

MINUTES OF COUNCIL STUDY MEETING – MARCH 10, 2020

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MARCH 10, 2020 AT 4:30 P.M. AT WEST VALLEY CITY HALL, MULTIPURPOSE ROOM, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

STAFF PRESENT:

Paul Isaac, Acting City Manager
Nichole Camac, City Recorder

Nicole Cottle, Assistant City Manager/General Counsel/ CED Director
Eric Bunderson, City Attorney
Colleen Jacobs, Police Chief
Mark Ownsby, Acting Fire Chief
Jim Welch, Finance Director
Layne Morris, CPD Director
Russ Willardson, Public Works Director
Clark Garso, Acting Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department

APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 25, 2020

The Council considered the Minutes of the Study Meeting held February 25, 2020. There were no changes, corrections or deletions.

Councilmember Huynh moved to approve the Minutes of the Study Meeting held February 25, 2020. Councilmember Christensen seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF MARCH 10, 2020

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Steve Pastorik, CED, provided a clarifying summary on application ZT-17-2019/ Ordinance 20-13 (attached to minutes). Councilmember Huynh asked what the proposed radius from TRAX stations is. Steve replied 0.5 acres. Councilmember Huynh verified that if the ordinance were approved, these areas would be eligible for RM zoning. Steve replied yes. Councilmember Huynh clarified that properties within a half mile radius of the Chesterfield TRAX station, even those not adjacent to Redwood Road, would be eligible for the RM zoning if this ordinance were approved. Steve replied yes. Councilmember Buhler stated that someone could assemble property now and develop high density housing as long as there was frontage on Redwood Road. Mayor Bigelow asked if the City has ever used eminent domain to purchase a property for high density housing. Steve replied there was one in Fairbourne Station where the property owner was deceased, and the process had to occur for the City to move forward. Mayor Bigelow stated that this ordinance does not physically change anything or negatively impact the neighborhood. He indicated this concept simply allows more opportunity for growth but is not requiring any type of change. Councilmember Huynh stated that he feels this will open the floodgates to significant change in Chesterfield. Councilmember Fitismanu asked if there has been interest in any properties included in this ordinance from developers. Steve replied no. Councilmember Lang stated that she is not comfortable with high density housing around other Trax stations but is comfortable with it around the Fairbourne Station/City Center area. She indicated that neighborhood roads cannot handle high capacity traffic. Steve stated that traffic studies would be required as part of the zone change. Mayor Bigelow indicated that the Moratorium will be expiring and when it does, developers and property owners can request zone changes or other text changes to the RM ordinance. Councilmember Buhler stated that this ordinance also requires increased building standards, amenities, and parking. Councilmember Huynh distributed minutes from a high density housing proposal near the Maverik Center that was denied by the Council in 2013 (attached). He stated there are businesses in the area that are growing strong and healthy and he feels the Council made a good decision. Councilmember Huynh stated that he is okay with the proposal but doesn't believe Trax stations in Chesterfield should be included. Councilmember Lang agreed and noted that she would like to place a cap on density and suggested 20 units per acre or increasing parking standards to 3 stalls per unit.

Upon inquiry by Mayor Bigelow, members of the Council had no further questions or concerns regarding items listed on the Agenda for the Regular City Council Meeting scheduled later this night.

PUBLIC HEARINGS SCHEDULED FOR MARCH 17, 2020

- A. ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-1-2020,
FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT
CHANGE TO SECTION 7-6-203 TO ADD HEIGHT AND AREA
LIMITATIONS FOR ATTACHED PRIVATE GARAGES**

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Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled March 17, 2020, in order for the City Council to hear and consider public comments regarding application ZT-1-2020, filed by West Valley City, requesting a Zone Text Change to Section 7-6-203 to add height and area limitations for attached private garages.

Proposed Ordinance 20-14 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 20-14, AMEND SECTION 7-6-203 OF THE WEST VALLEY CITY MUNICIPAL CODE TO AMEND CERTAIN REQUIREMENTS APPLICABLE TO GARAGES

Steve Pastorik, CED, discussed proposed Ordinance 20-14 that would amend Section 7-6-203 of the West Valley City Municipal Code to amend certain requirements applicable to garages.

Written documentation previously provided to the City Council included information as follows:

City staff is proposing an ordinance amendment to add height and area limitations for attached private garages. This application was initiated after several complaints were received by the City Council concerning a large garage currently under construction. The proposed revisions are intended to keep the garage proportional to the home.

