

**City of Taylorsville**  
**CITY COUNCIL MEETING**  
*Minutes*

**Wednesday, August 19, 2015**  
**Council Chambers**  
**2600 West Taylorsville Blvd., Room No. 140**  
**Taylorsville, Utah 84129**

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**BRIEFING SESSION**

**Attendance:**

Mayor Lawrence Johnson

**Council Members:**

Council Chairman Kristie Overson  
Vice-Chairman Ernest Burgess  
Council Member Daniel Armstrong  
Council Member Dama Barbour  
Council Member Brad Christopherson

**City Staff:**

John Taylor, City Administrator  
Tracy Cowdell, City Attorney  
Cheryl Peacock Cottle, City Recorder  
Scott Harrington, Chief Financial Officer  
Mark McGrath, Community Development Director  
Wayne Harper, Economic Development Director  
Tracy Wyant, UPD Precinct Chief  
Jason Kamp, UFA Battalion Chief  
Kristy Heineman, Council Coordinator  
Tiffany Janzen, Public Information Officer

**5:30 – 6:00 P.M. – LIVE SOCIAL MEDIA QUESTION AND ANSWER WITH THE CITY COUNCIL**

City Council Members were available to address live questions from residents via social media. No questions were presented.

**6:00 BRIEFING SESSION**

6:01:54 PM Chairman Kristie Overson conducted the Briefing Session, which convened at 6:01 p.m. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

## 1. Review Agenda

6:02:59 PM The agenda for the City Council Meeting was reviewed.

6:04:47 PM City Attorney Tracy Cowdell commented on the proposed ordinances related to the Erickson Living Development. It was noted that the development agreement is not yet ready. It was recommended that the public hearings be held tonight as scheduled, but action on the related ordinances be postponed until the development agreement is available. It was anticipated that the development agreement will be ready in about a week.

6:07:57 PM Council Member Dama Barbour thanked Mr. Cowdell for being judicious in ensuring that everything is in place before proceeding on this important project.

6:09:46 PM It was confirmed that no Closed Session will be held this evening.

6:10:16 PM Council Member Barbour referenced a proposed agreement that has been circulated and called for discussion on the Jordan River Commission. It was noted that Council Member Dan Armstrong currently sits on that Board. Council Member Armstrong relayed that an amendment to the interlocal cooperative agreement has been proposed to promote emphasis on the river. He confirmed that the Commission does not have taxing authority. He explained the makeup of the Board.

6:12:25 PM City Attorney Tracy Cowdell explained that the proposal is to actually create a new governmental entity. He cited the City's role in potentially becoming a member entity of the newly created Jordan River Commission. He noted that the agreement would need to come before the Council for approval. He referenced a draft document that is still being edited. He suggested that the agreement could be placed on the next Council agenda if desired.

6:13:22 PM Council Member Armstrong noted that a Jordan River Commission Meeting will be held tomorrow and any additions to the document will be made at that time. Mr. Cowdell said the document looks good, but he has questions about how the entity will be funded. He noted that the entity will need to be staffed. He recommended that Council Member Armstrong specifically ask about the cost participation expected from Taylorsville.

6:15:21 PM Discussion ensued regarding current funding participation by the City with Jordan River Commission. It was anticipated that the new entity may have bonding and taxing authority that the existing organization does not have currently. Mr. Cowdell gave his opinion that the proposed document is a new agreement for an entirely new entity.

6:16:38 PM Council Member Armstrong cited a need to vote on the agreement tomorrow morning. City Administrator John Taylor agreed to find out tonight how the current Jordan River Commission is organized.

6:16:41 PM Mr. Cowdell confirmed that any proposed agreement would still need to come before the Council for consideration and approval. Council Member Brad Christopherson observed that there must be some kind of agreement currently in place and suggested that it be reviewed.

## 2. **Adjourn**

6:17:34 PM Chair Overson declared the Briefing Session adjourned at 6:17 p.m.

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### **REGULAR MEETING**

#### **Attendance:**

Mayor Lawrence Johnson

#### **Council Members:**

Council Chairman Kristie Overson  
Vice-Chairman Ernest Burgess  
Council Member Daniel Armstrong  
Council Member Dama Barbour  
Council Member Brad Christopherson

#### **City Staff:**

John Taylor, City Administrator  
Tracy Cowdell, City Attorney  
Mark McGrath, Community Development Director  
Tracy Wyant, UPD Precinct Chief  
Cheryl Peacock Cottle, City Recorder  
Scott Harrington, Chief Financial Officer  
Wayne Harper, Economic Development Director  
Jason Kamp, Unified Fire Authority  
Kristy Heineman, Council Coordinator  
Tiffany Janzen, Public Information Officer  
Jim Spung, Associate Planner

**Others:** Gordon Willardson and Jackie Willardson, Royce Larsen, Scouts from Troops 472 and "Summit Seekers," Pam Roberts, Connie Taney, Arlene Zortman, Jasen Carpenter, John Gidney, Antonio Cooper, Jason Carpenter, David Werts, Joel Burns, Scott Brady, Steve Chaplin, Daniel Levinson, Leon Dyatt, Bill Stone, Chasen Lee, Randy Cutliffe, Susan Holman

## **1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS**

6:33:30 PM Chairman Kristie Overson called the meeting to order at 6:33 p.m. and welcomed those in attendance. City Recorder Cheryl Peacock Cottle conducted a Roll Call, wherein all Council Members were present.

