

Riverton City, Utah
RIVERTON REDEVELOPMENT AGENCY BOARD MEETING
Minutes
March 1, 2022

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Present:

Chair Trent Staggs
Board Member Tish Buroker
Board Member Tawnee McCay
Board Member Troy McDougal
Board Member Sheldon Stewart
Board Member Claude Wells

Staff:

David R. Brickey, City Manager
Don Hutson, Police Chief
Jamie Larsen, Clerk
Ryan Carter, City Attorney
Kevin Hicks, Finance Director
Casey Saxton, Communications Director
Sheril Garn, Parks & Public Services Dir.
Trace Robinson, Public Works Director
Jason Lethbridge, Dev. Services Director

Call to Order

Chair Trent Staggs called the Riverton Redevelopment Agency Board Meeting to order at 7:34 PM and conducted a roll call. Board members Buroker, McCay, McDougal, Stewart, and Wells were present.

Consent Agenda

Chair Staggs presented the following Consent Agenda:

- a. Minutes: RDA Meeting December 14, 2021.

Board Member Stewart **MOVED that the City Council approve the RDA Minutes from RDA Meeting on December 14, 2021.** Board Member McCay **SECONDED** the motion. Chair Staggs called for discussion on the motion; there being none, he called for a roll call vote and the vote was as follows: Board Members Buroker-Yes, McCay-Yes, McDougal-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.

Public Hearing

Downtown Redwood Road Community Reinvestment Project Area

Chair Staggs said that communication for the Community Reinvestment Area did not go very well and he takes ownership of that. He explained that the Community Reinvestment Area process defines a boundary and the baseline property tax level in this boundary. Development or improvements in this boundary can raise the property tax value and this is called increment. This money can be used by the RDA board for development. This tool has been used

throughout the City to entice developers to develop land in Riverton. Riverton City goes out to all of the taxing entities that are listed on property tax statements and enters into an interlocal agreement which defines how the increment will be divided, 75% to Riverton City and 25% to the taxing entities.

Chair Staggs said that one of the strategic plans of the City Council is to develop the “Town Center,” which includes both the Redwood Road CRA and the 12600 South CRA. Development on 12600 South has been attempted for decades and it has been hard to get developers in this area. The Redwood Road CRA includes property across from City Hall and land that fronts 1650 West. By creating the CRA, the City is identifying a boundary so that anything that is developed or improved in this area will receive property tax increments. There are potential developers that would like to develop this property, however it is very expensive and this tax increment will help with future costs. Chair Staggs asked Jason Lethbridge and Randy Sant to speak.

Jason Lethbridge, Development Services Director, said he would give the majority of the time to Randy Sant who is the City’s consultant for the CRA. Mr. Lethbridge explained that the CRA is not a development plan. The CRA plan provides the legal and financial basis that the area will be established. The CRA plan also shows a budget and shows what tax increments may be over time.

Randy Sant, Consultant, explained that he is an expert in the formation of these kind of areas. He said there are procedural things that need to be placed on the record. There was a 30-day notice sent to the property owners and taxing entities. In this notice, he was required to give the date and time of the public hearing, include a summary of the plan and budget and provide a place for written comments to be sent. This notice was sent to the property address owners on file with Salt Lake County.

Mr. Lethbridge said that he received several phone calls and questions. Most of the property owners were concerned with imminent domain and whether their homes were going to be taken.

Mr. Sant stated that the RDA does not have the power of imminent domain. The state and city have the power of imminent domain. He has not received any plans from developers and no tax increments are collected until development is completed and the taxing entities agree. The RDA does not have zoning powers. If a developer wants to rezone the area, they have to go through the planning commission and city council. The base year for the RDA will be January 2022. The boundaries were established by the RDA board through a survey area resolution. After public comments are heard, the RDA Board can increase or decrease the area that will be included in the CRA.

Board Member McDougal asked if the public hearing tonight was only for the Redwood Road CRA Area. Mr. Sant said yes.

Board Member Wells stated that both of the CRAs the City is forming are in his district and he asked that anyone contact him that has questions or concerns.

Mayor Staggs called for public comments;

Teresa Pemberington commented that her home is included in the CRA. Her home is about 100 years old and she would not have put money into improvements if she had known about the CRA. She felt that the noticing was shady. She plans to live in her home until she dies and

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pass it on to her children. She does not want high density housing and feels this type of housing would create a bigger problem with traffic on Redwood Road.

Jeff Nokes commented that he has lived in this area 18 years. He is concerned about how the CRA will impact property values and what might happen if a property owner choose not to sell.

Shawn Taylor commented that he owns 6 parcels of land on the south end of the proposed area which he bought in 2019 at the UDOT auction. He uses this property to store equipment for his business and he is planning on asking for this property to be rezoned so that he can run his business there. He has spoken with neighbors about the rezone and has received mostly positive feedback. The biggest concern the residents have is high density housing. He believes the CRA will protect them from high density housing.

Randy Sant addressed some of the comments that had been made. He said that the redevelopment law only requires that property owners be given notice. He said that he has done over 1,000 CRAs and studied what happened with property values after the CRA was complete. He has found that property values increased overall.

Clay Brown commented that the RDA does not have imminent domain powers but the City Council does. He said if the CRA had a developer that came with a fabulous project then the City could take their property. He said there is so much traffic that has been diverted onto Nichols Lane which does not have curb and gutter. He does not feel that Nichols Lane is adequate for any more development.