The table below summarizes the current height and area requirements for detached and attached garages as well as the proposed height and area requirements for attached garages.

	Detached Garage	Attached Garage (Current Standards)	Attached Garage (Proposed Standards)
Maximum height of garage when home is less than or equal to 14' in height	14'	30'	14'
Maximum height of garage when home is between 14' and 20' in height	Height of home	30'	Height of home

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Maximum height of garage when home is over 20' in height	20'	30'	20' if no living space above the garage. 30' with living space above the garage
Maximum area of the garage	No larger than the home footprint and no more than 25% of the backyard	No standard	No more than the total above grade area of the home

Councilmember Buhler asked what the definition of “attached” is. Steve replied an attached garage must share a roof or wall with the home. The Mayor and Council discussed setbacks. Councilmember Lang suggested that garages not be allowed in front of the home. Councilmember Buhler replied that there are so many different configurations of homes, this would be difficult. Councilmember Lang stated that she is concerned about having unintended consequences. Councilmember Huynh stated that home-owners should focus more on fixing their homes than spending significant money to build large garages. The Mayor and Council discussed garage doors and height, storage, and potential uses for large garages.

The City Council will consider Ordinance 20-14 at the Regular Council Meeting scheduled March 17, 2020 at 6:30 P.M.

B. ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-1-2020, FILED BY FETZERS' INC., REQUESTING A GENERAL PLAN CHANGE FROM MIXED USE TO LIGHT MANUFACTURING AND A ZONE CHANGE FROM 'C-2' (GENERAL COMMERCIAL) TO 'M' (MANUFACTURING)

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled March 17, 2020, in order for the City Council to hear and consider public comments regarding application GPZ-1-2020, filed by Fetzers' Inc., requesting a General Plan Change from Mixed Use to Light Manufacturing and a Zone Change from 'C-2' (General Commercial) to 'M' (Manufacturing).

Proposed Ordinance 20-15 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 20-15, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM MIXED USE TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 4850 WEST 3500 SOUTH ON 3.89 ACRES

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Steve Pastorik, CED, discussed proposed Ordinance 20-15 that would amend the General Plan to show a change of land use from Mixed Use to Light Manufacturing for property located at 4850 West 3500 South on 3.89 acres.

Written documentation previously provided to the City Council included information as follows:

The applicant is proposing to utilize the existing building, which was previously used as a Shopko, as primarily a warehouse with the secondary use being assembly and disassembly of furniture. Since the C-2 zone only allows up to 50% of a building to be utilized as a warehouse, the M zone is needed to facilitate the applicant's proposal. Included with this report is a letter from the applicant describing the proposed use as well as reasons to support this application.

In the applicant's letter he mentions that the current owner, Mike Kehoe, has tried unsuccessfully to secure retail tenants to fill the building. Included with this report are two emails from the owner that provide a list of tenants that were contacted.

The applicant's original proposal was to change the General Plan and zoning on the entire 7.73 acre parcel. However, given input from the Planning Commission, the applicant agreed to reduce the scope of the application to the north 3.89 acres. To further reduce the impact of the change, the Planning Commission recommended a development agreement that addresses use limitations, hours limitations and a few required improvements.

ACTION: ORDINANCE NO. 20-16, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 4850 WEST 3500 SOUTH ON 3.89 ACRES FROM 'C-2' (GENERAL COMMERCIAL) TO 'M' (MANUFACTURING)

Steve Pastorik, CED, discussed proposed Ordinance 20-16 that would amend the zoning map to show a change of zone for property located at 4850 West 3500 South on 3.89 acres from 'C-2' (General Commercial) to 'M' (Manufacturing).

Written documentation previously provided to the City Council included information as follows:

The applicant is proposing to utilize the existing building, which was previously used as a Shopko, as primarily a warehouse with the secondary use being assembly and disassembly of furniture. Since the C-2 zone only

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allows up to 50% of a building to be utilized as a warehouse, the M zone is needed to facilitate the applicant's proposal. Included with this report is a letter from the applicant describing the proposed use as well as reasons to support this application.

In the applicant's letter he mentions that the current owner, Mike Kehoe, has tried unsuccessfully to secure retail tenants to fill the building. Included with this report are two emails from the owner that provide a list of tenants that were contacted.

