

Riverton City
REGULAR CITY COUNCIL MEETING &
WORK SESSION

Minutes
March 11, 2014

Riverton City Hall
12830 South 1700 West
Riverton, Utah 84065

Attendance:

Mayor William R. Applegarth

Council Members:

Council Member Brent Johnson
Council Member Trent Staggs
Council Member Sheldon Stewart
Council Member Roy Tingey
Council Member Paul Wayman

City Staff:

Lance Blackwood, City Manager
Jeff Hawker, Asst. City Attorney
Virginia Loader, Recorder
Ryan Carter, City Attorney
Jason Lethbridge, Planning Manager
Rod Norton, UPD Chief, Riverton Precinct
Trace Robinson, City Engineer
Warren James, UFA
Ryan Perry, Unified Fire District

Citizens: Michael S. Johnson, Wyoma Darlington, Norma Bench, Greg Behrmann. Karol Honey, Beverly Gee, Mae Crane, Shauna Lee Rudd, Dounieu Borg, Lou Juana Mousley, Laie Shila, Al Leavitt, Sharon Carrillo

1. GENERAL BUSINESS

Call to Order and Roll Call

[6:32:54 PM](#) Mayor Applegarth called the meeting to order at 6:30 p.m. and welcomed those in attendance. He then conducted a Roll Call and Council Members Johnson, Staggs, Stewart, Tingey and Wayman were present.

Pledge of Allegiance – Council Member Trent Staggs directed the Pledge of Allegiance.

Presentations/Reports

Recognition of Boy Scout Troops

There were no Boy Scout Troops in attendance.

Public Comments

[6:34:33 PM](#) Mayor Applegarth explained the public comment procedure and called for public comments:

[6:35:53 PM](#) Rick Stone, representing a citizens group, discussed their concerns regarding the proposed Riverton Market project and explained their three main concerns: First, they feel the Gateway Commercial Code is specific regarding architectural design options for the site and they feel the project does not meet intent of the ordinance. The Riverton City Code describes clock towers, pitched roofs, etc. and the plan does not include those items. The Gateway Commercial Code also prohibits restaurants with drive through windows and the store will have a pharmacy drive through; second, increased traffic on the existing busy 12600 South. He said it was dangerous to get in and out on 12600 South, which is on the top of the hill and on a corner; also, the existing bike route on that road and the safety of the cyclists; however, they felt the biggest traffic concern was the left in and left out issues that would occur in front of Article Circle on 1300 West. Third, the group was concerned about the truck turnaround in the northeast corner and the proximity of the nearby homes. He said they would be loud, busy trucks driving very close to their houses. He said South Jordan did not allow trucks on 1300 West in their city. He the street was a Safe Walking Route for kids who need to get to school, to parks, and to the swimming pool. Additionally, he felt the response time for the nearby Fire station would be reduced with increased traffic.

[6:43:41 PM](#) Greg Bearhman echoed Mr. Stone, especially concerning safety issues of those residents that would be using that driving route. He said the spirit of the noticing law had not given the neighbors enough time to consider the impact the grocery store would have on their community. He also questioned the validity of the recent traffic study and he asked that Council reject the site plan and table it so the citizens could realize the impact it would have on the community.

[6:46:08 PM](#) Carol Honey stated she attended the Planning Commission Meeting when this item was heard. Her concerns were expressed at that meeting by others but she stated she went home feeling like their comments had fallen on deaf ears. She feels this is an emotional issue and will have an adverse affect on the quality of life in her neighborhood.

[6:47:18 PM](#) Eric Henderson spoke against the development because of the wetlands. He feels that Wal-Mart cannibalizing the city and other cities by putting the old mom and pop stores out of business. He expressed concern about the runoff storm water and asked Council to take into consideration the wetlands and listen to what the citizens have to say.

[6:49:38 PM](#) There were no further comments and Mayor Applegarth closed the Public Comment period.

2. PUBLIC HEARINGS – There were no Public Hearings scheduled.

3. DISCUSSION/ACTION ITEMS

1. Amended Commercial Site Plan, Exterior Architecture, 3813 West 13400 South, C-R Zone, HB Boys, Applicant

[6:49:46 PM](#) Jason Lethbridge, Planning Manager, explained that HB Boys applied for an

amended site plan to allow exterior modifications to the building and materials of an existing commercial structure located at 3813 West 13400 South. The property and all surrounding properties are zoned Commercial Regional. The building is currently occupied by Wendy's fast food restaurant; that use will be changing to a Burger King, and the applicant has proposed exterior modifications based on Burger King's architectural plans.

Mr. Lethbridge said that on February 27, 2014, the Planning Commission voted to recommend approval of the application with the following conditions:

1. The exterior renovations comply with the approved drawings, and with any and all applicable Riverton City standards and ordinances.
2. Signage shall be subject to a separate sign permit, and shall conform to Riverton City's Sign Ordinance.