### **1.1 Opening Ceremonies – Pledge/Reverence – *Council Member Barbour (Opening Ceremonies for September 2, 2015 to be arranged by Council Member Overson)***

6:34:19 PM Scout Chasen Lee directed the Pledge of Allegiance.

6:35:54 PM City Administrator John Taylor offered the Reverence.

### **1.2 Mayor's Report**

#### **1.2.1 Proclamation Regarding Tombstone Tales & Taylorsville History Week**

6:36:06 PM Mayor Lawrence Johnson read a proclamation regarding the upcoming Tombstone Tales event to be held on September 10, 11 and 12, 2015 and proclaiming that week as "Taylorsville History Week."

6:44:37 PM Mayor Johnson presented the framed proclamation to Historic Preservation Committee Chair Connie Taney and Susan Holman. He thanked them for their hard work in maintaining and honoring Taylorsville's heritage.

### **1.3 Citizen Comments**

6:39:30 PM Chairman Kristie Overson recognized members of the "Summit Seekers" Scout Troop and members of Scout Troop 472 in attendance.

6:39:43 PM Chairman Kristie Overson reviewed the Citizen Comment Procedures for the audience. She then called for any citizen comments.

6:40:19 PM Arlene Zortman expressed concerns with motorcycle noise in her neighborhood. She asked about the City's noise ordinance. Community Development Director Mark McGrath agreed to take Ms. Zortman's contact information and pass her concerns along to the Police Department and/or Code Enforcement. He said he would get back to Ms. Zortman to address these issues.

6:41:49 PM Jason Carpenter inquired about the possibility of creating a two lane on-ramp heading eastbound on I-215. City Administrator John Taylor indicated that there are currently no plans for this, but agreed to follow up with an inquiry to UDOT.

6:44:18 PM There were no additional citizen comments, and Chairman Overson closed the citizen comment period.

## **2. APPOINTMENTS**

There were no appointments.

## **3. REPORTS**

### **3.1 Unified Police Department Quarterly Report – *Precinct Chief Tracy Wyant***

6:48:00 PM Unified Police Department (UPD) Precinct Chief Tracy Wyant acknowledged Randy Cutliffe, with the UPD Citizen Advisory Board, in attendance. Chief Wyant presented a quarterly report on law enforcement activities within the Taylorsville precinct.

6:49:35 PM Chief Wyant reviewed statistics on general offenses, with breakdowns for each Council District. He discussed traffic activities and noted that Taylorsville has two of the busiest intersections in the State of Utah.

6:55:37 PM Council Member Dama Barbour commented that response times are impressive. Chief Wyant credited the efforts of officers for improved response times. He also thanked elected officials for increasing allocations that have had a direct bearing on law enforcement capabilities.

6:56:13 PM Chief Wyant reviewed data on response times and citations issued. He also illustrated maps showing locations for traffic accidents, burglaries, burglary alarms, and drug offenses.

6:59:04 PM Chief Wyant referenced pooled services that include the Major Investigations Unit and the Metro Gang Unit. He cited cases handled through the Investigations Unit and discussed S.W.A.T. activities.

7:00:35 PM Chair Overson expressed appreciation for the detail contained in the reports. She noted that Detective Scott Lloyd is doing a fine job with presentations in local schools and indicated that Council Members would love to participate in those presentations.

7:01:25 PM Council Member Dama Barbour recognized the fine work of officers in Taylorsville and stated appreciation of the success seen in solving crime and protecting citizens.

7:02:26 PM Chief Wyant stated his pride in officers and detectives for their proactive efforts. He noted that it has now been three years since Taylorsville joined the UPD.

7:02:59 PM Council Member Brad Christopherson inquired about significant amounts of cash seized during drug investigations. Chief Wyant explained ways that any seized assets, including property and cash, are surrendered to the State of Utah. He noted that a portion of those proceeds can be applied for by the City in a subsequent year. He described eligibility requirements that apply. He relayed that during months June and July of 2015, Taylorsville detectives seized just over \$200,000 in cash. He noted that criminal enterprises are hurt most when financial resources are seized.

### **3.2 Wasatch Front Waste & Recycling Quarterly Report – Pam Roberts**

7:05:06 PM Pam Roberts, of Wasatch Front Waste & Recycling, presented a report on sanitation services provided in Taylorsville during the second quarter.

7:05:34 PM Ms. Roberts cited Wasatch Front Waste employee Ryan Jones, who won as runner-up for *Driver of the Year* this year in the national competition. Upon mention by Council Member Dama Barbour, Ms. Roberts also confirmed that she was personally awarded *the 2015 G. Homer Durham Distinguished Service Award* by the American Society of Public Administration.

