The Study Electronic Meeting of the West Valley City Council will be held on Tuesday, June 20, 2023, at 4:30 PM, in the Multipurpose Room, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend in person or view this meeting live on YouTube at https://www.youtube.com/user/WVCTV.

A G E N D A

1. Call to Order

2. Roll Call

3. Approval of Minutes:

   A. June 13, 2023

4. Review Agendas for Regular City Council Meeting and Special Municipal Building Authority Meeting of June 20, 2023

   A. Regular Meeting Agenda

   B. Special BA Meeting Agenda

5. Awards, Ceremonies and Proclamations Scheduled for June 27. 2023

   A. Proclamation Recognizing the Month of July 2023 as Park and Recreation Month

6. Public Hearings Scheduled For June 27, 2023

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.
- Electronic connection may be made by telephonic or other means. In the event of an electronic meeting, the anchor location is designated as City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah.

A. Accept Public Input Regarding Application GP-1-2023, Filed by Russell Platt, Requesting a General Plan Change from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential for Property Located at 1251 West 3300 South

Action: Consider Ordinance 23-21: Amend the General Plan to Show a Change of Land Use from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential for Property Located at 1251 West 3300 South

Action: Consider Resolution 23-83: Authorize the City to Enter Into a Development Agreement With Village at River's Edge, LLC for Approximately 13.02 Acres of Property Located at Approximately 1251 West 3300 South

7. Resolutions:

A. 23-86: Authorize the Purchase of Golf Course Maintenance Equipment

8. New Business Scheduled for June 27, 2023

A. Consider Application S-12-2022, Filed by Fred Cox, Requesting Final Plat Approval for the Moody Subdivision Located at 6780 West SR-201 North Frontage Road

9. Consent Agenda Scheduled for June 27, 2023

A. Reso. 23-87: Accept a Warranty Deed from Bradley Jones for Property Located at 2165 South 7200 West

B. Reso 23-88: Ratify the City Manager's Reappointment of Angie McConkey as a Member of the West Valley Board of Adjustment for a Term from July 1, 2023 to June 30, 2028

C. Reso 23-89: Ratify the City Manager's Reappointment of Josh Pettersson as a Member of the West Valley Board of Adjustment for a Term from July 1, 2023 to June 30, 2028

D. Reso 23-90: Ratify the City Manager's Reappointment of Sandy Naegle as a Member of the West Valley Board of Adjustment for a Term from July 1, 2023 to June 30, 2028

E. Reso 23-91: Ratify the City Manager's Reappointment of Scott Spendlove as a Member of the West Valley Board of Adjustment for a Term from July 1, 2023 to June 30, 2028

F. Reso 23-92: Ratify the City Manager's Reappointment of Mathew Lovato as a Member of the West Valley Planning Commission for a Term from July 1, 2023 to June 30, 2027

G. Reso 23-93: Ratify the City Manager's Reappointment of Larry Healey as a Member of the License Hearing Board for a Term Commencing July 1, 2023 and Ending June 30, 2026

H. Reso 23-94: Ratify the City Manager's Reappointment of Abigail M. Dizon-Maughan to the Professional Standards Review Board for a Term Commencing July 1, 2023 and Ending June 30, 2025

I. Reso. 23-95: Ratify the City Manager's Reappointment of Barbara Fields to the Professional Standards Review Board for a Term Commencing July 1, 2023 and Ending June 30, 2025

J. Reso. 23-96 Ratify the City Manager's Reappointment of Micah Bruner to the Professional Standards Review Board for a Term Commencing July 1, 2023 and Ending June 30, 2025

K. Reso. 23-97: Ratify the City Manager's Reappointment of Misty Smith as a Member of

the West Valley City Clean and Beautiful Committee for a Term from July 1, 2023 to June 30, 2027

L. Reso. 23-98: Ratify the City Manager's Appointment of Brian Blank as Chair of the West Valley City Clean and Beautiful Committee for a Term from July 1, 2023 to June 30, 2024

M. Reso. 23-99: Ratify the City Manager's Reappointment of Steve Lehman as Chair of the License Hearing Board for a Term from July 1, 2023 to June 30, 2024

N. Reso. 23-100: Ratify the City Manager's Reappointment of Lars Nordfelt as Chair of the West Valley City Audit Review Committee for a Term from July 1, 2023 to June 30, 2024

O. Reso 23-101: Ratify the City Manager's Appointment of Dan Johnson to the Utah Infrastructure Agency Board

10. Communications:

A. City Manager Hiring Process (15 min)

B. Council Calendar

11. New Business:

A. Potential Future Agenda Items

B. Council Reports

C. Strategic Discussion List

D. Review Agenda for Special Redevelopment Agency Meeting Scheduled June 27, 2023

12. Motion for Closed Session (if necessary)

13. Adjourn

THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, JUNE 13, 2023 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 LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4 *(electronically)*

STAFF PRESENT:

Wayne T Pyle, City Manager *(electronically)*
Nichole Camac, City Recorder
Nicole Cottle, Assistant City Manager/General Counsel
Eric Bunderson, City Attorney
Colleen Jacobs, Police Chief *(electronically)*
John Evans, Fire Chief
Jim Welch, Finance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Nancy Day, Parks and Recreation Director
Mark Nord, RDA Director
John Flores, HR Director *(electronically)*
Sam Johnson, Strategic Communications Director
Ken Cushing, IT *(electronically)*

APPROVAL OF MINUTES OF STUDY MEETING HELD JUNE 6, 2023
The Council considered the Minutes of the Study Meeting held June 6, 2023. There were no changes, corrections or deletions.

Councilmember Huynh moved to approve the Minutes of the Study Meeting held June 6, 2023. 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 AND SPECIAL BUILDING AUTHORITY MEETINGS OF JUNE 13, 2023
Eric Bunderson, City Attorney, indicated that adjustments were made to Ordinance 23-19 per the Council's request that would add a 5 minute per speaker time limit during Public Hearings and would provide the Mayor discretion to adjust as needed. Councilmember Whetstone stated that he would be interested in modifying the ordinance to continue to allow public comment each week. Councilmember Harmon agreed and indicated that after hearing concerns voiced by residents at last weeks meeting, he would like to continue to allow public comment each week but reduce it to 3 minutes per speaker. Councilmember Christensen agreed.

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

PUBLIC HEARINGS SCHEDULED FOR JUNE 20, 2023

A. **ACCEPT PUBLIC INPUT REGARDING RE-OPENING THE FY 2022-2023 BUDGET**
Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled June 20, 2023, in order for the City Council to hear and consider public comments regarding re-opening the FY 2022-2023 Budget.

Proposed Ordinance 23-20 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 23-20, AMEND THE BUDGET OF WEST VALLEY CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023 TO REFLECT CHANGES IN THE BUDGET FROM INCREASED REVENUES AND AUTHORIZE THE DISBURSEMENT OF FUNDS
Jim Welch, Finance Director, discussed proposed Ordinance 23-20 that would amend the Budget of West Valley City for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds.

DRAFT

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

> State Statute Title 10, Chapter 6, Utah Code Annotated 1953, as amended, allows the City to amend its budget during the year. The City holds public hearings on budget amendments on a quarterly basis each fiscal year.
>
> A Public Notice was posted June 8, 2023, in public view at City Hall, the Family Fitness Center and UCCC; also, posted on the Public Notice Website and West Valley City's Website. Notice was given that a public hearing is to be held June 20, 2023, at 6:30 p.m., West Valley City Hall, 3600 Constitution Blvd., West Valley City, Utah.

Councilmember Whetstone asked if golf course revenues listed in this budget opening come back into the City. Jim explained that this budget opening is authorization to expend money. He indicated that this item in particular would be the purchase of merchandise that is sold at the golf courses and noted that money does flow back into the City.

The City Council will consider Ordinance 23-20 at the Regular Council Meeting scheduled June 20, 2023 at 6:30 P.M.

B. **ACCEPT PUBLIC INPUT REGARDING APPLICATION GP-1-2023, FILED BY RUSSELL PLATT, REQUESTING A GENERAL PLAN CHANGE FROM MIXED USE WITH HIGH DENSITY RESIDENTIAL TO MIXED USE WITH VERY HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 1251 WEST 3300 SOUTH**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled June 27, 2023, in order for the City Council to hear and consider public comments regarding Application GP-1-2023, Filed by Russell Platt, Requesting a General Plan Change from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential for Property Located at 1251 West 3300 South.

Proposed Ordinance 23-21 and Resolution 23-83 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 23-21, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM MIXED USE WITH HIGH DENSITY RESIDENTIAL TO MIXED USE WITH VERY HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 1251 WEST 3300 SOUTH

Steve Pastorik, CED Director, discussed proposed Ordinance 23-21 that would amend the General Plan to Show a Change of Land Use from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential for Property Located at 1251 West 3300 South

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

> The property is currently developed as the Village at River's Edge Apartments which include 244 apartments and 21,054 square feet of commercial space on the ground floor of four of the buildings on the north end of the property. In the southeast corner of the property there is a 40-unit condo building that is not included with this application. The current density of the apartment development is 18.8 units/acre.
>
> The applicant is proposing two significant changes to the existing Village at River's Edge development that are highlighted on the attached concept plan. The first proposed change is to remodel buildings A1-A4 (buildings in blue on the concept plan) to replace the existing commercial space with 30 new apartments. The second change is to fill the wetland area along the east side of the property and develop 17 rental townhome units within 4 new buildings (buildings in purple on the concept plan). The addition of 47 new units increases the density from 18.8 units/acre to 22.4 units/acre. This is why the General Plan change is sought. Included with this issue paper are renderings for the proposed townhomes as well as renderings showing how the existing mixed use buildings would be remodeled to convert the ground floor commercial space into apartments. The original development agreement and a license history of the businesses on the property are included for reference.

ACTION: RESOLUTION NO. 23-83, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH VILLAGE AT RIVER'S EDGE, LLC FOR APPROXIMATELY 13.02 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1251 WEST 3300 SOUTH

Steve Pastorik, CED Director, discussed proposed Resolution 23-83 that would authorize the City to Enter Into a Development Agreement With Village at River's Edge, LLC for Approximately 13.02 Acres of Property Located at Approximately 1251 West 3300 South.

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

> Russell Platt has submitted a General Plan change application (GP-1-2023) on 13.02 acres to change the General Plan from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential. The Planning Commission recommended approval of the General Plan change subject to a development agreement.
>
> The proposed development agreement replaces the original development agreement on this property and addresses the number of new apartments and rental townhomes, the apartment unit mix, minimum unit sizes, exterior building design, interior finishes, updates/repairs to the existing buildings, new amenities, landscaping, and management standards.

Councilmember Christensen stated that development of wetland areas takes approval from the Corp of Engineers and asked if the developer is aware of that process. Steve replied yes and noted that they are in contact with the Corp. Councilmember Christensen asked if there will be any commercial use left. Steve replied no. Councilmember Christensen asked why the zoning is being left at mixed use. Steve replied that it is unnecessary to change the zone with what is being proposed by the applicant. Councilmember Harmon asked if the streets are private and what the parking situation will be. Seve replied that the overall property is owned by one property owner so this is considered a drive as opposed to private or public street systems. He indicated that because commercial generally requires more parking than residential, the site will exceed the City's parking requirements. Mayor Lang asked if there will be garage parking for the townhome units. Steve replied yes and noted that all townhomes will have a 2 car garage as well as 2 additional spaces in the driveways. Mayor Lang stated that she would rather the townhomes be owner occupied and not rentals. Steve replied that because of the City's regulations regarding private street prohibitions, this would not be possible. Mayor Lang asked if the businesses will be given time to move locations. Steve replied that remaining businesses are on a month-to-month lease. Councilmember

Harmon asked if there are any plans for the corner piece of this property. Steve replied that parcel is owned by the RDA and there are no current plans for development. Councilmember Whetstone asked if there were flooding concerns in this area. Steve replied no but noted that stormwater run-off will need to be determined as the property is developed.

The City Council will consider Ordinance 23-21 and Resolution 23-83 at the Regular Council Meeting scheduled June 20, 2023 at 6:30 P.M.

ORDINANCE 23-22: AMEND SECTIONS 1-2-107(4)(K) AND 5(1) OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE THE TOURNAMENT FEES FOR THE WEST VALLEY CITY GOLF COURSES

Nancy Day, Parks and Recreation Director, presented proposed Ordinance 23-22 that would amend Sections 1-2-107(4)(k) and 5(1) of the West Valley City Municipal Code to Update the Tournament Fees for the West Valley City Golf Courses.

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

The Parks and Recreation Department golf staff have researched tournament pricing at many public golf courses and compared these fees to their current rates. It was found that the current West Valley City rates are low in comparison. The proposed increase keeps the City's golf tournament rates aligned with the market. The new rates and format outlined below will not start until the 2024 season. These rates continue to include green fees, carts, and merchandise.

Weekday Rates:	$65 per player
*Weekend Rates:	$11,000 course rental for up to 144 players (18 holes)
	$14,000 course rental for up to 220 players (27 holes) (Stonebridge GC)

*Previously, weekend tournaments were set-up similar to weekday tournaments with a per player fee. This has changed in the market to prevent prime time reservations from tournaments with last minute changes.

Councilmember Whetstone asked if there is a different in fees for non-profits. Nancy replied no, not for tournaments.

The City Council will consider Ordinance 23-22 at the Regular Council Meeting scheduled June 20, 2023 at 6:30 P.M

RESOLUTION 23-84: APPROVE AN INTERLOCAL AGREEMENT TO PARTICIPATE IN A CONSORTIUM TO RECEIVE HOME INVESTMENT PARTNERSHIP FUNDS

Layne Morris, CPD Director, presented proposed Resolution 23-84 that would approve an Interlocal Agreement to Participate in a Consortium to Receive Home Investment Partnership Funds.

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

West Valley City is part of a county wide consortium of cities that receive Housing and Urban Development (HUD) HOME Investment Partnerships (HOME) funds through Salt Lake County. To participate in the Salt Lake County HOME Consortium and receive this funding we must have an interlocal agreement in place with Salt Lake County. The agreement is effective from October 1, 2023 until September 30, 2026.

By itself, West Valley City does not qualify for federal HOME program funds through HUD. As part of a larger consortium of cities, however, we have succeeded in qualifying for these funds, with Salt Lake County as the receiving agency. After being notified of our HOME award each year, we will enter into a HOME program agreement with Salt Lake County to spend the funding, then invoice Salt Lake County for reimbursement of eligible expenses. The interlocal agreement details the relationship between West Valley City and Salt Lake County.

This interlocal agreement is renewed every three years.

Councilmember Whetstone asked if it would be better to enter into this Interlocal with the Housing Authority as opposed to the City. Layne replied that because the Housing Authority is formed and run as division of the City, account procedures and other requirements made it easier to tie the Interlocal through the City. He indicated that this is how the County prefers it as well and is how all other entities participate.

The City Council will consider Resolution 23-84 at the Regular Council Meeting scheduled June 20, 2023 at 6:30 P.M

CONSENT AGENDA SCHEDULED FOR APRIL 4, 2023

A. **RESOLUTION 23-85: AUTHORIZE THE CITY TO ABANDON AN EASEMENT AND A PORTION OF AN EASEMENT LOCATED AT 5456 SOUTH 5600 WEST**

Wayne Pyle, City Manager, discussed proposed Resolution 23-85 that would authorize the City to Abandon an Easement and a Portion of an Easement Located at 5456 South 5600 West.

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

In 1986 a Storm Drain Retention Pond Easement was recorded in favor of Salt Lake County across property located at 5456 South 5600 West. In 1986 a second Storm Drain Retention Pond Easement was recorded in favor of Salt Lake County, a portion of which is over the area of the earlier easement. As the retention ponds have been modified and approved by West Valley City, the property owner has requested these easements be abandoned by West Valley City.

Carpe Diem Auct, LLC is the owner of property located at 5456 South 5600 West, parcel 20-14-231-026, Lot 1 of the Carpe Diem Auctum Subdivision. The above referenced storm drain retention pond easements were recorded in favor of Salt Lake County prior to the Smith's Annexation in 1995 by West Valley City. After the annexation of property, West Valley City became the successor in interest

to Salt Lake County. As the easements are no longer necessary, an Abandonment of a Portion of a Storm Drain Retention Pond Easement document and an Abandonment of Storm Drain Retention Pond Easement document have been prepared for approval by the West Valley City Council and execution by the mayor.

The City Council will consider Resolution 23-85 on the Consent Agenda at the Regular Council Meeting scheduled June 20, 2023 at 6:30 P.M

COMMUNICATIONS

A. FRAUD RISK ASSESSMENT

Jim Welch, Finance Director, presented a copy of this year's Fraud Risk Assessment to the Mayor and Council. He reviewed the assessment in detail. Mayor Lang asked if the City received the highest points possible. Jim replied yes.

The Mayor and Council had no further questions or concerns.

B. RESIDENTIAL ORDINANCE DISCUSSION

Steve Pastorik, CED, presented a PowerPoint presentation summarized as follows:

- Rental Home Topics
  - Housing Definitions
  - Legal Rental Scenarios
  - Illegal Rental Scenarios
  - Enforcing Illegal Rentals
- Housing Definitions
  - "Boarding Home" means a Dwelling Unit, or portion thereof, wherein a room or rooms are rented under two or more separate written or oral rental agreements, leases, or subleases or combination thereof, whether or not the owner, agent, or rental manager resides within the Dwelling Unit. (WVC Code 7-1-103 (38))
  - "Rental dwelling unit" shall mean any individual dwelling unit that is rented, leased, subleased, loaned, let or hired out, or used or occupied as a home or residence by any individual or entity other than the owner. (WVC Code 17-2-801 (3))
- Legal Rental Scenarios
  - Scenario 1: An entire home is rented long-term as one unit by a single household under a single lease. In this scenario, the owner of the home needs a business license.
  - Scenario 2: An entire home is rented short-term as one unit by a single household under a single lease. In this scenario, the owner of the home needs a business license.
  - Scenario 3: An entire home is occupied and shared as one unit by the owner and one or more tenants under a single lease. The City has not required a business license in this scenario.
  - Scenario 4: A portion of the home is occupied by the owner as one unit and the remaining portion of the home is occupied as a second unit (ADU) to tenants under a single lease. A business license is required for the rented unit and a building permit is required to create the second unit.
- Illegal Rental Scenarios
  - Scenario 5: A portion of the home is rented to one or more tenants as one unit under one lease and the remaining portion of the home is rented to one or more tenants as a second unit under a separate lease. This scenario would constitute a two-unit dwelling or duplex and duplexes are not allowed in R-1 and A zones.
  - Scenario 6: Individual rooms within a home are leased to one or more tenants with a separate lease for each room. This scenario describes a boarding home and boarding homes are not allowed in R-1 and A zones.
- Enforcing Illegal Rentals
  - The biggest challenge is obtaining sufficient evidence.
  - Examples of evidence include:
    - Online ads that describe illegal activity in text or photos
    - Construction work being done without a permit
    - Testimony from tenants
    - Appraisals or County Assessor records
    - The property address doesn't match the owner's address and there is no rental business license
    - Applicant admission on license application
    - Interior building inspection for related or unrelated work
    - Exterior license inspection (two mailboxes, two doors, etc.)

Councilmember Harmon verified that a home occupied by anyone other than the owner is considered a rental. Steve replied yes. Councilmember Huynh asked how the Code could be adjusted to allow a family member to occupy a home that the homeowner doesn't. Steve replied that the difficulty with this is enforcement. He indicated that "defining" what constitutes family is very difficult. Mayor Lang agreed and noted that would be almost impossible to determine and enforce. Councilmember Nordfelt asked how much a business license would be for a rental home. Steve replied that he believes it is $35. Mayor Lang asked if there is a limit to how many renters live in a home. Steve replied that there can only be one lease per household. Councilmember Harmon stated that situations 5 and 6 are the issues he hears about most. Steve agreed and indicated that State Code does allow ADU's so there can be two families living in the same household (one upstairs and one downstairs, for example) as long as one of the individuals living in the home is the homeowner. Councilmember Huynh expressed concern again about allowing family to live in a home without the owner living in the home as well. Steve replied that generally the City is not going after these situations unless there are other concerns, such as Code Enforcement or Police activity, the bring the issue to light. Councilmember Harmon asked if there is a list of boarding home houses that staff keeps an eye on. Steve replied that for boarding homes specifically, there is no real way to systematically identify these until a complaint is received. He noted that once a complaint is received, the City can use various tools to investigate further and hopefully rectify the issue. Councilmember Huynh asked who enforces these types of issues. Steve replied that it would depend on the issue and could be Code Enforcement, Community Development via Building Inspections, Police, etc. Councilmember Fitisemanu asked how the Council can reassure neighbors that the City is doing what it can when it comes to Boarding Homes in neighborhoods. Wayne replied that there is a proactive effort with Police and Code Enforcement in as much as they are able. He noted that there is an internal coordination meeting that occurs once a month and this group discusses these problems homes, complaints, etc. Wayne stated that when problems arise, this group meets to determine how best to resolve the issue. He noted that the

process is often lengthier than what residents would want but the issue is very difficult to resolve since the City can't walk into private homes to determine the internal situation and often has to rely on other problems that must go through the due process. He encouraged residents with concerns to reach out to Community Development and points of contact can be established as staff works to find solutions.

The Mayor and Council had no further questions or concerns.

C. COUNCIL CALENDAR

Mayor Lang 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

Councilmember Nordfelt stated that since the City Manager has announced his retirement for the end of the year, he thinks it's important for the Council to get a plan in place to replace that position and should be discussed soon. He suggested having HR prepare a presentation so the Council can discuss what steps need to be taken to move forward. Councilmember Huynh, Harmon, and Whetstone agreed.

Councilmember Harmon requested that the bond debt schedule that was provided to the Council in a memo be added to these minutes for the public to view. Councilmember Whetstone asked if staff could provide debt to revenue standards that City's should abide by. Wayne replied that this is something bond rating agencies do frequently and indicated that Fitch recently assessed the City at being at a moderate level. He indicated that through his tenure with the City, debt levels to overall finances have remained steady. Councilmember Harmon requested that annual payment schedules be provided as well. Councilmember Whetstone asked if additional payments can be made to debts that are not callable. Wayne replied not in that way but there are other ways to address this. Councilmember Whetstone asked if the average interest rate for each debt could be provided.

Councilmember Nordfelt stated that he would like to look at a potential change to home businesses and how much product can be sold. He indicated that the Code currently provides for a $2,000 a year limit but suggested that the Council raise this to reflect inflation. After conversation, the Council requested that staff provide a recommendation.

Nichole Camac, City Recorder, stated that the Mayor met with the Children's Center who will be moving into the old Granger Medical building. She noted that the group would like to meet with the Council and explain what their program does and how it can benefit the community. The Council agreed to get this scheduled.

B. COUNCIL REPORTS

N/A

C. STRATEGIC DISCUSSION LIST

Mayor Lang stated that items would continue to be discussed on the list.

D. REVIEW AGENDA FOR SPECIAL MUNICIPAL BUILDING AUTHORITY MEETING SCHEDULED JUNE 20, 2023

Jim Welch, Finance Director, indicated that this meeting has a resolution to adopt budget openings and would be discussed June 20, 2023 following the Regular City Council meeting.

The Mayor and Council discussed the Harmon Theatre fund balance and State Regulations.

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 STUDY MEETING ON TUESDAY JUNE 13, 2023 WAS ADJOURNED AT 6:10 PM BY MAYOR LANG.

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, June 13, 2023.