Chair Staggs said that he has never seen the City use imminent domain. Ryan Carter, City Attorney, said that the City has only filed imminent domain once in 15 years.

Woody Challis commented that he lives across the street on Nichols Lane. Many years ago, when he was president of the Riverton Chamber of Commerce, he thought that the RDA was developed and imminent domain was established.

Mr. Carter explained there was a project on the east and west side of Redwood Road at 12600 South. That project area expired along with imminent domain because it was established over 20 years ago. When a new project area is created, it must follow the current law and the current law does not allow imminent domain powers in this area.

Chair Staggs reiterated that this project does not allow for imminent domain and the City has no desire to use imminent domain. He does not know how much more direct, frank and candid he can be.

Mr. Challis continued to talk about the homes being vacant for many years because of imminent domain.

Stewart Grow commented that he is a resident of Riverton Ranch and explained that there was a petition signed by over 95% of the residents in the Riverton Ranch neighborhood asking that nothing be done to the roads in their neighborhood. The neighborhood is still concerned with this CRA and they do not want commercial traffic going through their neighborhood. He said he is concerned about developers buying land and letting homes get dilapidated. He supports empty lots that are filled with junk being cleaned up but does not want residential areas changed.

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Shelly Elo said she does not own property in the CRA but her family owns property on 1300 West and owns horses and cows. She would like developers to be respectful of their animal rights.

Brady Copeland commented that his mother is Laura Griffiths and she owns Riverton Hardware. He said this meeting has cleared the air a lot. His family has plans to build a new building on their property and he thinks the incentives from the RDA will help.

Kirk Reed explained that he lives on Riverton Ranch Road and has difficulty coming in and out of their neighborhood and he is concerned about access with new development.

Matt Anderson said that his parents live in this area and that his parents don't want to be included in the boundary. He asked what the benefit would be to them for being in this area.

Chair Staggs said that being next to commercial could be a benefit for a property owner if they wanted to sell their property. He would like to modify the boundary for any property owners that would not like to be included in this project.

Board Staggs called for public comments; there being none, he closed the Public Hearing.

Mr. Sant explained that the RDA has three options: amend the plan; adopt the project as is; or reject it. He recommends that if they amend the plan area, they make a second motion to increase the tax increment to 75% for 25 years. As it stands right now, the tax increment is 70% for 20 years.

Board Member Stewart said that regardless of the CRA, the City could use imminent domain for specific purposes. The property that Mr. Challis commented about was aggregated by a single individual.

Mr. Carter said he worked for the City when they cleaned out the blighted areas on both sides of Redwood Road. Even though the RDA plan allowed imminent domain, the City did not exercise this right. UDOT signaled that they desired to widen Redwood Road and then they built a roadway widening project all the way to 12600 South and then stopped and that left the property owners sitting. The RDA approached the property owners and said they would buy them out in a friendly purchase and everyone sold willingly. The City cleaned this area out and then UDOT came back the next year and said they were going to widen Redwood Road.

Board Member Stewart said there is no RDA east of the park. He advocated to include property owners in the CRA because he felt like it would protect them and allow them to utilize funds from the CRA. He said that they can make adjustments to plan and remove property from the CRA.

Board Member Wells said the City is not looking to put more fast food restaurants or high density housing on Redwood Road. They are hoping to have low impact projects such as office buildings or high end restaurants.

Chair Staggs asked property owners affected by the CRA to raise their hands and asked whether they would like their homes removed. Two property owners said they would like their property removed, both on the corner on the south side.

Board Member Buroker said she heard a compelling comment about making sure that the traffic on Redwood Road does not exit behind. She asked that this be taken into consideration when plans are approved and this street should remain private.

Board Member McDougal left the meeting at 8:05 pm to attend another event.

Board Member Stewart **MOVED** that the Riverton City Redevelopment Agency amend the Downtown Redwood Road Community Reinvestment Project Area plan to exclude the properties listed at 1631 West 12800 South and 12850 South 1650 West and keep the remaining parcels as part of the project plan area and bring this back to the Redevelopment Agency for adoption. Councilmember Wells **SECONDED** the motion. Chair Staggs called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Buroker-yes, McCay-yes, Stewart-yes and Wells-yes. The motion passed unanimously.

Board Member Buroker **MOVED** that the Riverton City Redevelopment Agency amend the Downtown Redwood Road Community Reinvestment Project Area plan budget to remove tax increment that would be generated from the eliminated properties and to reflect a participation rate of 75% and a time period of 25 years. Councilmember McCay **SECONDED** the motion. Chair Staggs called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Buroker-yes, McCay-yes, Stewart-yes and Wells-yes. The motion passed unanimously.

RDA Resolution No. 22-01 – Approving Amendments to the 2021-2022 RDA Fiscal Year Budget

Mayor Staggs called for public comments; there being none, he closed the Public Hearing.

Board Member Buroker **MOVED** that the Riverton City Council adopt RDA Resolution No. 22-01 – Approving Amendments to the 2021-2022 RDA Fiscal Year Budget. Board Member Wells **SECONDED** the motion. Chair Staggs called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Buroker-yes, McCay-yes, Stewart-yes and Wells-yes. The motion passed unanimously.

Adjournment

Board Member McCay **MOVED** to adjourn the RDA Meeting at 8:56 PM. The motion was **SECONDED** by Board Member Stewart. Vote on motion: Board Members Buroker-Yes, McCay-Yes, Stewart-Yes, and Wells-Yes. The motion passed unanimously.

Approved: RDA Meeting 4.5.22