7:08:17 PM Ms. Roberts reported on tonnage and diversion rates and noted that recycling rates have gone up. She relayed that there are now 400 subscribers to the Green Waste Program in Taylorsville. She reviewed year-to-date comparisons for Taylorsville and the District. She noted that Taylorsville residents represent the largest city in the service district, with 16.6% of the households. She stated that residents in Taylorsville diverted 19% of waste away from the landfill from January through June, 2015.

7:11:27 PM Ms. Roberts gave District updates and described contract services for glass recycling provided by Momentum Recycling. She referenced the on-site CNG fueling station that will be ready for use on August 21, 2015. She said that a \$15,000 annual savings is anticipated through fueling on site versus traveling to off-site locations.

7:14:01 PM Ms. Roberts cited some turnover in District staff and welcomed Michael Allen as the District's Deputy Director and Rachel Heffner as a new Executive Assistant.

7:15:31 PM Council Member Armstrong asked about odors coming from the landfill. Ms. Roberts cited some composting that is going on and noted that this issue is outside of the District's jurisdiction. She addressed a question about glass recycling efforts and said the program is taking off. She relayed that glass recycling locations are posted on the District's website.

#### 4. CONSENT AGENDA

- 4.1 Minutes – July 15, 2015 City Council Meeting
- 4.2 Minutes – August 5, 2015 City Council Meeting

7:17:29 PM Council Member Brad Christopherson **MOVED** to adopt the Consent Agenda. Council Member Dama Barbour **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Barbour-yes, Armstrong-yes, Overson-yes, Burgess-yes, and Christopherson-yes. **All City Council members voted in favor and the motion passed unanimously.**

#### 5. PLANNING MATTERS

- 5.1 ***Public Hearing – To Receive Comments Regarding a Proposed General Plan Map Amendment for Property Located at 3230 West 6200 South; 3360 West 6200 South; 6074 South 3200 West; and 5951 South Bangerter Highway from Business Park and Low Density Residential to High Density Mixed Use – Mark McGrath***

7:18:42 PM Community Development Director Mark McGrath presented information on three proposed ordinances pertaining to the Erickson Living Development project. He cited Ordinance No. 15-07 (General Plan Amendment); Ordinance No. 15-08 (Zoning Text Amendment); and Ordinance No. 15-09 (Zoning Map Amendment).

7:20:02 PM Mr. McGrath explained that the original intent was to also approve the development agreement during this meeting, but it is not quite ready. He recommended going ahead with the public hearings on these matters, but tabling action on all three until the development agreement is ready to go.

7:20:51 PM Mr. McGrath illustrated the UDOT property on an aerial map. He explained that the proposed amendments are to facilitate a project planned on the property for a mixed-use senior-oriented community, along with a future Smith's Market Place. He reviewed the proposed schedule for a very complicated entitlement process. He commented that this is the largest project ever encountered in Taylorsville. He noted that all three proposed amendments have received unanimous recommended approval from the Taylorsville Planning Commission. He

confirmed that, after foundational work is done, everything will go back to the Planning Commission for subdivision work and final approval.

7:23:15 PM Mr. McGrath outlined Ordinance No. 15-07 – General Plan Amendment from Business Park and Low Density Residential to High Density Mixed Use. He illustrated the existing General Plan Map and read the current General Plan language. He showed the proposed General Plan Map and cited the definition of the proposed high density mixed use designation.

7:25:35 PM Mr. McGrath outlined Ordinance No. 15-09 – A Zoning Map Amendment to rezone from RD (Research and Development) to SSD-X Bennion Point, which is a new zone known as the “create your own zone” zone. He illustrated the existing zoning map and the proposed zoning map. He noted that this classification will be unique to this property and said no one else can come in and use this designation.

7:26:54 PM Mr. McGrath outlined Ordinance No. 15-08 – A Zoning Text Amendment to establish rules specific to this project and its unique uses. He defined the Site Specific Development District and reviewed the proposed language to establish the district within the City ordinance. He listed the categories within the SSD –X Bennion Point classification and noted that they are similar to other categories in the development code.

7:29:45 PM Mr. McGrath relayed that the proposed amendments were genuinely well received by the Planning Commission, but were narrowed down to two controversial issues over building heights and exterior buffers. He noted that there are still some concerns with buffering building heights because there are some tall buildings that will be adjacent to residential properties. Mr. McGrath described setback standards and buffering zones.

7:35:02 PM Mr. McGrath cited dozens of adjacent properties that have many varieties of fencing. He described fencing ideas and options. He referenced the applicant’s request to consider an open fence or screen wall. He relayed that the Planning Commission made a recommendation to approve language regarding the option for an open weave or mesh type open fence.

7:37:00 PM Council Member Armstrong asked what would happen to the existing fences. Mr. McGrath expressed hope to be able to work with adjacent property owners to remove existing fences and install new fencing. He noted that this issue will require a lot of communication and negotiation with adjacent property owners.

7:38:34 PM Mayor Johnson stated his personal opinion that occupants of the development and adjacent properties deserve a solid fence to ensure privacy on both sides.

7:39:31 PM Council Member Dama Barbour relayed that she has had no residents in her Council District 4 complain or make negative comments about the development or the proposed fencing. She questioned what happens to this property and its classification if for any reason this specific project is abandoned. Mr. McGrath said that the zoning classification is specific to senior housing. He asked Consulting Attorney Jody Burnett to discuss the development agreement.