_____
Nichole Camac, CMC
City Recorder

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Profile Summary

Reporting Date	05/24/2023

Series	Purpose	Origination Date	Original Amount	Outstanding Amount	Payoff Date	Early Pay-off Date
2010 - Sales Tax Revenue	Refund E-Center and Cultural Center	12/28/2010	14,466,760.00	14,466,760.00	07/15/2035	Non Callable
2011 - Note Payable	Embassy Suites Hotel	10/19/2010	33,063,000.07	24,365,566.45	10/15/2037	Non Callable
2013 A - Sales Tax Revenue	Refund Pubic Safety Storage and Animal Shelter	01/14/2013	5,880,000.00	730,000.00	07/15/2023	Currently Callable
2015 - RDA Tax Increment Revenue	Refund 2005 City Center	11/10/2015	3,163,000.00	378,000.00	03/01/2024	Non Callable
2016 - Lease Revenue	Maverik Center and Fire Stations	07/27/2016	30,750,000.00	16,035,000.00	02/01/2038	2/1/2026
2016 - Revenue Refunding	Refund Valley Fair Mall and others	10/27/2016	10,490,000.00	8,135,000.00	11/01/2036	Non Callable
2016 A - Tax Increment Revenue and refunding	Refund 2009 Infrastructure and Mall and 2012 Mall	10/27/2016	16,514,000.00	4,807,000.00	05/01/2025	10/27/2024
2017 - Lease Revenue	Parking Structure, New Public Safety Bldg. and Courts	05/10/2017	47,235,000.00	43,535,000.00	02/01/2044	2/1/2027
2019 - Lease Revenue	Public Works and Parks Bldg.	03/19/2019	11,155,000.00	10,140,000.00	02/01/2044	2/1/2029
2020 - Tax Increment Revenue and Refunding	Refund 2010 Build America and 2008 City Center	05/01/2020	4,795,000.00	3,625,000.00	11/01/2025	Currently Callable
2021 - Road Revenue	Transportation Infrastructure	12/22/2021	14,285,000.00	13,386,000.00	09/15/2036	Currently Callable
2022 - Lease Revenue	Courts Remodel	06/23/2022	5,125,000.00	4,900,000.00	02/01/2044	2/1/2032

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Debt Service

Series 2010

Sales Tax Revenue Refunding Bonds

Capital Appreciation Bonds

	2010 Sales Tax Revenue Refunding Bonds Sales Tax Revenue		
Date	**Principal**	**Interest**	**Total**
06/30/2023			
06/30/2024	526,260.00	684,245.40	1,210,505.40
06/30/2025	634,060.00	924,530.65	1,558,590.65
06/30/2026	607,600.00	988,466.00	1,596,066.00
06/30/2027	1,780,660.00	3,217,907.00	4,998,567.00
06/30/2028	1,705,200.00	3,410,052.00	5,115,252.00
06/30/2029	1,631,700.00	3,599,064.00	5,230,764.00
06/30/2030	1,795,360.00	4,355,122.00	6,150,482.00
06/30/2031	1,327,900.00	3,533,365.75	4,861,265.75
06/30/2032	973,140.00	2,833,922.70	3,807,062.70
06/30/2033	931,000.00	2,961,245.00	3,892,245.00
06/30/2034	890,820.00	3,089,054.70	3,979,874.70
06/30/2035	852,600.00	3,217,956.00	4,070,556.00
06/30/2036	810,460.00	3,324,540.00	4,135,000.00
Total	**14,466,760.00**	**36,139,471.20**	**50,606,231.20**

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Debt Service

Series 2011

Notes Payable

	2011 Note Note		
Date	**Principal**	**Interest**	**Total**
06/30/2011			
06/30/2012		1,231,019.17	1,231,019.17
06/30/2013	355,768.68	1,872,958.30	2,228,726.98
06/30/2014	637,928.45	1,841,333.23	2,479,261.68
06/30/2015	675,121.14	1,804,140.54	2,479,261.68
06/30/2016	714,482.22	1,764,779.46	2,479,261.68
06/30/2017	756,138.16	1,723,123.52	2,479,261.68
06/30/2018	800,222.75	1,679,038.93	2,479,261.68
06/30/2019	846,877.55	1,632,384.13	2,479,261.68
06/30/2020	896,252.44	1,583,009.24	2,479,261.68
06/30/2021	948,506.00	1,530,755.68	2,479,261.68
06/30/2022	1,003,806.03	1,475,455.66	2,479,261.69
06/30/2023	1,062,330.20	1,416,931.48	2,479,261.68
06/30/2024	1,124,266.50	1,354,995.18	2,479,261.68
06/30/2025	1,189,813.79	1,289,447.89	2,479,261.68
06/30/2026	1,259,182.64	1,220,079.04	2,479,261.68
06/30/2027	1,332,595.83	1,046,665.85	2,379,261.68
06/30/2028	1,410,289.25	1,068,972.43	2,479,261.68
06/30/2029	1,492,512.27	986,749.41	2,479,261.68
06/30/2030	1,579,529.15	899,732.53	2,479,261.68
06/30/2031	1,671,619.27	807,642.41	2,479,261.68
06/30/2032	1,769,078.46	710,183.22	2,479,261.68
06/30/2033	1,872,219.78	607,041.90	2,479,261.68
06/30/2034	1,981,374.45	497,887.23	2,479,261.68
06/30/2035	2,096,893.08	382,368.60	2,479,261.68
06/30/2036	2,219,146.73	260,104.95	2,479,251.68
06/30/2037	2,348,528.02	130,733.66	2,479,261.68
06/30/2038	1,018,517.23	14,508.47	1,033,025.70
Total	**33,063,000.07**	**30,832,042.11**	**63,895,042.18**

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Debt Service

Series 2013 A

Sales Tax Revenue Refunding Bonds

	2013A - Sales Tax Revenue Refunding Bonds Sales Tax Revenue		
Date	**Principal**	**Interest**	**Total**
06/30/2013			
06/30/2014		145,954.31	145,954.31
06/30/2015		145,550.00	145,550.00
06/30/2016	60,000.00	144,950.00	204,950.00
06/30/2017	860,000.00	135,750.00	995,750.00
06/30/2018	875,000.00	118,400.00	993,400.00
06/30/2019	640,000.00	103,250.00	743,250.00
06/30/2020	650,000.00	90,350.00	740,350.00
06/30/2021	665,000.00	73,875.00	738,875.00
06/30/2022	690,000.00	53,550.00	743,550.00
06/30/2023	710,000.00	32,550.00	742,550.00
06/30/2024	730,000.00	10,950.00	740,950.00
Total	**5,880,000.00**	**1,055,129.31**	**6,935,129.31**

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Debt Service

Series 2015

Redevelopment Agency Taxable Increment Revenue Refunding Bonds

	2015 - Redevelopment Agency Taxable Increment Revenue Refunding Bonds Tax Increment Revenue		
Date	**Principal**	**Interest**	**Total**
06/30/2015			
06/30/2016	364,000.00	22,040.84	386,040.84
06/30/2017	323,000.00	63,257.40	386,257.40
06/30/2018	330,000.00	55,957.60	385,957.60
06/30/2019	338,000.00	48,499.60	386,499.60
06/30/2020	346,000.00	40,860.80	386,860.80
06/30/2021	353,000.00	33,041.20	386,041.20
06/30/2022	361,000.00	25,063.40	386,063.40
06/30/2023	370,000.00	16,904.80	386,904.80
06/30/2024	378,000.00	8,542.80	386,542.80
Total	**3,163,000.00**	**314,168.44**	**3,477,168.44**

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Debt Service

Series 2016

Lease Revenue and Refunding Bonds

	2016 Lease Revenue and Refunding Bonds Lease (Revenue)		
Date	**Principal**	**Interest**	**Total**
06/30/2016			
06/30/2017	2,740,000.00	588,851.11	3,328,851.11
06/30/2018	2,370,000.00	1,097,300.00	3,467,300.00
06/30/2019	1,635,000.00	1,049,900.00	2,684,900.00
06/30/2020	1,900,000.00	1,017,200.00	2,917,200.00
06/30/2021	1,960,000.00	960,200.00	2,920,200.00
06/30/2022	2,015,000.00	901,400.00	2,916,400.00
06/30/2023	2,095,000.00	820,800.00	2,915,800.00
06/30/2024	2,160,000.00	737,000.00	2,897,000.00
06/30/2025	2,265,000.00	629,000.00	2,894,000.00
06/30/2026	2,350,000.00	538,400.00	2,888,400.00
06/30/2027	2,470,000.00	420,900.00	2,890,900.00
06/30/2028	2,580,000.00	297,400.00	2,877,400.00
06/30/2029	350,000.00	168,400.00	518,400.00
06/30/2030	365,000.00	154,400.00	519,400.00
06/30/2031	380,000.00	139,800.00	519,800.00
06/30/2032	395,000.00	124,600.00	519,600.00
06/30/2033	410,000.00	108,800.00	518,800.00
06/30/2034	425,000.00	92,400.00	517,400.00
06/30/2035	445,000.00	75,400.00	520,400.00
06/30/2036	460,000.00	57,600.00	517,600.00
06/30/2037	480,000.00	39,200.00	519,200.00
06/30/2038	500,000.00	20,000.00	520,000.00
Total	**30,750,000.00**	**10,038,951.11**	**40,788,951.11**

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Debt Service

Series 2016

Revenue Refunding Bonds

	2016 Revenue Refunding Bonds Tax Increment Revenue		
Date	**Principal**	**Interest**	**Total**
06/30/2016			
06/30/2017		212,187.78	212,187.78
06/30/2018	365,000.00	411,500.00	776,500.00
06/30/2019	375,000.00	404,100.00	779,100.00
06/30/2020	385,000.00	394,575.00	779,575.00
06/30/2021	395,000.00	382,875.00	777,875.00
06/30/2022	410,000.00	368,750.00	778,750.00
06/30/2023	425,000.00	352,050.00	777,050.00
06/30/2024	435,000.00	334,850.00	769,850.00
06/30/2025	455,000.00	314,775.00	769,775.00
06/30/2026	485,000.00	291,275.00	776,275.00
06/30/2027	505,000.00	266,525.00	771,525.00
06/30/2028	530,000.00	243,300.00	773,300.00
06/30/2029	550,000.00	221,700.00	771,700.00
06/30/2030	570,000.00	202,150.00	772,150.00
06/30/2031	590,000.00	184,750.00	774,750.00
06/30/2032	605,000.00	166,825.00	771,825.00
06/30/2033	625,000.00	145,250.00	770,250.00
06/30/2034	650,000.00	119,750.00	769,750.00
06/30/2035	680,000.00	89,750.00	769,750.00
06/30/2036	710,000.00	55,000.00	765,000.00
06/30/2037	745,000.00	18,625.00	763,625.00
Total	**10,490,000.00**	**5,180,562.78**	**15,670,562.78**

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Debt Service

Series 2016 A

Tax Increment Revenue and Refunding Bonds

	2016A - Tax Increment Revenue and Refunding Bonds Tax Increment Revenue		
Date	**Principal**	**Interest**	**Total**
06/30/2016			
06/30/2017	903,000.00	188,222.90	1,091,222.90
06/30/2018	807,000.00	348,125.30	1,155,125.30
06/30/2019	1,571,000.00	330,129.20	1,901,129.20
06/30/2020	1,601,000.00	295,095.90	1,896,095.90
06/30/2021	2,222,000.00	259,393.60	2,481,393.60
06/30/2022	2,277,000.00	209,843.00	2,486,843.00
06/30/2023	2,326,000.00	159,065.90	2,485,065.90
06/30/2024	2,378,000.00	107,196.10	2,485,196.10
06/30/2025	2,429,000.00	54,166.70	2,483,166.70
Total	**16,514,000.00**	**1,951,238.60**	**18,465,238.60**

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Debt Service

Series 2017

Lease Revenue Bonds

	2017 Lease Revenue Bonds Lease (Revenue)		
Date	**Principal**	**Interest**	**Total**
06/30/2017			
06/30/2018	755,000.00	1,607,180.00	2,362,180.00
06/30/2019	80,000.00	2,194,150.00	2,274,150.00
06/30/2020	1,670,000.00	2,192,550.00	3,862,550.00
06/30/2021		2,125,750.00	2,125,750.00
06/30/2022		2,125,750.00	2,125,750.00
06/30/2023	1,195,000.00	2,125,750.00	3,320,750.00
06/30/2024	1,245,000.00	2,077,950.00	3,322,950.00
06/30/2025	1,290,000.00	2,028,150.00	3,318,150.00
06/30/2026	1,355,000.00	1,963,650.00	3,318,650.00
06/30/2027	1,420,000.00	1,895,900.00	3,315,900.00
06/30/2028	1,495,000.00	1,824,900.00	3,319,900.00
06/30/2029	1,570,000.00	1,750,150.00	3,320,150.00
06/30/2030	1,640,000.00	1,671,650.00	3,311,650.00
06/30/2031	1,720,000.00	1,589,650.00	3,309,650.00
06/30/2032	1,805,000.00	1,503,650.00	3,308,650.00
06/30/2033	1,895,000.00	1,413,400.00	3,308,400.00
06/30/2034	1,990,000.00	1,318,650.00	3,308,650.00
06/30/2035	2,090,000.00	1,219,150.00	3,309,150.00
06/30/2036	2,195,000.00	1,114,650.00	3,309,650.00
06/30/2037	2,300,000.00	1,004,900.00	3,304,900.00
06/30/2038	2,415,000.00	889,900.00	3,304,900.00
06/30/2039	2,535,000.00	769,150.00	3,304,150.00
06/30/2040	2,665,000.00	642,400.00	3,307,400.00
06/30/2041	2,780,000.00	535,800.00	3,315,800.00
06/30/2042	2,900,000.00	424,600.00	3,324,600.00
06/30/2043	3,040,000.00	279,600.00	3,319,600.00
06/30/2044	3,190,000.00	127,600.00	3,317,600.00
Total	**47,235,000.00**	**38,416,580.00**	**85,651,580.00**

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Debt Service

Series 2019

Lease Revenue Bonds

	2019 Lease Revenue Bonds Lease (Revenue)		
Date	**Principal**	**Interest**	**Total**
06/30/2019			
06/30/2020	285,000.00	437,471.67	722,471.67
06/30/2021	230,000.00	490,525.00	720,525.00
06/30/2022	245,000.00	479,025.00	724,025.00
06/30/2023	255,000.00	466,775.00	721,775.00
06/30/2024	300,000.00	454,025.00	754,025.00
06/30/2025	315,000.00	439,025.00	754,025.00
06/30/2026	330,000.00	423,275.00	753,275.00
06/30/2027	350,000.00	406,775.00	756,775.00
06/30/2028	365,000.00	389,275.00	754,275.00
06/30/2029	385,000.00	371,025.00	756,025.00
06/30/2030	405,000.00	351,775.00	756,775.00
06/30/2031	415,000.00	339,625.00	754,625.00
06/30/2032	430,000.00	327,175.00	757,175.00
06/30/2033	450,000.00	305,675.00	755,675.00
06/30/2034	470,000.00	283,175.00	753,175.00
06/30/2035	495,000.00	259,675.00	754,675.00
06/30/2036	515,000.00	241,731.26	756,731.26
06/30/2037	530,000.00	223,062.50	753,062.50
06/30/2038	550,000.00	203,850.00	753,850.00
06/30/2039	570,000.00	183,912.50	753,912.50
06/30/2040	590,000.00	163,250.00	753,250.00
06/30/2041	620,000.00	133,750.00	753,750.00
06/30/2042	650,000.00	102,750.00	752,750.00
06/30/2043	685,000.00	70,250.00	755,250.00
06/30/2044	720,000.00	36,000.00	756,000.00
Total	**11,155,000.00**	**7,582,852.93**	**18,737,852.93**

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Debt Service

Series 2020

Redevelopment Agency Taxable Increment Revenue Refunding Bonds

	2020 Redevelopment Agency Taxable Increment Revenue Refunding Bonds		
	Tax Increment Revenue		
Date	**Principal**	**Interest**	**Total**
06/30/2020			
06/30/2021		76,720.00	76,720.00
06/30/2022		76,720.00	76,720.00
06/30/2023	1,170,000.00	67,360.00	1,237,360.00
06/30/2024	1,190,000.00	48,480.00	1,238,480.00
06/30/2025	1,210,000.00	29,280.00	1,239,280.00
06/30/2026	1,225,000.00	9,800.00	1,234,800.00
Total	**4,795,000.00**	**308,360.00**	**5,103,360.00**

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Debt Service
Series 2021
Road Revenue Bonds

	2021 Road Revenue Bonds Road (Revenue)		
Date	**Principal**	**Interest**	**Total**
06/30/2022			
06/30/2023	899,000.00	200,370.93	1,099,370.93
06/30/2024	842,000.00	257,011.20	1,099,011.20
06/30/2025	859,000.00	240,844.80	1,099,844.80
06/30/2026	875,000.00	224,352.00	1,099,352.00
06/30/2027	892,000.00	207,552.00	1,099,552.00
06/30/2028	909,000.00	190,425.60	1,099,425.60
06/30/2029	927,000.00	172,972.80	1,099,972.80
06/30/2030	944,000.00	155,174.40	1,099,174.40
06/30/2031	962,000.00	137,049.60	1,099,049.60
06/30/2032	981,000.00	118,579.20	1,099,579.20
06/30/2033	1,000,000.00	99,744.00	1,099,744.00
06/30/2034	1,019,000.00	80,544.00	1,099,544.00
06/30/2035	1,039,000.00	60,979.20	1,099,979.20
06/30/2036	1,058,000.00	41,030.40	1,099,030.40
06/30/2037	1,079,000.00	20,716.80	1,099,716.80
Total	**14,285,000.00**	**2,207,346.93**	**16,492,346.93**

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WEST VALLEY CITY, UT

Debt Service

Series 2022

Lease Revenue Bonds

	2022 Lease Revenue Bonds Lease (Revenue)		
Date	**Principal**	**Interest**	**Total**
06/30/2022			
06/30/2023	225,000.00	155,173.61	380,173.61
06/30/2024	135,000.00	245,000.00	380,000.00
06/30/2025	145,000.00	238,250.00	383,250.00
06/30/2026	150,000.00	231,000.00	381,000.00
06/30/2027	160,000.00	223,500.00	383,500.00
06/30/2028	165,000.00	215,500.00	380,500.00
06/30/2029	175,000.00	207,250.00	382,250.00
06/30/2030	185,000.00	198,500.00	383,500.00
06/30/2031	195,000.00	189,250.00	384,250.00
06/30/2032	200,000.00	179,500.00	379,500.00
06/30/2033	215,000.00	169,500.00	384,500.00
06/30/2034	225,000.00	158,750.00	383,750.00
06/30/2035	235,000.00	147,500.00	382,500.00
06/30/2036	245,000.00	135,750.00	380,750.00
06/30/2037	260,000.00	123,500.00	383,500.00
06/30/2038	270,000.00	110,500.00	380,500.00
06/30/2039	285,000.00	97,000.00	382,000.00
06/30/2040	300,000.00	82,750.00	382,750.00
06/30/2041	315,000.00	67,750.00	382,750.00
06/30/2042	330,000.00	52,000.00	382,000.00
06/30/2043	345,000.00	35,500.00	380,500.00
06/30/2044	365,000.00	18,250.00	383,250.00
Total	**5,125,000.00**	**3,281,673.61**	**8,406,673.61**

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The Regular Electronic Meeting of the West Valley City Council will be held on Tuesday, June 20, 2023, at 6:30 PM, in the City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend in person or view this meeting live on YouTube at https://www.youtube.com/user/WVCTV.

A G E N D A

1. Call to Order

2. Roll Call

3. Opening Ceremony: Councilmember Will Whetstone

4. Special Recognitions

5. Approval of Minutes:

   A. June 13, 2023

6. Comment Period:

   (The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to three minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the microphone. All comments shall be directed to the Mayor. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 30-minute period. Speakers shall refrain from personal attacks against fellow citizens, city staff, or members of the City Council.)

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.
- Electronic connection may be made by telephonic or other means. In the event of an electronic meeting, the anchor location is designated as City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah.

A. Public Comments

B. City Manager Comments

C. City Council Comments

7. Public Hearings:

A. Accept Public Input Regarding Re-Opening the FY 2022-2023 Budget

Action: Consider Ordinance 23-20, Amend the Budget of West Valley City for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds

8. Ordinances:

A. 23-22: Amend Sections 1-2-107(4)(k) and 5(1) of the West Valley City Municipal Code to Update the Tournament Fees for the West Valley City Golf Courses

9. Resolutions:

A. 23-84: Approve an Interlocal Agreement to Participate in a Consortium to Receive Home Investment Partnership Funds

10. Consent Agenda:

A. Reso 23-85: Authorize the City to Abandon an Easement and a Portion of an Easement Located at 5456 South 5600 West

11. Motion for Closed Session (if necessary)

12. Adjourn

A Special Electronic Meeting of the West Valley City Building Authority will be held on Tuesday, June 20, 2023, at 6:30 PM, or as soon thereafter as the City Council Meeting is completed, in the Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend in person or view this meeting live on YouTube at https://www.youtube.com/user/WVCTV.

WILLIAM WHETSONE, CHAIR
SCOTT HARMON, VICE CHAIR

A G E N D A

1. Call to Order
2. Opening Ceremony
3. Roll Call
4. Approval of Minutes:
   A. June 13, 2023
5. Resolutions:
   A. Accept Public Input Regarding Re-Opening the FY 2022-2023 Budget

      Action: Consider Resolution 23-05, Amend the Budget of West Valley City Municipal Building Authority for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 to Reflect Changes in the Budget from Increased Revenues and Authorize the Disbursement of Funds
6. Adjourn

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.
- Electronic connection may be made by telephonic or other means. In the event of an electronic meeting, the anchor location is designated as City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah.

WEST VALLEY CITY, UTAH

A PROCLAMATION RECOGNIZING THE MONTH OF JULY 2023 AS PARK AND RECREATION MONTH.

WHEREAS, parks and recreation is an integral part of communities throughout this country, including West Valley City; and

WHEREAS, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, parks and recreation promote time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's Disease; and

WHEREAS, parks and recreation encourage physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS, parks and recreation is a leading provider of healthy meals, nutrition services, and education; and

WHEREAS, park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS, parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation is fundamental to the environmental well-being of our community; and

WHEREAS, parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, West Valley City recognizes the benefits of parks and recreation resources.

NOW, THEREFORE, we, the Mayor and the City Council of West Valley City, Utah do hereby proclaim and recognize July 2023 as **PARK AND RECREATION MONTH**.

DATED this _____ day of _____**,** 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item: _____
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A
Neighborhood: Kingspointe

Budget Opening Required: ☐

ISSUE:

Application: #GP-1-2023
Applicant: Russell Platt
Location: 1251 West 3300 South
Size: 13 acres

SYNOPSIS:

A General Plan change from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential

BACKGROUND:

The property is currently developed as the Village at River's Edge Apartments which include 244 apartments and 21,054 square feet of commercial space on the ground floor of four of the buildings on the north end of the property. In the southeast corner of the property there is a 40-unit condo building that is not included with this application. The current density of the apartment development is 18.8 units/acre.

The applicant is proposing two significant changes to the existing Village at River's Edge development that are highlighted on the attached concept plan. The first proposed change is to remodel buildings A1-A4 (buildings in blue on the concept plan) to replace the existing commercial space with 30 new apartments. The second change is to fill the wetland area along the east side of the property and develop 17 rental townhome units within 4 new buildings (buildings in purple on the concept plan). The addition of 47 new units increases the density from 18.8 units/acre to 22.4 units/acre. This is why the General Plan change is sought. Included with this issue paper are renderings for the proposed townhomes as well as renderings showing how the existing mixed use buildings would be remodeled to convert the ground floor commercial space into apartments. The original development agreement and a license history of the businesses on the property are included for reference.

RECOMMENDATION:

The Planning Commission recommends approval subject to a development agreement.

SUBMITTED BY:

Steve Pastorik, Community Development Director

WEST VALLEY CITY, UTAH

ORDINANCE NO._____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

AN ORDINANCE AMENDING THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM MIXED USE WITH HIGH DENSITY RESIDENTIAL TO MIXED USE WITH VERY HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT 1251 WEST 3300 SOUTH ON 13 ACRES.

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed General Plan amendment pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such General Plan amendment should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah that the General Plan be amended as follows:

SECTION 1. GENERAL PLAN AMENDMENT.

The property described in Application #GP-1-2023, filed by Russell Platt, and located at 1251 West 3300 South within West Valley City, is hereby amended by reclassifying the following described property from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential. Said property is more particularly described as follows:

Parcel #'s: 15-26-352-004, 15-26-352-005, 15-26-352-017, and 15-26-352-018

SECTION 2. GENERAL PLAN MAP AMENDMENT.

The West Valley City General Plan Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item: _____
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A
Neighborhood: Kingspointe
Budget Opening Required: ☐

ISSUE:

A resolution authorizing the City to enter into a development agreement with Village at River's Edge, LLC.

SYNOPSIS:

This resolution authorizes a development agreement between the City and Village at River's Edge, LLC to establish minimum standards for amendments to an apartment development at 1251 West 3300 South.

BACKGROUND:

Russell Platt has submitted a General Plan change application (GP-1-2023) on 13.02 acres to change the General Plan from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential. The Planning Commission recommended approval of the General Plan change subject to a development agreement.

The proposed development agreement replaces the original development agreement on this property and addresses the number of new apartments and rental townhomes, the apartment unit mix, minimum unit sizes, exterior building design, interior finishes, updates/repairs to the existing buildings, new amenities, landscaping, and management standards.

RECOMMENDATION:

The Planning Commission recommends approval to the City Council.

SUBMITTED BY:

Steve Pastorik, Community Development Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH VILLAGE AT RIVER'S EDGE, LLC FOR APPROXIMATELY 13.02 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1251 WEST 3300 SOUTH.

WHEREAS, Village at River's Edge, LLC (herein "Developer") owns real property within the limits of West Valley City, Utah, on which Developer proposes to amend a residential project (herein the "Project"); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding development agreement (herein "Agreement"); and

WHEREAS, Developer is willing to design and develop the Project in a manner that is in harmony with the City's Master Plan and long-range development objectives, and which addresses the more specific planning issues set forth in this Agreement; and

WHEREAS, West Valley City, acting pursuant to its authority under §10-9a-101 *et seq.*, Utah Code Annotated 1953, as amended, and City ordinances and land-use policies, has made certain determinations with respect to the proposed Project, and in the exercise of its legislative discretion, has elected to approve this Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the Agreement between West Valley City and Developer is hereby approved in substantially the form attached, and that the Mayor and City Manager are hereby authorized to execute said Agreement for and on behalf of the City, upon approval of the final form of the Agreement by the City Attorney's Office.

PASSED, APPROVED and MADE EFFECTIVE this _____day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (herein the "Agreement") is entered into this _____ day of _____, 20____, by and between Village at River's Edge, LLC, a Utah limited liability company, (herein "Developer") for the land to be included in or affected by the project located at approximately 1251 West 3300 South in West Valley City, Utah, and West Valley City, a municipal corporation and political subdivision of the State of Utah (herein the "City").

RECITALS

WHEREAS, Developer owns or is under contract to acquire approximately 13.02 acres of real property located at approximately 1251 West 3300 South in West Valley City, Utah, as described in Exhibit "A" (the "Property"), on which Developer proposes to establish minimum standards for an amended and expanded residential development (the "Project"); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding Agreement; and

WHEREAS, Developer is willing to restrict the property in a manner that is in harmony with the objectives of the City's master plan and long-range development objectives, and which addresses the more specific development issues set forth in this Agreement, and is willing to abide by the terms of this Agreement; and

WHEREAS, the City, acting pursuant to its authority under the Utah Municipal Land Use, Development, and Management Act, U.C.A. §10-9a-101, *et seq*., and its ordinances, resolutions, and regulations, and in furtherance of its land-use policies, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **Affected Property**. The legal description of the Property contained within the Project boundaries is attached as Exhibit "A". No additional property may be added to or removed from this description for the purposes of this Agreement except by written amendment to this Agreement executed and approved by Developer and the City.

2. **Reserved Legislative Powers**. Nothing in this Agreement shall limit the future exercise of police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space, and related land-use plans, policies, ordinances and regulations after the date of this Agreement, provided that the adoption and exercise of such power shall not restrict Developer's vested rights to develop the Project as provided herein. This Agreement is not intended to and does not bind the West Valley City Council in the independent exercise of its legislative discretion with respect to such zoning regulations.

3. **Compliance with City Design and Construction Standards**. Developer acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the City necessary for development of the Project, including the payment of fees, and compliance with the City's design and construction standards.

4. **Specific Design Conditions**. The Project shall be developed and constructed as set forth in the specific design conditions set forth in Exhibit "B". The Project shall also comply with all requirements set forth in the minutes of the City Council hearings on this matter.

5. **Agreement to Run With the Land**. This Agreement shall be recorded in the Office of the Salt Lake County Recorder, shall be deemed to run with the Property, and shall encumber the same; and shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property.

6. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning also the responsibilities arising hereunder. This restriction on assignment is not intended to prohibit or impede the sale by Developer.

7. **No Joint Venture, Partnership or Third Party Rights**. This Agreement neither creates any joint venture, partnership, undertaking or business arrangement between the parties hereto nor conveys any rights or benefits to third parties, except as expressly provided herein.

8. **Integration. Modification, and Entire Agreement**. This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions, or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto. Exhibits "A" and "B" are hereby incorporated into this Agreement.

9. **Notices.** Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for whom intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as follows:

TO DEVELOPER:	Village at River's Edge, LLC c/o Co lo simo s P.O. Box 65781 Salt Lake City, UT 84165
TO CITY:	West Valley City Wayne Pyle, City Manager 3600 Constitution Blvd. West Valley City, Utah 84119
WITH A COPY TO:	West Valley City Attorney's Office Attn: Brandon Hill 3600 Constitution Blvd. West Valley City, Utah 84119

Any party may change its address by giving written notice to the other party in accordance with the provisions of this section.

10. **Choice of Law and Venue**. Any dispute regarding this Agreement shall be heard and settled under the laws of the State of Utah. Any Utah litigation regarding this Agreement shall be filed in the Third District Court in Salt Lake City, Utah. Any federal litigation regarding this Agreement shall be filed in the United States District Court for the District of Utah in Salt Lake City, Utah.

11. **Court Costs**. In the event of any litigation between the parties arising out of or related to this Agreement, the prevailing party shall be entitled to an award of reasonable court costs, including reasonable attorney's fees.

12. **Severability.** In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall remain valid and binding upon the parties. One or more waivers of any term, condition, or other provision of this Agreement by either party shall not be construed as a waiver of a subsequent breach of the same or any other provision.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

APPROVED AS TO FORM
WVC Attorney's Office

By: _____

Date: _____

DEVELOPER

By:_____

Its: _____

State of _____)
:ss
County of _____)

On this _____ day of _____, 20___, personally appeared before me_____, whose identity is personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and affirmed that he or she is the _____of Village at River's Edge, LLC, a Utah limited liability company, and that said document was signed by him or her in behalf of said limited liability company by authority of its members or articles of organization, and he or she acknowledged to me that said entity executed the same.

