochner Engineering. Mr. Scott stated that their job is to help facilitate a
10 Complete Streets Policy. Duties to be accomplished Days 1 through 3 were outlined. He explained
11 that on Day 1 the 10 elements of a policy would be identified. Ms. Sommers would be facilitating a
12 vision and the applications of a policy. On Day 2 a working group will be identified to discuss the
13 matter in more depth. April 1 was tentatively scheduled to draft a policy from tonight’s discussion
14 and the working group. The group will also address street typologies.

15
16 Mr. Scott explained that the premise behind complete streets is twofold. First streets are a huge
17 public asset. In a typical city, streets comprise about 30% of the land area. They are also a huge
18 expenditure for government. Last year between local, state, and federal \$1,000 was spent on
19 transportation for every man, woman, and child in the country. He explained that with a little bit of
20 additional effort they can take the goals the City has and use those assets to achieve them. Under
21 that premise, each street is tailored to achieve the community’s goals.

22
23 Another common objective for complete streets is that all users are considered each time an
24 investment is made. That is important because streets can bring people together or divide
25 communities. Of the \$1,000 spent, 75% comes from general funds. Mr. Scott showed examples of
26 what complete streets look like. He stated that about one-half of Utahans do not own a car. These
27 include primarily the elderly, children, and the disabled. Sidewalk and bike lanes were discussed in
28 terms of how they save lives and increase safety. Mr. Scott also reported that complete streets
29 equates to more activity and an improved sense of well-being.

30

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**BLUFFDALE CITY COUNCIL AND
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JOINT MEETING MINUTES
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1 Air quality issues were discussed. Mr. Scott reported that one-third of car trips are one mile or less.
2 The benefits of eliminating short trips are disproportionate since 25 to 41 percent of emissions are
3 unrelated to the distance traveled. He stated that studies have shown a direct connection between
4 homes within a major intersection and low birth weight babies. The potential was a 12% decrease
5 by eliminating short car trips. From a congestion standpoint, Mr. Scott stated that most suburban
6 congestion is the result of short trips.

7
8 Mr. Green identified key elements of what a Complete Street Policy would include. The first would
9 include setting a vision and considering all uses, users, and exceptions. He explained that the idea
10 is to create a complete system. Thought should be given to key uses and where they should be
11 located. Design criteria should also be considered. Other elements included contact sensitivity,
12 performance measures, and implementation. Mr. Green stated that for decades level of service has
13 been the key criteria in determining project performance. Level of service issues will analyze the
14 flow of traffic and grade it with an A being a free flow to F being obstructing traffic.

15
16 Mayor Timothy commented that they were currently going through an Access Management Plan on
17 Redwood Road that the public would be involved in. Public meetings were held and UDOT was
18 involved in the process and wants the City to have a policy in place that all can agree on. He felt
19 that in some cases the City can help itself down the road by having a plan in place. With regard to
20 UTA, the Mayor stated that regardless of how much they discuss with them the City's future, their
21 maps still never include Bluffdale. Mr. Scott stated that he had been told multiple times by UDOT
22 that they want to see the community have a plan in place. If Bluffdale has a plan in place it is much
23 more likely that they will bend the rules. Mayor Timothy stated that in the future there needs to a
24 way to work with organizations outside the City for the Complete Streets Plan. He explained that
25 Bluffdale and Riverton worked together and entered into an interlocal agreement with regard to the
26 aesthetics of the bridge.

27
28 Mr. Scott stated that UDOT and UTA serve on the Complete Streets Steering Committee and are
29 aware of the situation. Because this is a pilot program, Connie Pavlakis asked if there is an

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1 advocacy group working to bridge the gap between the state and the individual. Mr. Scott stated
2 that they are working on a program called the Complete Streets Liaison Program so that UDOT, the
3 County, and UTA will have a liaison who is trained to work with the communities.

4
5 Mr. Green stated that in order to be awarded funding for a project, it must be linked with various
6 elements. Funding issues were discussed. Mr. Crowell stated that there has always been funding
7 available for enhancements. The City applied for UDOT to put bike lanes on the road. There is
8 very little money and a large number of applicants. As a result, it was suggested that the City apply
9 under the Air Quality Program. The frustration was that the City was applying for UDOT to put
10 bike lanes on their road. It seemed obvious to many that that was a route that a lot of people use.

11
12 Mayor Timothy suggested the City take advantage of the fact that UDOT has certain motivations
13 and work together. For example, they are motivated to give the City 14600 South. That motivation
14 will have a cost in order for the City to continue with Porter Rockwell Boulevard and cross a river.

15 Mr. Green suggested it be tied to the City's General Plan and land uses. Mayor Timothy stressed
16 the importance of Porter Rockwell Boulevard and stated that the City has plan for what they want it
17 to look like, which doesn't include seven lanes. He asked where a Complete Streets Plan can take
18 over and allow them to plan for transit to relieve some of the burden. Mr. Scott stated that it comes
19 from both the master planning approach and small improvements made by the Development Review
20 Committee (DRC). For example, Centerville elected to allow the DRC to take on a different role
21 each year when approving their transportation budget and look at all of the projects and determine
22 how to include all users.

23
24 Bruce Kartchner asked how the user aspect can be addressed from a ratio standpoint. He was aware
25 that outside of Bluffdale there are huge forces to get development into conformity with things that
26 other people want. Typically it is tied to some kind of funding that tends to take over. While
27 Council Member Kartchner was interested in the concept, he was reticent to move forward too
28 quickly since he was not convinced that what the community wants will drive the process.

29 Mr. Scott remarked that there are competing interests and this strengthens the City's position. He

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1 explained that the established goals things were determined by the City who will choose the vision
2 and how it is applied.

3
4 Mr. Scott stated that the City will have an advantage by having a Complete Streets policy in place.
5 From WFRC’s perspective they are more likely to obtain funding. J. Lee Bertoch remarked that
6 Bluffdale is a bedroom community and what is being proposed pertains to a municipality with a city
7 center where citizens can walk. Bluffdale currently doesn’t have such a place. He asked how it
8 applies to Bluffdale without those amenities. He asked if the ultimate goal is to reduce pollution by
9 driving less or preliminary planning before allowing development to occur. Mr. Scott explained
10 that the City will choose its own goals.

11
12 Heather Pehrson felt like the City was part of a transportation structure that goes beyond Bluffdale.
13 Even if they consider just who lives in Bluffdale they should recognize the fact that the streets are
14 still used by non-residents. They will better meet the needs of the citizens if they accommodate that
15 demographic.

16
17 Mr. Scott stated that their job is to facilitate the process and asked that they trust that together they
18 can come up with a policy that is appropriate for Bluffdale. Heather Pehrson asked how private
19 streets will be addressed. Mr. Scott referenced Element 3 pertaining to the types of projects
20 involved. He explained that the City can choose to do private streets or not. Mayor Timothy stated
21 that it is important to remember that complete streets is a method of analyzing all of the uses and
22 determining what uses to go into the road. Rather than creating a standard, it is creating a method
23 for making decisions. Having a plan in place helps in obtaining funding.

24
25 Carlye Sommers led the discussion on what the City would like to include in a policy and what the
26 vision would be. Connie Pavlakis hoped to include something for equestrian users. She
27 commented that she frequently sees people walking horses down the sidewalk and hoped to provide
28 a place for them to go. Bruce Kartchner suggested including efficiency and safety as part of the
29 vision. Heather Pehrson suggested there be trail connectivity.

30

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1 Mr. Green urged those present to think about what would bring the community to accept complete
2 streets such as safety, access to schools, biking, etc. Connie Pavlakis considered safety to be an
3 issue but also felt that for much of the City, maintaining the rural feel of the community was
4 important. Ty Nielsen debated as to whether safety, aesthetics, and beautification are connected
5 since in providing safety they use aesthetics and beautification.

6
7 Ms. Sommers suggested the group think about users such as other communities using City streets.
8 Heather Pehrson commented that it benefits Bluffdale citizens to accommodate the traffic through
9 the community. She noted that it has to be at least considered and dealt with. She acknowledged
10 that City streets are used as a thoroughfare for many people. In addition, they have typical users
11 and tend to get more construction type vehicles.

12
13 Traffic and safety issues were discussed. Mr. Crowell thought the best option was to get a feel for
14 what other communities with similar issues have done. Connie Pavlakis felt that the only thing the
15 City can enforce is continual use. Mr. Scott considered it better to not have to rely on signs.
16 Through design they can communicate what position they have in the street, what their roles are,
17 and what the pecking order is. Design can influence behavior where signs alone cannot.

18
19 Utility coordination issues were discussed. It was noted that anytime there is new construction,
20 utility providers are supposed to obtain a permit from the City. Ms. Sommers suggested the group
21 think of it in terms of when they would have the opportunity to implement the policy. It was
22 suggested that they go back to the vision and look at the items listed. Connie Pavlakis stated that
23 currently major work is being done on parks and trails. The connectivity for any roads pertaining to
24 trails would be an upcoming project if determined to be needed.

25
26 Bruce Kartchner stated that part of his vision would include cost effective road construction and
27 maintenance. Prior to construction or improvements taking place a determination should be made
28 as to whether there is a way to incorporate the complete streets vision before moving forward.
29 Exceptions were identified such as local consideration, safety, and physical constraints. Brad
30 Peterson pointed out that frequently the City doesn't have control over many City roads.

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1
2 With regard to which roads to focus on, Connie Pavlakis recommended they focus on collectors and
3 arterials. Ty Nielsen stated that with snow removal they have to first address arterial roads,
4 followed by secondary roads, and then cul-de-sacs. Mayor Timothy suggested they stick with the
5 new construction and reconstruction.

6
7 Ms. Sommers asked the group to identify Bluffdale’s strengths in putting a policy together. Brad
8 Peterson commented that they have a good City Council that works well together. In the past that
9 has not been the case and has had a negative impact on the City. They are at a critical time,
10 however, where the City’s aesthetics and demographics are starting to change. Mayor Timothy felt
11 that over the last few years the City has done a very good job in terms of long-term planning.
12 Recently all of the long-term plans have been redone and they are focused on the short-term plans
13 matching the long-term plans. Heather Pehrson commented that the City has also considered the
14 other aspects of roads. The Mayor stated that all of the City’s roads were categorized to determine
15 which ones are redone every year. Ty Nielsen commented that the City is frugal and they try to get
16 the community involved and volunteer as much as possible.

17
18 Mayor Timothy observed that over the years there has been much less feedback from citizens. He
19 felt this could be attributed to the fact that they are much more trusting of the process than they used
20 to be. Justin Westwood felt they were good at looking at a situation from all points of view and
21 getting all of the information before making a decision. It was reported that the City has
22 approximately 54 miles of local road in Bluffdale.

23
24 A comment was made that the City’s diversity is a challenge. City Planner, Economic
25 Development Director, Grant Crowell, commented that when the General Plan was drafted there
26 was discussion about agriculture. There was discussion about how production agriculture and the
27 fact that there are still a few people who do it, however, it was not something the City was trying to
28 plan and save for.

29

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL AND
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JOINT MEETING MINUTES
Wednesday, February 4, 2015**

1 It was noted that one of the City’s challenges is that there are a lot of dead end streets, dirt roads,
2 and roads that are not close to meeting what they want to ultimately have. Preventing unwanted
3 connections was identified as a goal of the City going forward.

4
5 Bruce Kartchner identified the challenge of the City working with its neighbors without
6 capitulating. The possibility of the prison being moved was discussed. It was identified as
7 something that will have a drastic change on the City’s future road development. The challenge in
8 that case would be the unknown. Heather Pehrson believed that if is handled properly, it could
9 potentially be a tremendous opportunity for the City. Mr. Crowell commented that there are a great
10 deal of physical challenges with every utility, canal, and river.

11
12 Procedural issues were discussed. Mayor Timothy recommended there be more of a connection
13 between this group and the DRC. The intent was to form a matrix of how the departments interact
14 with each other. Bruce Kartchner also suggested a few Planning Commission Member participate.
15 Alan Jackson and Heather Pehrson would be present representing the City Council and Connie
16 Pavlakis and Kory Luker would represent the Planning Commission. It was suggested that
17 meetings be noticed.

18
19 Mr. Scott stated that the results from Day 1 would be provided to the group and sent as notes. In
20 addition, they would be incorporated into language for a possible Complete Streets Policy. They
21 would take key results from Day 2 as well and include that in the policy. On Day 3 they will go
22 through and review and revise the policy. A draft policy would then be made available moving
23 forward. At that point they can identify how they can use strengths and weaknesses to move
24 forward. Carlye Sommers asked those present to place stars to identify their top three priorities
25 under “Vision”.

26
27 **5. City Council Report.**

28
29 The above matter was not addressed.
30

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL AND
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JOINT MEETING MINUTES
Wednesday, February 4, 2015**

1 **6. Planning Commission Business (Planning Session for Upcoming Items, Follow Up, Etc.).**

2
3 The above matter was not addressed.

4
5 **7. Adjournment.**

6
7 The Planning Commission Meeting adjourned at 9:26p.m.

8
9
10
11
12 _____
13 Gai Herbert

14 Community Development Secretary

15
16 Approved: _____

Agenda Item 3.2



**BLUFFDALE CITY COUNCIL AND
REDEVELOPMENT AGENCY BOARD COMBINED
MEETING AGENDA
Wednesday, February 25, 2015**

Notice is hereby given that the Bluffdale City Council and Bluffdale Redevelopment Agency Board Meeting will hold a combined meeting Wednesday, February 25, 2015 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **7:00 p.m.** or as soon thereafter as possible. Notice is further given that access to this meeting by the Mayor and or City Council may be by electronic means by telephonic conference call.

The Agenda will be as follows:

BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING 7:00 P.M.

1. Roll Call, Invocation and Pledge.*
2. **PUBLIC FORUM** – (4 minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
3. **CONSENT AGENDA:**
 - 3.1 Approval of the February 11, 2015 meeting minutes.
4. Consideration and vote on a resolution adopting a Hazard Mitigation Plan, presenter Natalie Hall, Bluffdale City Emergency Manager.
5. Consideration and vote on a resolution approving a Transportation Impact Fee Reduction for Towne Storage, applicant, Ken Menlove, Project Engineer.
6. Consideration and vote on a resolution for a proposed Third Amendment to Development Agreement for Independence at the Point, which includes a Major Change to the Project Plan, staff presenter, Jennifer Robison.
7. Consideration and vote on a Preliminary and Final subdivision Plat Application for Plat I-3 for 28 residential Lots and associated streets at approximately 15000 South allegiance Drive within the Independence Master Planned Community, 4 Independence, LLC applicant, staff presenter, Jennifer Robison.
8. Discussion on options for property transfer from UDOT to the City of Bluffdale for property located at approximately 14300 South 1690 West, staff presenter, Michael Fazio.
9. Consideration and vote on a resolution amending the Bluffdale Employee Policies and Procedures Manual to create the position of Drafting Technician, staff presenter, Michael Fazio.
10. **PUBLIC HEARING:** Consideration and vote on a resolution adopting an Amended Budget for the 2014-2015 Fiscal Year, staff presenter – Stephanie Thayer (**RDA Public Hearing held in conjunction**).

BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING

1. Roll Call.
2. **CONSENT AGENDA:**
 - 2.1 Approval of the November 12, 2014 meeting minutes.
3. **PUBLIC HEARING:** Consideration and vote on a resolution adopting an Amended Budget for the 2014-2015 Fiscal Year, staff presenter, Stephanie Thayer (**RDA Public Hearing held in conjunction with the Budget Hearing**).
4. Adjournment.

CONTINUATION OF BUSINESS MEETING

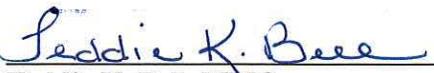
11. Mayor's Report.
12. City Manager's Report and Discussion.

PLANNING SESSION

13. Please Note: The planning session is for identifying future items and other council discussion in accordance with Utah Code 52-4-201(2) (a). While the meeting may be open to the public, there will not be any opportunity for public input during the planning session.
14. **PLANNING WORK SESSION:** Discussion on a revision of Chapter 22 of the Bluffdale Land Use Ordinance, Signs and Outdoor Advertising (LED Signs), staff presenter, Alan Peters.
15. Closed meeting pursuant to Utah Code § 52-4-205 (1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
16. Adjournment.

Dated this 19th day of February, 2015

I HEREBY CERTIFY THAT THE FOREGOING NOTICE AND AGENDA WAS FAXED TO THE SOUTH VALLEY JOURNAL, THE SALT LAKE TRIBUNE, AND THE DESERET MORNING NEWS; POSTED AT THE BLUFFDALE CITY HALL, BLUFFDALE CITY FIRE STATION, AND THE COMMUNITY BULLETIN BOARD AT THE BLUFFS APARTMENTS; EMAILED OR DELIVERED TO EACH MEMBER OF THE BLUFFDALE CITY COUNCIL; ON THE CITY'S WEBSITE AT WWW.BLUFFDALE.COM AND ON THE PUBLIC MEETING NOTICE WEBSITE, WWW.PMN.UTAH.GOV


Teddie K. Bell, MMC
City Recorder

Note: The Bluffdale City Council will take a recess at approximately 9:30 p.m. and will evaluate the time needed to complete items not yet heard on the evening's agenda. Items the Council determines may take the meeting past 10:00 p.m. may be removed from the agenda and re-scheduled for the next regularly scheduled meeting. In compliance with the American with Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City Hall at least 24 hours in advance of this meeting at 801-254-2200. TTY 7-1-1. *Contact the City Recorder if you desire to give the Invocation.

