

## MINUTES OF COUNCIL REGULAR MEETING SEPTEMBER 7, 2021

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, AUGUST 24, 2021, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW. THE MEETING WAS ALSO HELD ELECTRONICALLY VIA ZOOM.

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 (*electronically*)  
Jake Fitisemanu, Councilmember District 4

STAFF PRESENT ELECTRONICALLY:

Nicole Cottle, Acting City Manager  
Nichole Camac, City Recorder  
Eric Bunderson, City Attorney  
Colleen Jacobs, Police Chief (*electronically*)  
John Evans, Fire Chief (*electronically*)  
Jim Welch, Finance Director  
Steve Pastorik, CED Director (*electronically*)  
Layne Morris, CPD Director (*electronically*)  
Dan Johnson, Public Works Director (*electronically*)  
Nancy Day, Parks and Recreation Director (*electronically*)  
John Flores, HR Director (*electronically*)  
Sam Johnson, Strategic Communications Director

### **INSIDE THE CITY VIDEO SERIES**

A video providing information about National Night Out was displayed.

### **APPROVAL OF MINUTES OF REGULAR MEETING HELD AUGUST 24, 2021**

The Council considered the Minutes of the Regular Meeting held August 24, 2021. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Regular Meeting held August 24, 2021. Councilmember Fitisemanu seconded the motion.

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

### COMMENT PERIOD

#### A. PUBLIC COMMENTS

Sarah Hetzer stated that she is concerned about landscaping requirements. She noted that she doesn't feel the City is making enough effort from a water conservation perspective. She indicated that she would like the City to make further efforts to educate and make changes in light of the hot summer and drought situation.

Brian Pitcher stated that he is the applicant for GPZ-13-2021. He indicated that he recently bought the property and he would like to improve it for the City and the residents living near it. Mr. Pitcher stated that there isn't much he can do with the property as it is. He noted that he would be amendable to changing the site plan to address the large building in the back.

Clint Webber stated that he is in favor of the property development related to GPZ-13-2021. He indicated that he doesn't see other uses for the property and what is currently there is not good for the neighborhood.

Darrell Curtis stated that any changes made to properties are permanent and long-term. He urged the Council to consider what is best for the City long-term.

Jim Vesock stated that he would like to see more Code Enforcement through the City. He indicated that water reduction is important but noted that yards can still be kept alive and well maintained during droughts.

Mrs. Sherzinger expressed concern about GPZ-13-2021. She indicated that the large proposed building will block her view from her backyard. Mrs. Sherzinger also stated that the existing use is not cohesive with the neighborhood and detailed illegal activity she has witnessed. She also expressed concern about potential traffic.

#### B. CITY MANAGER COMMENTS

Nicole Cottle, Acting City Manager, had no comments.

#### B. CITY COUNCIL COMMENTS

Mayor Bigelow stated that the Council will be taking a look at existing landscape standards and whether or not these need to be adjusted. He noted that every decision the Council makes has a long-term impact to the City and indicated that the City can't dictate what development will or will not occur. He indicated the Council can only review what is in front of them and try to make the best decision for the community.

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### **PUBLIC HEARINGS**

#### **A. ACCEPT PUBLIC COMMENT TO CONSIDER THE ISSUANCE OF SERIES 2021 ROAD REVENUE BONDS**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled September 7, 2021, in order for the City Council to hear and consider public comments regarding the issuance of Series 2021 Road Revenue Bonds.

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

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the "Act"), that on August 17, 2021, the City Council (the "Council") of West Valley City, Utah (the "Issuer"), adopted a resolution (the "Resolution") in which it authorized the issuance of the Issuer's Road Revenue Bonds, Series 2021 (the "Series 2021 Bonds") (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer), and called a public hearing to receive input from the public with respect to (a) the issuance of that portion of the Series 2021 Bonds issued under the Act and (b) any potential economic impact that the Project described herein to be financed with the proceeds of the Series 2021 Bonds issued under the Act may have on the private sector.