_____
No tary Pu b lic

EXHIBIT A

LEGAL DESCRIPTION

Parcel #: 15-26-352-004
BEG 41.25 FT S & 280 FT E FR SW COR SEC 26 T 1S R 1W SL MER E 204.3 FT N 0°50' W 950 FT TO 3300 SO ST S 85°12' W206.05 FT M OR L S 1°02' E 930 FT M OR L TO BEG. LESS STATE ROAD. 4.38 ACRES.

Parcel #: 15-26-352-005
BEG 41.25 FT S & 484.22 FT E FR SW COR SEC 26 T 1S R 1W SL MER E 75 FT N 0°50' W 958 FT TO 3300 SO ST S 85°35' W 75.22FT S 0°50' E 950 FT M OR L TO BEG. LESS STATE ROAD. 1.62 ACRES.

Parcel #: 15-26-352-017
BEG N 45°23'21" E 1418.47 FT & S 32°50'20" W 72.35 FT & SW'LY ALG A 2804.79 FT RADIUS CURVE TO L 16.73 FT FR SW CORSEC 26, T 1S, R 1W, SLM; SW'LY ALG 2804.79 FT RADIUS CURVE TO L 125.27 FT M OR L; S 85°37'11" W 65.71 FT; S 5°40'25" W81.25 FT; S 4°08'48" W 127.5 FT; S 3°22'28" E 127.42 FT; S 12°08'25" E 91.2 FT; S 22°24'44" E 106.09 FT; S 29°37'28" E 92.59 FT; S36°34'03" E 89.45 FT; S 60°15'41" E 92.49 FT M OR L TO W LINE OF 1300 W EXTENSION; N'LY ALG A 711.92 FT RADIUS CURVETO L 71.74 FT M OR L; N 0°43'27" W 645.55 FT; N45°39'12" W 23.69 FT TO BEG. LESS & EXCEPTING BEG N 00°08'31" W 935.16 FT& E 956.12 FT FR SW COR OF SEC 26, T 1S, R 1W, SLM; S 45°39'12" E 23.62 FT TO W'LY STREET; S 00°43'28" E 214.62 FT; S88°58' W 31.82 FT; S 1°02' E 17.80 FT; W'LY ALG A 20 FT RADIUS CURVE TO R 15.71 FT; N 46°02' W 180.35 FT; N'LY ALG A 20 FTRADIUS CURVE TO R 14.58 FT; N 4°15'34" W 95.77 FT; N 85°38' E 47.73 FT; E'LY ALG A 2804.79FT RADIUS CURVE TO R 121.71 FT TO BEG. 2.25 ACRES M OR L.

Parcel #: 15-26-352-018
BEG N 89°38'54" E 763.26 FT & N 918.36 FT FR SW COR OF SEC 26, T 1S, R 1W, SLM; SD PT ALSO BEING ON S LINE OF 3300 S STREET; S 5°40'25"W 81.25 FT; S 4°08'48" W 127.5 FT; S 3°22'28" E 127.42 FT; S 12°08'25" E 91.2 FT; S 22°24'44" E 106.09 FT; S 29°37'28" E 92.59 FT; S 36°34'03" E 16.59FT; S87°49'34" W 118.55 FT; SW'LY ALG A 39.82 FT RADIUS CURVE TO L 17.79 FT; S 57°00'19" W 33.18 FT; SW'LY ALG A 18 FT RADIUSCURVE TO R9.68 FT; S 87°49'34" W 31.91 FT; S 02°10'21" E 246.75 FT; N 87°49'34" E 18 FT; N 02°10'26" W 4.07 FT; N 89°39'01" E 124.50 FT; N 47°56'09" E 36.79 FT;N 02°10'26" W29.82 FT; N 47°56'09" E 50.40 FT; N 81°52'19" E 57.94 FT; E 28.47 FT TO W LINE OF 1300 W EXTENSION; S'LY ALG A 711.92 FTRADIUSCURVE TO R 173.653 FT; W 354.78 FT; N 0°50' W 944.26 FT TO 3300 S STREET; N 85°38' E 218.94 FT TO BEG. 4.77 ACRES M OR L.

EXHIBIT B

DEVELOPMENT STANDARDS

Apartments

1. The ground level commercial space in buildings A1-A4 shown in Exhibit C shall be converted into no more than a total of 30 new apartments.

2. The unit mix for the 30 new apartments shall be 12 studio units, 6 1-bedroom units, and 12 2-bedroom units.

3. The minimum apartment unit sizes shall be 477 square feet for studio units, 727 square feet for 1-bedroom units, and 914 square feet for 2-bedroom units.

4. The ground level exteriors of buildings A1-A4 shown in Exhibit C shall be remodeled substantially like the renderings in Exhibit D.

5. The stucco exteriors of buildings A1-A14 and C1 shown in Exhibit C shall be updated to fix cracks and be repainted with the colors shown in Exhibit D.

6. All new apartments shall have 9-foot ceilings, solid surface countertops in kitchens and bathrooms, 96% efficient furnaces, vinyl plank flooring in all rooms except bathrooms, and two-tone paint.

7. Each new apartment unit shall have its own entry courts or patios as shown in Exhibit D.

Townhomes

8. No more than 17 new townhomes shall be built in the area shown as buildings B1-B4 on Exhibit C.

9. The minimum finished area for each townhome shall be 2,000 square feet above grade excluding the garage.

10. Each new townhome unit shall be constructed substantially like the renderings and elevations in Exhibit E. All requirements in the “Other Standards” section of Exhibit B shall be met. This means that the renderings and elevations in Exhibit E may need to revised to meet these standards.

11. Each new townhome unit shall have a 2-car garage and a driveway with minimum dimensions of 18’ by 18’.

12. All new townhomes shall have 9-foot ceilings, solid surface countertops in kitchens and bathrooms, 96% efficient furnaces, and vinyl plank flooring in all rooms except bathrooms.

Amenities

13. The area south of buildings B1-B4 shown in Exhibit C shall include a playground, a picnic pavilion, and two pickleball courts. Additional landscaped open space shall also be installed in the area south of these new amenities as shown in Exhibit C.

14. New site lighting shall be installed as generally shown in Exhibit C with the exception that follows. No new freestanding site lighting shall be installed along either side of the public sidewalks along 3300 South or 1200 West.

15. Streetlights shall be installed along the Property's frontage along 1200 West. The streetlights shall be installed in accordance with the City's adopted Engineering Standards.

16. The existing detached garages on the Property shall be maintained as vehicle parking.

Landscaping

17. All landscaping shall be maintained in accordance with the standards in Section 7-6-203 of the City's Zoning Ordinance. Specific items that shall be corrected include but are not limited to dead or missing lawn or other groundcover where dirt, weeds, or weed barrier are visible and dead or missing trees.

18. As part of the permitted use application for the townhomes or the building permit for the new apartments, whichever comes first, a new landscape plan shall be submitted for the Property. The landscape plan shall show:
    a. new landscaping to be installed around the new townhomes,
    b. narrow areas where lawn will be replaced by xeriscaping, and
    c. any other proposed changes to the landscaping on the Property.

Management Standards

19. All rental units and associated site improvements on the Property shall be managed in accordance with the management standards in Exhibit F.

Other Standards

PEDESTRIAN ACCESS AND CIRCULATION.

The Developer shall submit a detailed pedestrian circulation plan with all Development applications that demonstrates compliance with the following guidelines and standards:

(1) *Required pedestrian connections.* An on-site system of pedestrian walkways shall be designed to provide direct access and connections to and between the following:

a. The primary Entrance or Entrances to each residential Building, including clubhouses where applicable;

b. Any Sidewalks or walkways on adjacent properties that extend to the boundaries shared with the residential Development;

c. Any public Sidewalk system along the perimeter Streets adjacent to the residential Development;

d. Where applicable, adjacent Uses and Developments, including but not limited to adjacent residential Developments, Shopping Centers, office Buildings, or Restaurants; and

e. Where applicable, any adjacent Public Park, greenway, trail network, or other public or civic Use including but not limited to schools, places of worship, public recreational facilities, or government offices.

(2) *Pedestrian connections from Buildings to parking areas and amenities.* In addition to the connections required above, on-site pedestrian walkways shall connect each primary Entrance(s) of residential Buildings to:

a. All parking areas or Parking Structures that serve such Buildings;

b. Site amenities or Gathering Places; and

c. *Transit stops and transit stations.* UTA shall be contacted by the Developer during the design process to identify existing and potential transit stops. These stops shall be incorporated into the Landscaping and circulation plans for the site. When recommended by City staff and UTA staff, a concrete pad shall be included for future transit stop improvements. The pad will measure a minimum of 6' x 20' with a minimum thickness of 8". All ADA requirements shall be met as part of the design.

(3) *Walkways Along Buildings.* Continuous pedestrian walkways no less than four feet (4') wide shall be provided along any Façade featuring an Entrance and along any Façade abutting resident or visitor parking areas. Pedestrian circulation shall not be obstructed.

(4) *Walkways Through Vehicle Areas.* At each point that the on-site pedestrian walkway system crosses a Parking Lot or internal Street or driveway, the walkway or crosswalk shall be clearly marked through the use of a change in elevation or paving materials distinguished by their color, texture, or height. A walkway through the Parking Lot connecting to a walkway(s) along an adjoining Building(s) shall be required and include a four feet (4') minimum Sidewalk and planting areas for a combined minimum width of nine (9) feet. The Planning Commission may consider a shared walkway through parking areas on two adjoining parcels.

(5) *Bicycle Racks.*

a. Bicycle parking shall be provided at a ratio of one (1) space for every twenty (20) Dwelling Units.

b. Bicycle parking shall not be located where it will obstruct pedestrian movement and circulation. It shall be located at a maximum distance of one-hundred (100) feet of a central Building Entrance or at least as close as the closest automobile space, excluding handicapped Parking Spaces.

c. All bicycle racks, lockers, or other facilities shall be securely anchored to the ground or to the Structure.

GENERAL REQUIREMENTS.

All Developments with multi-unit residential Buildings shall meet the following standards:

(1) Except for stairways leading to the first level of a Building, exterior stairways shall only be used on Secondary Façades to access decks on the second level of the Building.

(2) Off-Street parking areas shall not comprise more than 50 percent of the elements along a Development's Street Frontage.

(3) All Façades of a Building shall be built with consistent architectural style, detail and trim features of the Primary Façade. Accessory Buildings such as clubhouses and garages shall be built with similar colors, materials and architectural features as the multi-unit residential Buildings within the same Development.

(4) In residential Developments with more than four Buildings with Dwelling Units, the architectural features shall vary between Buildings using different treatments and/or other Building variations as determined by the Planning Commission.

(5) All mechanical equipment shall be screened from view through the Use of solid visual barrier fencing or Landscaping. Screening of utility meters is encouraged.

(6) Trash dumpsters shall be completely screened from surrounding properties by use of a concrete or masonry wall or shall be enclosed within a Building. Trash dumpsters shall be located at least 20 feet from any adjacent residential property line and at least 20 feet from any Dwelling Unit.

(7) All multi-unit residential Developments shall include washer and dryer hook-ups for each Dwelling Unit .

(8) Each Dwelling Unit shall have its own kitchen and bathroom.

(9) Each Dwelling Unit shall have its own patio or balcony of at least 60 square feet. Patios and balconies shall be kept neat and orderly at all times. Nothing shall be kept, stored, or left on balconies except for patio furniture that is designed and constructed for outdoor use and living and well maintained potted plants. Patio furniture may include tables and chairs and must be constructed primarily of metal, glass, or wood. Patio furniture primarily constructed of plastic, resin, or similar materials is not permitted. Sunshades and hanging fabrics are not permitted. Bathing suits, brooms, mops, rugs, clothing, towels, or similar materials may not be hung on balconies.

(10) All Developments shall include an entry feature.

ASSESSMENT OF RELIEF, WINDOW, AND DESIGN TREATMENTS.

A Building relief treatment, window treatment or Building design treatment from the following three sections shall only be counted once when assessing compliance with the minimum number of treatments required.

BUILDING RELIEF TREATMENTS.

In order to prevent blank or plain walls with little or no relief, and to ensure excellence in architecture and design, Primary Façades shall include at least two of the following relief treatments. Two different relief treatments shall be utilized at least once per Dwelling Unit. Secondary Façades shall include at least one of the following relief treatments utilized at least once per two Dwelling Units, or once for a Secondary Façade with only one Dwelling Unit.

(1) Bay windows
(2) Box windows
(3) Building offsets or projections with a minimum depth of 2' and a minimum width of 4'
(4) Balconies, covered porches or prominent covered entryway
(5) Any other treatment that, at the discretion of the Planning Commission, meets the intent of this Section.

WINDOW TREATMENTS.

Primary Façades shall include at least three of the following window treatments with at least two window treatments per window. All other Façades shall utilize at least two of the following window treatments, with at least one window treatment per window. At least 25% of the Primary Façade shall be Fenestration.

(1) Varying the size and/or style of windows
(2) Windows sills
(3) Window grids
(4) Window trim
(5) Window headers
(6) Window railing
(7) Shutters
(8) Any other treatment that, at the discretion of the Planning Commission, meets the intent of this Section.

BUILDING DESIGN TREATMENTS.

Primary Façades shall include at least two of the following Building design treatments. Secondary Façades shall include at least one of the following Building design treatments.

(1) Ornamental details such as Quoins, Knee Braces and exposed joists
(2) A change of material applied to at least 20% of the Façade
(3) A change of color applied to at least 20% of the Façade
(4) Decorative Parapet
(5) Architectural Banding
(6) Cornice other than that at the top of the Building
(7) A change of pattern applied to at least 20% of the Façade (Example: changing brick work from face brick to a Soldier Course or Basket Weave Brick Pattern.)
(8) A distinguished upper floor for Buildings with at least four floors
(9) Any other treatment that, at the discretion of the Planning Commission, meets the intent of this Section.

GARAGE TREATMENTS.

(1) No more than 50% of the first floor of the Primary Façade shall be devoted to garage doors or Carports. This percentage may be increased to a maximum of 60% for garage doors if: windows are used in the garage doors, the garages are recessed at least two feet from the rest of the Primary Façade or other enhancements are made to the garage doors. Examples of other enhancements include using decorative wood or breaking up the mass of two car garage doors by using two separate single car doors or by using panels or other treatments to make the door appear to be divided into two sections.
(2) The color of garage doors shall be coordinated with the primary colors of the Buildings they serve.

ROOF TREATMENTS.

(1) There shall be at least one roof articulation per Dwelling Unit. Roof articulation shall be achieved by changes in plane and/or the use of traditional roof forms such as gables, hips and dormers. Vertical or horizontal roof articulation is required on all primary and Secondary Façades with pitched roofs.
(2) Where pitched roofs are not used, a Decorative Parapet shall be included on the Primary and Secondary Façades. On the Primary and Secondary Façades, at least one variation in the Decorative Parapet shall occur once per two Dwelling Units. All Façades shall include a Parapet wall that is tall enough to block the view from the adjacent Street(s) of roof mounted equipment. Noise issues related to roof mounted equipment may require the Parapet wall to be at least as tall as the roof mounted equipment.
(3) Roof mounted air conditioning units are prohibited on pitched roofs. Roof mounted air conditioning units are allowed on flat roofs if a Parapet wall is provided to screen the units.
(4) Gable ends must have a minimum 6-inch overhang at the eaves.
(5) Where asphalt shingles are proposed as roofing materials on pitched roofs, laminated architectural shingles shall be used.

FENCING.

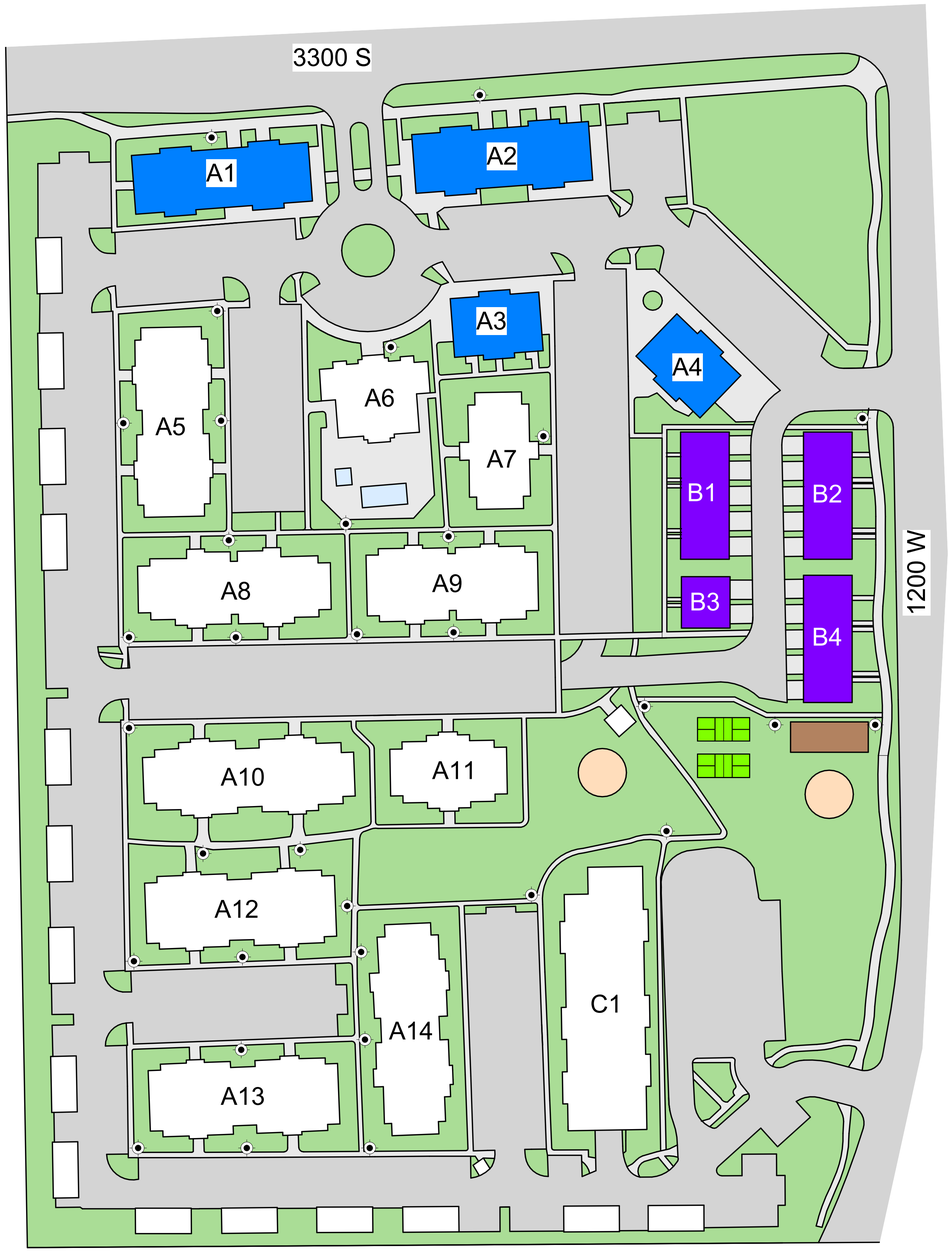
Within the required setback along any property side adjacent to a Minor Street or Collector Street, solid visual barrier fencing cannot exceed two feet in height. Where a solid visual barrier Fence over two feet in height Fence is installed along a Major or Minor Arterial, the Fence must be setback at least ten feet from the public Sidewalk to allow space for Landscaping. The materials and design of a solid visual barrier Fence which is over two feet in height and placed within the required setback along a Major or Minor Arterial are subject to review by the Planning Commission to ensure compatibility with neighboring Uses.

EXHIBIT C

CONCEPT PLAN

Legend

- Existing Building
- Remodeled Existing Building
- New Construction
- Road
- Sidewalk
- Landscaping
- Pool
- Playground
- Picnic
- Pedestrian Walkway Lighting



NORTH

1 SITE PLAN
1" = 60'-0"

AREA BREAKDOWN

12.9 ACRES (563,513 SF) TOTAL SITE
17% 2.26 ACRES (98,790 SF) BUILDINGS
37% 4.9 ACRES (214,612 SF) ROADS AND PARKING
46% 5.9 ACRES (259,215 SF) OPEN SPACE INCLUDING ADDING NEW TOWNHOMES

PARKING REQUIREMENTS

244 EXISTING APARTMENT UNITS
48 (1) BEDROOM (1) BATH (1.5 STALLS PER UNIT REQUIRED = 72 STALLS)
28 (2) BEDROOM (1) BATH (1.75 STALLS PER UNIT REQUIRED = 49 STALLS)
108 (2) BEDROOM (2) BATH (1.75 STALLS PER UNIT REQUIRED = 189 STALLS)
60 (3) BEDROOM (2) BATH (2 STALLS PER UNIT REQUIRED = 120 STALLS)

30 NEW APARTMENT UNITS
12 (477 SF) STUDIO UNITS (1.3 STALLS PER UNIT REQUIRED = 16 STALLS)
6 (727 SF) (1) BEDROOM (1.5 STALLS PER UNIT REQUIRED = 9 STALLS)
12 (914 SF) (2) BEDROOM (2.5 STALLS PER UNIT REQUIRED = 30 STALLS)

17 NEW (2,000 SF) TOWNHOMES (4.75 STALLS PER UNITS REQUIRED = 81 STALLS (34 IN GARAGES))

NEW TOWNHOME PARKING = 34 STALLS IN GARAGES (2 PER UNIT)
34 STALLS IN DRIVEWAYS (2 PER UNIT)
13 STALLS SURFACE PARKED

TOTAL PARKING REQUIRED = 485 APARTMENT STALLS
81 TOWNHOME STALLS
566 STALL REQUIRED

EXISTING AND PROPOSED PARKING STALLS TO BE PROVIDED

566 EXISTING PARKING STALLS
60 EXISTING GARAGES
TOTAL EXISTING = 626 STALLS
NEW STALLS ADDED FOR TOWNHOME PARKING = 68 STALLS
26 PARKING STALLS TO BE REMOVED FOR NEW TOWNHOMES
TOTAL PROPOSED PARKING STALLS = 668 STALLS

ARCHITECT'S INFORMATION:

RUSSELL PLATT ARCHITECTURE
438 NORTH 300 WEST
SALT LAKE CITY, UTAH 84103
(801)-580-0181

PROFESSIONAL STAMP:

LICENSED ARCHITECT
9127889830
RUSSELL C PLATT
STATE OF UTAH

CODE OFFICIAL STAMP:

PROJECT NAME:

VILLAGE AT RIVERS EDGE

REVISIONS:

NO.	DATE	DESCRIPTION

ISSUED: MAY 16th, 2023

NO.	DATE	DESCRIPTION

OWNER PROJECT #:
RPA PROJECT #:
DRAWN BY:
CHECKED BY:
DESIGNED BY:

COPYRIGHT:
© 2018 RUSSELL PLATT ARCHITECTURE

SHEET TITLE:
COLORED SITE PLAN

SHEET NUMBER:
A100

Last Plotted: 5/16/2023 10:31:33 AM

Blue Stakes of UTAH 811
Blue Stakes of Utah

EXHIBIT D

APARTMENT RENDERINGS

BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - ELEVATION VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - WEST TO EAST VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - EAST TO WEST VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - BIRDS EYE COURTYARD VIEW



ARCHITECT'S INFORMATION:

RUSSELL PLATT ARCHITECTURE
438 NORTH 300 WEST
SALT LAKE CITY, UTAH 84103
(801)-580-0181

PROFESSIONAL STAMP:

LICENSED ARCHITECT
8127889830
RUSSELL C PLATT
STATE OF UTAH

CODE OFFICIAL STAMP:

PROJECT NAME:

VILLAGE AT RIVERS EDGE

REVISIONS:

NO.	DATE	DESCRIPTION

ISSUED: MAY 16th, 2023

NO.	DATE	DESCRIPTION

OWNER PROJECT #:
RPA PROJECT #:
DRAWN BY:
CHECKED BY:
DESIGNED BY:

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SHEET TITLE:
RENDERINGS

SHEET NUMBER:
A902

Last Plotted: 5/16/2023 10:31:35 AM

BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - ELEVATION VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - WEST TO EAST VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - EAST TO WEST VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - BIRDS EYE COURTYARD VIEW



ARCHITECT'S INFORMATION:

RUSSELL PLATT ARCHITECTURE
438 NORTH 300 WEST
SALT LAKE CITY, UTAH 84103
(801)-580-0181

PROFESSIONAL STAMP:

LICENSED ARCHITECT
6127889830
RUSSELL C. PLATT
STATE OF UTAH

CODE OFFICIAL STAMP:

PROJECT NAME:

VILLAGE AT RIVERS EDGE

REVISIONS:

NO.	DATE	DESCRIPTION

ISSUED: MAY 16th, 2023

NO.	DATE	DESCRIPTION

OWNER PROJECT #:
RPA PROJECT #:
DRAWN BY:
CHECKED BY:
DESIGNED BY:

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SHEET TITLE:
RENDERINGS

SHEET NUMBER:
A903

Blue Stakes of UTAH 811
BlueStakes.org

Last Plotted: 5/16/2023 10:31:36 AM

EXHIBIT E

TOWNHOME RENDERINGS AND ELEVATIONS

NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - FRONT VIEW



NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - GARAGE VIEW



NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - FRONT ELEVATION



NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - BIRDS EYE VIEW



ARCHITECT'S INFORMATION:

RUSSELL PLATT ARCHITECTURE
438 NORTH 300 WEST
SALT LAKE CITY, UTAH 84103
(801)-580-0181

PROFESSIONAL STAMP:

LICENSED ARCHITECT
RUSSELL PLATT
STATE OF UTAH

CODE OFFICIAL STAMP:

PROJECT NAME:

VILLAGE AT RIVERS EDGE

REVISIONS:

NO.	DATE	DESCRIPTION

ISSUED: MAY 16th, 2023

NO.	DATE	DESCRIPTION

OWNER PROJECT #:
RPA PROJECT #:
DRAWN BY:
CHECKED BY:
DESIGNED BY:

COPYRIGHT:
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SHEET TITLE:
RENDERINGS

SHEET NUMBER:
A904

Last Plotted: 5/16/2023 10:31:36 AM



FRONT ELEVATION MATERIAL TAKEOFF

BRICK: 530 SF. 24%
CEMENT BOARD SIDING: 790 SF. 35%
STUCCO: 910 SF. 41%
TOTAL: 2,230 SF.

PRIMARY FACADE FENESTRATION TAKEOFF

GLAZING: 1,150 SF. 34%
SOLID: 2,230 SF. 66%
TOTAL: 3,380 SF.

1 FRONT
1/8" = 1'-0"



BACK ELEVATION MATERIAL TAKEOFF

BRICK: 990 SF. 41%
CEMENT BOARD SIDING: 710 SF. 29%
STUCCO: 740 SF. 30%
TOTAL: 2,440 SF.

2 BACK
1/8" = 1'-0"



LEFT SIDE MATERIAL TAKEOFF

BRICK: 345 SF. 24%
CEMENT BOARD SIDING: 543 SF. 38%
STUCCO: 530 SF. 37%
TOTAL: 1,418 SF.