7:41:29 PM Mr. Burnett commented on the development agreement and the integral part it plays in creating a successful project. He said good progress has been made on the agreement. He indicated that there are still some details to address in terms of phasing, landscaping, maintenance, infrastructure and utilities. He said, although the agreement is not yet finalized, he is hopeful it will be ready for consideration at the September 2, 2015 City Council Meeting.

7:42:13 PM Mr. Burnett explained that the zoning should not be approved before the development agreement is finalized as part of the package, but indicated that it is important to take the public's comments now. He noted that the development agreement will provide a fixed period of time, where if no construction occurs, the zoning designation will revert to its original classification. Mr. Burnett listed reasons the development agreement is important. He indicated that Smith's is not as far along in development planning as Erickson, but Erickson has a deadline for closing on purchase of the property. He suggested that a development agreement may be brought back that only applies to Erickson, and then Smith's will need to come back later with a development plan for the Council's discretion on zoning and uses. He stated that development agreements protect the City.

7:46:04 PM Council Member Brad Christopherson questioned whether there will be a new development agreement with Smith's Market Place when they come back. Mr. Burnett said he is hopeful that will not be necessary because basic zoning regulations are in place and attached to the property. He noted that Erickson has the comfort level to close on the property with the entire development encompassed in the SSD-X Bennion Point Zoning District. He cited the potential to come back with a Phase II.

7:47:39 PM City Administrator John Taylor noted the need to start the process as a whole and then deal with the Smith's portion separately. Council Member Barbour questioned whether the development agreement will be back the first week in September. It was acknowledged that this is the goal, but it may be ambitious. Council Member Barbour commented that development agreements are tedious and time-consuming and will generate lots of questions. Mr. Taylor noted that attorneys will be in attendance to address questions when the agreement is presented.

7:49:24 PM City Attorney Tracy Cowdell explained that there is a push to have documents ready by next week, but it might not be possible. He noted that Erickson is under the obligation of a deadline. He referenced the possibility of scheduling a special meeting if necessary. Mr.

Taylor committed to spending whatever time necessary to address questions when the time comes.

7:51:03 PM Chair Overson opened the public hearing regarding Ordinance No. 15-07 and called for citizen comments.

7:51:36 PM There were no citizen comments and Chair Overson declared the public hearing closed.

**5.1.1 Ordinance No. 15-07 – An Ordinance of the City of Taylorsville to Amend the City of Taylorsville General Plan Map from Business Park and Low Density Residential to High Density Mixed Use for Properties Generally Located Between the Stonewood Subdivision and 3200 West; and 6200 South and the Willow Subdivision No. 7; and the Whitewood Estates No. 2 Subdivision and Willow Ban Subdivision No. 5 and the Stonewood Subdivision – *Mark McGrath***

7:51:51 PM Council Member Ernest Burgess **MOVED** to continue Ordinance No. 15-07 - Amending the Taylorsville General Plan to a future date when the development agreement is ready. Council Member Brad Christopherson **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Barbour-yes, Overson-yes, Christopherson-yes, Burgess-yes, and Armstrong. **All City Council members voted in favor and the motion passed unanimously.**

**5.2 Public Hearing – To Receive Comments Regarding a Proposed Zoning Text Amendment of Sections 13.38 “SSD-X-Bennion Point Zoning District;” and 13.36.020 “A” Definitions; and 13.36.040 “C” Definitions of the Taylorsville Land Development Code – *Mark McGrath***

7:52:56 PM Chair Overson opened the public hearing on Ordinance No. 15-08 and called for citizen comments.

7:53:15 PM There were no citizen comments and Chair Overson declared the public hearing closed.

**5.2.1 Ordinance No. 15-08 – An Ordinance of the City of Taylorsville to Amend the Text of Sections 13.38 “SSD-X-Bennion Point Zoning District;” and 13.36.020 “A” Definitions; and 13.36.040 “C” Definitions; and 13.36.100 “I” Definitions; 13.36.200 “S” Definitions of the Taylorsville Land Development Code – *Mark McGrath***

7:53:18 PM Council Member Brad Christopherson **MOVED** to continue Ordinance No. 15-08 - Amending Sections of the Taylorsville Land Development Code to a future date when the development agreement is ready. Council Member Dama Barbour **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Barbour-yes, Overson-yes, Christopherson-yes, Burgess-yes, and Armstrong. **All City Council members voted in favor and the motion passed unanimously.**

**5.3 Public Hearing – To Receive Comments Regarding a Proposed Zoning Map Amendment for Property Located at 3230 West 6200 South; 3360 West 6200 South; 6074 South 3200 West; and 5951 South Bangerter Highway from Research and Development (RD) to Site Specific Development – *Mark McGrath***

7:54:09 PM Chair Overson opened the public hearing on Ordinance 15-09 and called for citizen comments.

7:54:37 PM There were no citizen comments and Chair Overson declared the public hearing closed.