#### **TIME, PLACE AND LOCATION OF PUBLIC HEARING**

The Issuer shall hold a public hearing on September 7, 2021, at the hour of 6:30 p.m. at 3600 South Constitution Blvd., West Valley City, Utah. The purpose of the hearing is to receive input from the public with respect to (a) the issuance of that portion of the Series 2021 Bonds issued under the Act and (b) any potential economic impact that the Project to be financed with the proceeds of that portion of the Series 2021 Bonds issued under the Act may have on the private sector. All members of the public are invited to attend and participate.

#### **PURPOSE FOR ISSUING THE SERIES 2021 BONDS**

The Series 2021 Bonds will be issued for the purpose of (a) financing improvements to certain roads within the Issuer and all related improvements (collectively, the "Project"), (b) funding any debt service reserve funds, as necessary, and (c) paying costs of issuance of the Series 2021 Bonds.

#### **PARAMETERS OF THE SERIES 2021 BONDS**

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The Issuer intends to issue the Series 2021 Bonds in the aggregate principal amount of not more than Fifteen Million Five Hundred Thousand Dollars (\$15,500,000), to mature in not more than sixteen (16) years from their date or dates, to be sold at a price not less than ninety-seven percent (97%) of the total principal amount thereof, and bearing interest at a rate or rates not to exceed five and one-half percent (5.50%) per annum. The Series 2021 Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution, a General Indenture of Trust and a First Supplemental Indenture of Trust (together, the "Indenture") which were before the Council in substantially final form at the time of the adoption of the Resolution and said Indenture is to be executed by the Issuer in such form and with such changes thereto as shall be approved by the Issuer; provided that the principal amount, interest rate or rates, maturity, and discount of the Series 2021 Bonds will not exceed the maximums set forth above. The Issuer reserves the right to not issue the Series 2021 Bonds for any reason and at any time up to the issuance of the Series 2021 Bonds.

### REVENUES TO BE PLEDGED

The Issuer proposes to pledge all or any portion of the revenues received by the Issuer from the County of the First Class Highway Projects Fund pursuant to Section 72-2-121, Utah Code Annotated 1953, as amended (the "Revenues").

### OUTSTANDING BONDS SECURED BY PLEDGED TAXES

The Issuer currently has no bonds outstanding secured by the Revenues.

### OTHER OUTSTANDING BONDS OF THE ISSUER

Additional information regarding the Issuer's outstanding bonds may be found in the Issuer's financial report (the "Financial Report") at: <http://secure.utah.gov/auditor-search/>. For additional information, including any information more recent than as of the date of the Financial Report, please contact please contact Jim Welch, at (801) 966-3600.

### TOTAL ESTIMATED COST OF BONDS

Based on the Issuer's current plan of finance and a current estimate of interest rates, the total principal and interest cost of the Series 2021 Bonds to be issued under the Act to finance the Project, if held until maturity, is \$16,500,000.

A copy of the Resolution and the Indenture are on file in the office of West Valley City Recorder, 3600 Constitution Blvd., West Valley City, Utah, where they may be examined during regular business hours of the City Recorder from 7:00 a.m. to 6:00 p.m., Monday through Thursday for a

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period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Resolution, the Indenture (as it pertains to the Series 2021 Bonds), or the Series 2021 Bonds, or any provision made for the security and payment of the Series 2021 Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever.

Mayor Bigelow opened the Public Hearing. There being no one to speak in favor or opposition, Mayor Bigelow closed the Public Hearing.

**B. ACCEPT PUBLIC COMMENT REGARDING APPLICATION GPZ-10-2021, FILED BY ADAM MAHER, REQUESTING A GENERAL PLAN CHANGE FROM NON-RETAIL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL (7 TO 12 UNITS/ACRE) AND A ZONE CHANGE FROM RB (RESIDENTIAL BUSINESS) TO RM (MULTIPLE UNIT DWELLING RESIDENTIAL) FOR PROPERTY LOCATED AT 3540 WEST 4700 SOUTH**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled September 7, 2021, in order for the City Council to hear and consider public comments regarding application GPZ-10-2021, filed by Adam Maher, requesting a General Plan Change from Non-Retail Commercial to Medium Density Residential (7 to 12 Units/Acre) and a Zone Change from RB (Residential Business) to RM (Multiple Unit Dwelling Residential) for property located at 3540 West 4700 South.