6:53:38 PM Council Member Paul Wayman **MOVED the City Council approve the Amended Commercial Site Plan, with modifications to the existing exterior architecture of the commercial building located at 3813 West 13400 South, with the conditions outlined in the Staff Report.** Council Member Sheldon Stewart **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes and Wayman-Yes. **The motion passed unanimously.**

2. Commercial Site Plan, Riverton Market Grocer, 1206 West 12600 South, C-G Zone, Rich Piggot of Galloway & Co, Applicant

6:54:16 PM Jason Lethbridge, Planning Manager, explained that Rich Piggott of Galloway and Co. submitted an application requesting a conditional use permit and commercial site plan approval for property located at 1206 West 12600 South. The property is zoned C-G (Commercial Gateway) and is currently vacant ground with some improvements that have been previously installed. Property directly north is zoned R-3 (Residential 14,000 square foot lots) and is utilized as single-family residential. To the east property is zoned R-3 and is the Tithing Hills Condominium development. South of 12600 South property is zoned C-G as is property to the west.

Mr. Lethbridge said the applicant requested approval to construct a 41,117 square foot grocery building and accommodating site plan parking areas and infrastructure. He said grocery stores and retail type uses are permitted in the C-G Zone with a Conditional Use Permit.

The landscaping design was presented and discussed and it was mentioned that the distance from the building to the existing property owners exceeds the minimum and exceeds the required standard. Mr. Lethbridge discussed the requirement of an eight foot solid masonry fencing along the north end of the development property, which would match the fencing on the east. He also discussed the traffic study, which was performed by a licensed traffic engineer. The recommendations from the study show that standards were met at each of the access points and at the intersection.

Mr. Lethbridge stated that 1300 West in Riverton is a designated truck route from 11600 South to 13650 South; however, in South Jordan, 1300 West is not a truck route. He said that the

Unified Fire Department has reviewed the site plans for the project and has forwarded their recommendations for approval to the City Council.

[7:08:23 PM](#) Mr. Lethbridge said that on February 27, 2014, the Planning Commission voted to recommend approval of the application with the following conditions:

1. Storm drainage systems and accommodations comply with Riverton City standards and ordinances, and with the recommendations of the Riverton City Engineering Division.
2. Lighting, both on the building and in the site shall be designed and installed to minimize impacts to the surrounding properties, as shown and approved on the site plan.
3. An interim storm drainage and erosion control plan and an access management plan be approved by the City prior to any construction or grading on the site.
4. Access to the site shall be in compliance with the recommendations of the traffic study, with Riverton City standards, and with an approved UDOT access permit for 12600 South.
5. Any and all rooftop equipment shall be screened from view with parapet walls.
6. Install eight-foot solid masonry fencing along the northern property line of the development, prior to construction of the building.
7. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.
8. Prohibited delivery times between 10 pm and 7 am

[7:12:51 PM](#) Mr. Lethbridge addressed questions from Council Members who asked about a safe walking route for the children walking to school in that area.

[7:14:41 PM](#) Discussion was held regarding the stormwater retention pond on and it was stated that the run off issue had been addressed, reviewed and carefully monitored by staff.

Mr. Lethbridge said the architectural elements included in the proposed project meet the intent and language of ordinance and staff had no concerns with the architectural design elements; they are consistent in color and design with similar projects in the City.

[7:18:57 PM](#) Rich Piggott, Galloway and Co. discussed the issue of rodent abatement on the undeveloped ground and said it would be addressed in the pre-construction meeting with the contractor.

[7:19:54 PM](#) Joe Perrin, who prepared the traffic study, discussed the truck route issues. He said the study looked at the peak or critical times on the roads and determined that the left turn vehicles on 1300 West were projected to function at a level service C. He said, typically, new design would be for a service level D or better, so the projected numbers were expected to see less than a 20 second delay.

[7:23:58 PM](#) Council Member Johnson expressed his concern with the turning radius for a full semi truck and trailer and said he felt it was a major safety factor for the project because it looked like it would require a three or more point turn.

[7:26:36 PM](#) Mr. Piggot explained that a truck turning template in the auto cad design had been used in preparing the site plan. He said the radius was adequate for the size of semi truck and

trailer that would be making deliveries and it allowed for adequate turning and maneuvering for a WB-67 truck.

[7:29:22 PM](#) Council Member Roy Tingey asked City Attorney Ryan Carter to explain Utah Code regarding land use applicants and their development rights.

[7:29:45 PM](#) Mr. Carter explained that the subject property had been available for sale for some time and, according to Utah Code 10-9-509, when an applicant tenders an application, regardless of who they are; if they meet the land use requirements, they are entitled to land use approval regardless of who they are.

[7:37:31 PM](#) Mayor Applegarth explained that the notices sent to the nearby residents from the City exceed the minimum state noticing requirements. He then clarified that the road going around the building is a service road and not for public use. He spoke of delivery times and trash pickup times and said they were established by Riverton City Code and, if the residents become aware of any violation of those times, he asked them to contact him and the matter would be addressed.