The applicant's original proposal was to change the General Plan and zoning on the entire 7.73 acre parcel. However, given input from the Planning Commission, the applicant agreed to reduce the scope of the application to the north 3.89 acres. To further reduce the impact of the change, the Planning Commission recommended a development agreement that addresses use limitations, hours limitations and a few required improvements.

ACTION: RESOLUTION NO. 20-28, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH FETZERS' INC. FOR APPROXIMATELY 3.89 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 4850 WEST 3500 SOUTH

Steve Pastorik, CED, discussed proposed Resolution 20-28 that would authorize the City to enter into a Development Agreement with Fetzers' Inc. for approximately 3.89 Acres of property located at approximately 4850 West 3500 South.

Written documentation previously provided to the City Council included information as follows:

Joe Wixom, the President and CEO of Fetzers' Inc., has submitted an application (GPZ-1-2020) on property at 4850 West 3500 South to change the General Plan from general commercial to light industrial and the zoning from C-2 to M. If approved, Fetzers' Inc. intends to use the old Shopko building as primarily a warehouse with some secondary assembly and disassembly of furniture. The Planning Commission recommended approval of the application subject to a development agreement that includes use restrictions and requirements for certain improvements. The use restrictions are intended to protect neighboring residents from uses that could create conflicts such as heavy industrial uses like asphalt and concrete plants and outdoor manufacturing as well as other uses like towing and impound yards and vehicle recycling facilities.

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Councilmember Buhler asked if there would be two zoning designations for one parcel. Steve replied yes. Councilmember Buhler asked what will happen to the parking lot portion of the property. Steve replied that the applicant would like to construct a commercial type use eventually. Councilmember Lang verified that all new buildings would have to meet current commercial design standards. Steve replied yes. Steve noted that a successful retail business generates more traffic per square foot than a warehouse use.

The City Council will consider Ordinance 20-15, Ordinance 20-16, and Resolution 20-28 at the Regular Council Meeting scheduled March 17, 2020 at 6:30 P.M.

RESOLUTION 20-29: AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH MOUNTAIN AMERICA FEDERAL CREDIT UNION FOR APPROXIMATELY 1.05 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2850 WEST 3500 SOUTH

Steve Pastorik, CED, presented proposed Resolution 20-29 that would authorize the City to enter into a Development Agreement with Mountain America Federal Credit Union for approximately 1.05 acres of property located at approximately 2850 West 3500 South.

Written documentation previously provided to the City Council included information as follows:

MACU has acquired the property at 2850 West 3500 South to redevelop the site into a new credit union branch. The existing building on the site was a David Early Tire Center.

The City Center (CC) Zone allows the requirements of the Zone to be superseded by a development agreement. MACU is seeking two exceptions to the CC Zone requirements. The first exception allows metal panels, fiber-cement and tile as exterior materials. Metal panels were used on the Fairbourne Station Office Tower, Granger Medical and Embassy Suites. Fiber-cement was used on both apartment buildings within Fairbourne Station. In staff's opinion, tile is a good complimentary material given the design of the building.

The second exception allows the drive-through canopy to not meet the minimum building height requirements. Staff is supportive of this exception because the rest of the building meets the minimum height and the drive-through canopy is placed behind the rest of the building.

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Mayor Bigelow asked if similar exceptions were granted for the America First or Zions Bank in the area. Steve replied that both of these are located in the C-2 zone. Mayor Bigelow asked if the proposed canopy is similar to those on other banks and credit unions. Steve replied yes. Councilmember Lang suggested adding these materials into the City Center ordinance.

The City Council will consider Resolution 20-29 at the Regular Council Meeting scheduled March 17, 2020 at 6:30 P.M.

RESOLUTION 20-30: APPROVE A FIRST AMENDED AGREEMENT OF THE UTAH MUNICIPAL RISK MANAGEMENT ASSOCIATION

Mayor Bigelow presented proposed Resolution 20-30 that would approve a First Amended Agreement of the Utah Municipal Risk Management Association.

Written documentation previously provided to the City Council included information as follows:

Since the creation of URMMA, the membership of the entity has changed and the circumstances confronting member entities have changed. The amended interlocal agreement updates the original agreement to take these circumstances into account. Significant changes include:

- 1) The renaming of the entity to “Utah Risk Management Agency” to account for non-municipality members.
- 2) Updated references to statutes amended since the adoption of the original agreement.
- 3) Clarifications to language concerning governmental immunity and nonwaiver of claims or defenses by members and the organization.
- 4) Formatting changes for clarity.