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

The applicant's original proposal was for a 14-unit, 2-story townhome development with a density of 13 units/acre. However, after receiving feedback from staff, the applicant has reduced the proposed number of units to 12, yielding a density of 11.1 units/acre. Each unit would have a two-car garage with a driveway large enough to park two vehicles in. The proposed unit sizes range from 1,822 to 2,127 sq. ft. and all units would include rooftop decks. The attached concept plan and application materials from the applicant provide details on and support for the proposed project.

While the property is eligible for RM zoning, the City Council may still deny requests for RM zoning.

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Mayor Bigelow opened the Public Hearing.

Adam Maher, the applicant, stated that he has worked closely with the staff. He indicated that the property owner has pursued a couple options but those haven't worked out. Mr. Maher stated that he has worked hard to determine what product works best for this location and he feels this proposal is the best use for the land and the City. He indicated that many residents of West Valley City are looking for this type of development.

Rogelio Franco, the property owner, thanked the Council for the opportunity. He stated that he supports smaller developments that provide a home and a place for families of West Valley City. He indicated that many Cities are losing great citizens who cannot afford the cost of a single-family home and he would like to provide an opportunity for these residents to become great assets to their community.

William Bryan stated that he is in support of the proposed application. He indicated that he recently lost his wife and is looking for an affordable family home in West Valley City. He indicated that he likes this area and what it represents and noted that he would like to purchase one of these units. He noted that Mr. Franco is a great landlord who will take care of the development.

Robert Beasley stated that he is in support of this proposal. He indicated he has rented from Mr. Franco for many years and currently lives in a two-bedroom apartment. He noted that the space isn't large enough for his family but they have worked to build their credit and would now like to purchase an affordable unit in West Valley City. Mr. Beasley stated that he wants to remain in the community and wants to do what is best for his family.

A woman living near this project (she did not provide her name) indicated that this proposal will be in her backyard if approved. She stated that she doesn't feel her voice will be heard but noted that she doesn't want to see this development progress forward. She expressed concern about current activity on the vacant lot and stated that she feels there will be an increase in traffic and noise.

Mayor Bigelow closed the Public Hearing.

### **ACTION: ORDINANCE NO. 21-53, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM NON-RETAIL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL (7 TO 12 UNITS/ACRE) FOR PROPERTY LOCATED AT 3540 WEST 4700 SOUTH**

The City Council previously held a public hearing regarding proposed Ordinance 21-53 that would amend the General Plan to show a change of land use from Non-Retail Commercial to Medium Density Residential (7 to 12 Units/Acre) for

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property located at 3540 West 4700 South.

Mayor Bigelow thanked all the residents for their attendance and for expressing their concerns and opinions. He noted that the Council often hears both sides to an argument and they must try to vote for what they believe will be best for the City long-term.

Councilmember Buhler asked if the Development Agreement includes a specific price range for the sale of the units. Steve Pastorik, CED, replied no. Councilmember Buhler stated that the City can't guarantee what these units will sell at specific cost and can't control the market. He indicated that Mr. Franco seems to be a good landlord but he can't dictate how these units will sell or who will qualify to buy them. Councilmember Buhler stated that he only likes to change the zoning on a property if the proposal is exceptional and special.

Councilmember Huynh thanked those who attended and expressed their concerns and support. He indicated that the Council's decisions have a long-term impact and it's important to look to the future and what is best for the residents of West Valley City. He stated that he feels that commercial would be better utilized as commercial and doesn't feel it needs be developed at high density.