3 LEFT
1/8" = 1'-0"



RIGHT SIDE MATERIAL TAKEOFF

BRICK: 345 SF. 24%
CEMENT BOARD SIDING: 543 SF. 38%
STUCCO: 530 SF. 37%
TOTAL: 1,418 SF.

4 RIGHT
1/8" = 1'-0"

ARCHITECT'S INFORMATION:
RUSSELL PLATT ARCHITECTURE
438 NORTH 300 WEST
SALT LAKE CITY, UTAH 84103
(801)-580-0181

PROFESSIONAL STAMP:
LICENSED ARCHITECT
RUSSELL C. PLATT
STATE OF UTAH

CODE OFFICIAL STAMP:

PROJECT NAME:
VILLAGE AT RIVERS EDGE

REVISIONS:

NO.	DATE	DESCRIPTION

ISSUED: MAY 9th, 2023

NO.	DATE	DESCRIPTION

OWNER PROJECT #:
RPA PROJECT #:
DRAWN BY:
CHECKED BY:
DESIGNED BY:
COPYRIGHT:
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SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A201

Last Plotted: 5/9/2023 11:10:20 AM

Exhibit F: Management Standards

The Developer shall either retain a private property manager approved by the City or manage the property itself, with the Developer being ultimately responsible to ensure that the property is managed in accordance with this Agreement. The property manager shall conform to the following standards:

1) Sidewalks, steps, entrance halls, walkways, and stairs shall not be obstructed or used for any purpose other than ingress or egress, including but not limited to storage.
2) Weekly inspections of the site and common areas shall be performed by the management.
3) Quarterly inspections of each apartment unit shall be performed by the management.
4) Following inspections, the property manager shall take action to remedy any violations of the West Valley City Municipal Code or this Agreement within 48 hours, unless otherwise agreed by the City.
5) The management shall perform monthly resident visits where each resident receives personal contact from the management.
6) The property manager shall submit a property management plan to the City for the City's approval prior to accepting any engagement to manage the Property. The property management plan shall include provisions for the maintenance of the property, including but not limited to painting, routine upkeep, appliance maintenance, window washing, and similar activities.
7) The property manager shall obtain and maintain a West Valley City business license.
8) The property manager shall ensure that initial leases are for a minimum term of one year.
9) The property manager shall maintain the property in accordance with the management plan, City ordinances, and the provisions of this Agreement.
10) The property manager shall conduct a criminal background check on all prospective tenants. Tenants with a criminal conviction described in 42 U.S.C. § 3607(b)(4) or any successor statute shall not be permitted. Tenants with a sex offense conviction, a felony conviction in the last five years, a domestic violence conviction in the last five years, or any violent criminal conviction in the last three years shall not be permitted.
11) The property manager shall screen all applicants over the age of 18 for:
    a. A demonstrated ability to pay rent on time.

b. A demonstrated ability to comply with the terms of a lease/rental agreement.
c. Favorable current and/or former rental history: Endorsement from a minimum of two (2) landlords is preferred. Inquiries will address rental history regarding on-time payment of rent and utilities, history of violations of the lease and house rules, history of disruptive behavior and/or interference with the management of the property, history of evictions, unlawful detainers, history of housekeeping habits, and other history of applicable tenant/landlord relationship criteria.
d. Credit references

12) The property manager shall take prompt action against tenants materially violating the lease rules or participating in or causing a violation of the West Valley City Municipal Code or this Agreement.
13) Upon request, the property manager shall provide the City with any documentation reasonably required by the City to demonstrate compliance with City ordinances or this Agreement.
14) Patios and balconies are to be kept neat and orderly at all times. Nothing shall be kept, stored, or left on balconies except for patio furniture that is designed and constructed for outdoor use and living and well maintained potted plants. Patio furniture may include tables and chairs and must be constructed primarily of metal, glass, or wood. Patio furniture primarily constructed of plastic, resin, or similar materials is not permitted. Sunshades and hanging fabrics are not permitted. Bathing suits, brooms, mops, rugs, clothing, towels, or similar materials may not be hung on balconies.
15) The use or storage of charcoal burners, liquid petroleum, gas fueled, or other open flame cooking devices is prohibited inside apartments and on patios and balconies.
16) All landscaping must be maintained in accordance with the West Valley City Municipal Code and the landscaping plans submitted to the City as part of this Agreement and any other land use approvals. All landscaping must be weed and litter free.
17) All parking areas must be well maintained, free of potholes, and free of litter.
18) The parking garage must be used for vehicle storage only. The use of the parking garage as accessory storage units is not permitted.
19) Smoking is not permitted on any part of the Property.

20) Residents committing illegal acts or causing nuisances shall be removed from the Property.
21) Only those persons listed as residents in the lease agreement shall be permitted to live in the apartments.
22) No items shall be hung in windows except for curtains and blinds. Blankets, sheets, towels, sunshades, aluminum foil, and similar items are not permitted in windows.

License #	Business Name	Business Address	Business Description	License Status	Start Date	Expiration Date
259142	NGUYEN, NHUNG	1238 W VILLAGE MAIN DR	Beauty Salons	Terminated	4/9/1999	2/28/2013
5744967	CREATIVE NAIL	1238 W VILLAGE MAIN DR #D	Nail Salons	Terminated	11/3/2004	11/30/2009
T1878	PHAM, DAN THI	1238 W VILLAGE MAIN DR #D	Nail Salons	Terminated	11/3/2004	11/30/2007
151305	THIRTY-THIRD STREET LAUNDROMAT	1241 W VILLAGE MAIN DR	Coin-Operated Laundries and Dr	Terminated	12/21/2004	12/31/2020
5319217	PHAM, MARIA XUAN	1238 W VILLAGE MAIN DR #D	Nail Salons	Terminated	3/2/2005	3/31/2006
5286603	PHAM, VIET	1238 W VILLAGE MAIN DR #D	Nail Salons	Terminated	3/2/2005	3/31/2006
151436	GENERATIONAL HEALTH, LLC	1264 W VILLAGE MAIN DR #A	Multi-specialty healthcare and	Current	12/1/2005	11/30/2023
6045895	NEW ALTERNATIVES --SALT LAKE LLC	1264 W VILLAGE MAIN DR #A	Health Care and Social Assistance	Terminated	2/2/2006	10/31/2006
6141269	ANGELS BEATY SALON	1238 W VILLAGE MAIN DR #A	Personal Care Services	Terminated	4/12/2006	4/30/2008
2015277	TREASURED MEMORIES LLC	1215 W VILLAGE MAIN DR	Retail Trade	Terminated	6/8/2006	6/30/2017
5343924	MOUNTAIN PATH MARTIAL ARTS	1238 W VILLAGE MAIN DR #1	Other Performing Arts Companies	Terminated	8/17/2006	8/31/2008
6917840	ANGELS BEAUTY SALON, LLC	1238 W VILLAGE MAIN DR #A	Beauty Salons	Terminated	4/3/2008	1/31/2011
T2581	ANSARI, HUONG	1238 W VILLAGE MAIN DR #A	Beauty Salons	Terminated	4/9/2008	4/30/2009
6976940	VILLAGE MART	1238 W VILLAGE MAIN DR #B	Grocery Stores	Terminated	7/30/2008	7/31/2009
T2867	ENVY NAILS	1238 W VILLAGE MAIN DR #D	Beauty Salons	Terminated	9/17/2009	9/30/2010
7362517	RIVER'S EDGE DENTAL LLC	1264 W VILLAGE MAIN DR #B	Offices of Dentists	Terminated	1/28/2010	1/31/2018
7594486	ENVY NAILS SALON LLC	1238 W VILLAGE MAIN DR #D	Nail Salons	Terminated	3/1/2010	2/28/2013
7607881	MISTY'S DELI AND MORE LLC	1238 W VILLAGE MAIN DR #B	Convenience Stores	Terminated	4/8/2010	4/30/2012
T3024	SALON B LLC	1238 W VILLAGE MAIN DR #A	Beauty Salons	Terminated	6/8/2010	6/30/2019
T3193	BUSSARD, CHADELLE L.	1238 W VILLAGE MAIN DR	Beauty Salons	Terminated	3/22/2011	3/31/2012
T3194	PERKO, STACEY	1238 W VILLAGE MAIN DR	Beauty Salons	Terminated	3/22/2011	3/31/2012
12-024746	GENERATIONAL SPINE AND HEALTH OF WEST VALLEY	1264 W VILLAGE MAIN DR #A	Offices of Chiropractors	Terminated	11/7/2012	10/11/2013
596896	SALT LAKE COMMUNITY ACTION PROGRAM	1238 W VILLAGE MAIN DR	Community Food and Housing, and Emergency and Other Relief Services	Terminated	12/20/2012	12/31/2013
154413	ENVY NAILS	1238 W VILLAGE MAIN DR #D	Nail Salons	Terminated	1/2/2013	12/31/2022
154471	VILLAGE FOOD MART	1238 W VILLAGE MAIN DR #B	Convenience Stores	Terminated	4/2/2013	4/30/2022
T3908	TALIULU, FLONA	1238 W VILLAGE MAIN DR #D	Nail Salons	Terminated	2/18/2016	2/28/2017
7810638A	BIENESTAR Y SALUD HOY	1238 W VILLAGE MAIN DR #1	Fitness and Recreational Sports Centers	Terminated	5/26/2016	5/31/2017
154251	GENERATIONAL HEALTHCARE LLC	1264 W VILLAGE MAIN DR #A	Multi-Specialty Medical Office	Current	11/1/2016	10/31/2023
154338	EZ TAX SERVICES LLC	1238 W VILLAGE MAIN DR #A	Tax Preparation Services	Delinquent	1/12/2017	1/31/2020
10103652	ELECTRONIC SOURCE LLC	1215 W VILLAGE MAIN DR #A	Retail Trade	Terminated	3/23/2017	3/31/2019
155098	THE STATEN LLC	1238 W VILLAGE MAIN DR #1	Rental and Leasing Services	Delinquent	8/30/2017	2/1/2022
155111	ACTION LINK WIRELESS	1215 W VILLAGE MAIN DR #B	Retail Trade	Current	9/14/2017	9/30/2023
10507619	P&H RESOURCES LLC	1241 W VILLAGE MAIN DR #B	Sewing, Needlework, and Piece Goods Stores	Terminated	12/6/2017	12/30/2019
T4231	DUFFEY, KAYLA	1238 W VILLAGE MAIN DR #D	Nail Salons	Terminated	2/7/2018	2/28/2019
153715	RIVERS EDGE DENTAL	1264 W VILLAGE MAIN DR #B	Offices of Dentists	Current	3/6/2018	3/31/2024
150075	CHERRY BEAUTY	1238 W VILLAGE MAIN DR #A	All Other Personal Services	Terminated	6/20/2019	5/31/2020
150100	INNOVAX TECHNOLOGY RESOURCES	1215 W VILLAGE MAIN DR #A	Computer Training	Terminated	7/15/2019	7/31/2020
151488	LETIZIA HAIR STUDIO LLC	1241 W VILLAGE MAIN DR #B	Beauty Salons	Current	9/25/2019	9/30/2023
155832	P&H RESOURCES LLC	1215 W VILLAGE MAIN DR #A	ALTERATIONS	Terminated	2/13/2020	2/28/2021
155886	ALCARAZ, FELISIA	1238 W VILLAGE MAIN DR #A	MICROBLADING	Terminated	3/5/2020	3/31/2021
156231	LETIZIA HAIR STUDIO LLC #2	1264 W VILLAGE MAIN DR #A	MICROBLADING	Renewal	6/29/2020	6/30/2023
156590	33RD STREET PUBLIC LAUNDROMAT	1241 W VILLAGE MAIN DR	Coin operated laundromat	Current	10/19/2020	10/31/2023
157587	NORE BEAUTY STUDIO LLC	1241 W VILLAGE MAIN DR #B	Eyebrow Semi Permanent Tattoo	Terminated	9/8/2021	9/30/2022
157904	VANITY SALON	1238 W VILLAGE MAIN DR #D	PERMANENT MAKEUP, EYE BROW EXT	Delinquent	1/25/2022	3/14/2023
157996	VILLA, VERONICA	1238 W VILLAGE MAIN DR #D	Nail tech	Delinquent	2/24/2022	2/28/2023

157997	RIOS, JACQUELINE	1238 W VILLAGE MAIN DR #D	Semi Permanent Makeup and Full	Delinquent	2/24/2022	2/28/2023
158000	ESCOBAR, MAYRA	1238 W VILLAGE MAIN DR #D	Ombre powder brows a form of e	Delinquent	2/24/2022	2/28/2023
158067	ROSALES, ANGELICA	1238 W VILLAGE MAIN DR	COSMETIC TATTOOING AND EYE BROW	Delinquent	3/16/2022	3/31/2023
158098	BARAHONA, SAYMI	1238 W VILLAGE MAIN DR #D	Ombré Eyebrows	Delinquent	3/28/2022	3/31/2023
158218	BEAUTYY BY MICHELLE LLC	1238 W VILLAGE MAIN DR #D	Ombre Powder Tattoo brows	Delinquent	4/26/2022	4/30/2023
158262	AUDACITY INK LLC	1238 W VILLAGE MAIN DR #D	PERMANENT MAKEUP services/sale	Current	5/10/2022	5/31/2024
158271	SANCHEZ, ALEXIS M	1238 W VILLAGE MAIN DR #D	Ombre Powder Brow Technician	Renewal	5/12/2022	5/31/2023
158407	TIKA CUTTZ BARBER SHOP LLC	1215 W VILLAGE MAIN DR #A	Barber Shop Services	Renewal	6/27/2022	6/30/2023
158443	FAITH XO BEAUTY LLC	1238 W VILLAGE MAIN DR #D	PERMANENT MAKEUP NO BODY ART T	Terminated	7/7/2022	7/31/2022
158445	FAITH XO BEAUTY LLC	1238 W VILLAGE MAIN DR #D	PERMANENT MAKEUP NO BODY ART T	Current	7/7/2022	7/31/2023
159125	VANITY BEAUTY LLC	1238 W VILLAGE MAIN DR #D	Nail Salon	Current	3/13/2023	3/31/2024

File # 02-175

Ordin. #

Resol. # 02-62

Item # 10718

Other

WEST VALLEY CITY, UTAH

RESOLUTION NO. 02 - 62

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH COLISIMO BROTHERS, LLC, FOR LAND BEING DEVELOPED IN WEST VALLEY CITY.

WHEREAS, Developer Colisimo Brothers, LLC, has purchased real property located within the City limits of West Valley City, Utah, on which it proposes to build a (PUD) Planned Unit Development (herein the "Project"); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding Development Agreement (the "Agreement"); and

WHEREAS, Developer is willing to design and develop the Project in a manner that is in harmony with the City's master plan and long-range development objectives, and which addresses the more specific planning issues set forth in this Agreement; and

WHEREAS, the City, acting pursuant to its authority under §10-9-101, *et seq.*, Utah Code Annotated, as amended, and City ordinances and land use policies, has made certain determinations with respect to the proposed Project, and in the exercise of its legislative discretion, has elected to approve this Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the Development Agreement between West Valley City and Colisimo Brothers, LLC, is hereby approved in substantially the form attached, and that upon approval of the final form of the Agreement by the City Manager and the City Attorney's Office, the Mayor is hereby authorized to execute said Agreement for and in behalf of West Valley City, Utah.

PASSED, APPROVED, and MADE EFFECTIVE this 22nd day of May, 2002.

WEST VALLEY CITY

Russell K Brooks
MAYOR Pro Tem

ATTEST:

WEST VALLEY CITY, UTAH CORPORATE SEAL

Lori L Lannon
Deputy CITY RECORDER

NC:RW:COLISIMO BROTHERS PUD DEVELOPMENT AGREEMENT
032102:F:PZ02-7

File # 02-175
Ordin. #
Resol. # 02-62
Item # 10718
Other

COLOSIMO DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (herein "Agreement") is entered into this 21st day of May, 2002, by and between Colosimo Brothers LLC, a Utah Limited Liability Company, and their successors, designees or assigns, (herein "Developer") for the land to be included in or affected by the Project located at approximately 1200 West 3300 South and West Valley City, a municipal corporation and political subdivision of the State of Utah (herein "City").

RECITALS

WHEREAS, Developer has or will have purchased approximately 12 acres of real property located within the City limits of West Valley City and an additional parcel(s) from West Valley City, Utah as described in Exhibit "A" (the "Property"), on which it proposes the development of a mixed use to be known as The Village at River's Edge, (herein the "Project"); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding Development Agreement; and

WHEREAS, Developer is willing to design and develop the Project in a manner that is in harmony with the objectives of the City's General Plan and which addresses the more specific planning issues set forth in this agreement and is willing to abide by the terms of this Agreement; and

WHEREAS, The City, acting pursuant to its authority under UTAH CODE ANNOTATED § 10-9-101, *et seq.* and City ordinances, resolutions, and regulations and in furtherance of its land use policies, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **Affected Property**. The legal description of the Property contained within the Project boundaries is attached as Exhibit "A." No property may be added to or removed from this description for the purposes of this Agreement except by written amendment to this Agreement, executed and approved by Developer and the City.

A. The Project as designated in Exhibit "A" includes property owned by the City. Pursuant to this Agreement and the approval of the Planning Commission and City Council, satisfactory procurement of the City-owned property is required for development of this Project and a separate Purchase Agreement shall be entered into by the Parties to effectuate this purchase. However, this property is specifically included in this agreement and incorporated by this reference.

2. **Reserved Legislative Powers**. Nothing in this Agreement shall limit the future exercise of the police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space and related land use plans, policies, ordinances and regulations after the date of this Agreement provided that the adoption and exercise of such power shall not restrict Developer's vested rights to develop the Project as provided herein. This Agreement is not intended to and does not restrict the West Valley City Council in the independent exercise of its legislative discretion with respect to such zoning regulations.

3. **Compliance with City Design and Construction Standards**. Developer acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the City necessary for

development of the Project, including the payment of fees and compliance with the City's design and construction standards.

4. **Specific Design Conditions**. The Project shall be developed and constructed in accordance with the specific design conditions set forth in Exhibit "B." The Project shall also comply with all requirements set forth in the minutes of the Planning Commission and City Council hearings on this matter, attached hereto and incorporated herein by this reference as Exhibit E.

5. **Entrance Feature and Streetscape Design**. The entrance feature, streetscape and open space design shall be designed and installed in compliance with those specific design conditions set forth in Exhibit "C."

6. **Phasing**. The Project shall be developed in phases. Under no circumstances shall any additional phase begin before the prior phase has been completed unless otherwise agreed to by the Parties in writing. The phasing shall proceed as documented in this Agreement, and shall be completed as follows:

PHASE I	PHASE II	PHASE III
100% Apartments + Live / Work and Flex Space + ½ of the 3500 South Streetscape.	The remainder of the Project including the Open Space, Office Space and one Live / Work building, including the access to the west, but excluding the Restaurant. Phase II shall include eight (8) completed condominium units. In addition, all green space within the development shall be completed in Phase II, including installation and maintenance of green space on the restaurant pad. Phase II is to be completed within 24 months of issuance of the first building permit in Phase I.	The Restaurant and the remaining condominium units are to be completed within 4 years of the issuance of the first building permit in Phase I. This time frame may be re-evaluated based on market conditions.

7. **Completion of the Project**. The Parties recognize that this development is a mixed use development under West Valley City Municipal Code Sections 7-6-1501 and 7-6-1504, attached hereto and incorporated herein by reference as Exhibit "D." The parties further agree that the success and compliance of this Project with the ordinances depends upon the completion of all portions of this Development as set forth in this Agreement. Therefore, the Parties hereby agree that in addition to the usual avenues of legal recourse, in the event that any part of this Project is not completed pursuant to this Agreement, the City shall have the immediate right to enforce the provisions of this Agreement by suspending all pending building permits and occupancy permits and by requiring the Developer to present to the Planning Commission and City Council the reasons for the breach and any proposed alternative requirements. Further, the Developer shall post a public improvements bond in the amount of $500,000 with the City. Upon breach of this Agreement, the City may immediately terminate this and all other bonds posted by the Developer and use those proceeds to complete the public improvements portions of the Project, or may restrict occupancy to certain buildings until the Project is completed as stated in the Agreement.

8. **Performance Bond**. Because the parties agree that this Project is a mixed use project and that completion of all of the Project requirements within the specific time periods set forth is essential for compliance with the ordinances and this Agreement, the Developer agrees to require all contractors to post a performance bond in the minimum amount of $50,000, naming the City as an additional insured. The bond shall be released upon completion of Phase II of the Project.

9. **Fees**. The Developer agrees to promptly pay all fees associated with this development, including all impact fees. The Developer further agrees that pursuant to West Valley

City Municipal Code §1-2-104(4) the business license fee for all of the multiple-family dwellings shall be paid as follows:

a. Base Fee $310

b. Disproportionate Service Fee $60/unit, $6/employee

The Developer agrees to pay this fee regardless of its existence in the Code, unless otherwise agreed to in writing by both parties.

10. **Agreement to Run With the Land**. This Agreement shall be recorded in the Office of the Salt Lake County Recorder, shall be deemed to run with the Property, shall encumber the same, and shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property.

11. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning also the responsibilities arising hereunder. This restriction on assignment is not intended to prohibit or impede the sale by Developer.

12. **No Joint Venture, Partnership or Third Party Rights**. This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto nor any rights or benefits to third parties, except as expressly provided herein.

13. **Integration**. This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto.

14. **Notices.** Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for who intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as follows:

Colosimo Brothers LLC
970 East 3300 South #7C
Salt Lake City, Utah 84106

West Valley City
John Patterson, City Manager
3600 Constitution Blvd.
West Valley City, Utah 84119

Any party may change its address by giving written notice to the other party in accordance with the provision of this section.

15. **Law**. Any dispute regarding this Agreement shall be heard and settled under the laws of the State of Utah.

16. **Court Costs**. In the event of any litigation between the parties arising out of or related to this Agreement, the prevailing party shall be entitled to an award of reasonable court costs, including reasonable attorney's fees.

EXECUTED as of this 3rd day of July, 2002.

WEST VALLEY CITY

Gearld F. Wright
MAYOR

ATTEST:

Sheri McKendrick
CITY RECORDER

WEST VALLEY CITY, UTAH
CORPORATE SEAL

COLOSIMO BROTHERS LLC

By: Paul Colosimo
Its: mgr.

STATE OF UTAH)
)ss.
COUNTY OF SALT LAKE)

On this 8th day of July, 2002, personally appeared before me Paul Colosimo, who being by me duly sworn, did say that he/she is the Manager of Colosimo Brothers LLC, and that the foregoing instrument was signed on behalf of said Company by authority of its Board of Directors and acknowledged to me that said Company executed the same.

Notary Public
RACHEL WHITE
3600 Constitution Boulevard
West Valley City, Utah 84119
My Commission Expires
April 15, 2006
State of Utah

Rachel White
Notary Public

EXHIBIT A

PROPERTY DESCRIPTION

PARCEL "A" $300,000

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 1200 WEST STREET; POINT BEING NORTH 00°02'27" WEST 703.87 FEET AND EAST 973.99 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN AND RUNNING THENCE SOUTH 88°58'00" WEST 32.12 FEET; THENCE SOUTH 01°02'00" EAST 17.80 FEET TO A POINT NON-TANGENT CURVATURE; THENCE ALONG THE ARC OF A 20.00 RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 45°00'00" A DISTANCE OF 15.71 FEET; THENCE NORTH 46°02'00" WEST 180.35 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 42°25'08" A DISTANCE OF 14.81 FEET; THENCE NORTH 04°15'34" WEST 89.68 FEET; THENCE NORTH 85°39'40" EAST 186.22 FEET; THENCE SOUTH 00°43'27" EAST 229.11 FEET TO THE BEGINNING.

CONTAINS 0.77 ACRES

PARCEL "B" $10,000

BEGINNING AT A POINT NORTH 00°02'27" WEST 917.19 FEET AND EAST 763.30 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN AND RUNNING THENCE NORTH 85°39'40" EAST 22.33 FEET; THENCE SOUTH 04°15'34" EAST 89.68 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 42°25'08" A DISTANCE OF 14.81 FEET; THENCE SOUTH 46°02'00" EAST 180.35 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 45°00'00" A DISTANCE OF 15.71 FEET; THENCE NORTH 01°02'00" WEST 17.80 FEET; THENCE NORTH 88°58'00" EAST 32.12 FEET; THENCE SOUTH 00°43'27" EAST 180.80 FEET; THENCE SOUTH 88°58'00" WEST 91.36 FEET; THENCE NORTH 46°02'00" WEST 21.21 FEET; THENCE NORTH 01°02'00" WEST 78.50 FEET; THENCE NORTH 46°02'00" WEST 39.11 FEET; THENCE NORTH 88°58'00" EAST 72.48 FEET; THENCE SOUTH 01°02'00" EAST 127.47 FEET; THENCE NORTH 12°08'25" WEST 76.10 FEET; THENCE NORTH 03°22'28" WEST 127.42 FEET; THENCE NORTH 04°08'48" EAST 127.50; THENCE NORTH 05°40'15" EAST 75.75 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.994 ACRES

PARCEL "C" $40,000

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 1200 WEST STREET; POINT BEING NORTH 00°02'27" WEST 523.09 FEET AND WEST 976.17 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN AND RUNNING THENCE SOUTH 00°43'27" EAST 250.28 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 711.92 FOOT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 04°59'44" A DISTANCE OF 62.07 FEET; THENCE NORTH 60°15'41" WEST 74.73 FEET; THENCE NORTH 36°34'03" WEST 89.45 FEET; THENCE NORTH 29°37'28" WEST 92.59 FEET; THENCE NORTH 22°24'44" WEST 106.09 FEET; THENCE NORTH 12°08'25" WEST 15.10

FEET; THENCE NORTH 01°02'00" WEST 127.47 FEET; THENCE NORTH 88°58'00" EAST 72.48 FEET THENCE SOUTH 46°02'00" EAST 39.11 FEET; THENCE SOUTH 01°02'00" EAST 78.50 FEET; THENCE SOUTH 46°02'00" EAST 21.21 FEET; THENCE NORTH 88°58'00" EAST 91.36 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.24 ACRES.