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL AND
REDEVELOPMENT AGENCY BOARD COMBINED
MEETING MINUTES
Wednesday, February 25, 2015**

1 **Present:** Mayor Derk Timothy
2 Alan Jackson
3 Bruce Kartchner
4 Heather Pehrson
5 Justin Westwood
6

7 **Others:** Mark Reid, City Manager
8 Vaughn Pickell, City Attorney
9 City Engineer, Michael Fazio
10 Grant Crowell, City Planner/Economic Development Director
11 Jennifer Robison, Associate City Planner
12 Alan Peters, Associate City Planner
13 Natalie Hall, Bluffdale City Emergency Manager
14 Stephanie Thayer, Accountant/HR Administrator
15 Teddie Bell, City Recorder
16

17 **Excused:** Ty Nielsen
18

19 Mayor Derk Timothy called the meeting to order at 7:00 p.m.
20

21 **BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING**
22

23 **1. Roll Call, Invocation, and Pledge.**
24

25 All Members of the City Council were present with the exception of Ty Nielsen, who was excused.
26

27 Jon Nelson offered the invocation.
28

29 Scouts in attendance led the Pledge of Allegiance. They were identified as Ridge Armstrong,
30 Jimmy Glover, Jackson Krawiecki, and Scott Simonson. All were working on their Citizenship in
31 the Community Merit Badges with the exception of Scott Simonson who had his Eagle.

32
33 **2. PUBLIC FORUM.**
34

35 Scott Simonson reported that he recently completed his Eagle Project, which involved gathering
36 names for the Bluffdale Veteran’s Memorial. He planned to publish the names to ensure accuracy.
37 Over 100 names had been collected. While reviewing the names, Alan Jackson discovered that
38 some names were missing information. He felt that publishing the list would be a good way to find
39 the missing information. Names can also be added later, however, the goal was to include as many

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1 as possible initially. Mr. Simonson reported that he distributed 2,300 fliers with the help of 10
2 scouts. The Mayor and Council thanked him for his efforts.

3
4 Brian Spahr gave his address as 14381 South 1690 West and expressed concern with the northwest
5 curve, which he understands is UDOT property. He asked if there had been any correspondence
6 between the City and UDOT with regard to a speed limit or stop sign. He found the area to be quite
7 dangerous and was concerned about safety. His specific concerns were described.

8
9 Hillary Spahr gave her address as 14381 South 1690 West and was concerned with the safety of
10 young children walking along 1690 West.

11
12 City Manager, Mark Reid, reported that staff spoke to Jordan School District with regard to
13 Redwood Road and the lighting there. The City requested they be allowed to install school crossing
14 signs in. UDOT's policy was that school crossings may not be installed at a signalized intersection.
15 He was not sure what could be done on 1690 West. Heather Pehrson remarked that the schools are
16 supposed to have designated walking routes. Mrs. Spahr commented that there are also no speed
17 limit signs along that road. Within a school zone and when children are present the speed limit
18 should be no more than 25 mph.

19
20 City Engineer, Michael Fazio, agreed to investigate the situation and make a recommendation.
21 Mayor Timothy explained that each time the City works with UDOT a study must be conducted and
22 a specific process followed. Currently they are involved in a process that goes beyond just speed
23 limit issues and addresses traffic movement in the intersection, interfacing City roads with the
24 existing UDOT right-of-way, and speed and signage on the UDOT side. The reduction of speed
25 must be done through a traffic study, which was underway.

26
27 Alan Jackson recalled seeing signs specifying that the speed limit is 20 mph when children are
28 present. A similar sign might make motorists more aware. It was noted that with respect to the
29 crosswalk, it has to be on the UDOT right-of-way. Due to the new roadway construction there is
30 currently only a sidewalk on the east side of the road. Mayor Timothy indicated that the sidewalk

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1 was constructed by the City. He agreed to continue to work with UDOT on the matter and
2 encouraged Mr. Spahr to keep in contact with Mr. Fazio.

3
4 Debbie Holt gave her address as 14353 South 1690 West and requested a crosswalk near the stop
5 sign for her son. She explained that if he sees a crosswalk he will stop but if he doesn't he keeps
6 walking. Mayor Timothy stated that they can put a crosswalk there but it won't solve the problem
7 of trying to get children from one side to another. He explained that the City can put a stop sign or
8 crosswalk on the City's side. With regard to the speed limit, Ms. Holt stated that the speed limit
9 sign shows 35 mph. She questioned why it isn't 25 mph. Mayor Timothy recalled that the Citizens
10 Committee conducted a study and changed it to 35 mph. He recommended the study be referred to.
11 Bruce Kartchner explained that all of the streets in the City were studied along with certain collector
12 streets and all are posted as 35 mph. It was noted that yellow cautionary signs are also posted to get
13 the attention of motorists. Mr. Fazio agreed to investigate the situation and report his findings to the
14 residents and the Council.

15
16 **3. CONSENT AGENDA:**

17
18 **3.1 Approval of the February 11, 2015, Meeting Minutes.**

19
20 **Justin Westwood moved to approve the consent agenda. Bruce Kartchner seconded the**
21 **motion. The motion passed with the unanimous consent of the Council.**

22
23 **4. Consideration and Vote on a Resolution Adopting a Hazard Mitigation Plan, Presenter**
24 **Natalie Hall, Bluffdale City Emergency Manager.**

25
26 City Emergency Manager, Natalie Hall, presented the Hazard Mitigation Plan which is intended to
27 reduce loss of life and property, economic destruction, and disaster assistance costs. She
28 congratulated this jurisdiction for committing to participate back in 2012. She reported that Salt
29 Lake County is the only county in the state that has applied for the insurance. Ms. Hall reported
30 that the formal adoption process is now required. FEMA accepted the Hazard Mitigation Plan and
31 submitted a letter stating that they will provide insurance based on adoption of the plan. She
32 reported that the plan was submitted in October and the County presented it to FEMA. Additions

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1 were made to what is now a 1,400-page document. Ms. Hall presented the County with an 11-page
2 table showing the City’s mitigation goals and their objectives for achieving them.

3
4 Ms. Hall reported that Section B-5 talks about the City’s mitigation actions and how they are
5 addressing each hazard. Justin Westwood remarked that the plan was very well put together.
6 Mayor Timothy recommended Ms. Hall add her name to the list in the document and identify
7 herself as the Emergency Program Manager along with Connie Jones. Ms. Hall explained that the
8 document has been approved and cannot be changed at this point.

9
10 Ms. Hall appreciated working for the City and considered it a great opportunity. The Mayor
11 thanked Ms. Hall for her efforts.

12
13 Mr. Reid informed the Council that City Recorder, Teddie Bell, has announced her retirement with
14 her official farewell date being March 27. There had been an extensive search process and several
15 very qualified people applied for the position. Wendy Deppe accepted the position and was present
16 tonight, prior to her official start date, in order to attend the few Council Meetings left with
17 Mrs. Bell. Ms. Deppe will take over as the new City Recorder and work with Mrs. Bell for the
18 remainder of the month.

19
20 **Alan Jackson moved to approve a resolution of the Bluffdale City Council adopting a Hazard**
21 **Mitigation Plan. Heather Pehrson seconded the motion. Vote on motion: Alan Jackson-Aye,**
22 **Heather Pehrson-Aye, Bruce Kartchner-Aye, Justin Westwood-Aye. The motion passed**
23 **unanimously.**

24
25 **5. Consideration and Vote on a Resolution Approving a Transportation Impact Fee**
26 **Reduction for Towne Storage, Applicant, Ken Menlove, Project Engineer.**
27

28 Project Engineer, Ken Menlove, gave his address as 10339 North 6900 West in Highland. He stated
29 that they are seeking a reduction to the Traffic Impact Fee based on the traffic count generated by
30 their Traffic Engineer. He stated that they have a similar issue in most cities they develop in
31 because there is no category for storage units in terms of transportation and roadway impact fees.

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1 The applicants proposed that the impact fee be converted to equivalent residential units, which is
2 calculated at five residential units and multiply that by the residential impact fee analysis. The City
3 recommended that figure be increased to 10, which is the maximum impact, or 101 trips per day.

4
5 Mr. Reid reported that the City’s impact fee was prepared by Brent Ventura at Horrocks
6 Engineering. He reviewed the request and recommended it be converted to 10 equivalent
7 residential units. City Planner/Economic Development Director, Grant Crowell, stated that staff
8 looked at the sources of data and tried to be fair and reasonable. He described how the reduction
9 was calculated. Staff considered it a fair approach.

10
11 Bruce Kartchner commented that he is always concerned when there is a reduction because impact
12 fees are based on the concept that this is the infrastructure that needs to be built and this is where
13 the funding will come from. A reduction means that the necessary funding has to come from
14 elsewhere. He did, however, agree that the ITE is probably the logical base information to be used.

15
16 Alan Jackson agreed but thought \$146,000 seemed extreme for the product being proposed. He
17 agreed that the ITE is the most accurate to use. Bruce Kartchner suggested new projects based on
18 the impact. He explained that this is a discretionary project that the City allowed and it could have
19 been something else that would have met the City’s impact fee needs.

20
21 **Bruce Kartchner moved to pass a resolution approving a Transportation Impact Fee**
22 **Reduction for Towne Storage to \$36,292. Heather Pehrson seconded the motion. Vote on**
23 **motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Justin Westwood-**
24 **Aye. The motion passed unanimously.**

25
26 **6. Consideration and Vote on a Resolution for a Proposed Third Amendment to**
27 **Development Agreement for Independence at the Point, which includes a Major**
28 **Change to the Project Plan, Staff Presenter, Jennifer Robison.**

29
30 Associate City Planner, Jennifer Robison, presented the staff report and acknowledged the presence
31 of Nate Shipp who was present representing DAI and 4 Independence. Mrs. Robison described the

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1 proposed amendments to the development agreement. The Comprehensive Land Use Master Plan
2 for the Independence Project was displayed to which changes were made in 2013 when a small
3 triangular piece was added. The area shown in green identified the future residential land use,
4 which was being reconsidered tonight. The new map was displayed.

5
6 Mrs. Robison explained that a resolution was also before the Council that would amend the
7 development agreement to allow two new exhibits and additional language. The two major changes
8 were identified as follows:

- 9
10 1. The area west of Noell Nelson Drive shown in green on the current map. Each of the pod
11 areas were being laid out, the land use types identified, and the number of units attached to
12 some of the pod areas. The changes were conceptual but the intent was to give better
13 direction to the future development pattern, which includes Plats K-2 and L. Both plats
14 were expected to come before the City in the near future. Plats M, N, O, P, P-2, Q, and Q-2
15 would also be coming forward. Mrs. Robison explained that the entire area was allowed to
16 have 771 units. The developer is now allocating where the units will be located and show
17 the open space along the perimeter.
- 18
19 2. The addition of a trail connection. Staff conducted extensive research on the connection to
20 the area and proposed a future connection. It was determined that a road may not be needed
21 but some type of connection is desired. The applicants would like to add “churches” as a
22 land use type. A question was raised about how the development of a church site will affect
23 the allowable density. City Attorney, Vaughn Pickell, stated that it can be shifted around.
24 Bruce Kartchner considered that to be “double dipping” and commented that too much was
25 paid for the property.
- 26
27 3. The original project allowed the apartment development to have 496 units. As the project
28 has progressed, they have studied the plan and layout and suggested the complex be broken
29 up so that it is not so large and place the apartment units in two different locations with 253
30 and 243 units respectively.

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1
2 4. The original Parks Plan showed a small pocket park. As the project has moved forward
3 additional work needs to be done on the actual park exhibits and the reimbursement
4 agreement. The parks were not being considered tonight, however, because they were
5 included on the comprehensive plan the Council should be aware of the change. The
6 applicant also requested moving a small green area and open space. A small green space
7 area also exists along Honor Drive where drainage concerns had arisen. Staff spent a great
8 deal of time trying to reach a resolution. The result was for the applicants to create one lot
9 that was designated as a storm drain area. It was specified that it only be maintained by the
10 homeowners' association. Because it would not be City-owned, it would not be included in
11 the open space or parks plans. Bruce Kartchner considered that a reason to justify moving
12 the park area since more park space was desired with higher density nearby. The land use
13 plan was modified to include single-family homes on both sides of the trail corridor.
14 Mrs. Robison explained that as the project has progressed the applicants have put in some of
15 the trails.

16
17 Mrs. Robison provided the Council with a copy of the current Master Plan that was included in the
18 General Plan for the Transportation and Streets Networks Map. Changes to the map were
19 identified. Transportation and vehicular circulation issues were discussed. Mr. Fazio stated that the
20 map has been shown to UDOT who were encouraged but had not yet given their formal support.
21 He commented that the more communication and connectivity the better. Bruce Kartchner was not
22 in favor of the future stub connection shown in blue on the map.

23
24 Mr. Reid referenced the connections into the Day property and stated that the old connection
25 showed two roads going down in. With the new arrangement they now only have one. He
26 considered that to be a major change that will benefit the developers. They had discussed for some
27 time what benefit they would be given that would encourage them to donate this piece of ground for
28 the fire station. He suggested a study be conducted to determine what value the change has had

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1 with the elimination of the collector road into the Day property. Connection and emergency access
2 issues were discussed.

3
4 Bruce Kartchner asked why apartments are being located in the “pork chop” since that would be the
5 area where they would get the highest price for a single-family dwelling. He also asked why a
6 roadway would be paid for at the development price rather than the roadway price. Nate Shipp
7 from DAI stated that they envision the future development to include larger single-family lots.
8 They entered into a development agreement that specifies the number of units. Their desire is to
9 begin construction of the next phase of the apartment units the end of this year or the beginning of
10 next year. Because the property is narrow and limits the frontage, it makes getting utilities and a
11 street in challenging.

12
13 With regard to the 30 lot limit rule, Mr. Reid asked Mr. Shipp how that will be overcome with one
14 street. Mr. Shipp stated that they are still working on that. Developing apartment units gives them
15 the most flexibility since the site goes around, however, the site plan had not yet been completed.
16 He thought it was likely that they will come back and talk about the entire area.

17
18 Mr. Shipp stated that their concern became the introduction of the school into the lower area. It was
19 not something that was anticipated since the plan was approved. In conjunction with the future plan
20 there was discussion about moving the connection. He commented that he considered elementary
21 and junior high schools to be very different in terms of impact. The preferred road location was
22 identified. It was noted that it would also be the least costly location.

23
24 Build out issues were discussed. It was noted that the actual build out was not known. Mr. Shipp
25 stated that Bluffdale is the seconded fastest growing community in the state and their focus will be
26 on second time move up homes.

27
28 Mayor Timothy reported that the previous week he drove with some legislators along Porter
29 Rockwell Boulevard and was assured that it is moving forward. They were surprised that only 168
30 apartments are proposed. Mr. Reid recalled that half of the units will have four bedrooms with the

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1 other half split evenly between three and two-bedroom units. It was noted that each of the
2 apartment buildings are 12-unit buildings.

3
4 Mr. Shipp reported that State Code evaluated one or two step houses. The first analysis was to take
5 the underlying process in its existing condition, which is the underlying value. A determination
6 should be made as to how many units are associated with the original parcel. The value is
7 established from that. Bruce Kartchner understood that but stated that the units have to be moved
8 elsewhere, which would detract from the value. Mr. Shipp stated that the next step would be to
9 identify the positive and negative impacts of the road being adjacent to the main parcel. An
10 analysis would then be performed and the two would offset each other. He stated that they have
11 never performed a corridor evaluation without second homes. They stopped at the first analysis to
12 determine the underlying value. What happens after than is based on a development agreement,
13 which is vested to a specific number of units. Mr. Shipp stated that they have spent a great deal of
14 money connecting to the road and rerouting storm drain lines.

15
16 Heather Pehrson commented that the applicant is asking that churches be allowed, however, it will
17 take up many acres of property and still allow them to keep the density the same, which will place
18 the homes closer together. Bruce Kartchner stated that the original development agreement
19 specifies that that is how it is calculated. The developer was asking for a change, which the Council
20 was not obligated to give. The Mayor thought it would be a benefit to have the ability to locate a
21 church there.

22
23 Mr. Shipp stated that additional detail was provided on the west side of Noell Nelson Drive. It
24 includes K-1, consisting of 30 lots, K-2, the proposed church site, and L, which is an additional 19
25 single-family lots. What was not shown is a collector to the Day property. The potential for a fire
26 station was discussed. Mr. Reid stated that the study came back with three potential connections.
27 There was some question as to whether a third road was needed. He noted that the connection
28 between the two properties is expensive. That was considered and eliminated a major road. He felt
29 had value and hoped to get started building a fire station. Mr. Shipp stated that the result would be

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1 to save a rural section of road and make a couple of lots nicer. Mr. Reid commented that there is
2 also benefit to the developer because the area will be nicer by not having a collector running
3 through it to get to the school. The property to the north will bear the burden of through traffic.

4
5 **Bruce Kartchner moved to table the matter until City staff and Mr. Shipp come to a**
6 **resolution with respect to the potential value this provides and offsetting value in the form of**
7 **land for the Fire Station.**

8
9 Council Member Kartchner clarified that he would like to determine where the fire station is going
10 to be and how much it will cost for the land. He recommended taking into account issues such as
11 the value created by the collector not going through, the intrinsic value involved in what was paid
12 for the Porter Rockwell Boulevard Corridor going south, and the value of the fire station property.
13 After taking all of those things into account he would like to come to an agreement about what each
14 party is willing to do.

15
16 **The motion died for lack of a second.**

17
18 It seemed to Alan Jackson that this is something new. Mr. Reid stated that there have been detailed
19 discussion about whether they purchased units when they purchased corridor preservation. There
20 had been no agreement and the issue was not close to being resolved. Heather Pehrson was not
21 comfortable holding the development up. She agreed, however, that discussions and decisions are
22 needed. Mr. Reid explained that this is a major change and the mechanism to accomplish it. Alan
23 Jackson agreed but felt the City should have been better prepared.

24
25 Heather Pehrson did not think it was right to use leverage for something that is not related. Bruce
26 Kartchner disagreed and stated that the two are related. Mr. Pickell stated that the City has an
27 agreement with DAI and they are negotiating another one. Mr. Reid stated that a decision needs to
28 be made so the issue can be put to rest. Bruce Kartchner was tired of continuing to push the matter
29 down the road rather than resolving the differences of opinion.