**5.3.1 Ordinance No. 15-09 – An Ordinance of the City of Taylorsville to Amend the City of Taylorsville Zoning Map from Research and Development (RD) to Site Specific Development Mixed Use Bennion Point (SSD-X-Bennion Point) for Properties Generally Located Between the Stonewood Subdivision and 3200 West; and 6200 South and the Willow Subdivision No. 7; and the Whitewood Estates No. 2 Subdivision and Willow Bay Subdivision No. 5 and the Stonewood Subdivision – *Mark McGrath***

7:54:45 PM Council Member Brad Christopherson **MOVED** to table Ordinance No. 15-09 - mending the Taylorsville Zoning Map to a future date when the development agreement is ready. Council Member Ernest Burgess **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Barbour-yes, Overson-yes, Christopherson-yes, Burgess-yes, and Armstrong. **All City Council members voted in favor and the motion passed unanimously.**

**5.4 Public Hearing – To Receive Comments Regarding a Proposed Amendment to the Taylorsville Zoning Map from RC (Regional Commercial) to CC (Community Commercial) on Property Located at 3915 West 4700 South – Mark McGrath**

7:55:42 PM Community Development Director Mark McGrath presented proposed Ordinance No. 15-11 regarding a zone change for property at 3915 West 4700 South, formerly known as the R.C. Willey property. He illustrated the property on an aerial photo. He described the applicant's request to change the zoning from RC (Regional Commercial) to CC (Community Commercial) to accommodate some indoor storage units. He displayed the current zoning map. He illustrated the proposed site/landscape plan.

8:00:35 PM Council Member Dan Armstrong asked if the applicant has taken into consideration UDOT's proposed changes to that corner. Mr. McGrath said he does not think that has weighed into their decision.

8:01:35 PM Mr. McGrath illustrated and described proposed site improvements. He illustrated the updated proposed options for the building exterior in order to improve aesthetics.

8:03:15 PM Council Member Dan Armstrong asked if the architecture can be changed once the zoning is amended. Mr. McGrath explained that staff is recommending that any zoning approvals be continued until a development agreement is in place. He said it is important not to put the City at risk by rezoning the property and then having the development not end up being built. He described proposed site improvements, with pads for Starbucks, Popeye's Chicken, and Valvoline Motor Oils.

8:04:56 PM Mr. McGrath indicated that one clear concern is tax consideration. He illustrated comparisons between taxable sales generated by R.C. Willey and the applicant's proposal, with a significant difference of \$19 million less than that generated by R.C. Willey. Mr. McGrath relayed that the Planning Commission recommended approval of the application with a 4-3 vote.

8:06:33 PM Chair Overson invited the applicant to address the Council. Antonio Cooper, Joel Burns, Scott Brady and Steve Chaplin (all representing Hybrid Development, LLC) distributed some written materials to the Council. They then gave a power point presentation on their proposal.

8:10:16 PM The applicant noted that the General Plan anticipated that the area would be rezoned to Community Commercial.

8:10:49 PM Scott Brady cited 5400 South Redwood as a great regional center. He recognized Leon Dyatt from R.C. Willey and noted that there has been no other retail interest in the

property, which is why R.C. Willey is willing to sell the property and has put Hybrid Development under contract. He cited the challenging footprint of R.C. Willey and said it is not conducive to retail use. Mr. Brady expressed belief that this proposal is the best use of the building. He noted that the property is a gateway to the City.

8:15:14 PM Discussion was held regarding the big building on the property and the expense associated with tearing the building down. Council Member Dan Armstrong cited a large parcel of property that is currently blocked by the big box building.

8:17:33 PM It was noted that everything else around the box is zoned as residential. Further discussion ensued regarding the future of big box stores. It was suggested that the current shift is to smaller stores. The applicant stated that replacing R.C. Willey is not a realistic expectation and the proposed project will result in immediate tax revenue. It was reiterated that the property serves as a gateway to the community and a first positive impression is important. The applicant stated belief that the new design proposal will accomplish that. A goal was cited to build tax base and also bring in retailers that draw outside tax dollars.

8:24:17 PM Council Member Armstrong expressed further concerns with UDOT's plans for the subject corner and changes that will be incorporated in the next few years. Mr. Brady indicated that the proposed business access is by the hospital and 4000 West is not a big concern for this project. He added that UDOT changes will be taken under advisement and a lot of due diligence will be performed.

Mr. Burns clarified that the applicant is not building typical storage units. He agreed with entering into a development agreement and making the zoning contingent on delivering the product and tax revenue as promised. He noted that Extra Space Storage would be the manager and operator of the self-storage portion of the project. He indicated that there is not another similar storage facility within a seven-mile radius. He relayed that all surrounding self-storage properties are 95% occupied. He stated that the applicant is currently under contract with Starbucks and Popeye's. He said the product is needed, the demand is there, and this is a state of the art, climate-controlled, third generation facility. Mr. Burns suggested that the facility will be friendly to business professionals and research has indicated a need for this market. He stated that the applicant is currently negotiating with True Value, contingent on the zoning change. He reiterated that they already have two executed contracts with Popeye's and Starbucks and are working with Firehouse Subs and with Valvoline. He said that the pad affected by UDOT does not make or break the project.