PARCEL 1

BEGINNING AT A POINT NORTH 00°02'27" WEST 917.19 FEET AND EAST 763.30 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN AND RUNNING THENCE SOUTH 05°40'15" WEST 75.75 FEET; THENCE SOUTH 04°08'48" WEST 127.50 FEET; THENCE SOUTH 03°22'28" EAST 127.42 FEET; THENCE SOUTH 12°08'25" EAST 91.20 FEET; THENCE SOUTH 22°24'44" EAST 106.09 FEET; THENCE SOUTH 29°37'28" EAST 92.59 FEET; THENCE SOUTH 36°34'03" EAST 16.34 FEET; THENCE SOUTH 87°49'34" WEST 118.55 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 39.82 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 25°35'35" A DISTANCE OF 17.79 FEET; THENCE SOUTH 57°00'19" WEST 33.18 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF AN 18.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 30°49'15" A DISTANCE OF 9.68 FEET; THENCE SOUTH 87°49'34" WEST 31.91 FEET; THENCE SOUTH 02°10'21" EAST 246.75 FEET; TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 19.46 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 88°17'37" A DISTANCE OF 29.99 FEET; THENCE NORTH 89°47'48" EAST 191.74 FEET; THENCE NORTH 00°21'17" WEST 18.00 FEET; THENCE NORTH 89°38'43" EAST 38.83 FEET; THENCE SOUTH 29°15'00" WEST 20.61 FEET; THENCE SOUTH 00°02'28" EAST 42.63 FEET; THENCE SOUTH 24°45'47" WEST 2.71 FEET; THENCE SOUTH 89°38'43" WEST 632.84 FEET; THENCE NORTH 01°02'00" WEST 918.99 FEET; THENCE NORTH 85°39'40" EAST 500.52 FEET TO THE POINT OF BEGINNING. [EXCLUDES PARCEL 5]

CONTAINS 10.292 ACRES

PARCEL 5 (CONDOMINIUM PARCEL)

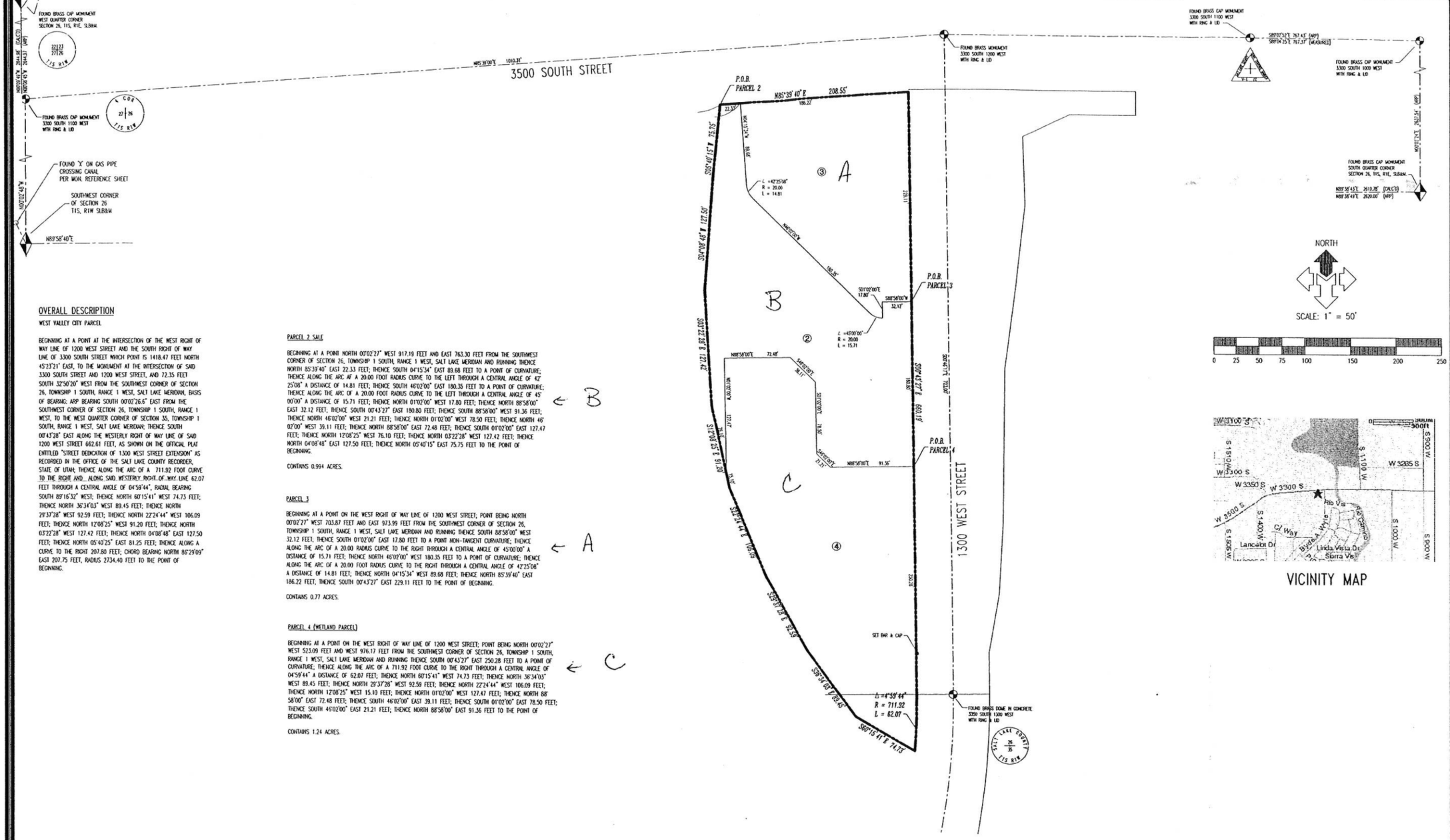
BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 1200 WEST STREET; POINT BEING NORTH 00°02'27" WEST 210.81 FEET AND WEST 977.17 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN AND RUNNING THENCE SOUTH 29°15'00" WEST 65.22 FEET; THENCE SOUTH 89°38'43" WEST 38.83 FEET; THENCE SOUTH 00°21'17" EAST 18.00 FEET; THENCE SOUTH 89°47'48" WEST 191.74 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 19.46 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 88°17'37" A DISTANCE OF 29.99 FEET; THENCE NORTH 02°10'21" WEST 246.75 FEET; THENCE NORTH 87°49'34" EAST 31.91 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF AN 18.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 30°49'15" A DISTANCE OF 9.68 FEET; THENCE NORTH 57°00'19" EAST 33.18 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 39.82 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 25°35'35" A DISTANCE OF 17.79 FEET; THENCE NORTH

87°49'34" EAST 118.55 FEET; THENCE SOUTH 36°34'03" EAST 73.11 FEET; THENCE SOUTH 60°15'41" EAST 74.73 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.79 ACRES

PARCEL 2

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 1200 WEST STREET; POINT BEING NORTH 00°02'27" WEST 703.87 FEET AND EAST 973.99 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN AND RUNNING THENCE SOUTH 00°43'27" EAST 180.80 FEET; THENCE SOUTH 88°58'00" WEST 91.36 FEET; THENCE NORTH 46°02'00' WEST 21.21 FEET; THENCE NORTH 01°02'00" WEST 78.50 FEET; THENCE NORTH 46°02'00" WEST 39.11 FEET; THENCE NORTH 88°58'00" EAST 72.48 FEET; THENCE SOUTH 01°02'00" EAST 127.47 FEET; THENCE SOUTH 12°08'25" EAST 15.10 FEET; THENCE NORTH 22°24'44" WEST 106.09 FEET; THENCE SOUTH 29°37'28" EAST 92.59 FEET; THENCE SOUTH 36°34'03" EAST 89.45 FEET; THENCE NORTH 60°15'41" WEST 74.73 FEET; THENCE ALONG THE ARC OF A 711.92 FOOT CURVE TO THE RIGHT AND ALONG SAID WESTERLY RIGHT OF WAY LINE 128.34 FEET (CENTER BEARS 10°19'43") THENCE WEST; THENCE SOUTH 29°15'00" WEST 85.83 FEET; THENCE SOUTH 00°02'28" EAST 42.63 FEET; THENCE SOUTH 24°45'47" WEST 2.71 FEET; THENCE SOUTH 89°38'43" WEST 632.84 FEET; THENCE NORTH 01°02'00" WEST 918.99 FEET; THENCE NORTH 85°39'40" EAST 522.84 FEET; THENCE SOUTH 04°15'34" EAST 89.68 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 42°25'08" A DISTANCE OF 14.81 FEET; THENCE SOUTH 46°02'00" EAST 180.35 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 45°00'00" A DISTANCE OF 15.71 FEET; THENCE NORTH 01°02'00" WEST 17.80 FEET; THENCE NORTH 88°58'00" EAST 32.12 FEET TO THE POINT OF BEGINNING. [INCLUDES PARCEL 5]



OVERALL DESCRIPTION

WEST VALLEY CITY PARCEL

BEGINNING AT A POINT AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF 1200 WEST STREET AND THE SOUTH RIGHT OF WAY LINE OF 3300 SOUTH STREET WHICH POINT IS 1418.47 FEET NORTH 45°23'21" EAST, TO THE MONUMENT AT THE INTERSECTION OF SAID 3300 SOUTH STREET AND 1200 WEST STREET, AND 72.35 FEET SOUTH 32°50'20" WEST FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN, BASIS OF BEARING: ARP BEARING SOUTH 00°02'26.6" EAST FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, TO THE WEST QUARTER CORNER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE SOUTH 00°43'28" EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID 1200 WEST STREET 662.61 FEET, AS SHOWN ON THE OFFICIAL PLAT ENTITLED "STREET DEDICATION OF 1300 WEST STREET EXTENSION" AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, STATE OF UTAH; THENCE ALONG THE ARC OF A 711.92 FOOT CURVE TO THE RIGHT AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE 62.07 FEET THROUGH A CENTRAL ANGLE OF 04°59'44", RADIAL BEARING SOUTH 89°16'32" WEST; THENCE NORTH 60°15'41" WEST 74.73 FEET; THENCE NORTH 36°34'03" WEST 89.45 FEET; THENCE NORTH 29°37'28" WEST 92.59 FEET; THENCE NORTH 22°24'44" WEST 106.09 FEET; THENCE NORTH 12°08'25" WEST 91.20 FEET; THENCE NORTH 03°22'28" WEST 127.42 FEET; THENCE NORTH 04°08'48" EAST 127.50 FEET; THENCE NORTH 05°40'25" EAST 81.25 FEET; THENCE ALONG A CURVE TO THE RIGHT 207.80 FEET; CHORD BEARING NORTH 85°29'09" EAST 207.75 FEET, RADIUS 2734.40 FEET TO THE POINT OF BEGINNING.

PARCEL 2 SALE

BEGINNING AT A POINT NORTH 00°02'27" WEST 917.19 FEET AND EAST 763.30 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN AND RUNNING THENCE NORTH 85°39'40" EAST 22.33 FEET; THENCE SOUTH 04°15'34" EAST 89.68 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC AF A 20.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 42° 25'08" A DISTANCE OF 14.81 FEET; THENCE SOUTH 46°02'00" EAST 180.35 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 45° 00'00" A DISTANCE OF 15.71 FEET; THENCE NORTH 01°02'00" WEST 17.80 FEET; THENCE NORTH 88°58'00" EAST 32.12 FEET; THENCE SOUTH 00°43'27" EAST 180.80 FEET; THENCE SOUTH 88°58'00" WEST 91.36 FEET; THENCE NORTH 46°02'00" WEST 21.21 FEET; THENCE NORTH 01°02'00" WEST 78.50 FEET; THENCE NORTH 46° 02'00" WEST 39.11 FEET; THENCE NORTH 88°58'00" EAST 72.48 FEET; THENCE SOUTH 01°02'00" EAST 127.47 FEET; THENCE NORTH 12°08'25" WEST 76.10 FEET; THENCE NORTH 03°22'28" WEST 127.42 FEET; THENCE NORTH 04°08'48" EAST 127.50 FEET; THENCE NORTH 05°40'15" EAST 75.75 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.994 ACRES.

PARCEL 3

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 1200 WEST STREET; POINT BEING NORTH 00°02'27" WEST 703.87 FEET AND EAST 973.99 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN AND RUNNING THENCE SOUTH 88°58'00" WEST 32.12 FEET; THENCE SOUTH 01°02'00" EAST 17.80 FEET TO A POINT NON-TANGENT CURVATURE; THENCE ALONG THE ARC OF A 20.00 RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 45°00'00" A DISTANCE OF 15.71 FEET; THENCE NORTH 46°02'00" WEST 180.35 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 42°25'08" A DISTANCE OF 14.81 FEET; THENCE NORTH 04°15'34" WEST 89.68 FEET; THENCE NORTH 85°39'40" EAST 186.22 FEET, THENCE SOUTH 00°43'27" EAST 229.11 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.77 ACRES.

PARCEL 4 (WETLAND PARCEL)

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 1200 WEST STREET; POINT BEING NORTH 00°02'27" WEST 523.09 FEET AND WEST 976.17 FEET FROM THE SOUTHWEST CORNER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN AND RUNNING THENCE SOUTH 00°43'27" EAST 250.28 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 711.92 FOOT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 04°59'44" A DISTANCE OF 62.07 FEET; THENCE NORTH 60°15'41" WEST 74.73 FEET; THENCE NORTH 36°34'03" WEST 89.45 FEET; THENCE NORTH 29°37'28" WEST 92.59 FEET; THENCE NORTH 22°24'44" WEST 106.09 FEET; THENCE NORTH 12°08'25" WEST 15.10 FEET; THENCE NORTH 01°02'00" WEST 127.47 FEET; THENCE NORTH 88° 58'00" EAST 72.48 FEET; THENCE SOUTH 46°02'00" EAST 39.11 FEET; THENCE SOUTH 01°02'00" EAST 78.50 FEET; THENCE SOUTH 46°02'00" EAST 21.21 FEET; THENCE NORTH 88°58'00" EAST 91.36 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.24 ACRES.

VICINITY MAP

FINAL APPROVAL

UNDER PROVISION OF CHAPTER 7-19-702 WEST VALLEY CITY CODE, LOTS SHOWN ON THIS SURVEY MAY BE RECORDED AND SOLD BY METES AND BOUNDS DESCRIPTION.

DATE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

McNEIL ENGINEERING AND LAND SURVEYING
PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES
6995 SOUTH 900 EAST MIDVALE, UTAH 84047
TEL. (801) 255-7700 FAX (801) 255-8071
E-MAIL info@mcneileng.com WEB SITE AT www.mcneileng.com

STAMP / SEAL

COLOSSIMO DEVELOPMENT

3500 SOUTH 1300 WEST
WEST JORDAN, UT
LOCATED IN THE NORTHWEST CORNER OF SECTION 26, T1S, R1W, SLB&M

REVISIONS

REV.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

PROJECT NO:	220082
CAD DWG. FILE:	220082.DWG
DRAWN BY:	SSB
SURVEYED BY:	GM/CH
CHECKED BY:	KAP
DATE:	03/26/02

SHEET TITLE:
BOUNDARY SURVEY

EXHIBIT A

EXHIBIT B

SPECIFIC DESIGN CONDITIONS

The specific design standards listed below are subject to review pursuant to the permitted use process required for the Project and may be modified based on that permitted use process. In addition, the overall Project concept is a high quality, upscale mixed- use development.

APARTMENT UNITS

Each apartment building shall be developed and constructed as follows:

1) The Developer is authorized to construct 192 apartment units.

2) These units shall not include studio apartments, nor may more than 15% of the units be three (3) bedroom units.

3) The apartments may be developed in Phase I of the Project as follows:

A. Following the completion of 50% of the apartment units the Developer must complete the flex space building and 50% of the 3500 South streetscape before obtaining a building permit for the second 50% of the apartment units.

B. In conjunction with and prior to obtaining occupancy permits for the completion of the second 50% of the apartment units, the open space, grand entrance, and the town center building shall be completed.

4) Each building shall be built with 100% stucco and stone in earth tone colors. The columns of each building and the entire first floor of each building visible from the public street shall be stone. Some variation in building exteriors is anticipated.

5) Each apartment unit shall have either a porch or a patio.

6) The Developer shall construct at least 60 garage structures that are 100% stucco matching the design in terms of color and materials of the apartment buildings, as per Exhibit B-1, incorporated by this reference. Each garage shall have a fully functional door and a functioning garage door opener.

7) The apartment units shall also be constructed as drawn in Exhibit B-2, incorporated by this reference. In general, the apartment buildings shall include porches, no blank walls, architectural grade shingles and facade variation with the use of stone and stucco in earth tone colors.

LIVE / WORK AND FLEX SPACE UNITS

The live/work and flex space units shall be developed and constructed in the following manner:

1) The Developer is authorized and required to develop 52 live/work units with approximately 15,000 square feet of first floor retail and/or office space; the second and third floors shall be dwelling units and shall not include studio apartments.

2) These units shall be constructed of 100% masonry (defined as stucco, stone and/or brick).

3) Each of the live/work buildings shall also include a roof top use developed to provide additional outdoor spaces for residents.

4) The flex space shall be completed prior to issuance of occupancy permits for any apartment buildings located in the southwest portion of the site, generally the second 50% of the apartment units.

5) Signage facing 3500 South shall be attached to the building and/or shall be monument style and shall not detract from the quality architecture of the project.

6) An additional live/work or flex space building shall be developed on the one-acre parcel to include approximately 4500 square feet of retail space and eight dwelling units, as part of Phase II.

7) The live/work and flex space areas shall reflect the design shown in Exhibit B-3, incorporated by this reference.

OFFICE/TOWN CENTER BUILDING

The office building proposed in the development shall be developed and constructed as follows:

1) The office building shall consist of management offices and other leased office space.

2) The building shall be constructed of 100% masonry, defined as stucco, stone and/or brick.

3) The building shall be developed and completed prior to issuance of occupancy permits for the final 50% of the apartment buildings.

4) Building architecture shall reflect the general design concepts shown in Exhibit B-4, incorporated by this reference.

OPEN SPACE AREAS

The open space areas shall be developed and constructed as follows:

1) The open space shall be privately developed and maintained by the Developer or property owner as shown on Exhibit B-5,incorporated by this reference.

2) The open space shall remain unfenced and shall consist of approximately 3 acres of contiguous, usable, passive and active recreation space.

3) The open space may also include a pond feature.

4) The open space shall be completed in conjunction with Phase II, and shall in any case be completed prior to issuance of building permits for the second 50% of apartment units.

5) Features shall include play structures, barbeque areas, boweries, volleyball and/or sports courts, benches, picnic tables, walkways, and a pool.

6) Landscape plan must be approved by staff within one month of City Council approval of the Project.

RESTAURANT

The restaurant shall be developed and constructed according to the following:

1) The restaurant will be constructed in Phase III of the project. However, the restaurant portion of this development shall be constructed within 4 years from the date of issuance of the first building permit in Phase I. This time frame may be re-evaluated based on market conditions.

2) It shall include approximately 7000 square feet of restaurant space to accommodate an upscale, sit-down, full service restaurant of a high caliber.

3) The restaurant shall include outdoor dining.

4) It shall also include a public plaza on the corner linking the Project and the restaurant to the Cultural Center on the north and the Jordan River trails on the east. The public plaza is to be designed and landscaped as shown in Exhibit B-6, incorporated by this reference.

5) The restaurant proposal must be presented to the Planning Commission and the City Council for review and approval in a public hearing as a conditional use.

"MAIN STREET"

The main street portion of the Project shall be developed and constructed as follows:

1) The main street shall be constructed and completed with Phase II of the Project.

2) It shall contain gathering spaces and sitting areas as designated in Exhibit B-7, incorporated by this reference.

3) The sidewalk shall include stamped / colored concrete or asphalt, or brick to designate the gathering spots and seating areas. Further, the sidewalk shall include tree wells with seats around each tree. It shall also include planter boxes and benches.

4) The street shall incorporate the angled parking design shown in Exhibit B-8, titled incorporated by this reference.

5) Signs facing the main street shall match the color and architecture of the buildings and shall be attached to the buildings.

It is contemplated that this street will set forth a "main street" look and this phase of the project shall be completed within 24 months from the date of the first building permit issued for the apartment buildings.

"CONDOMINIUM UNITS"

1. The Condo units shall consist of 40 units ranging in size from 1000 square feet to 1200 square feet. Use of 2 level structures near 1300 West leading to higher structures to the west is required. Style may reflect drawing(Exhibit B-9) but applicant is encouraged to consider creating a more distinct architectural separation from the apartment units. City reserves the right to further re-evaluate the architecture during the subdivision/PUD/condominium process.

2. All units shall have porches or patios.

3. Architectural materials shall include stucco and stone. Stone shall be used to at least the top of the first floor and incorporated in columns and accent features. If architectural style changes significantly, the City reserves the right to re-evaluate materials and their placement on the structures.

4. 40 garages shall be provided. Architecture shall reflect the final architecture of the condominiums.

5. All dumpsters to be enclosed and enclosures shall be screened with landscaping. Dumpster locations shall be determined in more detailed site planning. Consider flowering vines to reduce the structure impacts.

6. Streetscape shall meet the same 35th South required appearance, including the 10' sidewalk, trees, undulating berm and 15' parkstrip.

7. Management shall be provided via the overall management organization.

8. Entrance location and entrance feature shall be defined during the subdivision process.

9. Developer shall create a gathering place for residents that takes advantage of the water feature, this feature shall be reviewed and approved by staff.

10. Gates shall be open during daytime hours

11. The developer shall provide CCR's for the condominiums, the CCR's shall include a provision requiring that no more than 20% of the units may be rented. This provision shall be enforceable by the homeowners association, the management company and the City.