30

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1 Mr. Pickell explained that the agreement specifies that it is vested with the gross density for the
2 entire project for a total number of units. That overlooks, however, the facts of what occurred when
3 they did corridor preservation. An appraisal was conducted with the project being valued on a per
4 unit basis. The second appraisal came back with each unit being assigned a value. The overall
5 density for the parcel was assigned a value and they calculated how much area they were taking and
6 applied the density, which represented a specific number of units. The City essentially paid for 100
7 units to be removed from the development agreement but they are now being moved elsewhere.

8
9 Mayor Timothy explained that the appraisal had two price points. Mr. Pickell explained that the
10 contract is a state form that UDOT provides for corridor preservation. They don't have the ability
11 to change that. Heather Pehrson asked why it was not part of the development agreement.

12 Mr. Pickell stated that it should be. There was nothing previously that would have precipitated a
13 development agreement change. Bruce Kartchner explained that what the City paid for the property
14 was as if the units were on the property. They paid the finished value as opposed to the raw ground
15 value. Therefore, either the number of units needs to be reduced for the remainder of the project or
16 some other value needs to be provided for the offset.

17
18 Alan Jackson's concern was that neither the development agreement nor the purchase agreement
19 supports that. Bruce Kartchner explained that the state form was used and the valuation specifies
20 that it is based on a per unit cost. Now is the time for the Council to determine how to interpret it.
21 The developer was seeking a major change and the Council can either agree to it or not. Mr. Reid
22 concurred and stated that staff feels there needs to be more negotiation and discussion. Mayor
23 Timothy stated that the appraisal bears out that the City paid for the value of the units.

24
25 Alan Jackson was in favor of tabling the matter but felt that a deadline was needed. Mr. Shipp
26 considered tonight's proposal to be soft and they were asking to build single-family homes, a
27 church, and split the apartments. If not approved, he likely would call the church and let them know
28 that they cannot sell them the property because they won't be able to honor the contract. Heather
29 Pehrson asked Mr. Shipp if he recalled when the negotiations took place. Mr. Shipp stated that they

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1 had a conversation with the appraiser about the fact that once the value has been purchased the units
2 disappear. Mr. Pickell questioned where the value comes from if not from the units. He noted that
3 the City paid for them as if they were actually constructed.

4
5 Mr. Reid stated that clarification is needed on the value for the roads that were taken out and what
6 happened to the units. Once that is done they can address the agreement. What is being presented
7 is Mr. Shipp's proposal of what he would like to make as a major change. Staff did not believe that
8 was correct. Their opinion was that when he moves half of the units it should be a number that is
9 about 117 or less. In response to a comment made by Mr. Shipp, Mr. Pickell stated that the
10 development agreement predates the purchase agreement and there would have been no approved
11 units without the development agreement. It was clarified that the City bought 117 units because it
12 was requested that they change the valuation appraisal for the entire parcel. Mr. Shipp's
13 understanding was that until they can address and come to a reconciliation of what happened to the
14 units they should not move forward with any major change on the property. Mr. Reid clarified that
15 that is the reason for the major change and this is the mechanism to make that happen. He was not
16 saying that the City was not willing to negotiate, but did not agree with what is proposed. He
17 suggested they determine once and for all what the corridor preservation accomplished. It should
18 be determined if the City now owns the rights to the apartments.

19
20 Mr. Shipp was frustrated because he met the previous day with the department heads about the staff
21 report and issues staff wanted dealt with tonight. This was not brought up at that time. Mayor
22 Timothy commented that a discussion took place about the difference between the appraisal and
23 they were trying to get the application in before the corridor preservation deadline. Part of the
24 process required an agreement on the appraisal, however, there was a disagreement. The City's
25 position, which he believed was fair, was that if the units are moved they don't get to count them.
26 That was the argument. When they finally agreed on the increased price he believed all agreed that
27 they purchased the units. He was surprised to later hear that Mr. Shipp didn't agree with that. He
28 didn't realize this was going to be part of the discussion because the fact that there is a problem that
29 needs to be resolved should have been known by all.

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1
2 Bruce Kartchner did not believe tonight’s discussion should be a surprise. He received the meeting
3 packet the previous Friday and identified this as an issue. He was, however, willing to pass it as-is
4 as long as the City has the ability to amend the total number of units. That was not agreed to.
5 Mayor Timothy stated that the matter should have been part of and resolved in previous discussions.
6 Bruce Kartchner had had conversations with staff and Mr. Shipp about his discomfort with the
7 units. He didn’t have an opportunity between then and now to bring up the issue of units. Alan
8 Jackson agreed but stated that if this was to be a discussion for this particular vote the applicants
9 should have been notified when they first came in with their request for a major change. The issue
10 seemed to have been on staff’s mind and should have been brought up sooner.

11
12 **Alan Jackson moved to table the matter until the next meeting so that we can accomplish**
13 **what we can between now and then. Bruce Kartchner seconded the motion. Vote on motion:**
14 **Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Justin Westwood-Aye. The**
15 **motion passed unanimously.**

16
17 **7. Consideration and Vote on a Preliminary and Final Subdivision Plat Application for**
18 **Plat I-3 for 28 Residential Lots and Associated Streets at Approximately 15000 South**
19 **Allegiance Drive within the Independence Master Planned Community, 4**
20 **Independence, LLC Applicant, Staff Presenter, Jennifer Robison.**
21

22 **Bruce Kartchner moved to table the above item. Heather Pehrson seconded the motion. Vote**
23 **on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Justin**
24 **Westwood-Aye. The motion passed unanimously.**

25
26 **8. Discussion on Options for Property Transfer from UDOT to the City of Bluffdale for**
27 **Property Located at Approximately 14300 South 1690 West, Staff Presenter, Michael**
28 **Fazio.**
29

30 Mr. Fazio reported that he and the Mayor met with UDOT regarding the property next to Redwood
31 Road. Currently there is a detention pond there. They discussed options with Director Nate Lee
32 with respect to possibly transferring the property to Bluffdale and removing the pond. They realize
33 the pond is unsightly and has caused problems in the past. The detention pond is located next to the

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1 South Jordan Canal where there is stagnant water and weeds growing. This creates a perfect habitat
2 for mosquitos. The City now has an opportunity to make an exchange with UDOT who was excited
3 about the possibility of getting rid of this pond. Ways to eliminate it were discussed. It was noted
4 that currently Loumis Parkway is being constructed and the water can be piped. An agreement
5 could be made with Johnny Loumis, Jr. to collect and dispose of the water into an existing pond or
6 optional source. From there it will go directly into the Jordan River.

7
8 UDOT identified three main options to acquiring the property and changing it. One is to purchase
9 it. If they purchase it at the full market price it will cost about \$210,000. The second option is to
10 exchange the property with another of equal or lesser value with improvements. Another piece of
11 property could be offered that UDOT would take possession of and then pipe the water. That
12 option was expected to cost \$300,000 or more. Mayor Timothy clarified that the current proposal in
13 the road widening does not include the City purchasing the pond that they will dump into or the
14 path for it to go all the way to the Jordan River. If it is not a public pond it is not possible to pursue
15 Option 2. Mr. Fazio stated that it will be difficult to go with Option 2, which will be more costly.

16
17 Option 3 is that UDOT could deed the property to Bluffdale at no cost but the stipulation would be
18 that the property would be used solely for public use. It would also need to be made available in the
19 event UDOT needs a portion of the property to expand Redwood Road. He felt it was unlikely for
20 UDOT to use the property in the future. UDOT indicated that they would pay the cost of the
21 relocation of any improvements installed by the City, if necessary, in the future. Mayor Timothy
22 stated that UDOT also agreed that the revisionary clause would not apply to anything other than the
23 actual road widening.

24
25 Heather Pehrson asked what the public use might be. Mr. Fazio stated that it could be park,
26 monument, or parking lot. Mr. Reid stated that the intent was to improve this area because it is
27 located on the City's main street and is very visible. Bruce Kartchner felt this would be a good
28 location for the Veteran's Memorial. Alan Jackson stated that a parking lot there with trees along

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1 the road to shield the neighborhood would be warranted. The parking lot could serve the pocket
2 park or serve as carpool parking.

3
4 Mr. Reid stated that staff has been looking for a way to remedy the situation for some time and the
5 road project provides an opportunity get rid of the water. It was noted that the spring will remain
6 intact and is restricted by the Army Corps of Engineers.

7
8 Mr. Fazio stated that a box will be placed in each location to collect garbage and reduce the
9 sediment in the water. Mayor Timothy stated that that would be an additional maintenance item the
10 City would be assuming. Mr. Fazio agreed to work on proposals for ways to utilize the property.
11 The consensus of the Council was to pursue Option 3.

12
13 **9. Consideration and Vote on a Resolution Amending the Bluffdale Employee Policy and**
14 **Procedures Manual to Create the Position of Drafting Technician, Staff Presenter,**
15 **Michael Fazio.**
16

17 Mr. Fazio reported that the Assistant Engineer position was approved by the City Council last year.
18 After much consideration they determined that it would be best for the City to invest in a Drafting
19 Technician instead. The duties of the Drafting Technician were described. He would assist the
20 Construction Manager with inspections and collect information. Mr. Fazio also noted that it would
21 be more cost effective to hire a Drafting Technician rather than an Assistant Engineer.

22
23 **Bruce Kartchner moved to pass a resolution amending the Bluffdale Employee Policies and**
24 **Procedures Manual to create the position of Drafting Technician. Alan Jackson seconded the**
25 **motion. Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye,**
26 **Justin Westwood-Aye. The motion passed unanimously.**

27
28 **10. PUBLIC HEARING: Consideration and Vote on a Resolution Adopting an Amended**
29 **Budget for the 2014-2015 Fiscal Year, Staff Presenter – Stephanie Thayer (RDA Public**
30 **Hearing Held in Conjunction).**
31

32 Accountant/HR Administrator, Stephanie Thayer, presented a proposed amended budget. Mr. Reid
33 stated that in the past salaries had been allocated by department. That was found to be ineffective.

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1 Changes were made to allocate a portion of an employee’s salary to the time they spend working on
2 an enterprise fund, such as the Water Fund, rather than allocate it to the department. Bruce
3 Kartchner asked if it was possible to have the General Fund charge the Water Fund a fee for
4 management and administration. Mr. Reid stated that that could be done however, the mechanism
5 in place is simple in the Caselle system. He considered it the easiest method to allocate.

6
7 Ms. Thayer described the proposed changes. She reported that the Mayor’s budget was increased to
8 include telephone charges. The Public Notice budget was increased as well as the Primary and
9 General Election budgets. Mr. Reid explained that in looking at the budget and what has actually
10 been spent, there are areas where it appears that enough money was not budgeted and others where
11 too much was budgeted. The mid-year budget adjustment provides an opportunity to address areas
12 where it is obvious that the budget needs to be modified.

13
14 In response to a question raised, Mr. Reid stated that the Public Notices line item was increased as a
15 result of there being more public notices than anticipated. He explained that anytime the budget is
16 changed, even within individual departments, it is brought to the Council. As the City grows that
17 becomes burdensome but it is a control feature he was comfortable with. Mr. Reid explained that
18 unless the total budgeted amount is changed, it is not necessary to notice the public. If an allocation
19 is changed from one department to another, it would come to the Council. If a change is made
20 within a department, it normally won’t come to the Council. He has, however, presented such
21 changes to the Council in the past. He asked if the Council would like to keep that level of control
22 and oversight. Alan Jackson did not consider it a control issue but likes to be informed. Bruce
23 Kartchner and Heather Pehrson agreed. Council Member Kartchner commented that if it is
24 something that doesn’t require a public hearing, the changes should be sent out.

25
26 Ms. Thayer next referenced the Law Enforcement budget and stated that it was proposed that two
27 new Dodge Chargers be purchased. The cost was to be reduced from \$52,000 to \$47,500. Mr. Reid
28 stated that there had only been discussion about purchasing one. The City has a 2006 Charger and
29 they are seeing others coming out of Vernal. He explained that the cost of a new car is around

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1 \$30,000. The one being considered has 16,000 miles and another has 25,000 miles with nearly
2 \$10,000 of police equipment on each. Taking the \$24,000 price and subtracting \$10,000 they are
3 essentially able to purchase two vehicles for \$14,000 each. Staff considered it a great opportunity
4 to obtain new vehicles. Mr. Reid noted that they are only available for a short time. The City
5 purchased two vehicles one year ago and would like to buy two more this year. One of the vehicles
6 would be for the fifth officer as discussed at a previous meeting. The other would replace the 2006
7 Charger, which would be put into the reserve fleet.

8
9 Mr. Reid reported that the next line item was to obtain a new Vehicle Enforcement vehicle, which
10 would be a pickup rather than a Charger. The City was proposing to lease it. In moving toward a
11 new police force, the desire was to get experience leasing, purchasing, and buying leased vehicles.
12 The intent was to lease the truck and take the six cylinder former Fire Chief's vehicle that Shane
13 Taylor is currently driving and replace it with a new vehicle. The reserve fleet would then consist
14 of the two 2010 Ford Explorers, the 2003 Ford Tracker, the Chevy Tahoe, and the 2006 Dodge
15 Charger. The intent would be to keep the Charger as a backup vehicle in the event of a breakdown.
16 Mr. Reid reported that two reserve officers have also been hired. The Tahoe, which is outfitted,
17 could be kept or sold. He noted that purchasing \$5,000 to \$10,000 worth of equipment to put on a
18 car is a significant investment. When they purchased the Ford Crown Victorias they paid \$3,500
19 for the car and \$4,500 for the equipment. It seemed to make sense to hold onto a vehicle that is
20 already outfitted for use as a reserve vehicle.

21
22 Mr. Reid noted that the Ford Tracker only has 40,000 miles. The problem is that it has only a six
23 cylinder engine. It is outfitted and is a good vehicle for a Reserve Detective, which the City expects
24 to bring on in July. Mr. Reid reported that the Reserve Detective will work exclusively in Bluffdale
25 24 hours per month.

26
27 Ms. Thayer reported that under Professional Services an additional patrol officer was added and the
28 hours were increased for the current Records Clerk. Mr. Reid stated that they did not want to
29 increase the Records Clerk position to full-time but added an additional five hours per week for a

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1 total of 25 hours per week. In addition a sergeant will be added to the Bluffdale precinct, which
2 will increase the cost from a corporal level to a sergeant level.

3
4 Ms. Thayer next reviewed changes to the Engineering budget and stated that office space rental was
5 never included in the original budget. In terms of the franchise tax budget, there was an \$800
6 increase. Mr. Reid remarked that unlike the federal government, the City's revenues have to equal
7 the expenditures.

8
9 Ms. Thayer next addressed Capital Projects with the change being to modify the account title for
10 Reserve on the City Building. Mr. Reid explained that although the budgeted amount may not all
11 be spent this year, funds are needed to start the process. A few million dollars were in reserve with
12 the line item specifying how much is budgeted to be spent this fiscal year. When the City Hall
13 Building is actually constructed, a bond proposal will be presented to finance it. Staff met with
14 various architects and builders, one had prepared a rendering that was distributed to Council.

15
16 Ms. Thayer next addressed the Corridor Purchase of \$905,000. The budget included the revenue
17 but not the expenditures, which were proposed to be added. Other budgeted items were decreased
18 such as the mini dump and the aerator. Mr. Reid stated that the mini dump was purchased for
19 \$20,000 less than budgeted. The aerator was also purchased. Last minutes changes were described.
20 Mr. Reid explained that the City owns property near the river off of 1300 West south of the Carlson
21 property. The desire was to construct a six or eight-foot fence with two strands of barbed wire over
22 the top to serve as a staging area to hold pipe, gravel, and other items that there is no room for in the
23 very limited Public Works area. The desire of the Arena Committee is store items in the arena and
24 move it around as there are events. The cost was expected to be \$15,000 for the fence.

25
26 A Sound Trailer was also proposed at a cost of \$3,500. Mr. Reid explained that the sound
27 equipment has to be loaded in the back of a pickup each time it is used, which has been problematic.
28 The desire is to have a trailer to store it in and keep it all together. The trailer will be locked and
29 stored securely on City property.

30

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1 The Water Fund was next addressed. Ms. Thayer stated that on Loumis Parkway there is a proposal
2 to add an eight-inch water line at a cost of \$150,000. Mr. Reid explained that \$50,000 of the cost is
3 a road project that requires more budget. The project was not supposed to occur for two years but
4 because of the water line project and the need to complete the road to the Sewer District Offices, it
5 was moved up. The \$50,000 was the portion that needs to be completed this year. Mr. Reid
6 explained that at the time staff asked for the upsize they assumed that the pipe from Sage Estates II
7 to the 14400 South was an eight-inch line. As they investigated the matter further they discovered
8 that it was a six-inch line. As a result, another \$83,000 was being sought to upsize it from a six-
9 inch to an eight-inch line. The result will be an eight-inch line from 14400 South to Riverton.

10
11 The EDA was next discussed. Ms. Thayer indicated that that was proposed to be changed to reflect
12 the actual decrease rather than the incentive line item. Mr. Reid explained that when preparing the
13 EDA budget staff typically takes what they expect to come in and budget it toward incentives.
14 Before any incentive money is spent they specify what they would like to complete. He noted that
15 the initial budget was higher than expected and as a result, the revenues were lower than expected
16 and the incentive was reduced by that amount. Mr. Reid reported that there would possibly be
17 another deposit in the Eastern Bluffdale account in March.