[7:44:14 PM](#) Council Member Brent Johnson asked Mr. Carter to clarify the Land Use Code. Attorney Carter explained that an applicant has the right to develop property if the application meets the requirements of the Land Use Code, and municipality maps. If an applicant complies with the land use ordinances, they are entitled to approval.

[7:51:35 PM](#) Further discussion was held regarding road access and truck routes and it was stated that semi trucks are allowed to make maneuvers on and to roads the same as other vehicles.

[8:01:44 PM](#) Council Member Sheldon Stewart **MOVED the City Council approve the Riverton Market Grocer Commercial Site Plan, Application Number PL-13-8014, located at 1206 West 12600 South, with the conditions outlined in the Staff Report.** Council Member Roy Tingey **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes and Wayman-Yes. **The motion passed unanimously.**

4. CONSENT AGENDA

[8:02:51 PM](#) Mayor Applegarth presented the following Consent Agenda:

1. **Minutes:** RCCM/WS 03-04-14
2. **Bond Releases**
 1. Larkin Mortuary - 90% Performance Release

[8:02:54 PM](#) Council Member Roy Tingey **MOVED the City Council approve the Consent Agenda as listed.** Council Member Brent Johnson **SECONDED** the motion. Mayor Applegarth called for discussion on the motion; there being none, he called for a Roll Call Vote. The vote was as follows: Johnson-Yes, Staggs-Yes, Stewart-Yes, Tingey-Yes and Wayman-Yes. **The motion passed unanimously.**

5. STAFF REPORTS

1. City Manager Lance Blackwood – No report

2. Safety Training

Ryan Carter, City Attorney, thanked Council Member Johnson for meeting with him regarding safety issues and said that he would be working with Mr. Johnson on other safety issues.

6. ELECTED OFFICIAL REPORTS

Mayor Bill Applegarth – [8:04:25 PM](#) reported on the status of legislative bills affecting Riverton City.

Council Member Brent Johnson – No report

Council Member Trent Staggs – No report

Council Member Sheldon Stewart – [8:09:02 PM](#) asked about a recent accident that occurred on the Mountain View Corridor. He also spoke of improvements that have been made to light poles and signs in his area. He said that signs that are taped to the light poles are very destructive to the poles. Council Member Roy Tingey said that he and Council Member Wayman were working on proposed sign ordinance changes and requested that any changes to the sign ordinance be incorporated at the same time.

Council Member Roy Tingey – No report

Council Member Paul Wayman – No report

7. UPCOMING MEETINGS

Mayor Applegarth reviewed the following upcoming meetings:

1. March 18, 2014 – Cancelled for Democratic Caucus
2. March 25, 2014 – Work Session – 6:30 p.m.
3. April 1, 2014 - Regular City Council Meeting/Work Session – 6:30 p.m.

Break to Work Session

8. WORK SESSION

Council Members Johnson Staggs, Stewart, Tingey and Wayman were present. The following individuals were also present: City Manager Lance Blackwood, Asst. City Manager Jeff Hawker, and City Recorder Virginia Loader. Warren James and Ryan Perry, UFA, were also present.

3. Ryan [8:14:30 PM](#) Ryan Carter reported that he has been in discussions with the Riverton Historical Society and they are nearing a resolution, which he said he would report at a future time.

1. Unified Fire Authority (UFA) Update and Discussion

[8:30:31 PM](#) Warren James and Ryan Perry, Unified Fire Authority, presented information regarding the Unified Fire Authority, UFA Board Responsibilities, the UFA Organization, UFA Organization Chart, UFA Specialty Programs, UFA Administration, City responsibilities, District Board Members, UFA, District Responsibilities, UFA and District Benefits and District and UFA Tax Rate History.

[9:14:58 PM](#) Council Member Roy Tingey summarized the following benefits of belonging to UFA.

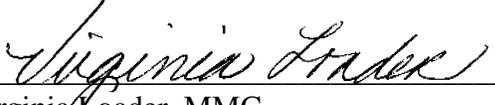
2. Final 2014 Strategic Plans

[9:23:28 PM](#) Jeff Hawker, Asst. City Manager, explained that Warren James was an expert in communication and had been very helpful to Riverton City in acquiring emergency communication equipment and frequencies.

[9:25:27 PM](#) Mr. Hawker provided the 2014 Strategic Plan to the Council Members with their proposed changes included and requested Council's final approval by the end of the week.

9. ADJOURN

[9:26:56 PM](#) Council Member Trent Staggs **MOVED to adjourn the City Council Meeting.** Council Member Roy Tingey **SECONDED** the motion. Mayor Applegarth declared the meeting adjourned at 9:27 p.m.



Virginia Loader, MMC
Recorder

Approved: CC 03-11-14