EXHIBIT B-1

COLOSIMO DEVELOPMENT AGREEMENT
EXHIBIT B-1
GARAGE MATERIALS DESIGN

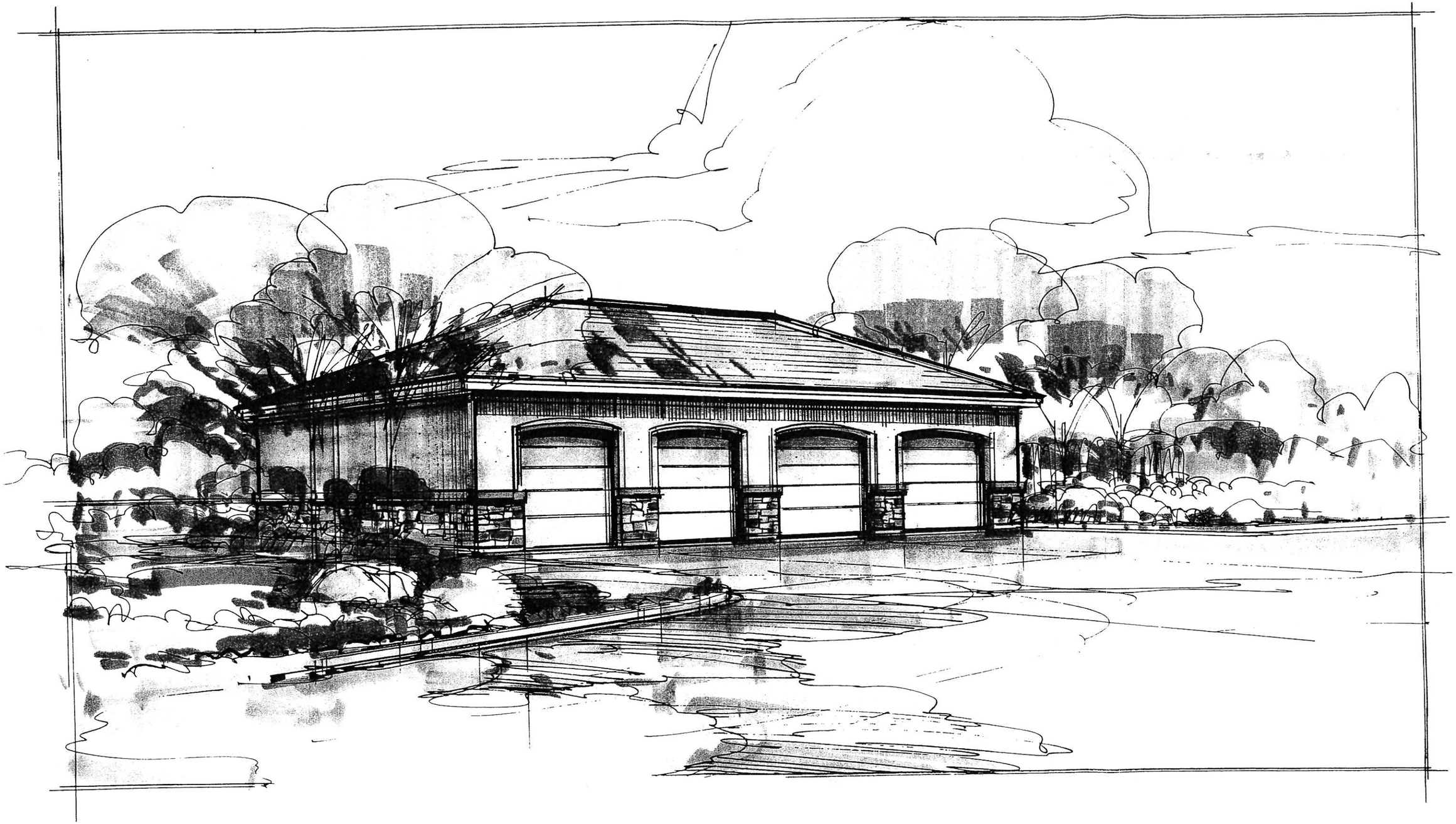


EXHIBIT B-2

COLOSIMO DEVELOPMENT AGREEMENT
EXHIBIT B-2
APARTMENT DESIGN DRAWING

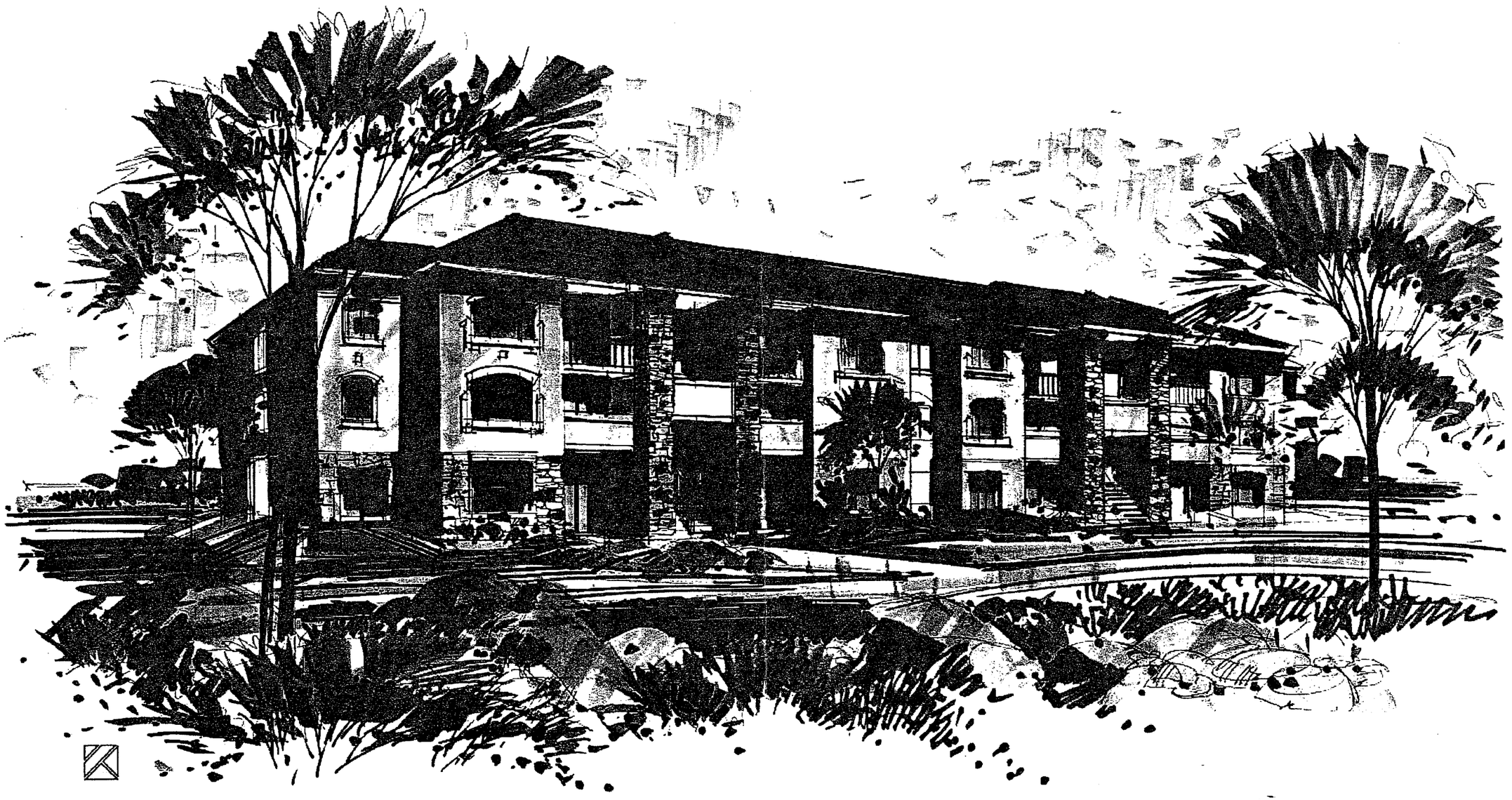


EXHIBIT B-3

COLOSIMO DEVELOPMENT AGREEMENT
EXHIBIT B-3
LIVE/WORK AND FLEX SPACE

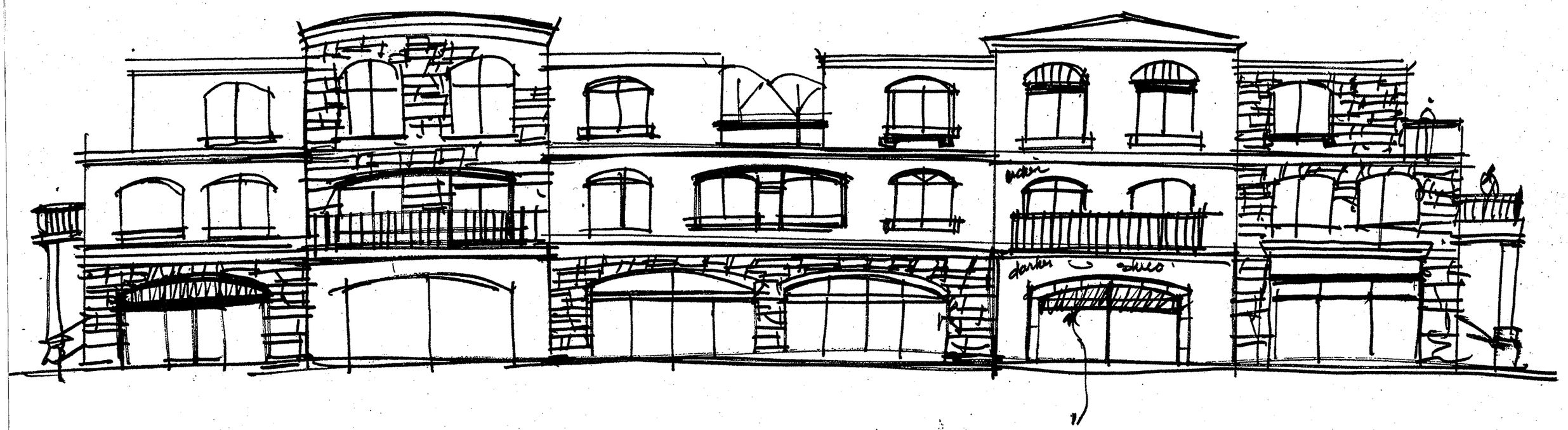


EXHIBIT B-4

COLOSIMO DEVELOPMENT AGREEMENT
EXHIBIT B-4
OFFICE/TOWN CENTER BUILDING DESIGN CONCEPTS

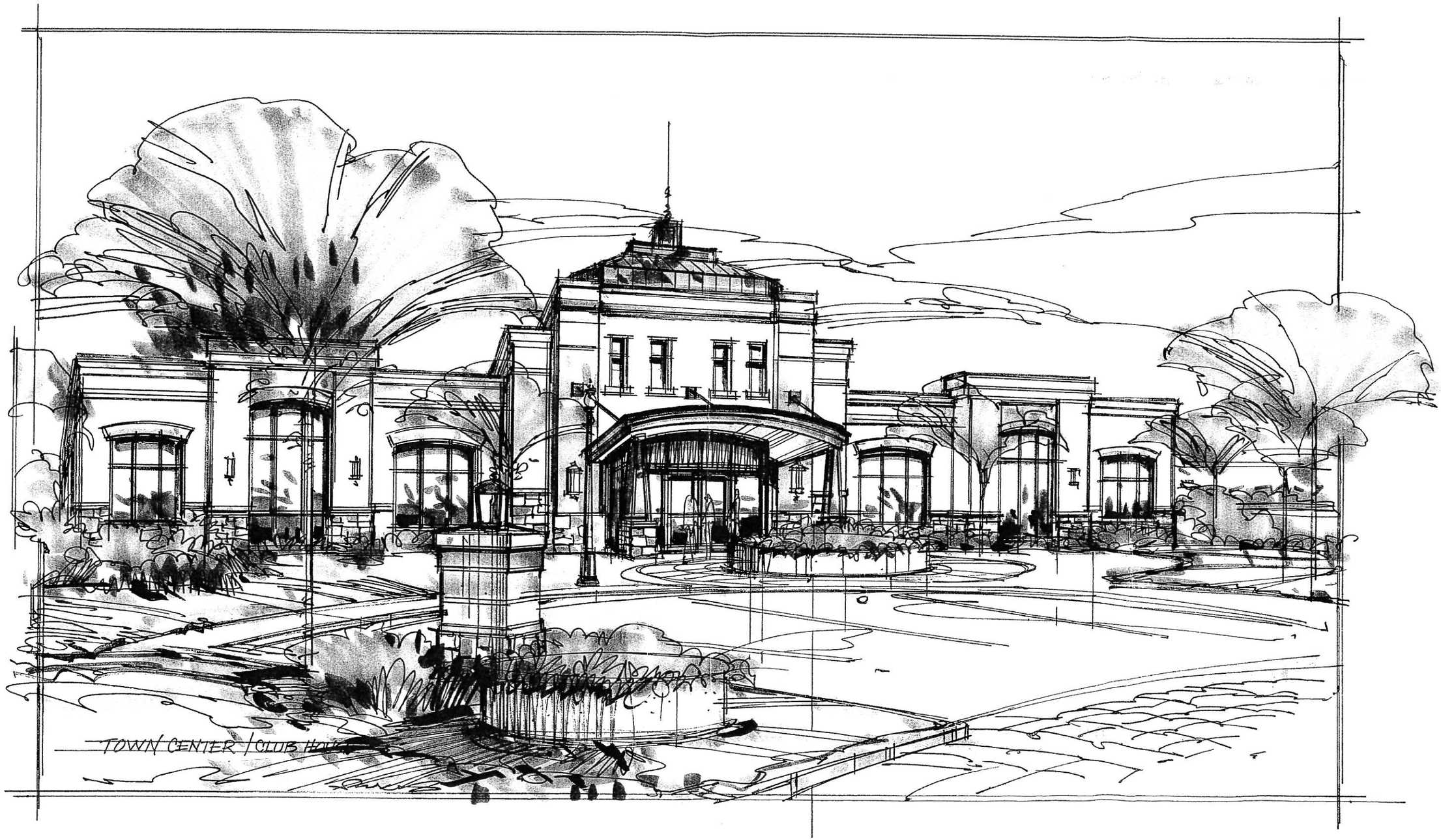

TOWN CENTER / CLUB HOUSE

EXHIBIT B-5

COLOSIMO DEVELOPMENT AGREEMENT
EXHIBIT B-5
OPEN SPACE

EXHIBIT B-6

COLOSIMO DEVELOPMENT AGREEMENT
EXHIBIT B-6
PUBLIC PLAZA DESIGN & LANDSCAPING

EXHIBIT B-7

COLOSIMO DEVELOPMENT AGREEMENT
EXHIBIT B-7
"MAIN STREET" GATHERING SPACES

EXHIBIT B-8

"MAIN STREET" ANGLED PARKING DESIGN

EXHIBIT B-9

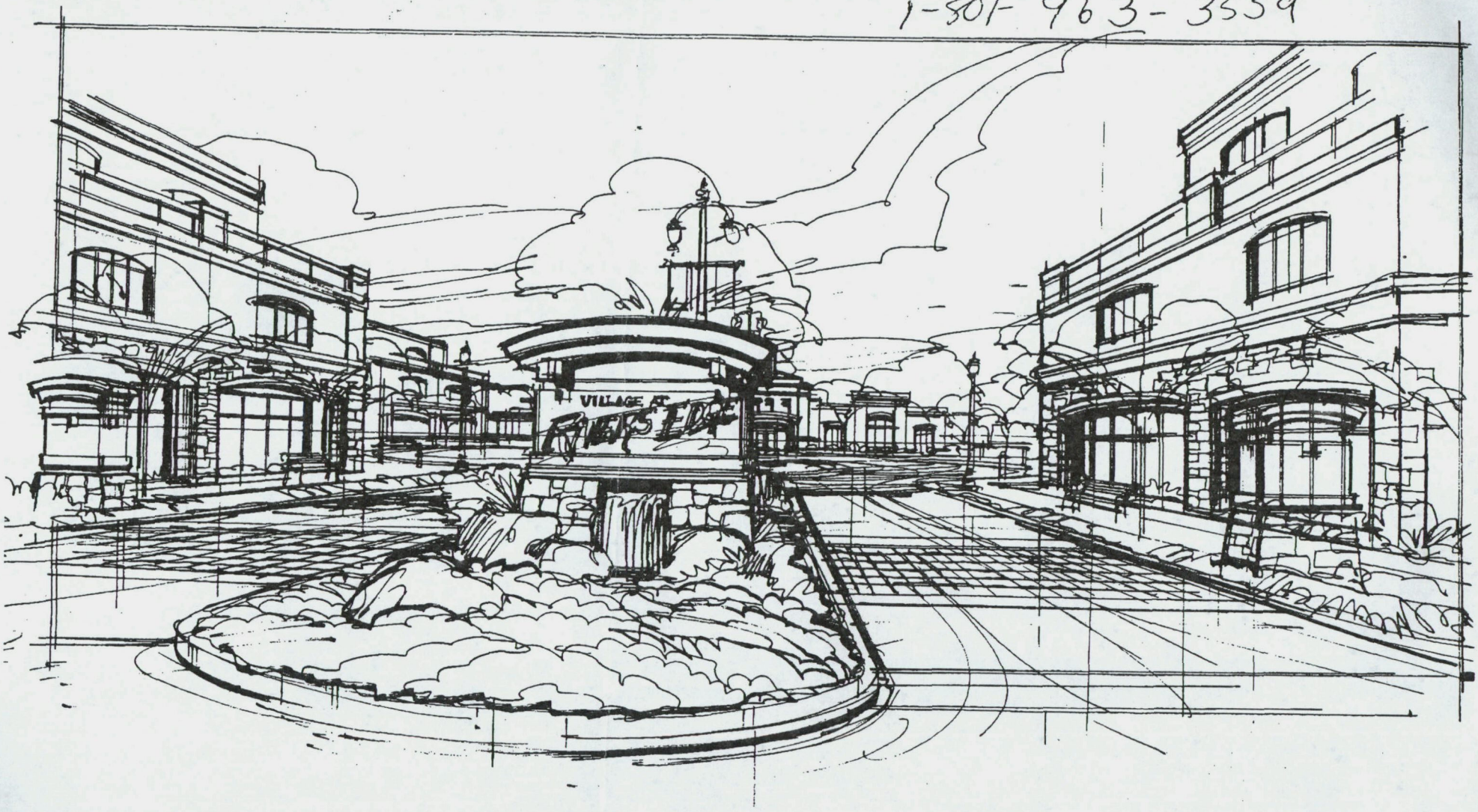
CONDOMINIUM UNITS

EXHIBIT C

GRAND ENTRANCE FEATURE
AND
3500 SOUTH STREETSCAPE DESIGN

COLOSIMO DEVELOPMENT AGREEMENT
EXHIBIT C
ENTRANCE AND STREETSCAPE DESIGN

EXHIBIT "C"



1-801-963-3559

MAR-25-2002 10:09 AM KINATEDER & ASSOCIATES 801 491 5053 P.01

EXHIBIT D

WEST VALLEY CITY MUNICIPAL CODE

SECTION 7-6-1500

MIXED USE DEVELOPMENTS

7-6-1501. PURPOSE.

The purpose of the *Mixed-Use (MXD)* zoning classification is to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community that offers "live, work, and play" opportunities within convenient walking distance of each other.
(Ord. 00-40, Enacted, 07/19/2000)

7-6-1502. PROJECT EVALUATION.

All development proposals for the MXD zone shall be evaluated based on their compatibility with:

* The West Valley City General Plan
* The purpose and characteristics of the MXD Zone
* Sound planning practices
* Surrounding land-uses
* All other City-approved studies

(Ord. 00-40, Enacted, 07/19/2000)

7-6-1503. SITE CHARACTERISTICS.

The typical site zoned MXD shall encompass at least five acres; however, smaller projects that demonstrate outstanding characteristics may also be considered. Sites zoned MXD should be adjacent to major automobile and public transit corridors, and should have direct access to both.
(Ord. 00-40, Enacted, 07/19/2000)

7-6-1504. DEVELOPMENT PLAN.

1. A Development Plan shall be submitted as part of the application to rezone a property to the MXD zone, and must be approved simultaneously with the zone change to the MXD zone. Each MXD zone will have its own Development Plan, which guides all development within that particular zone. The Development Plan shall include a site plan, a pedestrian connection/trails plan, conceptual building elevations and design schemes, streetscape and building setback illustrations,a county recorder's property plat and aerial photograph (Sidwell map), and any other information typically required for a change in zoning.

2. At least 25 percent of all mixed use developments shall be residential. In addition to the required residential component, the Development Plan must show uses from at least one of the following categories:

* Office
* Commercial
* Light-Industrial
* Institutional/Public
* Hotel/Entertainment

No one category of uses (including residential) may occupy more than 75 percent of the total floor area.

3. The general categories and uses to be established within a mixed-use project shall be specified and enumerated in the Development Plan, which must be approved concurrently with the reclassification of an area to the MXD zone. The approved Development Plan shall be considered an integral part of the zoning regulations for the area represented. Substantial variation between the Development Plan and the Final Site Plan would require review and recommendation from the Planning

Commission and approval from the City Council. A substantial variation is any addition, modification, or alteration to a building or site plan that exceeds 20 percent of the gross floor area, site acreage, or exterior building surface or any change in use. All reductions in landscaping that total more than 600 square feet shall require approval from the Planning Commission.
(Ord. 00-40, Enacted, 07/19/2000)

7-6-1505. DEVELOPMENT CHARACTERISTICS.

1. The following are uses that could be considered for developments within the MXD zone. Some of these uses are not appropriate in some areas, and/or are not compatible with other uses. Also, some of these uses may not be compatible in certain configurations or in certain locations, while they may be compatible in a different layout. It is the responsibility of the developer to show that the mix of uses, the overall project design, and the location are appropriate and desirable. (Underlined) uses may not be located on individual pad sites or parcels. They must be part of a larger building or physically connected and integrated into the complex.

Residential
All types with covered parking - minimum five units/acre gross density

Office
Professional Offices
Banks and Credit Unions
Medical Clinics
Artist Studios

Commercial
Convenience Stores - with or without fuel sales
Grocery Stores - maximum 40,000 square feet per tenant
Grocery Retail - maximum 40,000 square feet per tenant; no pawn shops, check cashing, rent-to-own, sexually oriented businesses, tattoo parlors, or body piercing

Light Manufacturing
Radio and Television Broadcasting Studios - No outside storage
Research and Development - No outside storage
Veterinary Clinic - No outside storage or activities
Laboratories - No outside storage or activities

Institutional/Public
Medical Clinics
Colleges and Universities
Day Care Facilities
Museums
Community Uses as defined in Section 7-1-103.

Hotel/Entertainment
Hotels - Rooms off interior corridors
Recreation - Indoor/Outdoor
Restaurants and Private Clubs - without drive up windows

Restaurants - with drive up windows
Movie Theaters - Indoor
Performing Art Theater - Indoor/Outdoor
Health Clubs

2. Uses may be mixed within a building or within an overall development, or both. However, the City encourages mixing uses within a building whenever possible.

3. Developments within an MXD zone shall exhibit urban characteristics such as:

* Minimal building setbacks
* Large parkstrips and sidewalks
* Community gathering spaces
* Shared parking
* Integrated public transit
* Diverse and distinctive design features

4. All developments shall provide at least 20 percent of the gross site area as open space. Open space shall typically include the following elements: cultivated landscaping, plazas, parks, urban trails/sidewalks, wetlands/indigenous landscaping, and community recreation space. A maximum of 50 percent of all open space may be hard surfaced. Streets, parking lots, driveways, and private yards are not considered open space.

5. All lighting and signs shall be pedestrian scale, with a maximum sign height of 20 feet. Lights or signs on building faces may be higher than the 20 feet maximum. The City may approve larger scale lighting and/or signs of it can be shown that they are necessary for public safety or security purposes.

6. Parking requirements shall be determined per existing City standards for each use. However, parking requirements may be reduced if it can be shown that shared parking is a viable alternative. The City prefers shared parking and reserves the right to limit the amount of parking within a project to promote the mixing of uses that would allow for shared parking.

7. Site plans shall clearly indicate the mixture of land uses within the project area and the percentage of the overall site that each use occupies. Furthermore, site plans shall indicate the amount of parking prorated to each use and shall illustrate how public transit is to be integrated into the site.

8. An additional site plan shall illustrate pedestrian movement throughout the project area, with trail hierarchies established based on levels of pedestrian use. The purpose of this plan is to demonstrate how effectively uses are mixed, and to determine the efficiency of the site layout. The plan shall provide convenient and attractive pedestrian connections through the mixing of land uses and quality design practices.

(Ord. 00-40, Enacted, 07/19/2000)

7-6-1506. DEVELOPMENT PROCEDURES.

Upon approval of the Development Plan and zone change to MXD, uses in the development shall be processed as permitted uses (Section 7-14, as applicable).

(Ord. 00-40, Enacted, 07/19/2000)

EXHIBIT E

WEST VALLEY CITY
PLANNING COMMISSION
AND
CITY COUNCIL MINUTES

ZONE CHANGE APPLICATION

Z-12-2001
Colosimo Development
1251 West 3300 South
C-2 to MXD
General Commercial to Mixed Use
Approximately 15 acres

Mr. Moore presented the application.

The Jordan Meat packing plant has gone out of business since the passing away of the owner. This property encompasses about 12 acres but the proposal involves an additional 3 acres that the City acquired as part of the road extension of 1300 West to 33rd South several years ago. The property is quite deep, stretching back to the mobile home parks on the south. None of the existing structures would remain in this proposal to create a mixed use community. The components of the mixed use project are a restaurant on the corner, live/work units to the west along 33rd South and on an interior parallel street, an office/clubhouse/management office building on the west end of the live/work units, an apartment community to the south, an open space park and possibly a condominium project(ownership) in the southeast corner along 1300 West. Including all of the live/work, condominiums and apartments, there would be 296 residential units. The proposed development is called "Riverwalk." The General Plan recommends a mixed use land use for this property.

This is the first application of the Mixed Use Zone, since its adoption two years ago. In a sense it is a test of the zone which is somewhat unique within our ordinances since it calls for more information/planning at the zoning stage, commitments by the developer, and a philosophy of promoting the development as a permitted use instead of conditional use, after the zone change is approved. The zone contemplates a development agreement to assure compliance with the commitments made in the process.

The developer, the Colosimo Brothers and their architect, Brent Hilton, have been working diligently to provide revised drawings and elevations to address the concerns of the Planning Commission and staff. The current plan reflects the idea of creating a "Main Street" off of 35th South with a grand entrance accessing the "Town Center" via a boulevard road ending with a roundabout in front of the office building. When this is constructed, it would create a unique "look" to this eastern entrance into the City. With the Cultural Center across the street which is expected to provide high quality architecture also, there should be an amazing change to this gateway to our community.

Conceptual plans for the buildings and site plans have been provided. A materials board has also been shown that is an indicator, but does not necessarily reflect a final decision on colors. One issue that arises is the City owned property. Without it as part of the package, the project could not meet the standards of the zone. The basic standard is that the project must have a residential component and that no land use can exceed 75% of the overall land area. If the park property and restaurant are removed, there would be too much residential. So any motion for approval would need to acknowledge that if negotiations with the City do not result in the applicant acquiring or at least receiving permission for the use of the City owned property, the project needs to be resubmitted/redesigned. There are distinct advantages to the City in making our property part of this project since this a major gateway to West Valley and the property is located across the street from the proposed Cultural Center. The City involvement should also help to assure higher quality within the project.

The applicant believes that there is a strong need for high end rental housing in the West Valley area. Currently there are no rental projects that approach the quality that they are proposing. They believe that their management system will assure quality maintenance and tenants at all times, while in condominium projects that is not as easily accomplished. With the on-site mix of uses and amenities, the Cultural Center across the street, the recreational opportunities along the River and the good access to many employment centers, there is a demand for housing for those that do not wish to purchase homes at his time. The rental portion of the project includes one and two bedroom units with a few three bedroom units. 240 apartments are proposed. This number of rental units is important to the project because of all the uses on the property it is the least risky in terms of market/investment issues. In their discussions with several financial institutions, there is a reluctance to consider the potential financial return from the restaurant, the retail/live/work units and the condominiums. In a sense, the project amenities that the City is most interested in(restaurant, mixed use retail/live/work, open space) are all financed through the ability to do the apartment project. The development of the entire 15 acres, with the variety of land uses, is predicated on being able to build the rental community. It needs to be understood that the project will be phased, apartment community coupled with the open space and Towncenter building will be first, retail/live/work next, the restaurant could happen at any time but might not be of interest until the Cultural Center is established, and the condominiums may lag behind. There seems to be a glut of condos at this time and it could be that adding one more rental 12-plex and expanding the park area would be a better design solution than trying to "force" some ownership in the project. Only 24 condominium units are proposed which seems to be a minor, less vital portion of the overall project.

The perimeter of the project abuts some difficult land uses so the developer proposes to locate garages near the property line with vinyl fencing between the four car garages. These structures would buffer the project from its neighbors.

There are some issues concerning the length of the parking lots and roundabout. The new National Fire Code requires that they have a length no greater than 150'(unless there is a turnaround) and most are longer than that. Connections between the parking lots could be made with some minor redesign, possibly using a turf block to keep a green look. Dropping one or more of the Condo buildings would reduce the need for parking spaces and have the potential to create more open space. The parking spaces that intersect the roundabout should be reviewed by a traffic engineer to assure that they are safe with the vehicles backing out into the circle. Access to the roundabout/grand entrance area for both the retail users and the residential area users may need to be rethought. This could create more traffic than that one access can handle.

Gates will most likely be included to reduce nonresident vehicular traffic at night.

The wetland on the City owned property still needs resolution as well as a complete negotiation for the acquisition of the property. There are wells on the property that allow the developer to provide a lot of green space and to feed the wetland/pond. The pond could become a striking amenity on the site. Some discussion has occurred about cleaning up the wetland across the 1300 West to create a more attractive gateway and better access to the Jordan River.

Applicant:	Concerned:	Concerned:
Paul Colosimo	**Keith Bradshaw**	**Lynn Davidson**
970 East 3300 South	**Granite School Dist.**	**Granite School Board**

Concerned:
Jerry Polsther
3148 S. 4500 W.

Discussion: Paul Colosimo gave compelling reasons why he thought this development would be beneficial to West Valley City. He stated it would add to the 'gateway of the City'; the project would be completed in two years; it would add 750 new residents; it would add to the future cultural center; would include a nice, sit-down restaurant; would help with the push for lightrail on 3500 South; and would have the best quality apartments in West Valley. Commissioner Fritzsche asked about available schools for the additional children that will live at the development. Keith Bradshaw said that approximately 50 children may come from this location. He said they may be transported temporarily until a new school is built. Commissioner Fritzsche asked how the Commission

could be sure that a school would be built. Keith Bradshaw said the School Board makes that decision. Lynn Davidson explained that there is no guarantee that a new school would be built. He said if there are enough students in the area to require a new school, then one would be built. Lynn Davidson said the Granite School District is working with West Valley City to determine what should happen regarding schools. Commissioner Nixon asked about overcrowded classrooms. Jerry Polsther stated the existing westside schools are overcrowded and more schools are needed. He said this development would not affect Redwood Elementary. Lynn Davidson said it is up to West Valley City whether Granger Elementary would be rebuilt or expanded. Lynn Davidson stated that children may be temporarily bussed to east-side schools. Commissioner Matheson asked if the school district was actively looking for more ground to build a new school. Lynn Davidson stated, no, they were not, as there were not enough children east of the Jordan River to build a new school. He stated that if this development is built, it may create the required amount of children for a new school. Commissioner Lang suggested more work/live units on 3500 South, and elimination of the condos on 3500 South, which would add more retail to that specific area. Paul Colosimo explained that the bank would not finance the project if the ratio was altered. Commissioner Nixon suggested extending the 'grand entrance' to the end of the complex, which would add to the appearance of the complex. Paul Colosimo described how the fence on 3500 South next to the condos would add privacy and security. He said it would help to separate the retail and the residential, and he would look into other options for that area. Commissioner Nixon inquired about the lighting, and was told the inside of the project would be very well lit to help with security and maintenance. Commissioner Lang asked if pictures of the garages were available. Paul Colosimo explained he did not have pictures of the garages, but that they would be stucco and stone. Joseph Moore suggested the possibility of working with the applicant on the ratio between business and residential.

There being no additional discussion, Vice-Chairman Fuller called for a motion.

Motion: Commissioner Matheson moved for approval of the zone change from C-2 to Mixed Use, subject to:

1. Agreement to purchase the City owned property and resolution of the wetland area.
2. 100% stucco and stone as shown in the drawings.
3. Architecture reflecting the drawings as submitted.
4. No studio apartments, and no more than 15% three-bedroom units to reduce the impact on the schools.
5. Park to be built and maintained by the applicant(unless the Parks Department wishes otherwise).
6. A development agreement created encompassing the concepts presented including a restaurant,

retail/live/work units, an office/management building, 240 rental units, with approximately a two-acre park/open space.