18
19 Ms. Thayer next discussed the Storm Drain Impact Fee and stated that \$40,000 was budgeted for
20 the Jordan Valley Water Conservancy District (JVWCD) crossing and Utah Salt Lake Canal storm
21 drain. Mr. Reid explained that the new JVWCD water line is coming up from Utah County through
22 the narrows. Along the canal corridor by the river there is a ravine that will be extremely deep. It
23 was felt that in the future when looking at the pond location on Redwood Road and close to the trail
24 crossing for retail advantage, if they choose to move the pond it will be very difficult to construct a
25 pipe beneath the JVWCD water pipe. Additionally, they asked that there be no disturbance under
26 their pipe. In anticipation of that, the City wants to install its pipe in advance of their construction
27 process prior to it actually being needed. In response to a question raised by the Mayor, Mr. Reid
28 stated that JVWCD will not allow the City's pipe to be installed over theirs. Jordan Valley's

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1 contractor, Viacom, will do the work. The City was comfortable with the price and Viacom has
2 done projects for the City in the past.

3
4 In the future, Bruce Kartchner asked to see just the original and summary price.

5
6 Heather Pehrson suggested that money be set aside in the budget to update and improve the City's
7 website. Mr. Reid was in favor of that but was not sure of the timing. Bruce Kartchner felt that
8 improving the website will require additional personnel to maintain it or it could be outsourced.
9 Mr. Reid was not sure what the cost would be. Council Member Kartchner suggested staff research
10 the cost now and include the expenditure in next year's budget. The possibility of investing in a
11 new website was discussed. Mr. Reid was not aware of the cost. Heather Pehrson considered it to
12 be a valuable service that needs to be provided. Bruce Kartchner proposed that \$5,000 be allocated
13 this year to do investigatory work and cover the cost of running the website through the end of the
14 year. The \$5,000 line item was to be added to the Administration budget.

15
16 Mayor Timothy opened the public hearing. There were no public comments. The public hearing
17 was closed.

18
19 **Bruce Kartchner moved to pass a resolution adopting an amended budget for the 2014-2015**
20 **fiscal year including all modifications made tonight by staff and the Council. Heather**
21 **Pehrson seconded the motion. Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye,**
22 **Bruce Kartchner-Aye, Justin Westwood-Aye. The motion passed unanimously.**

23
24 **BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING**

25
26 RDA Chair Bruce Kartchner called the RDA Meeting to order.

27
28 **1. Roll Call.**

29
30 All members were present with the exception of Ty Nielsen who was excused.

31

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1 **2. CONSENT AGENDA:**

2
3 **2.1 Approval of the November 12, 2014, Meeting Minutes.**

4
5 **Derk Timothy moved to approve the consent agenda. Justin Westwood seconded the motion.**

6 **Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Justin**
7 **Westwood-Aye, Mayor Derk Timothy-Aye. The motion passed unanimously.**

8
9 **3. PUBLIC HEARING: Consideration and Vote on a Resolution Adopting an Amended**
10 **Budget for the 2014-2015 Fiscal Year, Staff Presenter, Stephanie Thayer (RDA Public**
11 **Hearing held in Conjunction with the Budget Hearing).**

12
13 It was noted that the public hearing on the above matter was held previously.

14
15 **Justin Westwood moved to pass a resolution adopting an amended budget for the 2014-2015**
16 **fiscal year. Alan Jackson the seconded the motion. Vote on motion: Alan Jackson-Aye,**
17 **Heather Pehrson-Aye, Bruce Kartchner-Aye, Justin Westwood-Aye, Mayor Derk Timothy-**
18 **Aye. The motion passed unanimously.**

19
20 **4. Adjournment.**

21
22 The RDA meeting was adjourned.

23
24 **CONTINUATION OF BUSINESS MEETING**

25
26 Mayor Timothy resumed the Chair.

27
28 **11. Mayor's Report.**

29
30 Mayor Timothy had nothing to report.

31
32 **12. City Manager's Report and Discussion.**

33
34 Mr. Reid reported that the ambulance and Fire Department were called to respond to a pedestrian
35 Frontrunner accident on 14600 South. The incident involved a suicidal 17-year-old boy from
36 Alpine who laid down on the tracks and was struck by the train.

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1 Mr. Reid reported that a table top exercise took place earlier in the day. Ms. Hall stated that Salt
2 Lake County representatives were in attendance as well as City employees. A scenario was created
3 that actually occurred in the City about 10 years ago where there was a flood in the lower canal.
4 Mr. Reid explained that there was a burn start on the hill that caused debris to fill up the canal and
5 resulted in flooding. Ms. Hall stated that an Emergency Plan was created as part of the exercise.
6 Positive feedback was received from the County. Communication issues were also discussed.

7
8 Mr. Reid reported that Horrocks Engineering was hired to prepare an Access Management Plan.
9 They prepared a map showing the access points on Redwood Road that will have possible
10 semaphores at intersections. A public hearing was also held. The comments received would be
11 addressed.

12
13 Mr. Reid indicated that recently he attended the Old West Days Kickoff Meeting where three new
14 event Chairs were in attendance.

15
16 City Recorder, Teddie Bell, presented an invitation to the DARE Program graduation ceremony
17 scheduled for Wednesday, March 4, at 2:45 p.m. at Bluffdale Elementary. Each Council Member
18 was invited. Mayor Timothy and Heather Pehrson indicated that they would be present.

19

20 **PLANNING SESSION**

21

22 **13. Planning Session.**

23

24 Justin Westwood commented on the potential of forming a Youth City Council and indicated that he
25 ran on that as part of his platform. He had done his homework and contacted people in Cedar City
26 who participate in and are part of the Youth City Council there. He wanted to see that happen in
27 Bluffdale and offered to head it up. Mayor Timothy was willing to do his part but would not be
28 able to oversee it. Heather Pehrson supported the idea and recommended having community
29 members serve as advisors and do a lot of the work. Mr. Reid stated that it requires the support of
30 the Council and Mayor to be successful. Heather Pehrson asked if it would be beneficial to partner
31 with a high school.

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1
2 Bruce Kartchner recalled that at one time there was a Youth City Council in Bluffdale but it didn't
3 function well. He asked about the ultimate goal and purpose of it. Justin Westwood remarked that
4 the intent is to get the youth involved in the community. Heather Pehrson suggested Council
5 Member Westwood contact a woman she knows who may want to get involved and possibly serve
6 as an advisor. Mr. Reid asked for idea of what would be involved in terms of a budget.

7
8 Council Member Westwood stated that interest was expressed from a company who wants to
9 develop an office building in the Commercial Zone. The area they are considering is restricted and
10 in an area near the storage units that requires at least one acre to build on. In discussing the matter
11 with Mr. Crowell, he felt the ordinance might be outdated and that economic development may be
12 desired. Bruce Kartchner did not object as long as it is in a Commercial Zone.

13
14 Mr. Crowell commented that the intent is to help deal with vacant properties in the City. Also, staff
15 has been working on setback issues. Bruce Kartchner recommended staff include some of the fine
16 tuning that has been discussed over the past few months with respect to a designated Retail Zone
17 rather than it just being part of commercial and propose a zone that is more tailored to those types of
18 uses. The Mayor agreed and suggested it be implemented into some development agreements.

19
20 Mayor Timothy asked if there was any renewed interest on the part of the City Council for a
21 Historical Committee. He explained that every year the City loses opportunities to obtain
22 information on the City's history as people get older and move away. The committee would
23 research the history of Bluffdale City. He hoped to see a display in City Hall with a rotating
24 presentation case of items from the City's history. He was aware of families who are willing to sell
25 or let the City borrow certain historical items. He recalled a previous Conference of Mayors
26 Meeting where there were historical items from Bluffdale's history in the presentation. Those in
27 attendance were very interested in the City's history.

28
29 In terms of funding, Mayor Timothy stated that money will be required and any grant funds
30 obtained will always require a match. In terms of volunteers, the Mayor stated that it would require

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1 a significant commitment on the part of volunteers. He had discovered that other cities have very
2 involved committee volunteers and he expected the same in Bluffdale. Another Conference of
3 Mayors Meeting was held in Taylorsville at the Old Jones Dairy, which is historically significant in
4 the Taylorsville/Bennion area. It is run by volunteers. Over time they collected items that were part
5 of the area’s history. Heather Pehrson expressed her support.

6
7 Mr. Reid reported that Connie Pavlakis approached him and stated that Mr. Parry has a tractor for
8 which he has received an offer from someone in Australia to purchase it for \$100,000. His
9 preference was to keep it in the City and she proposed that the City purchase it. The cost would be
10 \$45,000. Mr. Reid questioned whether the City had the funds available for the purchase. Heather
11 Pehrson remarked that it is difficult to attach a price to something that has so much history.

12
13 Mayor Timothy stated that he would prefer to acquire smaller items such as artwork, guns, and
14 artifacts. Bruce Kartchner recalled that the last time the matter was discussed the City was working
15 with a very tight budget. He felt that that situation has improved and they will be able to provide
16 storage for any artifacts that are obtained. He didn’t want to form a committee without the support
17 of the Council. As a result of support expressed by the Council, Mayor Timothy voiced his intent to
18 move forward with establishing a Historical Committee.

19
20 **14. PLANNING WORK SESSION: Discussion on a Revision of Chapter 22 of the**
21 **Bluffdale Land Use Ordinance, Signs and Outdoor Advertising (LED Signs), Staff**
22 **Presenter, Alan Peters.**

23
24 Associate Planner, Alan Peters, reviewed the presentation made available to the Council. He
25 displayed a picture of an LED sign recently installed at Bluffdale Elementary. The sign had to be
26 approved because of trouble areas in the sign ordinance. The first pertained to the succession
27 section, which states that signs of a public nature are exempt from the chapter. There is also an
28 allowance for churches and quasi-public organizations. Mr. Peters stated that in a way it doesn’t
29 apply because the sign is exempt but the school followed the requirements. The current ordinance
30 would allow for a 25-foot high sign that is 80 square feet in size. Two other signs in the City use
31 LED technology.

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1
2 Heather Pehrson asked if the Maverik could have a larger sign. Mr. Peters stated that they could
3 and outlined the signage that they would be allowed. He explained that LED signs are not
4 addressed specifically in the ordinance, however, flashing or rotating signs are allowed in the GC-1
5 Zone. Based on that with a few stipulations, all of the signs could be flashing and rotating.
6 Possible options for LED signs were discussed. Mr. Peters explained that they could be banned
7 outright. The problem was that some have already been approved and the City may want to use one
8 in the future. Another option was to allow them but regulate them.

9
10 Mayor Timothy reported that he and Mr. Reid met with Principal Eagen from Bluffdale Elementary
11 after their sign was approved recognizing that it could eventually be a problem. The school wants
12 to work with the City and be good neighbors. They agreed to be reasonable and the City asked that
13 they be made aware of any complaints received. The sign was not yet working and as a result, the
14 City had not yet received any feedback. The Mayor commented that LED signs can actually be
15 more attractive than other types of signs. He felt that regulation was key.

16
17 The possibility of banning them outright was discussed. Mayor Timothy stated that signs are very
18 important to economic development. Staff was working on a preemptive ordinance to limit signs to
19 a certain height along Bangerter Highway that takes the bridge into account and what is needed to
20 maintain visibility. The desire was to move in a positive direction for economic development.

21
22 LED sign options were reviewed and discussed. Color issues were also mentioned. Heather
23 Pehrson did not want to tie the hands of highly profitable businesses. The Mayor stated that in the
24 case of Bluffdale Elementary the sign was desired by the school as well as the parents and students
25 and donations were received to pay for the sign. He stressed the importance of proper regulation.
26 The Mayor suggested that staff approach a sign company and look at the various types of LED
27 signs. They could also determine if signs can be dimmed at night to be less intrusive. Heather
28 Pehrson felt that sign companies could provide various data on their products. That type of
29 information could be very helpful in developing an ordinance.

30

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1 Various sign design types were discussed. Possible regulations were discussed. Mr. Peters
2 suggested there be monument sign restrictions such as imposition of a maximum square footage.
3 Intervals could also be regulated. Mayor Timothy suggested that in residential areas LED signs be
4 completely off between certain hours. During the day he did not believe LED signs would impact a
5 residence. They might, however, be problematic at night.

6
7 Mr. Peters suggested that economic development be considered and facilitated as new changes are
8 pursued. Height issues and limitations were addressed. Mr. Peters stated that the intent was not to
9 have monument and free-standing signs. There may, however, be value to having a monument sign
10 and a pole sign. It was noted that the Industrial Zone is more restrictive than the Professional Office
11 and Commercial Zones. In the Industrial Zone a wall sign and monument sign are allowed. The
12 other zones allow pole signs and monument signs.

13
14 Regulations pertaining to temporary and real estate signage were discussed. Mayor Timothy asked
15 about discrimination as it pertains to political signs. He stated that incumbents are allowed to have
16 an unlimited number of signs while others only get one.

17
18 Mr. Peters stated that staff could study the issue of LED signs. Interest in them is clear with proper
19 regulations. Mr. Crowell felt that now was the time to update certain things. He did not, however,
20 want to make changes without input. He offered to bring drafts back to the Council for review. He
21 expected it to be a multi-month process. Mayor Timothy suggested staff visit a sign company to
22 come up with ideas. Cost issues were discussed. Mr. Crowell agreed to prepare drafts and schedule
23 a combined meeting with the Planning Commission. He expected to be able to have the first draft
24 ready in a few months' time.

25
26 Mayor Timothy was in favor of a special sign zone along Bangerter to compensate for the bridge in
27 that same ordinance. Mr. Crowell stated that one advantage is that that particular area of the
28 community already has a separate zone. The Mayor commented on the Bluffdale sign and the poor
29 graphics. He suggested they be regulated.

30

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1 **15. Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character,**
2 **Professional Competence, or Health of an Individual, Collective Bargaining, Pending**
3 **or Imminent Litigation, Strategies to Discuss Real Property Acquisition, Including Any**
4 **Form of a Water Right or Water Shares, Security Issues, or any Alleged Criminal**
5 **Misconduct.**
6

7 **Heather Pehrson moved to go into closed session pursuant to Utah Code §52-4-205(1) to**
8 **discuss the litigation and real property acquisition. Bruce Kartchner seconded the motion.**
9 **Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Justin**
10 **Westwood-Aye. The motion passed unanimously.**

11
12 The City Council was in closed session from 11:25 p.m. to 12:04 a.m.

13
14 **Heather Pehrson moved to adjourn to open meeting. Bruce Kartchner seconded the motion.**
15 **Vote on motion: Alan Jackson-Aye, Heather Pehrson-Aye, Bruce Kartchner-Aye, Justin**
16 **Westwood-Aye. The motion passed unanimously.**

17
18 Mr. Pickell addressed the Council and stated that they need to determine the desired type of
19 procurement for City Hall. He mentioned the possibility of pursuing the design build option.

20 Mr. Reid explained that in speaking with the first group, they indicated that it could be built for
21 under \$6 million. The second group, Silverpeak Engineering, indicated that they could built it for
22 \$4.2 million. It was noted that Silverpeak Engineering built Summit Elementary School.

23 Mr. Pickell thought there was a difference between a commercial office building, a school, and a
24 City Hall. He considered them to be different types of buildings and the public expects them to be
25 different. He felt the proposal was a lower cost because it is being designed similar to the charter
26 school.

27
28 Mr. Reid stated that the proposal is for a design build. Think Architects could do the job but prefer
29 to do it as construction management because they are a general contractor and can bid out every
30 facet of the project. Mr. Pickell stated that State Code specifies design build, construction
31 manager/general contractor, or design. RFPs could be accepted for all three methods. Justin
32 Westwood remarked that he had seen a lot of success with CMGC. Alan Jackson's understanding

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1 was that architects hold builders to a higher standard. He wondered if quality would suffer if they
2 are the same.

3
4 Mayor Timothy liked the option where CMGC will provide the architectural services with the add-
5 on that they act as the construction manager. He subsequently met with Silverpeak and was
6 impressed by their thoughtfulness and design. Mr. Reid reported that Silverpeak and another
7 company work well together and they prefer to work together. The proposed building will be
8 45,000 square feet in size. The cost of the unfinished basement will be \$50 per square foot. The
9 finished portion will cost \$120 per square foot. It was noted that Midvale City's new building cost
10 over \$200 per square foot. Mr. Reid reported that although Silverpeak Engineering's estimate came
11 in significantly lower than the first, they have never built a City Hall Building before.

12
13 With regard to price, Mr. Pickell felt the City will get what it pays for. He questioned whether the
14 design presented by Silverpeak can be improved for just a bit more. Mr. Reid remarked that they
15 were focusing on trying to incorporate color and style. Even though their proposed design
16 resembles a school, it will work for the City. Mayor Timothy asked about the importance of the
17 design/scale. He thought residents would be happier with something that is more cost effective. He
18 reported that Cottonwood Heights is spending \$11 million on their New City Hall Building.

19
20 Mr. Pickell reported that the following Wednesday the Council was invited on a tour of the North
21 Salt Lake City Hall, which is comparable in size to what Bluffdale is planning for. That building
22 was constructed for \$140 per square foot. Mr. Reid reported that West Jordan's City Hall was built
23 for \$110 per square foot.

24
25 Mr. Reid explained that when the City prepared the Needs Analysis, the need for additional
26 conference rooms was identified. The current design, however, shows more than are needed. The
27 interior could be modified significantly by providing more open area or larger offices or a smaller
28 building rather than so many conference rooms. He indicated that Draper's City Hall is 45,000
29 square feet in size, which is the same as the proposed building. Draper's seems larger because it

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MEETING MINUTES
Wednesday, February 25, 2015**

1 has wings that go out and open areas outside that cover a larger area. It was noted that Bluffdale's
2 building will be more compact.

3
4 Mr. Reid explained that State Code governs the procurement policy and the site will dictate the size
5 of the building. Mr. Pickell considered it a trade off between cost and design. It was noted that a
6 City Hall building is often one of the nicer buildings in the community and becomes a focal point
7 for the community.

8
9 **16. Adjournment.**

10
11 The City Council Meeting adjourned at 12:17 a.m.