Councilmember Fitisemanu stated that he acknowledges that the cost of housing can't be controlled by the City nor can the City control how a landlord manages his properties. He noted that he does feel that safe places for people to live with their families is important to the City and moving toward that long-term is a priority.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Fitisemanu moved to approve Ordinance 21-53.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	No
Mr. Buhler	No
Mr. Huynh	No
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

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Majority.

**ACTION: ORDINANCE NO. 21-54, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3540 WEST 4700 SOUTH ON 1.08 ACRES OF FROM RB (RESIDENTIAL BUSINESS) TO RM (MULTIPLE UNIT DWELLING RESIDENTIAL)**

The City Council previously held a public hearing regarding proposed Ordinance 21-54 that would amend the Zoning Map to show a change of Zone for property located at 3540 West 4700 South on 1.08 Acres of from RB (Residential Business) to RM (Multiple Unit Dwelling Residential).

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Nordfelt moved to approve Ordinance 21-54.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	No
Mr. Buhler	No
Mr. Huynh	No
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Majority.

**ACTION: RESOLUTION 21-160, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ANTWORX, INC. FOR APPROXIMATELY 1.08 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3540 WEST 2700 SOUTH**

Mayor Bigelow discussed proposed Resolution 21-160 that would authorize the City to enter into a Development Agreement with Antworx, Inc. for approximately 1.08 Acres of property located at approximately 3540 West 2700 South.

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

Adam Maher has submitted a General Plan/zone change application (GPZ-10-2021) on 1.08 acres to change the zoning from RB (Residential Business) to RM (Multiple Unit Dwelling Residential) and to change the



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General Plan from Non-Retail Commercial to Medium Density Residential (7 to 12 units/acre). The Planning Commission recommended approval of the General Plan/zone change subject to a development agreement.

The proposed development agreement addresses the following topics:

- Maximum number of units
- Minimum unit sizes
- Architecture
- Amenities
- A reduction in the amount of landscaping and recreation space
- Parking
- Multi-unit residential design standards from City Code

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler moved to approve Resolution 21-160.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

**RESOLUTION 21-161: AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT WITH SELECTHEALTH FOR HEALTH INSURANCE COVERAGE**

Mayor Bigelow discussed proposed Resolution 21-161 that would authorize the City to enter into an Agreement with SelectHealth for health insurance coverage.

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

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SelectHealth has been providing health insurance benefits for West Valley City. The new proposal from SelectHealth was at competitive rates that fit within anticipated budget parameters.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Christensen moved to approve Resolution 21-161.

Councilmember Fitisemanu seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

**CONSENT AGENDA**

**A. RESOLUTION 21-162: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED, A PERPETUAL EASEMENT, AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM JESUS AND LEONOR RUVALCABA FOR PROPERTY LOCATED AT 5115 WEST EAGLE WOOD DRIVE**

Mayor Bigelow discussed proposed Resolution 21-162 that would authorize the City to enter into a Real Estate Purchase Agreement and accept a Warranty Deed, a Perpetual Easement, and a Temporary Construction Easement with and from Jesus and Leonor Ruvalcaba for property located at 5115 West Eagle Wood Drive.

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

The Jesus Ruvalcaba and Leonor Ruvalcaba parcel located at 5115 W. Eagle Wood Drive is one of several parcels affected by the 4700 South Reconstruction Project (4000 West to 5600 West). This project is being constructed in cooperation with Kearns Metro Township. This project will reconstruct the pavement, curb, gutter, sidewalk and decorative street lighting on both sides of 4700 South and 4715 South to improve safety and

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ride quality of 4700 South and 4715 South. Compensation for the purchase of the Warranty Deed, Perpetual Easement and a Temporary Construction Easement and improvements is \$9,990.00 based upon the Administrative Compensation Estimate prepared by Horrocks Engineering.