7. The 24 condominium units may be replaced by one additional 12-plex apartment and a larger park area if parking lot design considerations logically necessitate the change. The condominiums may be reconsidered at a later date since they will be the last phase of the project. The apartment on 3500 South may be broken into two 12-plexes with a retail orientation for the eastern building.
8. Project phasing will include the apartment community, Towncenter building and open space in the first phase followed by the retail/live/work portion to be initiated or completed within two years. Assurances that the mixed use nature of the project will occur shall be created as part of the development agreement. Draft development agreement to occur within three weeks from receipt of this letter.
9. Additional refinement of site plans and drawings to assure consistency.
10. Refinement of the traffic study to include an evaluation of the cars backing into the roundabout, and the need for additional access for the residential project from 3500 South, review of pedestrian/transit users at the intersection of 1300 West 3500 South.
11. Submittal of conceptual lighting plans and landscape themes.
12. Garages to have similar design and materials used in the residential/retail portions of the project.
13. Improved site plan that illustrates retail building connections to 3500 South, including a plaza on the corner of 1300 West that delineates pedestrian access and movement.
14. Alternative site plan design to accommodate transit station alternatives at the intersection area of 3300 South and 1300 West.

Seconded by Commissioner Fritzsche

Roll call vote:

Commissioner Fritzsche	Yes
Commissioner Lang	Yes
Commissioner Matheson	Yes
Commissioner Nixon	Yes
Vice-Chairman Fuller	No
Chairman Woodruff	Absent

Majority - Application Z-12-2001 - Approved

10639 **PUBLIC HEARING, APPLICATION NO. Z-12-2001, Other COLOSIMO DEVELOPMENT, AMEND ZONING MAP FROM ZONE C-2 TO MXD ZONE, APPROXIMATELY 1300 WEST 3300 SOUTH, ORDINANCE NO. 02-23**

City Manager, John Patterson, presented Application No. Z-12-2001, filed by Colosimo Development, and proposed Ordinance No. 02-23 which would amend the Zoning Map from zone C-2 to MXD zone for property located at approximately 1300 West 3300 South. Mr. Patterson stated the Jordan Meat packing plant had gone out of business since the passing away of the owner. He indicated the subject property encompassed about 12 acres but the proposal involved an additional three acres (partially a wetland) that the City acquired several years ago as part of the road extension of 1300 West to 3300 South. The components of the mixed use project would be a restaurant on the corner, live/work units to the west along 3300 South and, on an interior parallel street, an office/clubhouse/management office building on the west end of the live/work units, an apartment community to the south, an open space park and possibly a condominium project (ownership) in the southeast corner along 1300 West. The City Manager further stated, including all of the live/work, condominiums and apartments, there would be 296 residential units. The proposed development would be called "Riverwalk." He stated the General Plan recommended a mixed use land use for this gateway to West Valley City across from the Cultural Center. This would be the first application of the Mixed Use zone, since its adoption two years ago. He explained, in a sense it would be a test of the zone which was somewhat unique within the City's ordinances since it called for more information and planning at the zoning stage, commitments by the developer, and a philosophy of promoting the development as a permitted use instead of conditional use (after the zone change was approved). The zone contemplated a development agreement to assure compliance with the commitments made in the process. Mr. Patterson reported the developer was the Colosimo Brothers and their architect, Brent Hilton. The current plan reflected the idea of creating a "Main Street" off of 3500 South with a grand entrance accessing the "Town Center" via a boulevard road ending with the roundabout in front of the office building. He also reported the applicant believed there was a strong need for high end rental housing in the West Valley area. There was a demand for housing for those that did not desire to purchase homes at this time. The 240 unit rental portion of the project included one and two bedroom units with a few three bedroom units. This number of rental units was important to the project because compared to the other proposed uses, it was the least risky in terms of market and investment issues. In their discussions with several financial institutions, there was a reluctance to consider the potential financial return from the restaurant, the retail/live/work units, and the condominiums. Mr. Patterson indicated the project amenities the City was most interested in (i.e., the restaurant,

mixed use retail/live/work, open space) were all financed through the ability to construct the apartment project. The City Manager stated a public hearing had been scheduled for the City Council to hear and consider public comments.

Mayor Wright opened the public hearing.

Mr. Paul Colosimo, applicant, 970 East 3300 South, addressed the City Council. Mr. Colosimo stated the requested mixed use zone for the subject area met the City's Master Plan and the proposed zone was new to the City. He indicated they were currently at the 70% mark in the design process. He also indicated the applicants had met with a local neighborhood council who had endorsed the project. Mr. Colosimo stated the development was aimed for people who chose to rent instead of own.

Ms. Laura Thackery, 2200 West 3560 South, addressed the City Council and stated she was opposed to the proposed development. Ms. Thackery stated West Valley residents wanted less apartments and there would be increased traffic as a result of the project. She indicated there were at least 10-21 apartment complexes within one mile of the proposed location. She also indicated there would be an increase of criminal activity with apartments and there would be no place for the children to play. Ms. Thackery stated there would be school overcrowding resulting from this development. She indicated the community did not want more apartments and 700 square feet would not be a high quality apartment. It would also cause traffic problems. She further stated there were many vacant office complexes in the area and suggested something like a dance hall would be better for the subject location.

Mr. Ed Kulsick, 3624 Lionheart Way, addressed the City Council and stated he had attended a neighborhood meeting with the developer. Mr. Kulsick stated the developer could not inform regarding the number of units or the square footage for the proposed apartments. He expressed concerns regarding overcrowded schools and possible property depreciation. He showed the City Council a handout that described the number of apartments in West Valley City. Mr. Kulsick expressed concerns regarding well protection areas and current buildings that might need to be torn down and stated this could cause environmental dangers. He indicated he was also concerned regarding where the material from demolished buildings would be disposed.

Mr. Brent Fuller, 3786 South 3080 West, and a member of the Planning Commission, addressed the City Council. Mr. Fuller indicated he was opposed to additional apartments in West Valley City. He expressed concerns regarding education and stated West Valley students were behind in reading and other subjects due to

overcrowded schools. He indicated he had lived in the area for over 40 years and property values had decreased in the City. Mr. Fuller stated the City's problem was too many apartments and citizens without available income which was causing many problems. Councilmember Peterson inquired why the Planning Commission had voted for this project. Mr. Fuller responded it had been rejected many times but there was the possibility that something worse might be built in the area.

Mr. Fred Schrahill, Kingspoint Apartment president, addressed the City Council and expressed concern regarding the impact the subject development would have on children, congestion, transportation, and local schools. Mr. Schrahill stated he would like to see something like an enlarged river walk in this area.

Ms. Deanna Scheelie, mobile home park resident, addressed the City Council and asked what the Council would do next if this higher quality complex was developed. She inquired if the City Council would make the mobile homes move because they were not high quality. She also asked why the City was afraid that if they did not accept the subject application, nothing better could be built. Ms. Scheelie suggested the area could be cleaned up by volunteers. She indicated her desire to see more green space and stated planting trees at the area would be a good idea. She also indicated she was in favor of the Arbor Day the City just declared at the meeting and would like the City to make an effort to clean up the area and then wait to see what could be developed there.

Ms. Bonnie Penrose, 1402 West 3815 South, a local church leader, addressed the City Council and expressed concern with overcrowded schools. Ms. Penrose stated there was no unity in school children due to going to many different schools. She stated children did not know or play with each other. She indicated the City should consider more homes instead of more apartments.

Mr. Darrell Curtis, West Valley City resident, addressed the City Council and stated he desired to see more green space. Mr. Curtis indicated he believed there were plenty of apartments already in the area. He stated more apartments would cause additional traffic and he asked why the City had lowered its standards. Mr. Curtis further stated there was too much traffic and poor planning.

Mr. Steven Daw, West Valley City resident, addressed the City Council and stated he had attended a neighborhood meeting and was initially against the development. Mr. Daw stated the Colosimos' spoke of their vision and he had therefore changed his mind in favor of the development. Mr. Daw stated he believed it would have little impact and did not have negative feelings after the neighborhood meeting. He

indicated the project would represent the City as a good place to live. In response to a question from the City Council, Mr. Daw stated he did not see people wanting to live above a business, but that would be up to the individual's preference.

Mr. Paul Colosimo applicant, addressed the City Council and stated some apartments were operated better than others. Mr. Colosimo agreed that how the apartment complex would be managed would make the difference. He indicated the City should go after the apartments that were not managed well and he assured that tenants in his apartments would be highly managed. He stated his offices would be located at the development and he would not allow undesirable tenants. Mr. Colosimo indicated the entry would be beautiful with over half of the area landscaped. He stated this development would be the first step for future home buyers in West Valley City. He indicated every apartment complex was not the same and his should not be judged against existing apartments in the City. In response to an inquiry from the City Council, Mr. Colosimo indicated there would be 76 one-bedroom units at 700 - 830 square feet each; 168 two-bedroom units at 920 - 1,030 square feet each; and 36 three-bedroom units at 1,100 square feet each. Mr. Colosimo stated the apartments would be significantly larger than the average apartments currently existing in West Valley City.

Mr. Brent Hilton, architect for the applicant, addressed the City Council and discussed concerns regarding the work/live units. Mr. Hilton explained the Salt Lake County Board of Health must approve these units and they must comply with County regulations.

Discussion and questions ensued by members of the City Council, as follows: Councilmember Vincent stated there were many retail spaces that were currently vacant in West Valley City. He asked why a business would want to open at the subject location. In response, Brent Hilton addressed the City Council and stated walking paths would bring people and customers to that location. He indicated this type of development was very popular in other states and communities. Councilmember Vincent stated if driving by, it would look like businesses for the development only. Mr. Hilton responded indicating businesses such as insurance agencies and childcare would be there and people within the complex would use those businesses. Councilmember Peterson stated there was a conflict with the numbers given for residential units. She indicated the developer stated there would be 290 units but the development agreement specified 240 units. City Attorney, Paul Morris, clarified that the 52 units of live/work could not be included in the numbers of the development agreement. Councilmember Coleman reminded the issue was regarding zoning. He stated it was a commercial zone now and the Council was

being requested to change the zoning. He indicated the applicant was requesting to change the property to mixed use but the proposed development was mainly apartments with very little commercial. Councilmember Coleman stated he did not want more high density housing. Councilmember Peterson stated the developer supplied a list of other projects but they were small projects and nothing appeared to be similar to the size of the proposed project. Councilmember Peterson indicated she desired to see the other projects prior to making a decision. She stated there would be lots of green space (which the citizens seemed to be requesting) at the Cultural Center located across the street from the proposed development. Councilmember Thomas stated traffic would always be an issue and increase with new developments. She indicated impact fees were charged to the developers to help alleviate the impact to roads. She also indicated there would be major supplies of open space right across the street in addition to those planned for the subject project. Regarding schools, Councilmember Thomas stated this was a dilemma and an issue every time with all new developments. She stated new schools would be built with additional homes with children as this was the Granite School District's procedures. She indicated West Valley City desired to "raise the bar," and had requested something different. She stated this project was different and the developers were willing to do it and, in her opinion, it would work. Councilmember Peterson thanked members of City staff and the developer for their efforts regarding the development agreement. Councilmember Peterson stated she had questions regarding the building permits being issued after at least 50% of development was built. A discussion ensued regarding the terms of the development agreement and questions were answered. CED Director, Joseph Moore, stated the agreement would ensure there was incentive for areas not to be vacant. City Manager, John Patterson, also advised the development agreement would ensure development would be as planned. Councilmember Peterson stated more information was needed for the development agreement, such as the numbers of units and apartment sizes. Mayor Wright stated Envision Utah promoted this type of project. He indicated applications like this one should be considered on their merits. Mayor Wright discussed schools and what caused a child to not do well. Councilmember Vincent stated he would like to wait and see what happened once the Cultural Center was built. He indicated citizens did not want more apartments. He stated if the development brought in renters to the City who desired to move into a home, upscale single-family homes were not available for them to purchase. Councilmember Coleman stated R/UDAT requested mixed use zoning if there was a draw for the area such as a lake or something that would bring people to the area. He indicated the subject area did not have anything like that. Councilmember Burt stated the C-2 zone was a cushion for citizens and if the City waited, the economy would improve and less density would be required by the banks financing these types of projects. She indicated the Cultural Center would

bring people to the area and traffic would be increased if the development was built. Councilmember Burt stated citizens were concerned this type of development would lower property values. She indicated crime did go up in apartments and managers did not have the right to go into a rental unit to make sure renters were acting in a legal manner. She also stated Internet hookups and cable hookups would be available but not provided for free. She stated security would be required for each individual apartment and the Envision Utah people did not live in the apartments. She expressed concern regarding the Planning Commission trying so hard to sell the subject development. Councilmember Burt indicated she had been elected to serve the people and to "raise the bar" in the City.

Councilmember Peterson stated she had also been elected to serve in the best interests of the City and the subject area was the "gateway" into the City.

There being no one else to speak either in favor or in opposition, Mayor Wright closed the public hearing. (Refer to Item No. 10640)

10640 **ORDINANCE NO. 02-23, APPLICATION NO. Z-12-2001, COLOSIMO DEVELOPMENT, AMEND ZONING MAP FROM ZONE C-2 TO MXD ZONE, APPROXIMATELY 1300 WEST 3300 SOUTH**

The City Council previously held a public hearing regarding Application No. Z-12-2001, filed by Colosimo Development, and proposed Ordinance No. 02-23 which would amend the Zoning Map from zone C-2 to MXD zone for property located at approximately 1300 West 3300 South. After discussion, Councilmember Brooks moved to approve Ordinance No. 02-23, An Ordinance Amending The Zoning Map To Show A Change Of Zone For Property Located At Approximately 1300 West 3300 South From Zone C-2 To MXD. Councilmember Thomas seconded the motion. (Refer to Item No. 10639)

A roll call vote was taken:

Mr. Vincent	No
Mr. Brooks	Yes
Mr. Coleman	No
Ms. Burt	No
Ms. Peterson	No
Ms. Thomas	Yes
Mayor Wright	Yes

Motion failed - lack of majority.

Mayor Pro Tem Brooks opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Pro Tem Brooks closed the public hearing. (Refer to Item No. 10696)

10696 **ORDINANCE NO. 02-30, APPLICATION NO. ZT-3-2002, WEST VALLEY CITY, AMEND SECTIONS 7-22-104, 7-22-205 AND 7-22-305 OF THE WEST VALLEY CITY CODE SPECIFYING LAND USES PROHIBITED IN OVERLAY ZONES**

The Council previously held a public hearing regarding Application No. ZT-3-2002, filed by West Valley City, and proposed Ordinance No. 02-30 which would amend Sections 7-22-104, 7-22-205 and 7-22-305 of the West Valley City Code specifying land uses prohibited in overlay zones. Upon discussion, it was confirmed this was a text change only. After further discussion, Councilmember Vincent moved to approve Ordinance No. 02-30, An Ordinance Amending Sections 7-22-104, 7-22-205, And 7-22-305 Of The West Valley City Municipal Code Specifying Land Uses Prohibited In Overlay Zones. Councilmember Coleman seconded the motion. (Refer to Item No. 10695)

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Wright	Abstain (by silence)
Ms. Peterson	Yes
Ms. Thomas	Yes
Mayor Pro Tem Brooks	Yes

Majority.

10697 **PUBLIC HEARING, APPLICATION NO. Z-12-2001, COLOSIMO DEVELOPMENT, AMEND ZONING MAP FROM ZONE C-2 TO MXD ZONE, APPROXIMATELY 1300 WEST 3300 SOUTH, ORDINANCE NO. 02-23 (FROM APRIL 16, 2002 AND MAY 7, 2002)**

City Manager, John Patterson, presented Application No. Z-12-2001, filed by Colosimo Development, and proposed Ordinance No. 02-23 which would amend the Zoning Map from zone C-2 to MXD zone for property located at approximately 1300 West 3300 South. Mr. Patterson stated the Jordan Meat packing plant had gone out of business since the passing away of the owner. He also stated the subject property encompassed about 12 acres but the proposal involved an additional three acres

(partially a wetland) that the City acquired several years ago as part of the road extension of 1300 West to 3300 South. The components of the mixed use project were a restaurant on the corner, live/work units to the west along 3300 South and on an interior parallel street, an office/clubhouse/management office building on the west end of the live/work units, an apartment community to the south, an open space park and possibly a condominium project (ownership) in the southeast corner along 1300 West. Including all of the live/work, condominiums and apartments, there would be 296 residential units. The proposed development was called "Riverwalk." The General Plan recommended a mixed use land use for this gateway to the City across from the Cultural Center. The City Manager reported this was the first application of the Mixed Use Zone since its adoption two years ago. He stated, in a sense, it was a test of the zone which was somewhat unique within the City's ordinances since it called for more information and planning at the zoning stage, commitments by the developer, and a philosophy of promoting the development as a permitted use instead of conditional use, after the zone change was approved. He indicated the zone contemplated a development agreement to assure compliance with the commitments made in the process. Mr. Patterson stated the developer was the Colosimo Brothers and their architect, Brent Hilton. The current plan reflected the idea of creating a "Main Street" off of 3500 South with a grand entrance accessing the "Town Center" via a boulevard road ending with a roundabout in front of the office building. The applicant believed there was a strong need for high end rental housing in the West Valley area. There was a demand for housing for those that do not desire to purchase homes at this time. The 240 unit rental portion of the project included one and two bedroom units with a few three bedroom units. This number of rental units was important to the project because, compared to the other proposed uses, it was the least risky in terms of market and investment issues. In their discussions with several financial institutions there was a reluctance to consider the potential financial return from the restaurant, the retail/live/work units and the condominiums. In a sense, the project amenities the City was most interest in (i.e., restaurant, mixed use retail/live/work, open space) were all financed through the ability to construct the apartment project. Mr. Patterson indicated the application had not been approved on April 16, 2002, and the Council had passed a motion on May 7, 2002, to reconsider the matter. The City Manager stated a public hearing had been scheduled for the Council to hear and consider public comments.

Mayor Pro Tem Brooks opened the public hearing.

Mr. Paul Colosimo, Applicant, addressed the City Council and discussed information regarding the proposed project, including displaying drawings and giving visual descriptions to Mayor Wright who was on the electronic speaker phone. Mr.

Colosimo indicated that Lynn Davidson of the Granite School District Board met with the City Council at the May 14, 2002, Study Meeting and stated the Board was in support of the proposed project. Mr. Colosimo also addressed issues previously discussed by members of the City Council, including density.

Mr. Brent Hilton, 6895 South 900 East, Architect for the proposed project, addressed the City Council and discussed information regarding the project. Mr. Hilton explained the quality of the proposed development.

Mr. Golden Holt, Golden Landscaping, Riverton, Utah, addressed the City Council. Mr. Holt stated he was in favor of the project and indicated there was over 50% green and open space proposed. He also stated the open space was a critical part of the project and the City would not be disappointed with the quality.

Mr. Tye Thomas, Draper, Utah, representing Granger-Hunter Improvement District, addressed the City Council. Mr. Thomas discussed wells on the property and stated the wells could be used for landscape watering. He also indicated this was a secondary source of water on the site which could be used for landscaping needs to help alleviate water usage. Mr. Thomas indicated he was in support of the project and the use of secondary water. In response to a question by the City Council, Mr. Thomas stated the wells had been used in the past by the meat packing plant but he did not know the size of the wells.

Mr. Lymon Adams, 1520 East Brewheights, addressed the City Council and stated he represented the management company being proposed for the project. Mr. Adams spoke regarding management and maintenance and stated the company went one step beyond credit screening as they had access to a computer program that could conduct an "almost complete" nationwide criminal check. He stated the criminal check would be run on every potential resident in the project. Mr. Adams also provided information regarding maintenance procedures. He explained how the quality of their company had turned around the Kings Row Apartments and an apartment complex in Provo, Utah. He indicated he was in support of the proposed project and distributed a corporate brochure with resumes and a list of projects in which they had been involved. Mr. Adams distributed a second exhibit from Jim Brian, City Planner from Provo, Utah, that congratulated his management company for the success in cleaning up a bad apartment complex in Provo. In response to questions from members of the City Council, Mr. Adams indicated that with a project of this size it would be inconceivable not to have a management person on-site at all times. He stated, if not, there would be telephone numbers available at all times. Councilmember Burt reminded Mr. Colosimo that he had stated earlier his

management offices would be located at the project site. Mr. Colosimo stated a professional management company had been hired and the Colosimo's would have an office at the subject location. He also stated security cameras would be available with visual access through the Internet for those connected to the security program.

Mr. Matt Ripkin, 64 East 6400 South, a traffic consultant, addressed the City Council and stated the subject project would increase traffic and affect current traffic approximately two seconds which would not be a great negative affect. Mr. Ripkin indicated he had looked at the traffic for a C-2 zone and stated the project would have less traffic than that of a C-2 zone business.

Upon request from members of the City Council, Nicole Cottle, Acting City Attorney, explained that the City utilized development agreements to assure that projects were what the City desired them to be. Ms. Cottle stated the development agreement was agreed to by both parties and covered all areas of the development. She further explained the process of creating a development agreement and informed how each phase must be completed before additional phases were begun. Ms. Cottle also discussed the bonds to be required. Upon inquiry by members of the City Council, Ms. Cottle confirmed the restaurant portion of the property would be used as a park until the restaurant was constructed and landscaping would be placed on the 3500 South parkstrip.

Mr. Tim Mouser, 3200 South Decker Lake, President of the Grizzly Hockey Team, addressed the City Council. Mr. Mouser stated the players needed a location close to the E-Center to rent. He expressed his support of the project and requested approval by the Council.

Ms. Laura Thackery, West Valley City resident, addressed the City Council and stated she was representing herself. Ms. Thackery reminded the Council the only change from the original application was 40 more condominiums for ownership. Ms. Thackery asked if the City could guarantee the owners of the condominiums would not rent their units. She also discussed issues including high density, increased traffic, high rental costs, overcrowded schools, increased crime rate, and too many apartments at the City's gateway location. Ms. Thackery discussed a hotel near her residence that had a bond and should have had a berm but the berm was not built and no one took away the hotel's bond.

Mr. Steve Jensen, 3012 West 3875 South, addressed the City Council and stated he had lived in the City for almost 40 years. Mr. Jensen indicated the City had been talking about enhancing it's image and apartments would cause less enhancement.

He stated many residents of apartments were low income and did not help the City's image. Mr. Jensen discussed some maintenance issues at a Colosimo's development at a different location in Utah. He indicated at that development there was a dissatisfied homeowner who could not recommend the Colosimo development and management. Mr. Jensen suggested tax revenues could be what was "pushing" the application.

Mr. Teach Fratto, owner of Wallpaper Warehouse, 1602 West 3500 South, addressed the City Council and stated something needed to happen to help the economy. Mr. Fratto stated he knew of many empty buildings and believed more rooftops were needed to help save businesses. Mr. Fratto indicated he desired approval of any growth for the area.

Mr. Matt Webber, 3278 Oak Court, representing college students, addressed the City Council. Mr. Webber stated he was a senior looking for an apartment that would be centrally located and near the light rail system. He indicated rooftops were needed east of Redwood Road and he believed it would bring in a high quality style of students.

Ms. Marta Parsons, 2574 South Hempstead, addressed the City Council and spoke regarding a letter she had written and a phone poll she had conducted. Ms. Parsons stated she had questions regarding light rail, stating it was not planned for 3500 South. She asked how could students afford such expensive apartments as the ones being proposed. She stated the City continued talking about "raising the bar" and apartments would not "raise the bar." She stated she liked the property as is and wanted less apartments and more owner occupied units. Upon inquiry, Ms. Parsons stated she planned to sell her property and leave the City as promises from the City had not been kept.

Mr. Daniel Shapiro, 7053 South Commerce Park Drive, Midvale, Utah, representing the property owners, addressed the City Council. Mr. Shapiro stated the subject property was a tiered piece and he believed the Colosimos would add much to the property and City. He indicated the current condition of the property was not helping West Valley City. He also stated the family did not have the funds to develop the property and he hoped the new developers would help improve it. Mr. Shapiro indicated the mixed use zoning helped drive the community forward.

Ms. Diana Sheehy, 1148 South Prodo Vista, addressed the City Council. Ms. Sheehy stated she attended the last hearing and spoke at that meeting. She inquired if the units were going to be equipped with low energy and low water flow equipment. She

stated she wanted to know more about what type of landscaping would be used and how the development was a new, smart way of building that was considered to be energy efficient. She also inquired about security asking if the actual security company would be required to rent apartments at the site. Ms. Sheehy asked how the proposed businesses would be able to generate business and not impact nearby roads. In addition, she talked of how West Valley planned on "raising the bar." She requested the City Council vote the peoples' conscience. Ms. Sheehy inquired why the property had not been cleaned up in the past and why there was a hurry now.

Mr. Andrew VanDogen, 4045 South 1535 West, #13B, Manager of Boulder Pines (previously Kings Row Apartments), addressed the City Council. Mr. VanDogen stated since IEG/Horizon Management had taken over the King's Row Apartment complex it had improved 100%. He also stated he believed the proposed management team would be very committed to the Colosimo project.

Mr. Darrel Curtis, West Valley City resident, addressed the City Council and stated he spoke at the last public hearing. Mr. Curtis indicated West Valley did not need more apartments and the "bar" must be "raised." He also indicated he was in favor of beautifying the green space but was not in favor of more development. He stated there appeared to be very little change from the last application as the applicant had only added 40 condominiums.

Mr. Shawn Meeks, 4326 West Deno Drive, addressed the City Council. Mr. Meeks stated management companies many times would get changed from one complex to another and it could happen with the proposed development. He suggested development of a monument park on the subject property. Mr. Meeks stated he was dead set against apartments.

Ms. Connie Colosimo, 8480 West 3500 South, addressed the City Council and stated she was the mother of the applicants. Ms. Colosimo stated her sons would take care of their complex since they were using their own money for the project. She indicated she was standing behind her sons.

Mr. Jerry Jones, 3705 South Havasu Way, addressed the City Council and stated he regularly traveled the 3500 South/3300 South corridor. He suggested the "bar" needed to be "raised" for that road. He also stated he would like to see children instead of transients at that area. Mr. Jones indicated businesses and restaurants were desirable instead of the current situation.

Mr. Paul Colosimo, applicant, addressed the City Council and stated he desired to respond to some of the issues. Mr. Colosimo indicated he had worked with many groups regarding this project, including City government and the local neighborhoods. He stated he would be available after the meeting to address any concerns raised by the citizens. He also stated his business would be open and he would be available to discuss the issues further at a later time. In response to Council inquiry, Mr. Colosimo stated all the changes made in the most recent application, as follows: (1) decreased number of apartment units; (2) increased number of homeowner units to 40; and (3) increased size of apartments. He also responded that maintenance of the open space across the street was currently being discussed with the Parks and Recreation Department.

There being no one else to speak either in favor or in opposition, Mayor Pro Tem Brooks closed the public hearing. (Refer to Item No. 10698)

Councilmember Coleman stated C-2 zoning did not mean lower class quality commercial and he had not heard the residents say they wanted this. He indicated the residents did not approve of the proposed project.

Councilmember Thomas stated this was the City's first application for mixed use zone and it was daring and unlike other applications. She indicated all applications included taking some sort of a chance and if this one went wrong there would be bonds to help alleviate that problem. She also stated sometimes it was predicted wrong and sometimes right. Ms. Thomas indicated gateways could have a different look, sometimes grass, rock, lined with commercial, a school, and the City could be flexible. She asked what would be appropriate for this location with the busy street. Councilmember Thomas stated she represented the entire City and was impacted by anything that went into the City.

Councilmember Vincent stated he was concerned by the idea that people who moved to the proposed development would stay in West Valley. He also stated he believed those people would, in fact, move out of the City. He indicated the applicant stated residents would shop in the City but he, Councilmember Vincent, believed people would actually shop elsewhere. He also stated the density would be too great for the subject area.