12
13
14
15
16 _____

17 Teddie K. Bell, MMC
18 City Recorder:

19
20 Approved: _____

21

Agenda Item 4

CITY OF BLUFFDALE, UTAH

RESOLUTION No. 2015-xx

A RESOLUTION APPROVING AN AGREEMENT REGARDING PRB PROPERTY CONVEYANCES.

WHEREAS 5 Independence is the owner of a portion of the Independence at the Point real estate development project (the “Development Project”) located in the City of Bluffdale (“City”) upon which it is anticipated that the Porter Rockwell Boulevard is to be constructed (the “PRB Property”);

WHEREAS 5 Independence has previously conveyed a portion of the PRB Property to the City through various conveyances, including conveyances for segments of the PRB Property commonly referred to as “Phase 3A” and “Phase 3B”;

WHEREAS the City and 5 Independence dispute whether, based on the price paid by the City for Phases 3A and 3B, the prior conveyances should have resulted in a transfer to the City of vested residential dwelling units; and

WHEREAS, the City and 5 Independence have resolved this dispute as proposed in the attached Agreement Regarding PRB Property Conveyances;

NOW, THEREFORE, BE IT RESOLVED BY THE BLUFFDALE CITY COUNCIL:

Section 1. Agreement Regarding PRB Property Conveyances. The City Council hereby approves the Agreement Regarding PRB Property Conveyances, which is attached to this resolution, and authorizes and directs the Mayor to execute the same on behalf of the City.

Section 2. Effective Date. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED this 11th day of March, 2015.

CITY OF BLUFFDALE

ATTEST:

City Recorder

Mayor

Voting by the City Council: Yes No

Councilmember Jackson	___	___
Councilmember Kartchner	___	___
Councilmember Nelson	___	___
Councilmember Nielsen	___	___
Councilmember Pehrson	___	___

AGREEMENT REGARDING PRB PROPERTY CONVEYANCES

This AGREEMENT REGARDING PRB PROPERTY CONVEYANCES (the “**Agreement**”) is entered into as of March ___, 2015 by and between the City of Bluffdale, a Utah municipal corporation (“**City**”), and 5 Independence, LLC, a Utah limited liability company (“**5 Independence**”).

RECITALS

WHEREAS, 5 Independence is the owner of a portion of the Independence at the Point real estate development project (the “**Development Project**”) located in Bluffdale City, Utah, upon which it is anticipated that the Porter Rockwell Boulevard is to be constructed (the “**PRB Property**”); and

WHEREAS, prior to the date hereof, 5 Independence conveyed a portion of the PRB Property to the City through various conveyances, including conveyances for segments of the PRB Property commonly referred to as “Phase 3A” and “Phase 3B”; and

WHEREAS, the City and 5 Independence dispute whether, based on the price paid by the City for Phases 3A and 3B, the prior conveyances should have resulted in a transfer to the City of vested residential dwelling units; and

WHEREAS, the City and 5 Independence have resolved their dispute, as memorialized by this Agreement, pursuant to which resolution (1) 5 Independence will convey to the City an additional portion of the PRB Property to the City promptly upon execution of this Agreement without additional purchase proceeds being paid by the City, and (2) the City will agree that the transfer of the PRB Property does not result in any loss of residential dwelling units.

NOW, THEREFORE, the City and 5 Independence, for and in consideration of the promises set forth in this Agreement and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby agree as follows:

AGREEMENT

1. Incorporation of Recitals and Exhibits. The above Recitals and Exhibits attached hereto and referenced herein are hereby incorporated into this Agreement.
2. Additional Property; Transferrable Units. 5 Independence shall execute and deliver to the City for recording, immediately upon and in connection with the execution of that certain Third Amendment to Development Agreement (Amended and Restated) between the City and 4 Independence, LLC, a warranty deed conveying to the City 62,424 square feet of the PRB Property, which additional area shall be immediately adjacent and contiguous to the existing Porter Rockwell Boulevard right-of-way, which has been previously dedicated to the City (the “Additional Conveyance”). In consideration of this Additional Conveyance, the City agrees that no prior conveyances of any portion of the PRB Property, including the Phase 3A and Phase 3B property, will result in a transfer or other loss of residential dwelling units vested in the Independence at the Point Project. Accordingly, all such units may be transferred to and located upon other portions of the Development Project as shown in the Comprehensive Land Use Master Plan, attached in Exhibit B of the Development Agreement for Independence at the Point (Amended & Restated), as amended. Because vested dwelling units may be transferred to other parts of the Development Project, as provided in the Development Agreement, the

party shall be entitled to recover from the other party the prevailing party's reasonable attorneys' fees and costs incurred in any such action or in any appeal from such action, in addition to the other relief to which the prevailing party is entitled.

f. Modification. A modification of, or amendment to, any provision contained in this Agreement shall be effective only if the modification or amendment is in writing and signed by each of the parties. Any oral representation or modification concerning this Agreement shall be of no force or effect.

g. Governing Law. This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Utah. Unless otherwise provided, references in this Agreement to Sections are to Sections in this Agreement. This Agreement shall be construed according to its fair meaning and not strictly for or against the City or 5 Independence, as if each of the parties collectively had prepared it.

h. Construction. The captions and headings contained herein are for convenience of reference only, and shall not in any way affect the meaning or interpretation of this Agreement. Notwithstanding any rule of construction to the contrary, any ambiguity or uncertainty in this Agreement shall not be construed against any of the parties hereto based upon authorship of any of the provisions hereof.

i. Counterparts. This Agreement may be executed in any number of duplicate originals or counterparts, each of which when so executed shall constitute in the aggregate but one and the same document.

j. No Third Party Beneficiary. Nothing in this Agreement, whether express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any person other than the parties and their respective successors or permitted assigns, nor is anything in this Agreement intended to relieve or discharge the obligations or liability of any third person to either of the parties, nor shall any provision hereof give any third person any right of subrogation or action over or against either of the parties.

k. Further Actions. The City and 5 Independence shall execute such additional documents and take such further actions as may reasonably be required to carry out each of the provisions and the intent of this Agreement.

l. Severability. To the extent any provision of this Agreement shall be held, found or deemed to be unlawful or unenforceable, then any such provision or portion thereof shall be modified to the extent necessary so that any such provision or portion thereof shall be legally enforceable to the fullest extent permitted by applicable law. Any court of competent jurisdiction shall, and the parties hereto do hereby expressly authorize any court of competent jurisdiction to, enforce any such provision or portion thereof or to modify any such provision or portion thereof so that any such provision or portion thereof is enforced to the fullest extent permitted by applicable law.

[Remainder of Page Intentionally Left Blank.]

IN WITNESS WHEREOF, the parties have executed this Agreement the date hereinabove first written.

CITY:

CITY OF BLUFFDALE

Derk P. Timothy
Mayor

5 INDEPENDENCE:

5 INDEPENDENCE, LLC, a Utah limited liability company

By: _____
Name: _____
Its: _____

Agenda Item 5

REQUEST FOR CITY COUNCIL ACTION

To: Mayor and City Council
From: Jennifer Robison, Associate Planner
Date: 19 February 2015
Business Date: 25 February 2015
Subject: Consideration of a proposed Third Amendment to Development Agreement for Independence at the Point, which includes a Major Change to the Project Plan
Staff Presentation: Jennifer Robison
Applicant Presentation: Nate Shipp, DAI

RECOMMENDATION:

On February 18, 2015, the Planning Commission recommended to approve the Major Change to the Project Plan for Independence at the Point application 2015-06 subject to the conditions as presented in the staff report dated February 13, 2015.

BACKGROUND AND FINDINGS:

The proposed request meets the contractual requirements of the Independence at the Point Development Agreement (DA) and Project Plan (PP) for this Major Change Application and Third Amendment. As the development of the Independence project progressed, it was always anticipated an amendment to the Comprehensive Land Use Master Plan would be addressed. The current Land Use Plan exhibit adopted with the PP identifies all the area west of Noell Nelson Drive (1000 West) as "Future Residential" allowing various residential types with a total of 771 units. With construction of the project steadily moving forward, DAI is now proposing to add more detailed layouts for residential uses and specific unit counts within each area for more clarity which allows the developer to file future plat applications. The land use amendments anticipate modifications to the Vehicular Circulation Master Plan which is included as part of this application.

PREVIOUS LEGISLATIVE ACTION

- February 18, 2015: Planning Commission recommended approval 3-1.
- November 2012: The City approved the Independence at the Point Project with a Development Agreement (DA) and Project Plan (PP)
- March 26, 2013: 1st Amendment to the DA and PP
- June 11, 2013: 2nd Amendment to the DA and PP

SUPPORTING DOCUMENTS

- Staff report to Planning Commission, with exhibits showing amendments.
 - Third Amendment to the DA for Independence at the Point (Amended & Restated).
 - Resolution 2015-xx for adopting the amendments.
-



Development Review Committee
14175 South Redwood Road
Bluffdale, UT 84065
801.254.2200(o) 801.446.8642(f) TTY 7-1-1

DRC STAFF REPORT
13 February 2015

To: City of Bluffdale Planning Commission
Prepared By: Jennifer Robison, Associate Planner, on behalf of the DRC

Re: Independence at the Point Major Change (3) Review – Project Plan Update
Application No.: 2015-06
Applicant(s): 4 Independence, LLC
Project Location: Approximately 1000 West to Pony Express Road; 15000 to 15600 South
General Plan: Mixed Use
Zoning: Mixed Use* (as modified by the Independence at the Point Development Agreement specific provisions, as amended)
Acreage: 304.33
Request: To have a Major Change to the approved Comprehensive Land Use Master Plan (“Land Use Plan”) and Vehicular Circulation Master Plan exhibits to the Project Plan for the Independence at the Point (IP) Master Planned Community which provides more detailed residential land uses, including housing types, units, churches, open space, and road layouts not previously determined west of Noell Nelson Drive (1000 West) and within other areas of the project.

SUMMARY

In November 2012, the City approved the Independence at the Point Project with a Development Agreement (DA) and Project Plan (PP) which included specific exhibits for as part of the Independence at the Point Development Agreement (DA). This current proposal by DAI requests to amend the Land Use Plan to include all future phases for the entire project area not previously considered by the Planning Commission and City Council. The total number of units for the project is 1968 which is consistent with the original DA and an amendment on June 11, 2013.

ANALYSIS

Development Agreement. The Project Plan is the land use plan and design guidelines for the project and is the exhibits to the DA. The existing DA sets forth the conditions in which a Major Change (project plan amendment) is required.

3(b). Amendment to the Project Plan. The Project Plan satisfies the concept plat requirement for each Phase of the Project. The Developer can make Minor Changes (as defined below) to the Project Plan by working with the City staff. If, however, the Developer is seeking to make a Major Change (as defined below), the Developer shall be required to obtain approval of the Planning Commission and City Council to amend the Project Plan. Planning Commission and City Council approval of an amendment will not require a public hearing. For purposes of this Agreement, a “Major Change” shall be limited to the Developer’s request to: (i) change the width of a road within the Project identified in the Project Plan if a proposed road width in a preliminary or final plat differs from the road widths approved in the Project Plan, (ii) change the connection points of collector or major roads within the Project as identified in the Project Plan (i.e., changes in the location of

intersections and connection points as opposed to changes in the location or alignment of collector or major roads), (iii) *change the location of land uses within the Project (i.e., residential pod to commercial pod), or (iv) changes in the residential densities relating to specific portions of the Project, as identified in the Project Plan.*

With the approval of this application, the project DA will be amended appropriately.

Anticipated Uses and Layout. The original Land Use Plan exhibit adopted with the PP identifies all the area west of Noell Nelson Drive (1000 West) as “Future Residential” allowing various residential types with a total of 771 units. With construction of the project steadily moving forward, DAI is now proposing to add more detailed layouts for residential uses and specific unit counts within each area for more clarity which allows the developer to file future plat applications. The land use of “churches” has also been added to the land use types to provide opportunities for churches to be included in the land use planning of the community.

The more detailed areas are identified by letters M, N, O, P, P2, Q, and Q2 with corresponding acreage and units within the area boundary. The exact layout of residential lots, streets, and open spaces will be determined during the plat process. There is an area on the northwest corner of the project not identified with a letter showing a more detailed layout of lots and streets including a larger parcel which subdivision plats have been filed with the City concurrent with the Major Change Application.

Areas Q and Q2 were previously approved for multi-family apartment housing units within the project with a total of 496 units. DAI is proposing to split the apartment housing units into two areas (Q = 243 units and P2=253 units) for a more attractive development pattern and provide townhome units in area Q2=97 units.

Although a Major Change was not required, residential types have been changed from townhomes in the original PP to single-family units in the area identified on the Land Use Plan.

Open Space and Trail Connection. The original Land Use Plan identified a .20 park located on Daylight Drive. The residential types in this area were changed and park was moved to a larger area within the project area. The open space for the overall project is identified on the proposed Land Use Map for better clarity. The Open Space & Primary Trails Master Plan exhibit will be amended at a later date. There is a trail connection identified along the western boundary of the project providing a connection to future development.

Vehicle Circulation. The layout of additional local streets west of Noell Nelson Drive (1000 west) is proposed on the amended exhibit along with a road connection to future development to the west. A proposed future collector extension of Freedom Point Way to connect to Pony Express is provided with a local road connection to Skyfall Drive for better traffic circulation and access.

DRC REVIEW AND COMMENTS

On behalf of the City Manager, the City’s staff involved in development review and administration meets together as a Development Review Committee (DRC). The DRC generally consists of the City Manager, City Attorney, City Engineer, Public Works Operations Manager, the City Planner, and other outside consultants as needed from time to time. The comments of the DRC members have been included and recommended the drawings for approval of the project.

STAFF RECOMMENDATION

DRC Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the Independence at the Point Major Change Application for the Comprehensive Land Use Master Plan and Vehicular Circulation Master Plan exhibits in the Project Plan as identified in the amended exhibits.

MODEL MOTION

Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the proposed Independence at the Point Major Change Application for the Comprehensive Land Use Master Plan and Vehicular Circulation Master Plan exhibits in the Project Plan application 2015-06, subject to the conditions and based on the findings presented in the staff report dated February 13, 2015, (or as modified by the conditions below):”

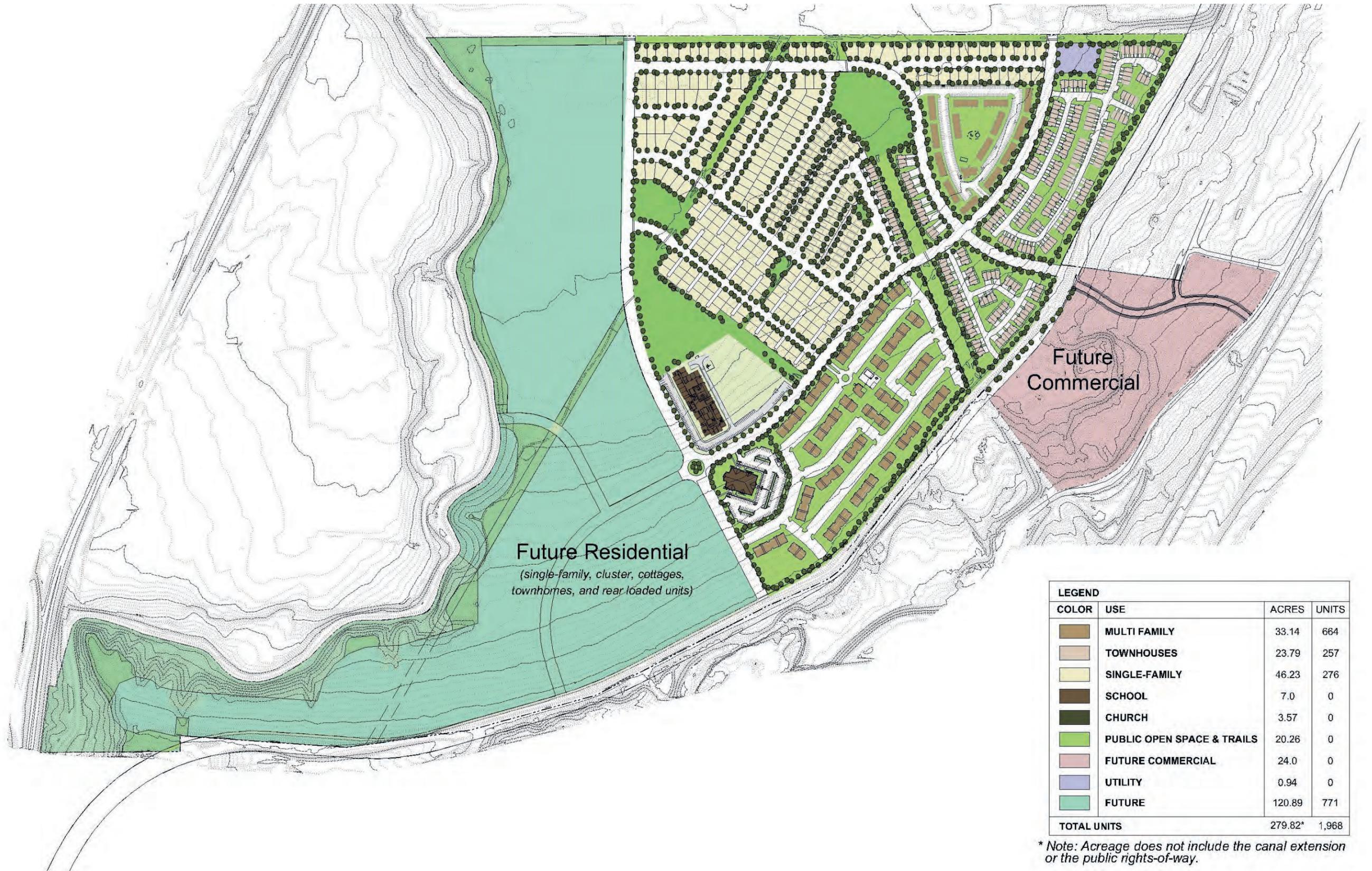
1. List any additional findings and/or conditions...

Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Independence at the Point Major Change Application for the Comprehensive Land Use Master Plan and Vehicular Circulation Master Plan exhibits in the Project Plan, application 2015-06, based on the following findings:”

1. List all findings for denial...



Comprehensive Land Use Master Plan





All Area west of Noell Nelson Drive (1000 West)

COMPREHENSIVE LAND USE MASTER PLAN

2-03-2015

Moved 0.20 acre park to new area

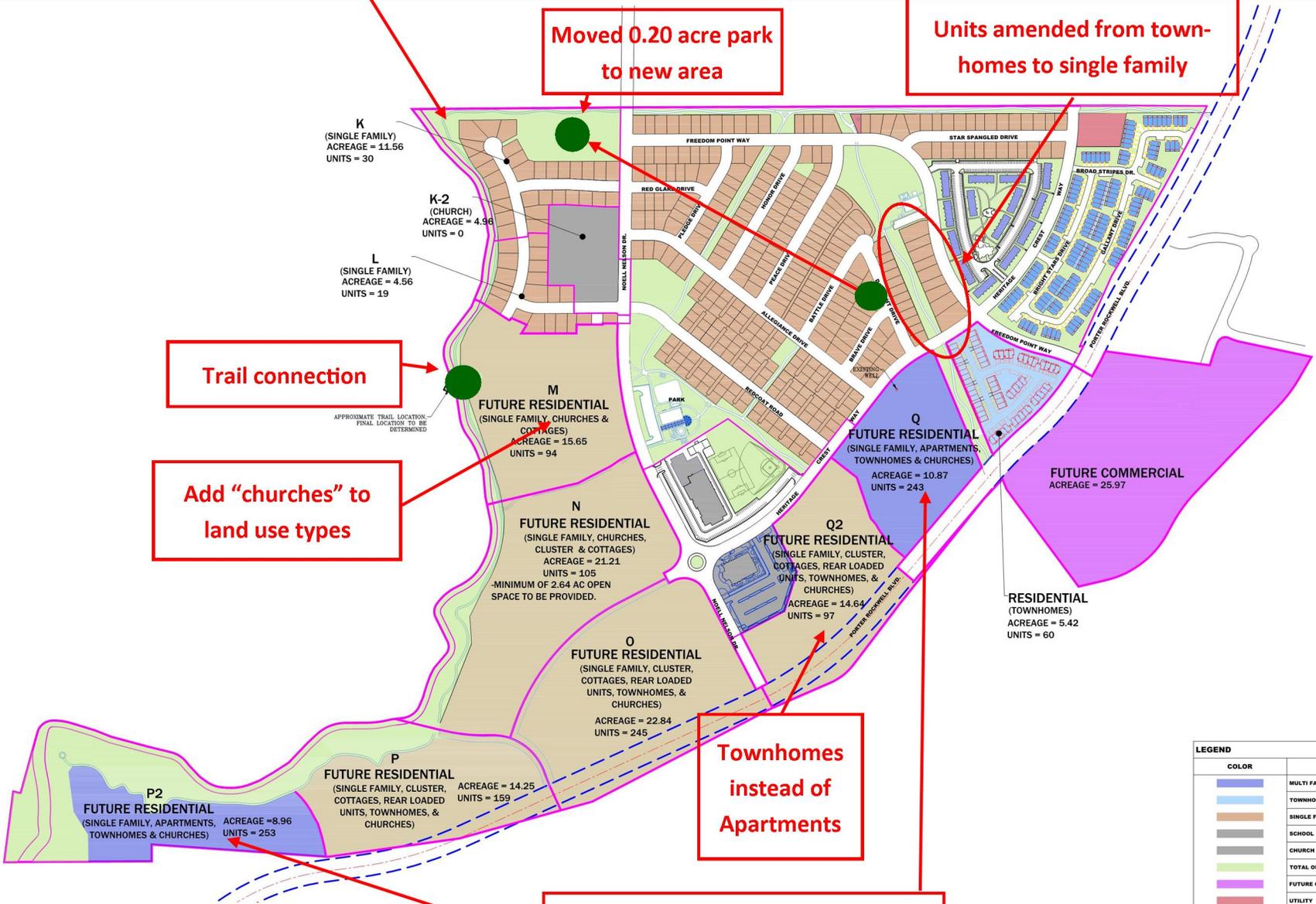
Units amended from townhomes to single family

Trail connection

Add "churches" to land use types

Townhomes instead of Apartments

Apartment Units split into two areas



LEGEND			
COLOR	USE	ACRES	UNITS
[Blue]	MULTI FAMILY	32.90	664
[Light Blue]	TOWNHOMES	18.98	212
[Brown]	SINGLE FAMILY	46.44	392
[Green]	SCHOOL	7.16	0
[Grey]	CHURCH	7.87	0
[Light Green]	TOTAL OPEN SPACE *	81.02	0
[Purple]	FUTURE COMMERCIAL	25.97	0
[Red]	UTILITY	1.08	0
[Tan]	FUTURE RESIDENTIAL	82.91	700
TOTAL UNITS			1968

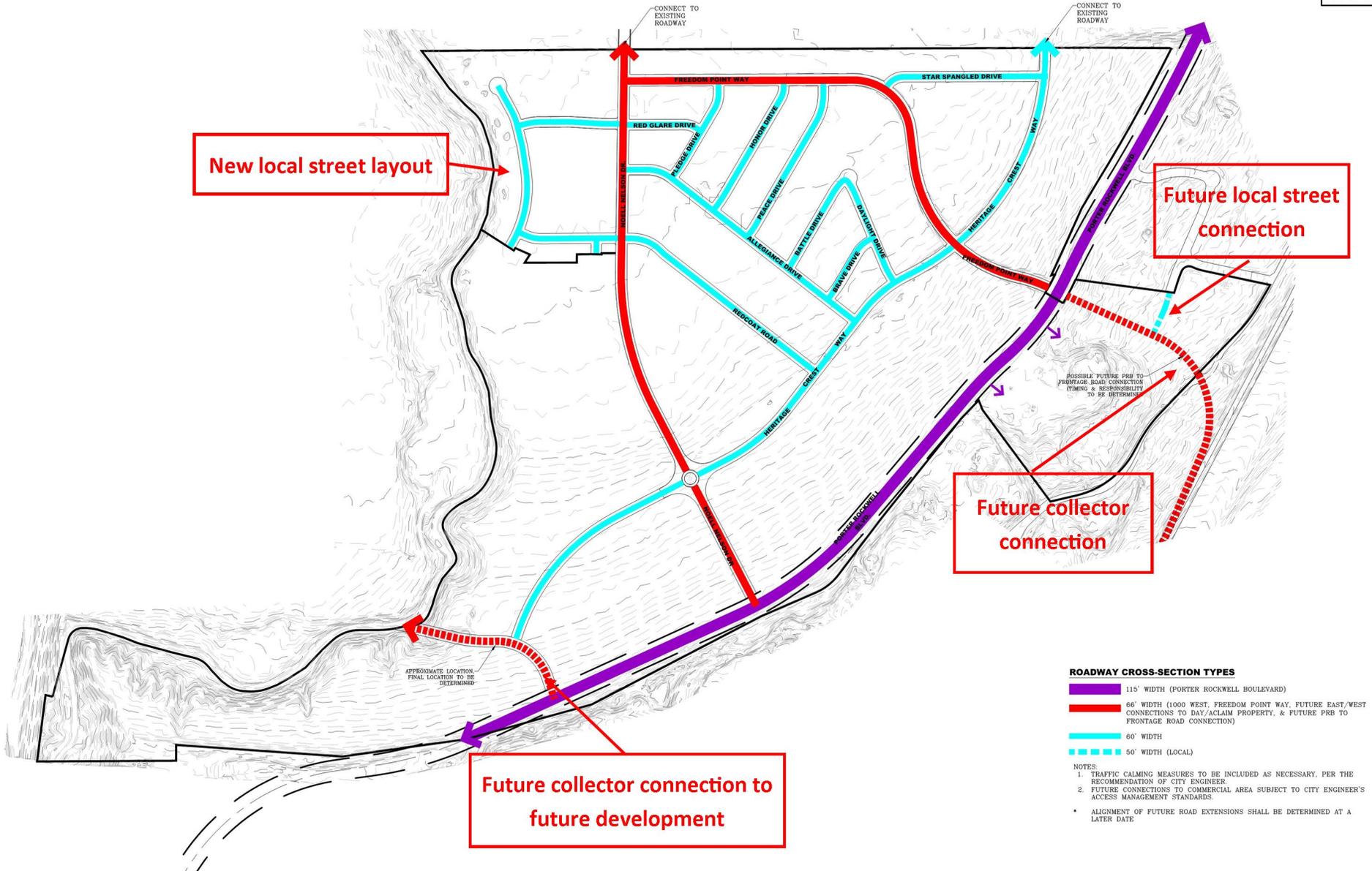
* SEE MASTER PLAN - OPEN SPACE & PRIMARY TRAILS EXHIBIT.



MASTER PLAN

VEHICULAR CIRCULATION

2-03-2015



CITY OF BLUFFDALE, UTAH

RESOLUTION No. 2015-xx

A RESOLUTION APPROVING A THIRD AMENDMENT TO DEVELOPMENT AGREEMENT FOR INDEPENDENCE AT THE POINT.

WHEREAS, pursuant to Resolution 2012-66, the City of Bluffdale ("City") adopted a Development Agreement for Independence at the Point, and pursuant to Resolution 2013-19, the City adopted a First Amendment to Development Agreement for Independence at the Point (collectively "Development Agreement") with 4 Independence, LLC ("Developer"), and pursuant to Resolution 2013-35 the City adopted a Second Amendment to the Development Agreement for Independence at the Point and Project Plan; and

WHEREAS the Developer and the City desire to amend the Development Agreement to amend the Comprehensive Land Use Master Plan and Vehicular Circulation Master Plan exhibits and to make other technical changes;

NOW, THEREFORE, BE IT RESOLVED BY THE BLUFFDALE CITY COUNCIL:

Section 1. Third Amendment to Development Agreement. The City Council hereby approves the Third Amendment to Development Agreement for Independence at the Point (Amended & Restated), which is attached to this resolution.

Section 2. Effective Date. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED this 11th day of March, 2015.

CITY OF BLUFFDALE

ATTEST:

City Recorder

Mayor

Voting by the City Council: Yes No

Councilmember Jackson	___	___
Councilmember Kartchner	___	___
Councilmember Nelson	___	___
Councilmember Nielsen	___	___
Councilmember Pehrson	___	___

**THIRD AMENDMENT TO
DEVELOPMENT AGREEMENT
FOR
INDEPENDENCE AT THE POINT
(AMENDED & RESTATED)**

THIS THIRD AMENDMENT TO DEVELOPMENT AGREEMENT FOR INDEPENDENCE AT THE POINT (Amended & Restated) (“Third Amendment”) is made and entered into effective as of the ____ day of _____, 2015, by and between the CITY OF BLUFFDALE, a Utah municipal corporation (“City”), and 4 INDEPENDENCE, LLC, a Utah limited liability company (“Developer”).

RECITALS:

A. The City and Developer are parties to that certain Development Agreement for Independence at the Point (Amended & Restated) with an effective date of November 27, 2012 (the “Initial Development Agreement”), which Initial Development Agreement was amended pursuant to that certain First Amendment to Development Agreement for Independence at the Point (Amended & Restated) by and between the City and Developer dated March 26, 2013 (the “First Amendment”), and by that certain Second Amendment to Development Agreement for Independence at the Point (Amended & Restated) by and between the City and Developer dated June 11, 2013 (the “Second Amendment”). The Initial Development Agreement, the First Amendment and the Second Amendment are referred to collectively herein as the “Development Agreement.” All capitalized terms not otherwise defined in this Third Amendment shall have the same meaning given to such terms in the Development Agreement. The Development Agreement relates to that certain property more particularly described in Exhibit A attached hereto and incorporated herein, commonly referred to as the Independence at the Point development project.

B. The City and Developer desire to amend the Development Agreement pursuant to this Third Amendment to amend various plans and schedules relating to the Project.

AMENDMENT:

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Developer agree as follows:

1. Amendment to Project Plan and Parks Completion Schedule. The Project Plan (attached as Exhibit B to the Initial Development Agreement), as amended by the Second Amendment, is hereby further amended by deleting the Comprehensive Land Use Master Plan and the Vehicular Circulation Plan found therein, and by inserting in lieu thereof those certain amended Plans attached to this Third Amendment as Exhibit B. The City and Developer acknowledge that the amendment of the foregoing Plans as set forth in this Third Amendment constitutes a Major Change under Section 3(b) of the Development Agreement. Furthermore, (a) the third sentence of Section 5(c)(ii) is hereby revised by deleting the reference to “maximum number of building permits that may be issued” and by replacing such reference with “maximum number of residential dwelling units for which building permits may be issued,” (b) the fourth sentence of Section 5(e)(iii) is hereby revised by deleting the reference to “. . . the maximum number of residential building permits that may be issued” and by replacing such reference with “. . . the maximum number of residential units for which building permits may be issued . . .,” and (c) the Parks Completion Schedule (attached as Exhibit C to the Initial Development Agreement) is hereby

amended by deleting the reference in the table heading in the upper left hand corner to “Building Permit Threshold”, and by inserting in lieu thereof “Residential Dwelling Units Threshold”.

2. Counterpart Signatures. This Third Amendment may be executed in counterparts, which, when complied together shall constitute one and the same document. The exchange of electronic or facsimile copies of signatures to this Third Amendment shall for all purposes constitute original signatures.

3. Full Force and Effect. Except as expressly amended herein, the Development Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment effective as of the day and year first written above.

CITY:

CITY OF BLUFFDALE, a Utah municipal corporation

ATTEST:

By: _____
City Recorder

By: _____
Mayor Derk Timothy

DEVELOPER:

4 INDEPENDENCE, LLC, a Utah limited liability company

By: DAI PARTNERS, LLC, a Utah limited liability company, its Manager

By: _____
Nathan D. Shipp, Manager

ACKNOWLEDGMENTS

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On the ____ day of _____, 2015, personally appeared before me Derk Timothy, who being duly sworn, did say that he is the Mayor of the CITY OF BLUFFDALE, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said Derk Timothy acknowledged to me that the City executed the same.

Notary Public
Residing at:

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On the ____ day of _____, 2015, personally appeared before me Nathan D. Shipp, who being by me duly sworn, did say that he is the Manager of DAI Partners, LLC, a Utah limited liability company, a Manager of 4 Independence, LLC, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company with proper authority and duly acknowledged to me that he executed the same.

Notary Public
Residing at:

EXHIBIT A

Independence at the Point^[VP1]

Legal Description

A parcel of land lying and situate in the Southeast Quarter of Section 12, the Northwest Quarter of Section 13, Section 14 and Government Lot 5, of Section 15, Township 4 South, Range 1 West, Salt Lake Base and Meridian. Comprising 294.16 acres, the remainder 152.04 acres of that particular parcel of land described in that certain Warranty Deed recorded as Entry 2367474, in Book 2930, at Page 665 of the Salt Lake County Records, the remainder 130.04 acres of that particular parcel of land described in that certain Warranty Deed recorded as Entry 2194009, in Book 2542, at Page 370 of said records, the 15.96 acres described as Parcels 1 through 5 in that certain Warranty Deed recorded as Entry 7105086, in Book 8112, at Page 706 of said records and the 0.71 acre parcel described in that certain Quit Claim Deed recorded as Entry 10404751, in Book 9596, at page 6259 of said records. Shown on that certain ALTA Survey performed by Boundary Consultants, certified by David E. Hawkes, P.L.S., filed as Survey Number S2011-02-083 in the Office of the Salt Lake County Surveyor and made a part hereof by reference. Basis of bearing for subject parcels being South $89^{\circ}46'54''$ West 2684.79 feet (measured) along the north line of the Northeast Quarter of said Section 14. Subject parcel being more particularly described as follows:

Beginning at the Northeast corner of said Section 14, said point being an appropriately stamped Salt Lake County brass cap monument, thence South $11^{\circ}21'38''$ West 1334.98 feet coincident with the west boundary of that particular parcel of land owned in fee simple Porter's Point LLC described in that certain Warranty Deed recorded as Entry 10552730, in Book 9655, at Page 4777 of the Salt Lake County Records, depicted on sheet 3 of 3 of that certain Record or Survey filed as Map S2010-05-0279 in the Office of the Salt Lake County Surveyor.