The project is being funded under the Surface Transportation Program (STP) with federal funds. Kearns Metro Township executed the Federal Aid Agreement with UDOT. West Valley City has signed an Interlocal Agreement with Kearns Metro Township. The city is responsible 6.77% of all project costs, including right of way, within West Valley City jurisdictional limits. The total value for the Warranty Deed, Perpetual Easement and a Temporary Construction Easement is \$9,990.00, making the West Valley City share of the acquisition \$676.32.

**B. RESOLUTION 21-163: AUTHORIZE THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT AND ACCEPT A WARRANTY DEED, A PERPETUAL EASEMENT, AND A TEMPORARY CONSTRUCTION EASEMENT WITH AND FROM AGATHE ANZANBOU NKAMNE FOR PROPERTY LOCATED AT 4689 SOUTH BRANDY WOOD DRIVE**

Mayor Bigelow discussed proposed Resolution 21-163 that would authorize the City to Enter into a Real Estate Purchase Agreement and accept a Warranty Deed, a Perpetual Easement, and a Temporary Construction Easement with and from Agathe Anzanbou Nkamne for Property Located at 4689 South Brandy Wood Drive.

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

The Agathe Anzanbou Nkanme parcel located at 4689 S. Brandy Wood Drive is one of several parcels affected by the 4700 South Reconstruction Project (4000 West to 5600 West). This project is being constructed in cooperation with Kearns Metro Township. This project will reconstruct the pavement, curb, gutter, sidewalk and decorative street lighting on both sides of 4700 South and 4715 South to improve safety and ride quality of 4700 South and 4715 South. Compensation for the purchase of the Warranty Deed, Perpetual Easement and a Temporary Construction Easement and improvements is \$8,500.00 based upon the Administrative Compensation Estimate prepared by Horrocks Engineering.

The project is being funded under the Surface Transportation Program (STP) with federal funds. Kearns Metro Township executed the Federal Aid Agreement with UDOT. West Valley City has signed an Interlocal Agreement with Kearns Metro Township. The city is responsible for 6.77% of all project costs, including right of way, within West Valley City

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jurisdictional limits. The total value for the Warranty Deed, Perpetual Easement and a Temporary Construction Easement is \$8,500.00, making the West Valley City share of the acquisition \$575.45.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler moved to approve the item on the Consent Agenda.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

**UNFINISHED BUSINESS**

- A. ACCEPT PUBLIC COMMENT REGARDING APPLICATION GPZ-13-2021, FILED BY BRIAN PITCHER, REQUESTING A GENERAL PLAN CHANGE FROM LOW DENSITY RESIDENTIAL (3 TO 4 UNITS/ACRE) TO LIGHT MANUFACTURING AND A ZONE CHANGE FROM R-1-8 (SINGLE UNIT DWELLING RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) TO M (MANUFACTURING) FOR PROPERTY LOCATED AT 4312 SOUTH 4000 WEST AND 4270 SOUTH 4060 WEST**

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled August 24, 2021, in order for the City Council to hear and consider public comments regarding application GPZ-13-2021, filed by Brian Pitcher, requesting a General Plan Change from Low Density Residential (3 to 4 Units/Acre) to Light Manufacturing and a Zone Change from R-1-8 (Single Unit Dwelling Residential, Minimum Lot Size 8,000 Square Feet) to M (Manufacturing) for Property Located at 4312 South 4000 West and 4270 South 4060 West.

Mayor Bigelow noted that this item was continued to the Regular Meeting of September 7, 2021.

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

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The subject property includes a triplex, a 12-unit mobile home park, and 12 storage units. According to County Assessor records, the triplex was built in 1950, the mobile home park was built in 1960, and the storage units were built in 1962. Zoning was first adopted in this area in 1965, so no zoning was in place at the time the existing uses were constructed. None of the existing uses conform with the existing R-1-8 zone.

The applicant is requesting the M zone to redevelop the property into storage units, which are referred to as self-storage facilities in the ordinance. The M zone is the only zone that allows self-storage facilities.

Mayor Bigelow noted that the Public Hearing has been previously opened and closed.