8:39:12 PM Mr. Chaplin discussed breakdowns of tax dollars that the project will potentially bring to the City.

8:40:53 PM Mr. Burns said that the project can move ahead quickly with cooperation of the City and indicated that they are anxious to get started. Mr. Chaplin noted timelines and closure dates and noted that, if the zoning change is not granted, they may lose the interest of tenants.

8:42:09 PM Mark McGrath noted that the proposed Vavoline is permitted in the Community Commercial designation. He also gave clarification on General Plan comparisons. He said that it is correct that the General Plan does call for Community Commercial, but back in 2006 that translated to C2.

8:44:49 PM Chair Overson opened the public hearing on this matter and called for citizen comments.

8:45:11 PM Gordon Willardson stated that he lives near the subject property. He said that he does not believe the True Value Hardware Store will succeed or generate the expected tax dollars with a Home Depot store already nearby.

8:45:57 PM Leon Dyatt, Facilities Manager for R.C. Willey, listed some big box stores that were approached about the property. He cited changes in the area. He indicated that R.C. Willey is not going to tear down the \$6 million building, but will sit on it for years if necessary. He said he hates to see that happen and agreed that business interest could be lost if zoning is not changed. He stated that he believes this is a great plan that will update the façade of the building as a gateway to the City.

8:49:33 PM There were no additional citizen comments and Chair Overson declared the public hearing closed.

8:49:44 PM Mr. Burns commented on negotiations with True Value. He suggested that the key is that there is 20,000 sq. ft. of retail space there that will be leased whether it ends up being True Value or not.

8:50:53 PM Council Member Dama Barbour commented on her appreciation of R.C. Willey. She said she is opposed to the zone change and observed that there is limited commercial space in the City.

8:51:56 PM Council Member Dan Armstrong expressed concerns with the proposed project. He spoke of future growth expected in the area and said he is against the zone change.

8:53:33 PM Council Member Brad Christopherson said he likes the proposed sites, but does not like the proposed storage. He stated his belief that there is a better use to be found in the City.

**5.4.1 Ordinance No. 15-11 – Amending the Taylorsville Zoning Map from RC (Regional Commercial) to CC (Community Commercial) on Property Located at 3915 West 4700 South – *Mark McGrath***

8:50:46 PM Council Member Ernest Burgess **MOVED** to deny Ordinance No. 15-11 - Amending the Taylorsville Zoning Map. Council Member Dan Armstrong **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Barbour-yes, Overson-yes, Christopherson-yes, Burgess-yes, and Armstrong. **All City Council members voted in favor and the motion passed unanimously.**

**5.5 Public Hearing – To Receive Comments Regarding a Proposed Amendment to Section 13.26.090 H.5. of the Taylorsville Land Development Code Regarding the Height of Pylon Signs with Frontage Adjacent to Interstate 215 – *Mark McGrath***

8:54:53 PM Community Development Director Mark McGrath described Ordinance No. 15-12 and referenced the application for a proposed sign ordinance text amendment from Geoff Sherman, of S Squared Development. He cited the previous application for a sign to be 45' grade above the freeway. He illustrated the aerial photo of the subject property known as the new Crossroads of Taylorsville. He explained that the applicant's new proposal calls for a 35' grade above freeway, or a 65' tall sign. Mr. McGrath cited a stipulation that the electronic message center (EMC) sign be no higher than 55'. He illustrated the sign, as currently permitted, and noted that the only difference is the name of the Center is at the bottom of the sign. He observed that the EMC is in the exact previous place.

8:59:35 PM Mr. McGrath illustrated sight lines for permitted signs. He confirmed that the line of sight is through the trees. Visual impact was discussed. Mr. McGrath acknowledged that there are places that the signs do appear in some residential areas, but said they are generally obscured by trees.

9:03:55 PM Mr. McGrath clarified that this zoning change would apply to any properties over seven acres that are adjacent to I-215. It was confirmed that the EMC could not be higher than 55 feet. Mr. McGrath confirmed that the proposal would add 10 feet to the sign height but the EMC would not be higher than 55 feet, which meets current code.

9:06:33 PM Council Member Dama Barbour cited Staff's analysis and opinion that the sign code does not work very well and is difficult to use. Mr. McGrath acknowledged that a close look needs to be given to the sign code. He said that a comprehensive review will be undertaken to completely overhaul the sign code. He noted that Staff is very busy right now, but said this is an important issue. He said he could commit to getting the re-write of the sign code before the

Planning Commission in two months. He confirmed that this will be a top priority and work has already begun.

9:08:51 PM Council Member Christopherson called for comments from the applicant Bill Stone, with S Squared Development. Mr. Stone stated that he has listened to what neighbors to the south had to say and amended his application accordingly. He relayed that he is asking for the extra 10 feet to see the name of the Shopping Center, which will be back lit with a halo effect. He cited willingness to work with the City and staff, but said he does not want to wait two months. Mr. Stone explained that these are very expensive signs and contracts will not be signed until City approvals are obtained.