Thence South $82^{\circ}49'57''$ East 64.51 feet to a point on the westerly boundary of the Draper Irrigation Canal Parcel transferred to Mt. Jordan LTD by that certain Warranty Deed recorded as Entry 7105086, in Book 8112, at Page 706 of said records, depicted on that certain Record of Survey performed by Mc Neil Engineering, certified by Dale Bennett and filed as Map S1999-10-0708 with said County Surveyor; Thence North $85^{\circ}39'42''$ East 52.90 feet to the southwest corner of Bluffdale Heights Commercial Park Phase 1, recorded in Book 2008P at Page 294 of said County Records and the Northwest corner of that particular parcel of land depicted on that certain Records of Survey performed by Boundary Consultants and certified by David E. Hawkes filed with the County Surveyor as Map S2010-06-0294, amended by ROS S2010-12-0609; Thence the following six (6) courses coincident with the south boundaries of Bluffdale Heights Commercial Park Phase 1, Bluffdale Heights Commercial Park Phase 2 recorded in Book 2008P at Page 205 and Silverleaf Industrial Park Plat A recorded in Book 2004P at Page 008 of said County Records;

- 1) South $82^{\circ}22'32''$ East 588.78 feet;
- 2) North $17^{\circ}30'08''$ East 59.14 feet;
- 3) Northerly 71.30 feet along the arc of a 700.00 foot radius curve to the right (center bears South $72^{\circ}29'52''$ East) through a central angle of $05^{\circ}50'10''$ to a point of compound curvature;
- 4) Easterly 72.27 feet along the arc of 45.00 foot radius curve to the right (center bears South $66^{\circ}39'42''$ East) through a central angle of $92^{\circ}00'55''$ to a point of reverse curvature;
- 5) Easterly 63.98 feet along the arc of a 275.00 foot radius curve to the left (center bears North $25^{\circ}21'13''$ East) through a central angle of $13^{\circ}19'49''$ to a point of tangency;

6) South $77^{\circ}58'36''$ East 389.71 feet to a point on the westerly boundary of that particular parcel of land owned in fee simple by Geneva Rock Products described in that certain Special Warranty Deed recorded as Entry 7137991, in Book 8145, at Page 1122 of said County Records; Thence the following nine (9) courses coincident with said westerly boundary

- 1) South $30^{\circ}08'53''$ West 131.59 feet to a point of curvature;
- 2) Southerly 191.59 feet along the arc of an 800.00 foot radius curve to the right (center bears North $59^{\circ}51'07''$ West) through a central angle of $13^{\circ}43'18''$ to a point of tangency;
- 3) South $43^{\circ}52'11''$ West 631.35 feet to a point of curvature;
- 4) Southerly 211.77 feet along the arc of an 800.00 foot radius curve to the left (center bears South $46^{\circ}07'50''$ East) through a central angle of $15^{\circ}10'01''$ to a point of tangency;
- 5) South $28^{\circ}42'10''$ West 63.79 feet to a point of curvature;
- 6) Southwesterly 419.21 feet along the arc of a 500.00 foot radius curve to the right (center bears North $61^{\circ}17'50''$ West) through a central angle of $48^{\circ}02'18''$ to a point of tangency;
- 7) South $76^{\circ}44'28''$ West 153.74 feet;
- 8) North $36^{\circ}29'55''$ West 646.39 feet;
- 9) North $22^{\circ}29'55''$ West 59.95 feet to a point on the easterly boundary of the aforesaid Draper Irrigation Canal; Thence the following eleven (11) courses coincident with the common boundary of said Draper Irrigation Canal and Geneva Rock Products parcel,

- 1) South $43^{\circ}28'59''$ West 145.50 feet;
- 2) South $38^{\circ}41'59''$ West 714.22 feet;
- 3) South $37^{\circ}15'59''$ West 413.00 feet to a point of curvature;
- 4) Southwesterly 161.58 feet along the arc of a 316.50 foot radius curve to the right (center bears North $52^{\circ}44'01''$ West) through a central angle of $29^{\circ}15'00''$ to a point of tangency;
- 5) South $66^{\circ}30'59''$ West 340.70 feet;
- 6) South $62^{\circ}30'59''$ West 1084.39 feet;
- 7) South $74^{\circ}30'59''$ West 737.87 feet;
- 8) South $82^{\circ}00'59''$ West 711.83 feet;
- 9) North $85^{\circ}59'01''$ West 945.64 feet to a point on the west line of the Southwest Quarter of said Section 14;
- 10) South $00^{\circ}02'32''$ East 89.99 feet coincident with said section line to the southeast corner of Government Lot 5, Section 15, Township 4 south, Range 1 West, Salt Lake Base and Meridian;
- 11) South $89^{\circ}42'01''$ West 789.80 feet to the east right of way of the Denver and Rio Grande Western Railroad;

Thence North $07^{\circ}17'19''$ East 380.43 feet coincident with said railroad right of way to the Northwest corner of that particular parcel of land described as Parcel 5 in that certain Warranty Deed recorded as Entry 7105086, in Book 8112, at Page 706 of said County records;

Thence South $77^{\circ}09'51''$ East 40.72 feet coincident with the north line of said parcel 5;

Thence North $15^{\circ}21'50''$ East 340.36 feet to a point on the center line of the East Jordan Canal, said location being determined from field measurements of said canal;

Thence the following fifty nine (59) courses coincident with said center line

- 1) Easterly 107.48 feet along the arc of a 85.00 foot radius curve to the right (center bears South $73^{\circ}41'05''$ East) through a central angle of $72^{\circ}26'57''$ to a point of compound curvature;
- 2) Easterly 105.60 feet along the arc of a 330.00 foot radius curve to the right (center bears South $01^{\circ}14'08''$ East) through a central angle of $18^{\circ}20'05''$ to a point of tangency;
- 3) South $72^{\circ}54'03''$ East 132.27 feet;
- 4) South $68^{\circ}29'56''$ East 89.97 feet;

- 5) South 74°56'13" East 202.26 feet;
- 6) South 76°15'58" East 22.50 feet to the west line of said Section 14;
- 7) South 76°15'58" East 107.30 feet to a point of curvature;
- 8) Southeasterly 99.88 feet along the arc of a 150.00 foot radius curve to the right (center bears South 13°44'02" West) through a central angle of 38°09'03" to a point of tangency;
- 9) South 38°06'55" East 19.11 feet;
- 10) South 43°17'07" East 85.83 feet;
- 11) South 53°21'04" East 38.97 feet to a point of curvature;
- 12) Easterly 96.54 feet along the arc of a 175.00 foot radius curve to the left (center bears North 36°38'56" East) through a central angle of 31°36'25" to a point of tangency;
- 13) South 84°57'29" East 22.15 feet to a point of curvature;
- 14) Northeasterly 132.54 feet along the arc of a 285.00 foot radius curve to the left (center bears North 05°02'31" East) through a central angle of 26°38'45" to a point of tangency;
- 15) North 68°23'46" East 50.19 feet;
- 16) North 59°54'42" East 80.57 feet;
- 17) North 57°17'41" East 104.36 feet;
- 18) North 43°36'10" East 143.66 feet;
- 19) North 46°53'33" East 69.13 feet to a point of curvature;
- 20) Easterly 172.64 feet along the arc of a 230.00 foot radius curve to the right (center bears South 43°06'27" East) through a central angle of 43°00'28" to a point of tangency;
- 21) North 89°54'01" East 106.28 feet to a point of curvature;
- 22) Eastern 124.30 feet along the arc of a 520.00 foot radius curve to the left (center bears North 00°05'59" West) through a central angle of 13°41'46" to a point of reverse curvature;
- 23) Northeasterly 28.81 feet along the arc of a 230.00 foot radius curve to the right (center bears South 13°47'45" East) through a central angle of 07°10'41" to a point of tangency;
- 24) North 83°22'56" East 47.56 feet to a point curvature;
- 25) Northerly 119.37 feet along the arc of a 112.00 foot radius curve to the left (center bears North 06°37'04" West) through a central angle of 61°04'02" to a point of tangency;
- 26) North 22°18'54" East 51.28 feet;
- 27) North 14°59'50" East 21.64 feet;
- 28) North 17°12'42" East 45.37 feet;
- 29) North 20°41'04" East 51.27 feet;
- 30) North 27°00'29" East 43.16 feet;
- 31) North 40°08'40" East 100.85 feet to a point of curvature;
- 32) Northwesterly 69.53 feet along the arc of a 60.00 foot radius curve to the left (center bears North 49°51'20" West) through a central angle of 66°23'30" to a point of tangency;
- 33) North 26°14'50" West 145.67 feet to a point of curvature;
- 34) Northerly 73.47 feet along the arc of a 69.00 foot radius curve to the right (center bears North 63°45'10" East) through a central angle of 61°00'32" to a point of compound curvature;
- 35) Northeasterly 147.18 feet along the arc of a 280.00 foot radius curve to the right (center bears South 55°14'18" East) through a central angle of 30°07'04" to a point of reverse curvature;
- 36) Northerly 79.05 feet along the arc of a 345.00 foot radius curve to the left (center bears North 25°07'14" West) through a central angle of 13°07'42" to a point of compound curvature;
- 37) Northerly 77.30 feet along the arc of a 235.00 foot radius curve to the left (center bears North 38°14'56" West) through a central angle of 18°50'45" to a point of compound curvature;

38) Northerly 199.71 feet along the arc of a 393.52 foot radius curve to the left (center bears North 57°05'41" West) through a central angle of 29°04'39" to a point of compound curvature;
39) Northerly 70.54 feet along the arc of a 260.00 foot radius curve to the left (center bears North 86°10'20" West) through a central angle of 15°32'40" to a point of tangency;
40) North 11°43'00" West 128.23 feet;
41) North 04°56'30" West 144.08 feet;
42) North 19°20'47" West 74.48 feet to a point of curvature;
43) Northwesterly 125.99 feet along the arc of a 425.00 foot radius curve to the left (center bears South 70°39'13" West) through a central angle of 16°59'05" to a point of reverse curvature;
44) Northerly 109.92 feet along the arc of a 225.00 foot radius curve to the right (center bears North 53°40'08" East) through a central angle of 27°59'31" to a point of tangency;
45) North 08°20'21" West 109.00 feet;
46) Northwesterly 21.38 feet along the arc of a 117.00 foot radius curve to the left (center bears South 81°39'39" West) through a central angle of 10°28'10" to a point of tangency;
47) North 18°48'32" West 177.80 feet to a point of curvature;
48) Northerly 146.80 feet along the arc of a 150.00 foot radius curve to the right (center bears North 71°11'28" East) through a central angle of 56°04'20" to a point of tangency;
49) North 37°15'48" East 193.99 feet;
50) North 22°11'09" East 142.65 feet;
51) North 06°12'20" East 100.15 feet;
52) North 10°29'22" East 152.55 feet;
53) North 09°01'33" West 126.13 feet;
54) North 17°45'19" West 119.54 feet to a point of curvature;
55) Northwesterly 115.88 feet along the arc of a 206.45 foot radius curve to the left (center bears South 72°14'41" West) through a central angle of 32°09'33" to a point of tangency;
56) North 47°47'33" West 58.74 feet;
57) North 44°03'00" West 131.04 feet;
58) North 35°56'32" West 194.08 feet;
59) North 38°01'57" West 68.30 feet to a point on the north line of the Northwest Quarter of said Section 14;
Thence North 89°32'53" East 1150.95 feet coincident with said section line to the North Quarter Corner thereof;
Thence North 89°46'54" East 2684.79 feet coincident with the north line of the Northeast Quarter of said Section 14 to the point of beginning.

Also includes:

LOCATED IN THE NORTHWEST 1/4 OF SECTION 13 & THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; THENCE SOUTH 89°39'39" EAST ALONG THE SECTION LINE 422.38 FEET; THENCE ALONG THE ARC OF A 10,027.50 FOOT RADIUS NON-TANGENT CURVE (RADIUS BEARS: NORTH 63°28'20" WEST) TO THE RIGHT 883.70 FEET THROUGH A CENTRAL ANGLE OF 5°02'58" (CHORD: SOUTH 29°03'08" WEST 883.41 FEET); THENCE SOUTH 30°41'39" WEST 158.84 FEET; THENCE SOUTH 24°08'49" WEST 205.24 FEET; THENCE SOUTH 24°41'31" WEST 208.68 FEET; THENCE NORTH 11°21'38" EAST 1,313.97 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

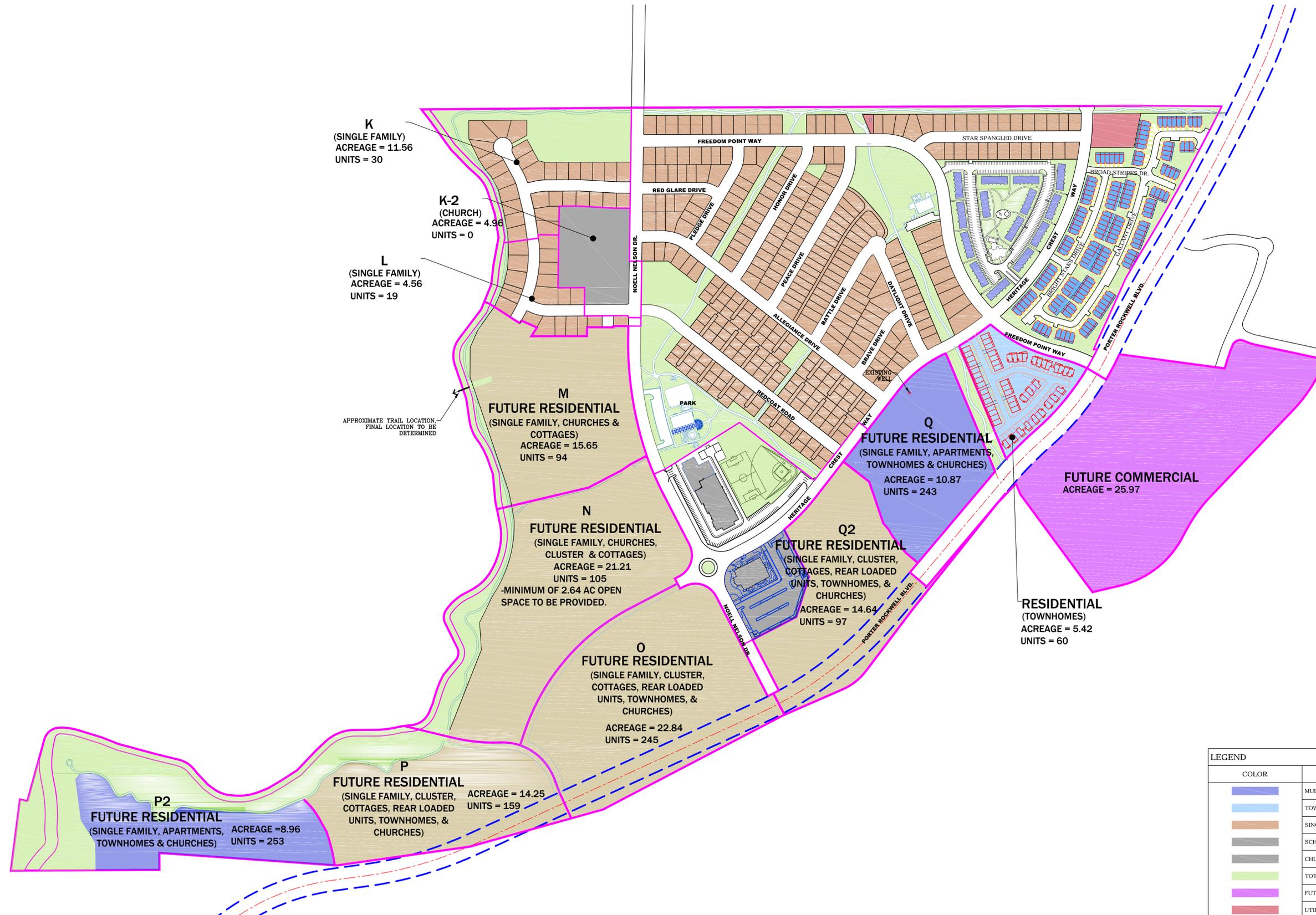
Amended Project Plan Exhibits
(Comprehensive Land Use Master Plan / Vehicular Circulation Plan)

See attached.



COMPREHENSIVE LAND USE MASTER PLAN

2-03-2015



LEGEND			
COLOR	USE	ACRES	UNITS
[Blue]	MULTI FAMILY	32.90	664
[Light Blue]	TOWNHOMES	18.98	212
[Brown]	SINGLE FAMILY	46.44	392
[Grey]	SCHOOL	7.16	0
[Dark Grey]	CHURCH	7.87	0
[Green]	TOTAL OPEN SPACE *	81.02	0
[Purple]	FUTURE COMMERCIAL	25.97	0
[Red]	UTILITY	1.08	0
[Tan]	FUTURE RESIDENTIAL	82.91	700
TOTAL UNITS			1968

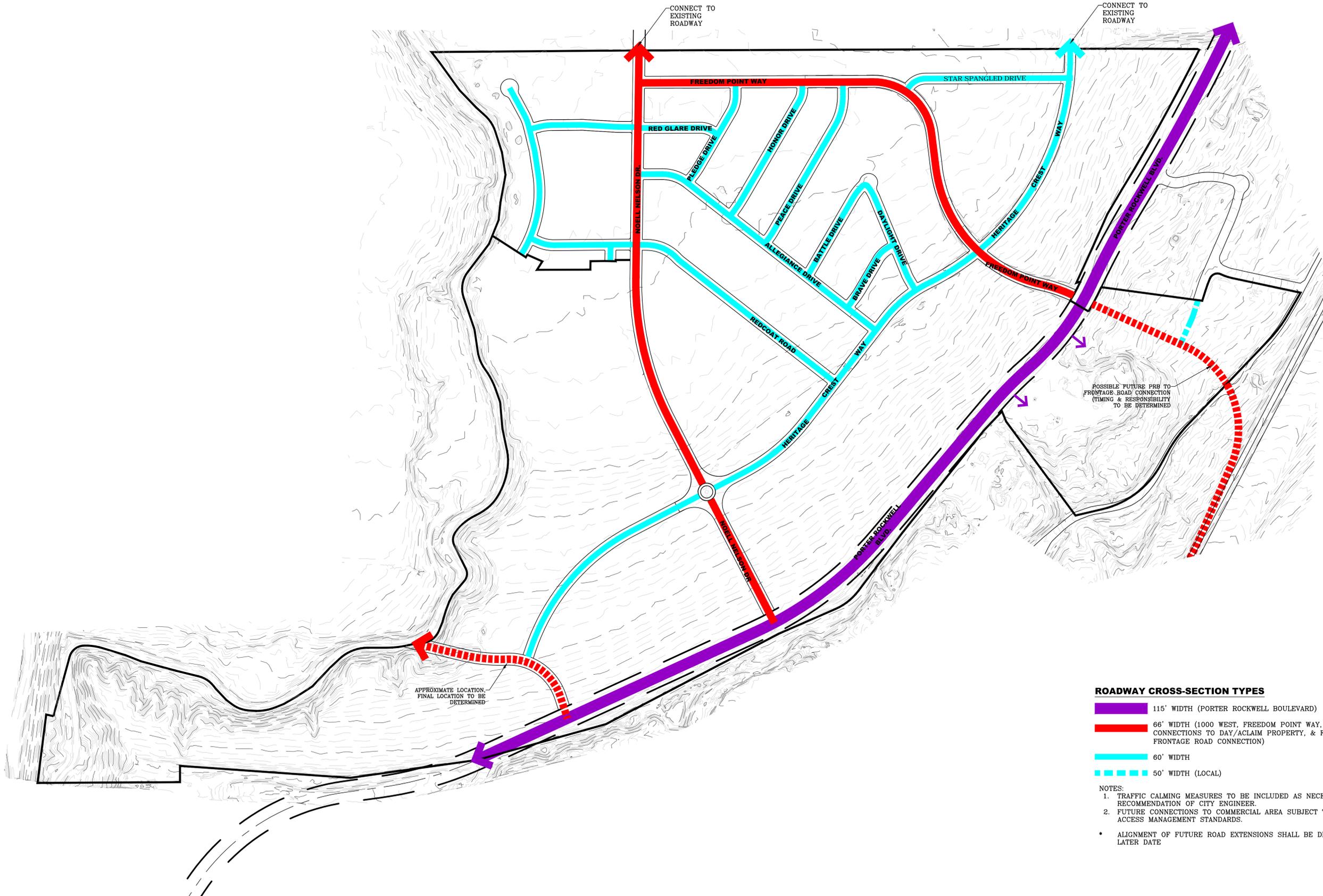
* SEE MASTER PLAN - OPEN SPACE & PRIMARY TRAILS EXHIBIT.