The City Council will consider Resolution 20-30 at the Regular Council Meeting scheduled March 17, 2020 at 6:30 P.M.

RESOLUTION 20-31: APPROVE THE PURCHASE OF GLASS AND INSTALLATION SERVICES FROM VALLEY GLASS SALT LAKE, LLC

Jim Welch, Finance Director, presented proposed Resolution 20-31 that would approve the purchase of glass and installation services from Valley Glass Salt Lake, LLC.

Written documentation previously provided to the City Council included information as follows:

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The Finance Department is being remodeled to accommodate growth and operational changes and improving efficiency. New office reconfiguration, lighting, carpet and paint will be included in the remodel. The remodel will be paid from funds reserved in CIP for this project and was budgeted several years ago in an anticipation of the completion of other large capital projects within the city.

Mayor Bigelow asked if the footprint for the overall department will remain the same. Jim replied yes and noted that the space will simply be used more effectively.

The City Council will consider Resolution 20-31 at the Regular Council Meeting scheduled March 17, 2020 at 6:30 P.M.

RESOLUTION 20-32: APPROVE A DRAINAGE AGREEMENT BETWEEN THE CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION FOR THE DRAINAGE OF THE PUBLIC SAFETY HEADQUARTERS

Jake Arslanian, Public Works, presented proposed Resolution 20-32 that would approve a Drainage Agreement between the City and the Utah Department of Transportation for the drainage of the Public Safety Headquarters.

Written documentation previously provided to the City Council included information as follows:

The City will need to connect to the UDOT drainage system near and around city-owned property, such as the old public safety building, the new police department headquarters, and north of said property. As part of the permitting process, we will need this agreement to connect the storm drainage of UDOT's main system on 3500 South.

The City Council will consider Resolution 20-32 at the Regular Council Meeting scheduled March 17, 2020 at 6:30 P.M.

COMMUNICATIONS

A. BUDGET/PROGRAM MOD UPDATE

Paul Isaac indicated this item will be discussed next week, March 17, 2020.

B. LEGISLATIVE UPDATE

Nicole Cottle provided a brief update on events occurring at the State Legislative Session. She discussed bills regarding budget, affordable housing, building materials, and road fund money. Nicole and the Council discussed Legislative delays due to the Coronavirus.

C. COUNCIL CALENDAR

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Mayor Bigelow referenced a Memorandum previously received from the City Manager that outlined upcoming meetings and events.

Members of the City Council had no further questions regarding the Council Update.

NEW BUSINESS

A. POTENTIAL FUTURE AGENDA ITEMS

Council Suggestions

Nichole Camac, City Recorder, asked if the Council would be open to approving a proclamation for Census Day. The Mayor and Council agreed.

Mayor Bigelow requested an item next week to discuss the ability of electronically connecting to meetings in the event of a Coronavirus quarantine. Councilmember Lang asked if the City has considered canceling events. Paul replied that the City is looking to the County and State for guidance. He indicated that employee travel has not been limited at this time but noted that leadership has engaged staff on how to take precautions. Paul stated that the benefit package has also been modified to accommodate Coronavirus illness for employees and their family members. Councilmember Fitisemanu stated that he is willing to share information he has with the City as well.

B. COUNCIL REPORTS

COUNCILMEMBER CHRISTENSEN

Councilmember Christensen discussed information received on water research. He also indicated that Healthy West Valley is moving forward with plans for Springfest.

COUNCILMEMBER FITISEMANU- WVC APP

Councilmember Fitisemanu stated that he would be interested in knowing how the new West Valle City app is doing. Councilmember Lang noted that she has used it with success.

COUNCILMEMBER NORDFELT- AUDIT COMMITTEE

Councilmember Nordfelt congratulated the Finance Department on receiving a perfect audit review.

MAYOR BIGELOW- CHAMBERWEST

Mayor Bigelow stated that ChamberWest is very active at the State Legislative session.

MOTION TO ADJOURN

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Upon motion by Councilmember Buhler all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY MARCH 10, 2020 WAS ADJOURNED AT 5:57 PM BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, March 10, 2020.

Nichole Camac

Nichole Camac, CMC
City Recorder