**ACTION: ORDINANCE NO. 21-51, AMEND THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL (3 TO 4 UNITS/ACRE) TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 4312 SOUTH 4000 WEST AND 4270 SOUTH 4060 WEST**

The City Council previously held a public hearing regarding proposed Ordinance 21-51 that would amend the General Plan to show a change of land use from low density residential (3 to 4 Units/Acre) to light manufacturing for property located at 4312 South 4000 West and 4270 South 4060 West.

Councilmember Buhler stated that he heard the discussion last week but was called to another meeting. He indicated he is concerned about the current quality of the property and noted that every owner of every property can choose to maintain and improve what they have. Councilmember Buhler stated that for him to be in favor of a zone change, he needs to see something special and unique be proposed, not something that is incrementally better than what is there now. He stated that another buyer or developer may have a better vision for this property in the future and he wouldn't want to see it change to storage units now just because it's a slight improvement over what currently exists.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler moved to deny Ordinance 21-51.

Councilmember Huynh seconded the motion.

Councilmember Nordfelt stated he was previously in favor of the application but after hearing Councilmember Buhler's thoughts, he has been convinced that the City should wait to see what other proposals may come in the future for something

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better. He indicated that he understands the challenging aspects of the property and its shape but noted that he has faith that the developer can make improvements or proposals that will better the community and quality of life for the long-term benefit of the City.

Mayor Bigelow stated that the City Council can approve or deny requests as they are processed but they can't tell property owners what they can or cannot do with their property. Councilmember Buhler agreed and noted that anything can change in the future that could make this property better suited to development.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	No
Mr. Nordfelt	Yes
Mayor Bigelow	No

Denied. Majority.

**ACTION: ORDINANCE NO. 21-52, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 4312 SOUTH 4000 WEST AND 4270 SOUTH 4060 WEST FROM R-1-8 (SINGLE UNIT DWELLING RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) TO M (MANUFACTURING)**

The City Council previously held a public hearing regarding proposed Ordinance 21-52 that would amend the Zoning Map to show a change of Zone for property located at 4312 South 4000 West and 4270 South 4060 West from R-1-8 (Single Unit Dwelling Residential, Minimum Lot Size 8,000 Square Feet) to M (Manufacturing).

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler t moved to deny Ordinance 21-52.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes

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Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Denied. Unanimous.

**ACTION: RESOLUTION NO. 21-152, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH VENTNOR AVENUE, LLC FOR APPROXIMATELY 1.81 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 4312 SOUTH 4000 WEST AND 4270 SOUTH 4060 WEST**

Mayor Bigelow discussed proposed Resolution 21-152 that would authorize the City to enter into a Development Agreement with Ventnor Avenue, LLC for Approximately 1.81 Acres of Property Located at Approximately 4312 South 4000 West and 4270 South 4060 West.

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

An application (GPZ-13-2021) was submitted by Brian Pitcher on 1.81 acres to change the zoning from R-1-8 (Single Unit Dwelling Residential, minimum lot size 8,000 square feet) to M (Manufacturing) and to change the General Plan from Low Density Residential (3 to 4 units/acre) to Light Manufacturing. The Planning Commission recommended approval of the General Plan/zone change application subject to a development agreement.

The development agreement includes the following provisions:

- With the exception of the property line along 4000 West, buildings may be placed at the property line. Along 4000 West, the minimum required building setback shall apply.
- The maximum building height at the property line shall be 12'.
- The only use allowed on the property shall be a self-storage facility.

The first provision grants a setback exception and allows the storage buildings to be built along the property lines of adjoining residential properties as has been done on other self-storage projects. The other two provisions are protections for the neighboring residential properties to limit the building height and prevent other M zone uses that could conflict with residential.

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Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Nordfelt moved to deny Resolution 21-152.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Christensen	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Denied. Unanimous.

**MOTION TO ADJOURN**

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, SEPTEMBER 7, 2021 WAS ADJOURNED AT 7:32 P.M. BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, September 7, 2021.



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Nichole Camac, CMC  
City Recorder