Council Member Christopherson inquired whether S Squared could build to the 55' height under the existing code while the comprehensive re-write of the sign code is done, with the option to add 10' to the sign at a later time. He cited potential legal issues related to the sign ordinance. He indicated that he has not had the opposition to the 65' sign that he received with the 75' sign. He suggested that this matter can be tabled pending the sign code re-write.

9:15:19 PM Council Member Dama Barbour said she does not want to hold anyone up, but the City needs to be consistent and help businesses be successful without a piece-meal affect.

9:17:06 PM City Administrator John Taylor suggested tabling the 65' application to address after the sign ordinance re-write and processing the application now under current code.

9:18:08 PM City Attorney Tracy Cowdell stated that he sees no legal problem with sitting on the application and coming back with this on a future agenda.

9:22:12 PM Chair Overson opened the public hearing on this matter and called for citizen comments.

9:22:36 PM Steve Werts expressed hope that the City is not considering a moratorium because that would affect all development.

9:22:56 PM Mr. Cowdell commented that Staff is sensitive to that issue, has discussed it, and does not want to slow anything down. He said that any moratorium would be slow and for a short period of time.

9:22:26 PM There were no additional citizen comments and Chair Overson declared the public hearing closed.

**5.5.1 Ordinance No. 15-12 – Amending Section 13.26.090 H.5. of the Taylorsville Land Development Code Regarding the Height of Pylon Signs with Frontage Adjacent to Interstate 215 – *Mark McGrath***

9:23:43 PM Council Member Brad Christopherson **MOVED** to table Ordinance No. 15-12 until after the comprehensive re-write of the sign ordinance, with a request that staff move as quickly as possible to review the sign ordinance. Council Member Dan Armstrong **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being no further discussion, Chair Overson called for a roll-call vote. The vote was as follows: Barbour-yes, Overson-yes, Christopherson-yes, Burgess-yes, and Armstrong. **All City Council members voted in favor and the motion passed unanimously.**

**5.6 Public Hearing – To Receive Comment Concerning a Proposed Amendment to Section 13.26.090 H.4 of the Taylorsville Land Development Code Regarding Sign Area of Pylon Signs – *Mark McGrath***

9:24:37 PM Community Development Director Mark McGrath described a proposed sign ordinance text amendment related to an application from David Werts, representing Legacy Plaza at 54<sup>th</sup> (new development at 5400 South and Redwood Road). Mr. McGrath stated that this application deals with the area of pylon signs, rather than height. He illustrated the proposed sign and the sign as currently permitted. Mr. McGrath read language in current code regarding a formula to determine area of signs. He addressed the potential for unintended consequences. He reviewed amendment options to eliminate those consequences.

9:33:41 PM Council Member Dan Armstrong suggested developing a simpler calculation for determining allowable area of signs.

9:33:59 PM Council Member Ernest Burgess asked for clarification on the amendment options and any impact from tweaking numbers. Mr. McGrath noted that Taylorsville's current sign code was originally based on Sandy City's sign code.

9:36:03 PM Council Member Barbour asked for clarification on a section dealing with EMC signs. Mr. McGrath gave explanation and acknowledged a need to make the sign code clearer.

9:37:11 PM Applicant David Werts expressed excitement with the progress of his project. He said he expects about 28 tenants in the shopping center and is hoping to fill available space on the sign to include additional tenant names.

9:38:22 PM Chair Overson clarified that the development would have two signs with tenant names on each side. Mr. Werts confirmed that whether or not the text amendment is approved, the size of the sign stays the same. He cited a desire to represent as many tenants as possible. He

noted that the signs are very expensive. He stated that he is fine with staff recommendations. He acknowledged that he should have new tenants in occupancy by October 2015.

9:39:55 PM Council Member Brad Christopherson asked how hard it would be to build the sign now and then redo it after the ordinance re-write. Mr. Werts stated that he would have to check with his sign contractor.

9:41:58 PM Council Member Dan Armstrong questioned whether Mr. Werts can wait for two months. Mr. Werts said that would not be the end of the world. He also noted that his property is not seven acres.

9:43:14 PM Council Member Dama Barbour noted the need to get the sign ordinance right.

9:44:00 PM Council Member Ernest Burgess questioned how 28 tenants will be represented on the sign. Mr. Werts acknowledged that not all tenants will be listed.

9:45:07 PM Chair Overson opened the public hearing on this matter and called for citizen comments.

9:45:11 PM There were no citizen comments and Chair Overson declared the public hearing closed.

**5.6.1 Ordinance No. 15-10 – Amending Section 13.26.090 H.4 of the  
Taylorsville Land Development Code Regarding Sign Area of Pylon  
Signs – Mark McGrath**

9:45:17 PM Council Member Ernest Burgess **MOVED** to table Ordinance No. 15-10 - Amending the Taylorsville Land Development Code until after the staff re-write of the sign ordinance. Council Member Brad Christopherson **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. Council Member Ernest Burgess thanked Mr. McGrath for his work and committed to helping get the sign ordinance amended. There being no further discussion, Chair Overson called for a roll-call vote. The vote was as follows: Barbour-yes, Overson-yes, Christopherson-yes, Burgess-yes, and Armstrong. **All City Council members voted in favor and the motion passed unanimously.**

## 6. FINANCIAL MATTERS

### 6.1.1 ***Resolution No. 15-24 – Accepting an Emergency Management Grant from the United States Department of Homeland Security Federal Emergency Management Agency as Distributed by the Utah Department of Public Safety for the 2015 Fiscal Year – Scott Harrington***

9:47:03 PM Chief of Finance Scott Harrington presented the subject resolution to accept an emergency management grant from the Department of Homeland Security/FEMA for FY 2015 in the amount of \$17,500. He noted that there is a required match from the City of an equal amount. He indicated that grant monies will be used for emergency supplies and staffing. He cited the need to recognize receipt of this revenue in the mid-year budget with a matching amount in expenses.