MASTER PLAN

VEHICULAR CIRCULATION

2-03-2015



ROADWAY CROSS-SECTION TYPES

-  115' WIDTH (PORTER ROCKWELL BOULEVARD)
-  66' WIDTH (1000 WEST, FREEDOM POINT WAY, FUTURE EAST/WEST CONNECTIONS TO DAY/ACLAIM PROPERTY, & FUTURE PRB TO FRONTAGE ROAD CONNECTION)
-  60' WIDTH
-  50' WIDTH (LOCAL)

NOTES:

1. TRAFFIC CALMING MEASURES TO BE INCLUDED AS NECESSARY, PER THE RECOMMENDATION OF CITY ENGINEER.
 2. FUTURE CONNECTIONS TO COMMERCIAL AREA SUBJECT TO CITY ENGINEER'S ACCESS MANAGEMENT STANDARDS.
- * ALIGNMENT OF FUTURE ROAD EXTENSIONS SHALL BE DETERMINED AT A LATER DATE

Agenda Item 6

REQUEST FOR CITY COUNCIL ACTION

To: Mayor and City Council
From: Jennifer Robison, Associate Planner
Date: 19 February 2015
Business Date: 25 February 2015
Subject: Independence at the Point – Preliminary and Final
Subdivision Plat I-3
Staff Presentation: Jennifer Robison
Applicant Presentation: Nate Shipp, DAI

RECOMMENDATION:

On February 18, 2015, the Planning Commission recommended to approve the Independence at the Point Preliminary and Final Subdivision Plat I-3 application 2014-01 subject to the conditions as presented in the staff report dated February 13, 2015.

CONDITIONS:

1. That all requirements of the City Code and adopted ordinances are met and adhered to for each proposed plat.
2. That all plats comply with the Bluffdale City Engineering Standards and Specifications and recommendations by the City Engineer and Public Works Department for all relevant construction and plat drawings prior to the plat recording.
3. That the Grading Plan Sheet in the construction plans set is revised to include a drainage pipe from the rear of lots 247-254 to Daylight Drive as required by the City Engineer.
4. That the P.U.E note on the plat include “Drainage Easement” for lots 55-61 as required by the City Engineer.
5. That the project adheres to all requirements of the International Fire Code.
6. That all building permit submittals for homes have written or stamped approval from the Independence Development Review Committee, pursuant to the requirements of the DA prior to being submitted to the City.
7. That all street trees shall be installed in the parkstrips prior to the issuance of a certificate of occupancy for all dwellings in accordance with the approved Street Tree Plan and all parkstrip landscaping irrigation and maintenance is the responsibility of adjacent home owner.

BACKGROUND AND FINDINGS:

The proposed request meets the City requirements for a preliminary and final plat as outlined in the City of Bluffdale Subdivision Ordinance, the Mixed Use zoning district ordinance, and the contractual requirements of the Independence at the Point Development Agreement (DA).

PREVIOUS LEGISLATIVE ACTION

- February 18, 2015: Planning Commission recommended approval 4-0.

SUPPORTING DOCUMENTS

- Staff report to Planning Commission, with exhibits
-



Development Review Committee
14175 South Redwood Road
Bluffdale, UT 84065
801.254.2200(o) 801.446.8642(f) TTY 7-1-1

DRC STAFF REPORT
13 February 2015

To: City of Bluffdale Planning Commission
Prepared By: Jennifer Robison, Associate Planner, on behalf of the DRC

Re: Independence at the Point Preliminary and Final Plat I-3
Application No.: 2014-01
Applicant(s): 4 Independence, LLC
Project Location: Approximately 15000 South Allegiance Drive
General Plan: Mixed Use
Zoning: Mixed Use* (as modified by the Independence at the Point Development Agreement specific provisions, as amended)
Acreage: 5.59
Request: Recommendation of Preliminary and Final Plat I-3 for 28 single family residential lots within the Independence at the Point project.

SUMMARY

Summary. Subject to the DRC staff's recommendations, the proposed applications meet the City requirements for preliminary and final plat approval as outlined in the Bluffdale City Subdivision Ordinance, the Mixed Use zoning district ordinance, and the contractual requirements of the Independence at the Point Development Agreement (DA). This application was submitted to the City in 2014 for consideration, but the Developer desired to make changes to the land use plan, so a Major Change Application was recently filed to amend the Comprehensive Land Use Master Plan exhibit to the DA and should be considered prior to any action on this application.

ANALYSIS

Anticipated Uses and Layout. The requested amendment to the Comprehensive Land Use Master Plan exhibit which proceeds this application is to amend a portion of this plat from 20 townhomes and single family residential lots to provide 28 single family lots only. The original Comprehensive Land Use Master Plan and Open Space Master Plan exhibits also included a .20 acre park within this plat which is now proposed to be moved to a larger area within the overall project area. The Open Space Master Plan exhibit will be amended at a later date. The layout of this plat should be consistent with the Comprehensive Land Use Master Plan exhibit should the Planning Commission take action to positively recommend the proposed amendments.

Trail Connection. Parcel A is dedicated to the City as a portion of the overall trail system within the project. This portion of asphalt trail and landscaping has already been constructed and will be maintained by the City once the plat is recorded and the improvements have been accepted by the City.

Setbacks and Driveways. Proposed setbacks for the lots are adequate and meet the minimum project standards for lots as identified in the DA.

Street Trees. The approved project guidelines and specific plan require street trees in all parkstrips along Daylight Drive and Brave Drive and will be maintained by the adjacent home owner. The approved Street Tree Plan identifies

the type, size and planting requirements for all street trees. Street trees shall be installed as a condition of the certificate of occupancy.

Adequate Public Facilities and Infrastructure. All adequate public facilities exist or will be created with the project construction for the plats.

DRC REVIEW AND COMMENTS

On behalf of the City Manager, the City’s staff involved in development review and administration meets together as a Development Review Committee (DRC). The DRC generally consists of the City Manager, City Attorney, City Engineer, Public Works Operations Manager, the City Planner, and other outside consultants as needed from time to time. The comments of the DRC members have been included in this staff report and the recommended conditions of approval for the project.

City Engineer. All requirements by the City Engineer and Public Works Department for design and construction of all subdivisions are subject to the Bluffdale City Engineering Standards and Specifications. The City Engineer is also requiring a revised drainage plan for the plat and the requirements are listed in the conditions of approval.

Fire Chief. Fire Chief Roberts approved the plans as submitted.

City Planner. The Planning Division is recommending approval with the recommended conditions.

DRC STAFF RECOMMENDATION

DRC Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the Independence at the Point Preliminary and Final Plat I-3 subject to the following conditions:

1. That all requirements of the City Code and adopted ordinances are met and adhered to for each proposed plat.
2. That all plats comply with the Bluffdale City Engineering Standards and Specifications and recommendations by the City Engineer and Public Works Department for all relevant construction and plat drawings prior to the plat recording.
3. That the Grading Plan Sheet in the construction plans set is revised to include a drainage pipe from the rear of lots 247-254 to Daylight Drive as required by the City Engineer.
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5. That the project adheres to all requirements of the International Fire Code.
6. That all building permit submittals for homes have written or stamped approval from the Independence Development Review Committee, pursuant to the requirements of the DA prior to being submitted to the City.
7. That all street trees shall be installed in the parkstrips prior to the issuance of a certificate of occupancy for all dwellings in accordance with the approved Street Tree Plan and all parkstrip landscaping irrigation and maintenance is the responsibility of adjacent home owner.

MODEL MOTION

Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Independence at the Point Preliminary and Final Plat I-3 application 2014-01, subject to the conditions and based on the findings presented in the staff report dated February 13, 2015, (or as modified by the conditions below):”

1. List any additional findings and/or conditions...

Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for

the Independence at the Point Preliminary and Final Plat I-3 application 2014-01, based on the following findings:”

1. List all findings for denial...



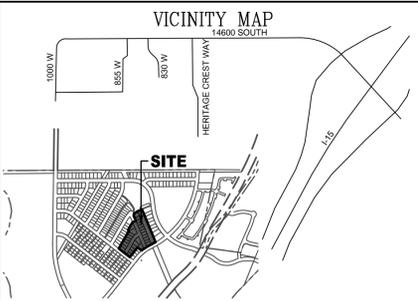
COMPREHENSIVE LAND USE MASTER PLAN

1-22-2015

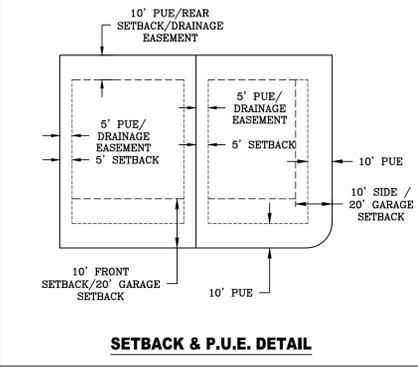


LEGEND			
COLOR	USE	ACRES	UNITS
[Blue]	MULTI FAMILY	32.90	664
[Light Blue]	TOWNHOMES	18.98	212
[Orange]	SINGLE FAMILY	46.44	332
[Grey]	SCHOOL	7.18	0
[Light Green]	CHURCH	7.87	0
[Light Green]	TOTAL OPEN SPACE *	81.02	0
[Purple]	FUTURE COMMERCIAL	25.97	0
[Red]	UTILITY	1.08	0
[Brown]	FUTURE RESIDENTIAL	82.91	791
TOTAL UNITS			1969

* SEE MASTER PLAN - OPEN SPACE & PRIMARY TRAILS EXHIBIT.



- NOTES**
- SEE LOT DETAIL FOR BUILDING SETBACKS AND PUBLIC UTILITY EASEMENTS (P.U.E.).
 - ALL PUBLIC UTILITY EASEMENTS PLATTED HEREON ARE IN PERPETUITY FOR INSTALLATION, MAINTENANCE, REPAIR, AND REPLACEMENT OF PUBLIC UTILITIES, SIDEWALKS, AND APPURTENANT PARTS THEREOF AND THE RIGHT TO REASONABLE ACCESS TO GRANTOR'S PROPERTY FOR THE ABOVE DESCRIBED PURPOSES. THE EASEMENT SHALL RUN WITH THE REAL PROPERTY AND SHALL BE BINDING UPON THE GRANTOR AND THE GRANTOR'S SUCCESSORS, HEIRS, AND ASSIGNS.
 - #5 REBAR & CAP TO BE SET AT ALL LOT CORNERS
 - NAIL AND WASHER TO BE SET IN TOP OF CURB @ PROJECTION OF SIDE LOT LINES
 - ⊙ TYPE II MONUMENT (ALUMINUM CAP & REBAR) TO BE SET
 - ⊙ FIRE HYDRANT.
 - ⊙ STREET LIGHT.
 - ALL PARKSTRIP IRRIGATION, LANDSCAPE, AND MAINTENANCE IS THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER AS REQUIRED BY 4.2.4.2 & 4.2.4.3 OF THE C&R'S FOR INDEPENDENCE AT THE POINT.
 - ALL STREET TREES SHALL BE INSTALLED IN THE PARKSTRIP PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ALL DWELLINGS IN ACCORDANCE WITH THE APPROVED STREET TREE PLAN.



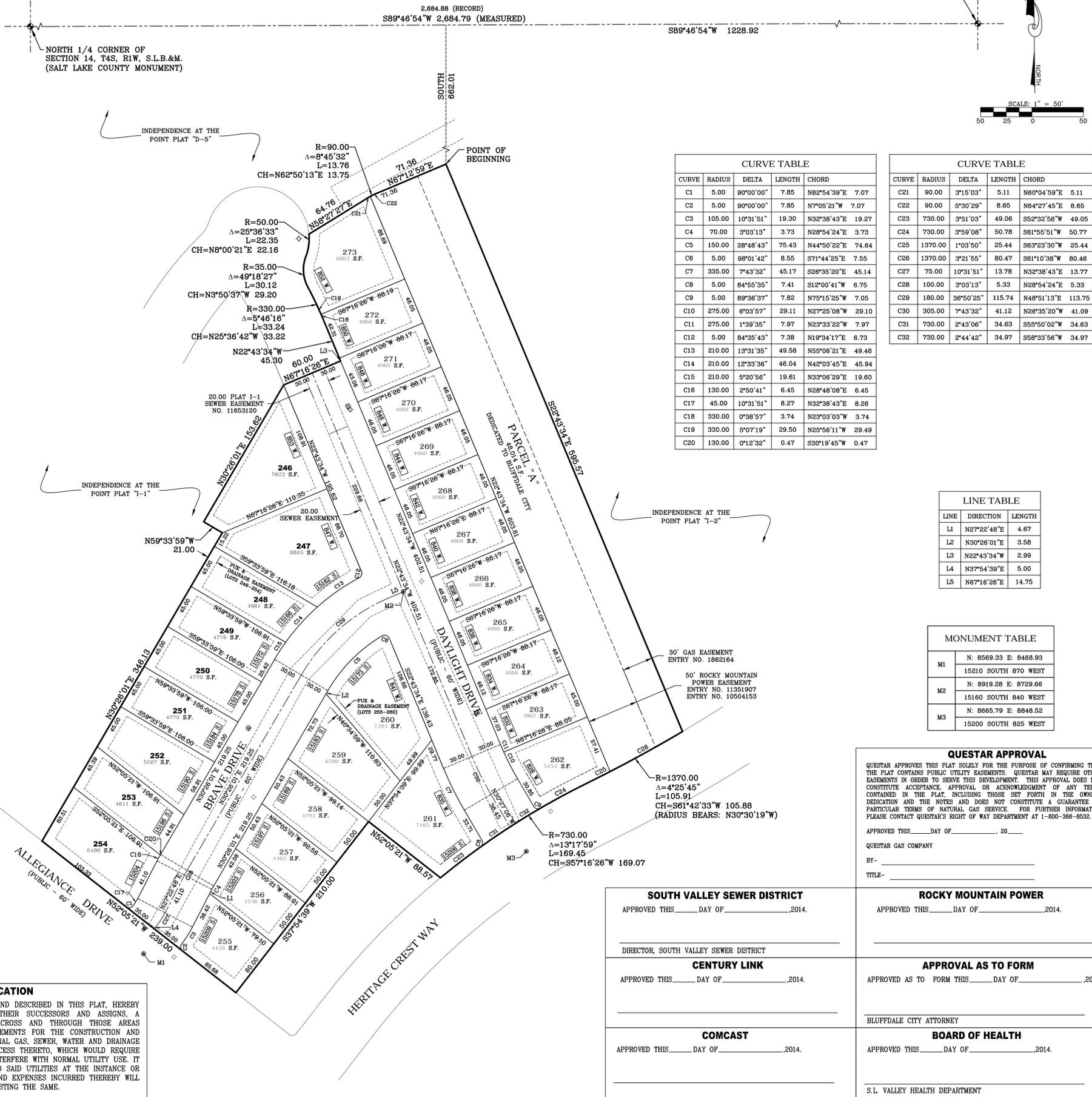
UTILITY EASEMENT DEDICATION

4 INDEPENDENCE LLC, OWNER OF THE PROPERTY SET FORTH AND DESCRIBED IN THIS PLAT, HEREBY OFFERS AND CONVEYS TO ALL PUBLIC UTILITY AGENCIES, THEIR SUCCESSORS AND ASSIGNS, A PERMANENT EASEMENT AND RIGHT-OF-WAY OVER, UNDER, ACROSS AND THROUGH THOSE AREAS DESIGNATED ON THIS PLAT AS COMMON AND OR UTILITY EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER, WATER AND DRAINAGE LINES AND APPURTENANCES, TOGETHER WITH THE RIGHT OF ACCESS THERETO, WHICH WOULD REQUIRE THAT NO SURFACE CONSTRUCTION BE ALLOWED WHICH WOULD INTERFERE WITH NORMAL UTILITY USE. IT IS UNDERSTOOD THAT IF IT BECOMES NECESSARY TO RELOCATED SAID UTILITIES AT THE INSTANCE OR REQUEST OF ANY PUBLIC ENTITY OR THE OWNER, THE COSTS AND EXPENSES INCURRED THEREBY WILL BE BORNE BY THE OWNER OR THE ENTITY REQUIRING OR REQUESTING THE SAME.



INDEPENDENCE AT THE POINT, PLAT "I-3"

LOCATED IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, BLUFFDALE CITY, SALT LAKE COUNTY, UTAH



Agenda Item 7