9:48:23 PM Council Member Armstrong asked about any strings attached to the grant. Mr. Harrington indicated that purchases must be for emergency management items, as outlined on approved lists provided by the State.

9:49:36 PM Council Member Brad Christopherson **MOVED** to adopt Resolution No. 15-24 – Accepting an Emergency Management Grant. Council Member Dama Barbour **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote was as follows: Barbour-yes, Armstrong-yes, Overson-yes, Burgess-yes, and Christopherson-yes. **All City Council members voted in favor and the motion passed unanimously.**

## 7. OTHER MATTERS

9:50:16 PM Council Member Dama Barbour asked about election details, especially as they pertain to voters in her Council District 4 who will now vote on a County taxing referendum. City Recorder Cheryl Peacock Cottle provided clarification on options for Taylorsville voters. She noted that a vote on the Local Transportation Sales Tax issue is being conducted city-wide. This ballot issue will be handled by Salt Lake County in Districts 4 and 5 through the Vote by Mail Program and all registered voters in Districts 4 and 5 will receive mailed ballots. Voters can then return the ballots by mail in postage-paid envelopes or come out and vote in person on Election Day at a Vote Center to be located at Taylorsville City Hall. Council Districts 1, 2, and 3 will have individual voting locations available within each of those districts on Election Day. It was also mentioned that Early Voting will be conducted at Taylorsville City Hall from October 20 through October 30, 2015.

9:52:53 PM Chair Overson relayed that Connie Taney would like volunteers from the Council to help at the *Tombstone Tales* event. Council Members volunteered and assignments were noted.

**8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)**

There were no new items for subsequent consideration.

**9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)**

9:54:15 PM

- 9.1 Council Social Media/Briefing Session: Wed., Sept. 2, 2015 – 5:30-6:30 p.m.
- 9.2 City Council Meeting: Wednesday, September 2, 2015 – 6:30 p.m.
- 9.3 Planning Commission Meeting: Tuesday, September 8, 2015 – 7:00 p.m.
- 9.4 Council Social Media/Briefing Session: Wed., Sept. 16, 2015 – 5:30-6:30 p.m.
- 9.5 City Council Meeting: Wednesday, September 16, 2015 – 6:30 p.m.

**10. CALENDAR OF UPCOMING EVENTS**

- 10.1 UFA “*Push to Survive*” Open House: August 21, 2015 6:00-7:00 p.m. Station #118
- 10.2 *Movie in the Park*: Saturday, August 29, 2015 Featuring “*E.T.*”: 9:00 p.m. – City Hall
- 10.3 *Taylorsville Emergency Preparedness Fair*: Thursday, September 10, 2015 6:30-8:00 p.m. at the Taylorsville Senior Center - 4743 Plymouth View Drive, Taylorsville, UT 84129
- 10.4 Taylorsville Arts Council Presents: “*Tombstone Tales*”- September 10, 11, 12, 2015: 6:30 -8:00 p.m. 20 Minute Tours. Please Park at Eisenhower Jr. High and Walk, or Transportation to the Cemetery will be provided.
- 10.5 *Meet the Candidates Night*, Sponsored by the Taylorsville Exchange Club: Tuesday, September 29, 2015, at 7:00 p.m. in Council Chambers at Taylorsville City Hall, 2600 West, Taylorsville Blvd.

**11. CLOSED SESSION (*Conference Room 202*)**

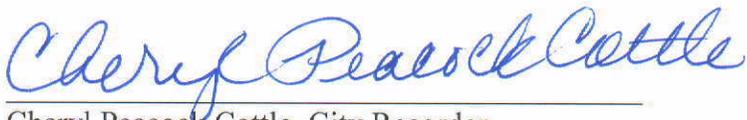
*- For the Purpose(s) Described in Statute U.C.A. 52-4-205*

It was determined that a Closed Session was not needed and no Closed Session was held.

**12. ADJOURNMENT**

9:55:45 PM Council Member Brad Christopherson **MOVED** to adjourn the City Council Meeting. Council Member Dan Armstrong **SECONDED** the motion. Chairman Kristie Overson called for discussion on the motion. There being none, she called for a roll-call vote. The vote

was as follows: Barbour-yes, Armstrong-yes, Overson-yes, Burgess-yes, and Christopherson-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 9:55 p.m.



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Cheryl Peacock Cottle, City Recorder

Minutes approved: CC 09-16-15

*Minutes Prepared by: Cheryl Peacock Cottle, City Recorder*