Councilmember Burt stated there were 5,200 units within 1 ½ miles of her residence. She expressed concerns regarding overcrowded schools and children being bussed to the east side schools. She indicated children were disadvantaged due to being tired from bussing. She also stated the nearby neighborhood association was only mildly

in support of this project. Councilmember Burt indicated the City Council had an obligation to keep home values and property values up and protect investments. She requested members of the City Council to listen to the people and vote the way the people want. She stated the City was losing good people and quoted Abraham Lincoln's last lines from the Gettysburg Address.

Councilmember Peterson stated she lived in a condominium with many stairs and was looking for a location that had fewer stairs. Ms. Peterson also stated she personally visited 24 apartment complexes while doing research and she believed this was an opportunity to have more commercial development in the City. She indicated she had requested changes in the development and time to review the development agreement and the changes had been made. She stated that with the development agreement the project should not fail.

Mayor Wright stated he desired to cast a vote that was best for the City. He stated different zoning may be what was causing problems regarding approval of the application. He further stated he believed this type of project would be a success. Mayor Wright indicated he was interested in Mr. Frattos' statement that more rooftops were needed for the subject area. He stated this project would help commercial and be a beautiful project. He indicated his dislike of more apartments but this was more than that as it included businesses and was positive looking. He stated it would be a good initiator for the future cultural center. He indicated he was impressed with Mr. Shapiro, former owner of the property, who stated the small businessman was gaining from this type of development. Regarding bussing, Mayor Wright stated it was something that must be done for some education. He indicated that for 15 to 20 years students had been bussed from west to east side in junior high and high schools grades. He further indicated now it would be elementary school age children being bussed. Mayor Wright stated the subject project would be good and would be for the betterment of West Valley City and he hoped the majority members of the Council would vote for the project.

Mayor Pro Tem Brooks stated he was proud to be a resident of West Valley City and this issue was a "tough" decision. He indicated the proposal was a new and different development and, therefore, it was difficult to know what was the correct thing to do. He also indicated that whatever happened regarding the Council's decision, members of the Council would maintain relationships and would continue to try to do what was best for the City.

10698 **ORDINANCE NO. 02-23, APPLICATION NO. Z-12-2001, COLOSIMO DEVELOPMENT, AMEND ZONING MAP FROM ZONE C-2 TO MXD ZONE, APPROXIMATELY 1300 WEST 3300 SOUTH (FROM APRIL 16, 2002 AND MAY 7, 2002)**

The Council previously held a public hearing regarding Application No. Z-12-2001, filed by Colosimo Development, and proposed Ordinance No. 02-23 which would amend the Zoning Map from zone C-2 to MXD zone for property located at approximately 1300 West 3300 South. After discussion, Councilmember Thomas moved to approve Ordinance No. 02-23, An Ordinance Amending The Zoning Map To Show A Change Of Zone For Property Located At Approximately 1300 West 3300 South From Zone C-2 To MXD. Councilmember Peterson seconded the motion. (Refer to Item No. 10697)

A roll call vote was taken:

Mr. Vincent	No
Mr. Coleman	No
Ms. Burt	No
Mayor Wright	Yes
Ms. Peterson	Yes
Ms. Thomas	Yes
Mayor Pro Tem Brooks	Yes

Majority.

Mayor Wright was disconnected from the telephone line at 8:45 P.M.

10699 **PUBLIC HEARING, RECEIVED PUBLIC INPUT REGARDING THE ISSUANCE OF SALES TAX REVENUE BONDS, SERIES 2002 IN AN AMOUNT NOT TO EXCEED $19,000,000** ***(PUBLIC HEARING ONLY - NO ACTION TO BE TAKEN)***

City Manager, John Patterson, stated a public hearing had been scheduled to receive public input regarding the issuance of Sales Tax Revenue Bonds, Series 2002 in an amount not to exceed $19,000,000. Mr. Patterson stated the Council was required to receive public input regarding the issuance of sales tax revenue bonds. He indicated, however, no formal action would be required by the City Council regarding this matter.

Mayor Pro Tem Brooks opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Pro Tem Brooks closed the public hearing.

ITEM# 02 - 62
FISCAL IMPACT: N/A
FUNDING SOURCE: N/A

ISSUE:

A Resolution authorizing the City to enter into a development agreement with Colosimo Brothers for the development of a mixed use project located at approximately 1200 West 3300 South.

SYNOPSIS:

This Resolution authorizes the City to enter into a formal development agreement with Colosimo Brothers for development of the property they own in West Valley City. This property is being developed as a mixed use encompassing housing, retail and office space, restaurants and a grand entrance.

BACKGROUND:

The City enacted a mixed use ordinance several years ago. This project will be the first of its kind in West Valley City and will encompass a variety of uses of a parcel of land that will be combined to work together in a complimentary manner.

Within a mixed use development, the ordinance sets forth a particular mix of uses that are required to be developed. This specificity along with the need to ensure the project is built in the manner set forth through approvals by the Planning Commission and the City Council necessitate a development agreement.

RECOMMENDATION:

The staff recommends approval of this Resolution.

File # 02-175

Ordin. #

Resol. # 02-62

Item # 10718

Other

Majority.

10718 **RESOLUTION NO. 02-62, DEVELOPMENT AGREEMENT, COLOSIMO BROTHERS, LLC, FOR LAND BEING DEVELOPED IN WEST VALLEY CITY (FROM APRIL 16, 2002)**

City Manager, John Patterson, presented proposed Resolution No. 02-62 which would approve a Development Agreement with Colosimo Brothers, LLC for land being developed in West Valley City. Mr. Patterson stated the proposed resolution would authorize the City to enter into a formal development agreement with Colosimo Brothers for development of property they own in the City. He also stated the subject property was being developed as a mixed use encompassing housing, retail and office space, restaurants and a grand entrance. The City Manager reported the City enacted a mixed use ordinance several years ago. The project would be the first of its kind in West Valley City and would encompass a variety of uses of a parcel of land that would be combined to work together in a complementary manner. Mr. Patterson stated within a mixed use development, the ordinance set forth a particular mix of uses that were required to be developed. This specificity, along with the need to ensure the project was built in the manner set forth through approvals by the Planning Commission and City Council, necessitated a development agreement. The City Manager indicated this item had been rescheduled from the Council Meeting held April 16, 2002. After discussion, Councilmember Peterson moved to approve Resolution No. 02-62, A Resolution Authorizing The City To Enter Into A Development Agreement With Colosimo Brothers, LLC, For Land Being Developed In West Valley City. Councilmember Thomas seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Ms. Thomas	Yes
Mayor Pro Tem Brooks	Yes

Majority.

File # 04-157
Ordin. #
Resol. # 04-74
Item # 11776
Other

WEST VALLEY CITY, UTAH

RESOLUTION NO. 04 - 74

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN WEST VALLEY CITY AND COLOSIMO BROTHERS, LLC, FOR LAND BEING DEVELOPED IN THE VICINITY OF 1300 WEST 3300 SOUTH.

WHEREAS, by Resolution 02-62, West Valley City approved a development agreement with Colosimo Brothers, LLC, (herein "Colosimo") for a planned unit development (PUD) known as "The Village at River's Edge;" and

WHEREAS, Colosimo has proposed an amendment (herein "the Amendment") to said development agreement in order to alter the site plan and make architectural changes; and

WHEREAS, this Amendment to the Colosimo development agreement is in harmony with the City's master plan and long-range development objectives, and addresses several specific planning issues set forth in the Amendment; and

WHEREAS, the City, acting pursuant to its authority under § 10-9-101 et seq., Utah Code Annotated 1953, as amended, and City ordinances and land-use policies, has made certain determinations with respect to the proposed changes to the Colosimo development agreement, and in the exercise of its legislative discretion, has elected to approve this Amendment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the Amendment to the development agreement between West Valley City and Colosimo Brothers, LLC, is hereby approved in substantially the form attached, and that upon approval of the final form of the Amendment by the City Manager and the City Attorney's Office, the Mayor is hereby authorized to execute said Amendment for and in behalf of West Valley City.

PASSED, APPROVED and MADE EFFECTIVE this 18th day of May, 2004.

WEST VALLEY CITY

Dennis J Nordfelt
MAYOR

ATTEST:

WEST VALLEY CITY, UTAH CORPORATE SEAL

Sheri McKendrick
CITY RECORDER

NC:RW:COLOSIMO DEVELOPMENT AGREEMENT AMENDMENT
050504:D:PZ02-7

ITEM #: 04-74
FISCAL IMPACT: N/A
FUNDING SOURCE: N/A

ISSUE

Application: PR-4-2004
Colosimo Development Agreement Amendment

SYNOPSIS

A Resolution amending the development agreement for the project known as "The Village at Rivers Edge," to amend the condominium site plan and make architectural changes.

BACKGROUND

Colosimo Brothers, LLC, would like to change their site plan for the 40 condominiums units that were previously approved as part of a mixed-use development at 1200 West and 3300 South, near the Jordan River. In the previous site plan, three buildings were shown, with architecture similar to the rest of the complex. The development agreement requires that the condominiums be underway before the last certificate of occupancy is given in the apartment section of the development.

Colosimo Brothers, LLC, has determined through a market study that in a mixed-use setting, it would be helpful to distinguish the condominiums from the apartments. To do this, they are suggesting that instead of the three 2.5-story buildings that were previously planned, one 5-story building would be seen as a unique element within their development. Their proposal is to place the 40 condominium units in one building on four floors with the first floor partially underground, to be used as a secure parking garage. The units will be 1000 to 1200 square feet and all will have 2 bedrooms. Interior access will include an elevator.

RECOMMENDATION

City staff recommends approval of the Resolution.

Village at Rivers Edge Condominiums
West Valley City, Ut.

This 40 unit complex was originally designed as 3 separate buildings with garages that would be detached. The typical design for this type project would be similar to the Trophy Homes project on Redwood Road but using some of the architectural themes from our current project. Two buildings in the original design have 4 units per level and are 3 stories but one building would be 4 stories and include an elevator. Detached garages were to be made available to the condo buyers.

We propose to change the design to a single 5 story building, with parking as the first floor, for several reasons. All 40 units would be accessed by a single elevator. Parking underneath eliminates the detached garages which is a benefit aesthetically as well as a positive improvement for security and protection from the elements. Being able to eliminate 40 detached garages around the site will give my project a much more open feel.

Finally from a marketing standpoint one of the concerns I've had from the very start was how do you sell condo's next to an apartment complex? As many of you know my original plans called for the project to be all apartments. We compromised and added condominium home ownership because the City felt it would improve the project. My concern has always been how do we distinguish the condo's from the apartments. This new plan does that in a powerful and marketable way by visually changing the appearance of the project from 1300 West, essentially blocking the view of the apartments, creating more open space, and providing a landmark that will entice buyers. I hope you can see the increased value of placing a larger 5 story building on the site, instead of the three smaller buildings.

Thank you for your consideration. It is our goal to build an exciting project that will make everyone proud.

Sincerely,

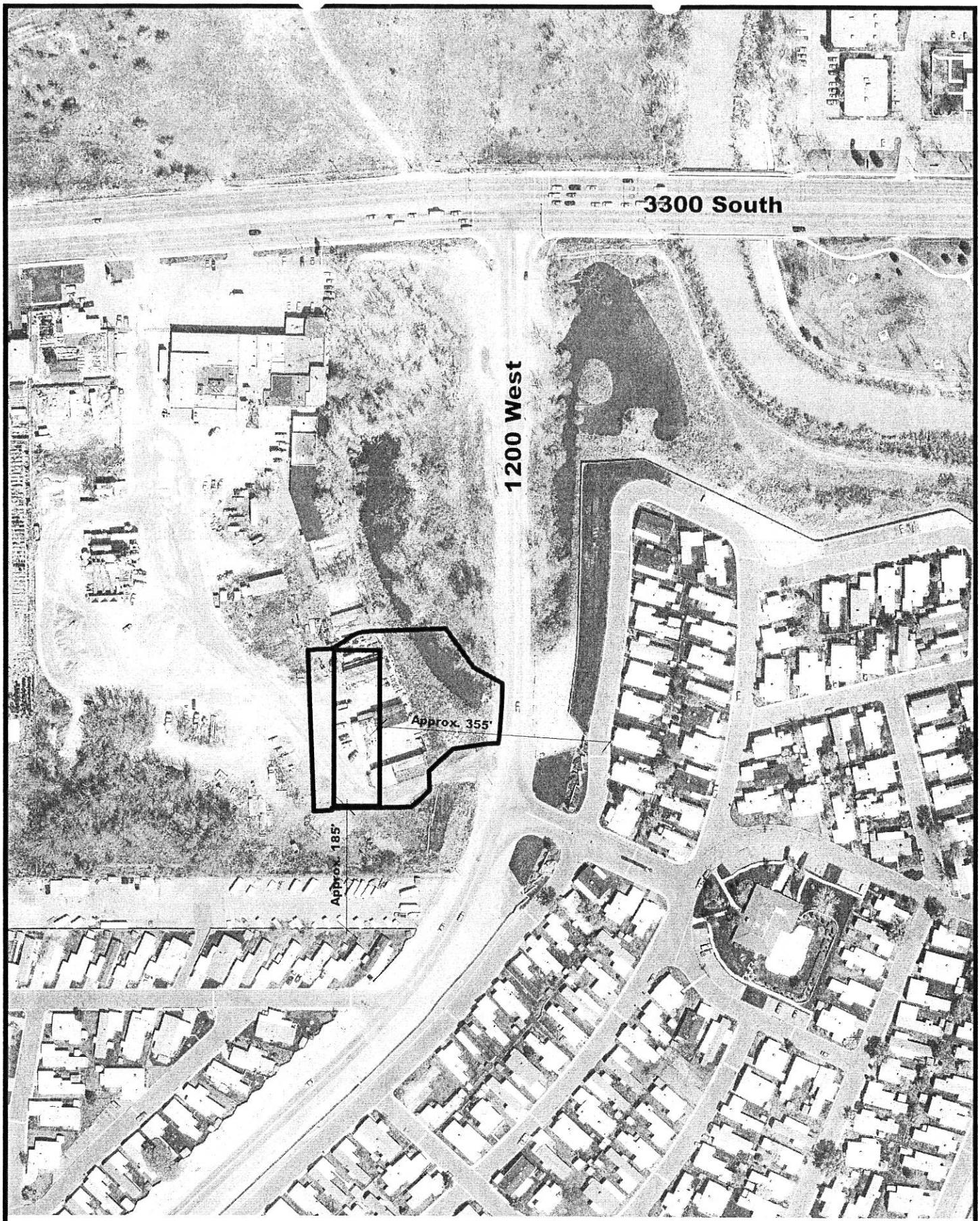
Paul Colosimo

The Condominiums At Rivers Edge

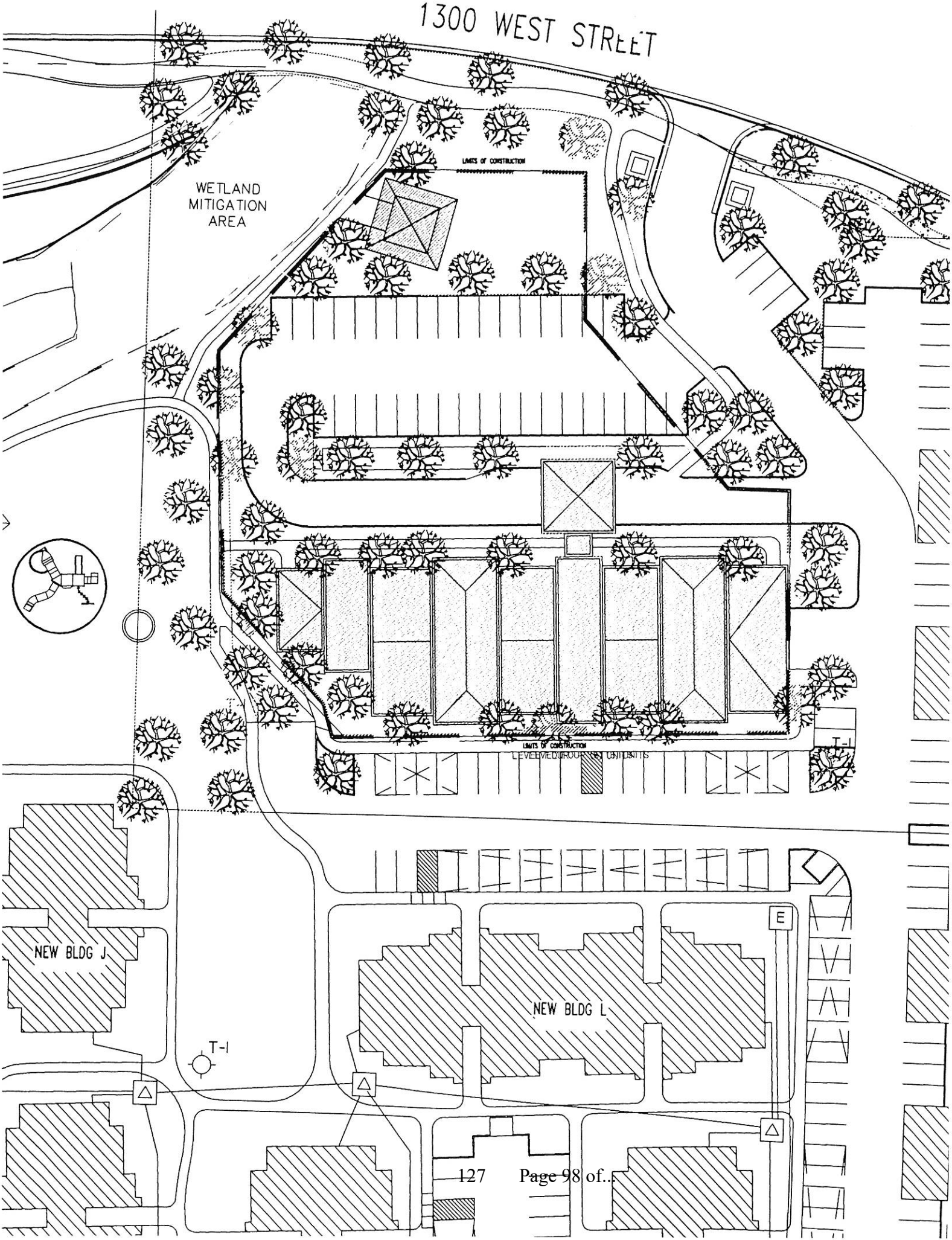
The breakdown of our project will be 16 total 1,000 Sq. foot units, 2 bedroom, 8 total 1100 sq. foot units, 2 bedroom, and 16 total 1200 sq. foot units, 2 bedroom. These units will be dispersed throughout all four floors evenly. Elevator access, underground secured parking, covered porch with vehicular access for tenant dropoff and pickup, exercise room, decorated and furnished lobby, access and use of all Village at Rivers Edge amenities are the amenities that will be available to anyone buying in our condo project. Home Owners Association will oversee all common area maintenance and upkeep.

Pricing will start at $110 per foot and will vary according to views and position in the building.

We believe that being part of this community will appeal to people because of our amenity package, underground secured parking is rare on the west side. The units themselves will be of ample size and will appeal to both young and old buyers. We don't see it as necessarily appealing to families so we've stayed away from three bedroom units and chose instead to have larger 2 bedroom units. We also believe our location is superior and the final affect of a completed Village apartment project will make these condo's marketable and in demand.



Scale: 1" = 200'


1300 WEST STREET
WETLAND
MITIGATION
AREA
LIMITS OF CONSTRUCTION
LIMITS OF CONSTRUCTION
NEW BLDG J
NEW BLDG L
E
T-1
T-1

3) Builder installed landscaping in the front and side yards; 4) An average house size of 1,500 square feet; 5) 100% masonry exteriors on all homes; 6) A minimum roof pitch of 5/12; 7) Trim around windows and doors; and 8) Front porches on at least 20% of the homes. Mr. Pyle stated the applicant had committed to install four Austrian pine trees that would border the Davis property to address the concern of light as mentioned in the previous public hearing. The City Manager stated this commitment was not included in the Development Agreement; however, the applicant had made the commitment to mitigate the problem regarding light. After discussion, Councilmember Brooks moved to approve Resolution No. 04-73, A Resolution Authorizing The City To Enter Into A Development Agreement With Westridge Properties, L.L.C., For Approximately 8.87 Acres Of Land Being Development In The Vicinity Of 4505 South 5600 West; and to include the Applicant's commitment to install sour Austrian pine trees to border the Davis property to address concerns regarding light. Councilmember Burt seconded the motion. (Refer to Item Nos. 11772 & 11773)

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mayor Pro Tem Thomas	Yes

Unanimous.

11776 **RESOLUTION NO. 04-74, APPROVE AMENDMENT TO DEVELOPMENT AGREEMENT WITH COLOSIMO BROTHERS, LLC, FOR LAND BEING DEVELOPED IN THE VICINITY OF 1300 WEST 3300 SOUTH**

City Manager, Wayne Pyle, presented proposed Resolution No. 04-74 which would approve an Amendment to the Development Agreement with Colosimo Brothers, LLC, for land being developed in the vicinity of 1300 West 3300 South. Mr. Pyle stated the Colosimo Brothers, LLC, would like to change their site plan for the 40 condominium units previously approved as part of a mixed use development at 1200 West and 3300 South near the Jordan River. In the previous site plan, three buildings had been shown with architecture similar to the rest of the complex. He indicated the Development Agreement required the condominiums be underway before the last certificate of occupancy was given in

the apartment section of the development. Mr. Pyle stated Colosimo Brothers had determined through a market study that in a mixed use setting it would be helpful to distinguish the condominiums from the apartments. To do that, they had suggested instead of the three 2.5 story buildings previously planned, one five story building would be seen as a unique element within their development. He indicated their proposal was to place the 40 condominium units in one building on four floors with the first floor partially underground, to be used as a security parking garage. The units would be 1,000 to 1,200 square feet and all would have two bedrooms. He further stated interior access would include an elevator. Upon discussion, Councilmember Brooks inquired regarding the total height of certain buildings in the project. CED Director, Joseph Moore, answered questions regarding the topography of the subject property, height of the buildings and berming. Councilmember Burt inquired regarding the direction in which the buildings were faced. City Manager, Wayne Pyle, stated he believed one-half faced east and one-half faced west. In response to further inquiries from members of the City Council, CED Director, Joseph Moore, explained that the request complied with City ordinances and every structure in a mixed use development was a conditional use. Councilmember Vincent stated in the original plan there had been a lot of asphalt and blacktop; but with parking underground on the new building proposed there was more green space which seemed to be desirable and enhanced the project. Councilmember Peterson stated she lived in a PUD and liked that type of project. She indicated the subject proposal would be a desirable place to live and it would be more marketable. She indicated there were people who wanted to live in that type of dwelling/project. After further discussion, Councilmember Brooks moved to approve Resolution No. 04-74, A Resolution Authorizing An Amendment To The Development Agreement Between West Valley City And Colosimo Brothers, LLC, For Land Being Developed In The Vicinity Of 1300 West 3300 South. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	No
Ms. Peterson	Yes
Mayor Pro Tem Thomas	Yes

Majority.

GP-1-2023 MINUTES

MAY 24, 2023 PLANNING COMMISSION PUBLIC HEARING

GP-1-2023
Russell Platt
1251 West 3300 South
General Plan change from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential
13.0 Acres

Russell Platt is requesting a change to the General Plan from Mixed Use with High Density Residential (12 to 20 units/acre) to Mixed Use with Very High Density Residential (over 20 units/acre) on 13.0 acres of property located at 1251 West 3300 South. This application also includes a request to replace a development agreement for this property that was entered into back in 2002. The subject property is currently zoned MXD (Mixed Use). Surrounding zoning includes C-2 (General Commercial) to the west, north, and portion of the east and RMH (Residential Mobile Home) to the south and the remaining east portion. Surrounding uses include vacant land owned by the City's Redevelopment Agency to the north, a used car lot to the west, and mobile home parks to the east and south.

The property is currently developed as the Village at River's Edge Apartments which include 244 apartments and 21,054 square feet of commercial space on the ground floor of four of the buildings on the north end of the property. In the southeast corner of the property is a 40-unit condo building that is not included with this application. The current density of the apartment development is 18.8 units/acre.

Development Proposal

The applicant is proposing two significant changes to the existing Village at River's Edge development that are highlighted on the attached concept plan. The first proposed change is to remodel buildings A1-A4 (buildings in blue on the concept plan) to replace the existing commercial space with 30 new apartments. The second change is to fill the wetland area along the east side of the property and develop 17 rental townhome units within 4 new buildings (buildings in purple on the concept plan). The addition of 47 new units increases the density from 18.8 units/acre to 22.4 units/acre. This is why the General Plan change is sought. Included with this report are renderings for the proposed townhomes as well as renderings showing how the existing mixed use buildings would be remodeled to convert the ground floor commercial space into apartments. Also included are proposed standards for a new development agreement. The existing development agreement is included for reference.

The table below includes some metrics for comparison between the current mixed use development and the proposed residential development.

	Existing Development	Proposed Revisions
Studio Units	0	12
1-Bedroom Units	48	54
2-Bedroom Units	136	148
3-Bedroom Units	60	60
Townhomes (4-Bedroom)	0	17
Total # of Units	244	291
Density	18.8 units/acre	22.4 units/acre
Commercial Space	21,054 sq. ft.	0 sq. ft.

Apartments

The applicant is proposing three different types of new apartment units – 12 studio units, 6 1-bedroom units, and 12 2-bedroom units. The studio units would be 475 sq. ft, the 1-bedroom units would be 725 sq. ft., and the 2-bedroom units would be 912 sq. ft. The minimum areas in the Zoning Ordinance for stacked units are 400 sq. ft. for studio units, 600 sq. ft. for 1-bedroom units, and 850 sq. ft. for 2-bedroom units.

The new units will have 9-foot ceilings, solid surface countertops, two tone paint, 96% efficient furnaces, and vinyl plank flooring in all rooms except the bathrooms. The applicant is also proposing to fix stucco cracks and repaint all of the existing apartment buildings, the clubhouse, and the adjoining condo building which is not under the same ownership. In addition, the applicant has included management standards with his proposal.

The applicant provided the following reasons for converting the commercial space to apartments:

> "The retail space on the first floor of four of the buildings has not been successful. There has been an unfortunate amount of public disturbance requiring police attention. By converting the retail space to new residential units it will mitigate the need for police monitoring, making the apartment community and extended communities safer places."

Townhomes

Each of the 17 rental townhomes will include a 2-car garage, 2,000 sq. ft. of finished area, rooftop decks, 9-foot ceilings, solid surface countertops, 96% efficient furnaces, and vinyl plank flooring in all rooms except the bathrooms.

The applicant provided the following reasons for filling the wetland area and adding rental townhomes:

> "The wetlands area has been a destination place for the homeless community to camp, by cleaning it up and using the area for townhomes and new amenities the area will be more easily monitored and maintained."

Amenities

The existing apartment development includes an outdoor swimming pool, hot tub, walking paths, covered picnic/BBQ area, 50% open space, a playground, 60 garage spaces, covered carport

a parking, and a clubhouse. The clubhouse includes a kitchen and gathering room, a fitness center with changing rooms and showers, and a business center.

Proposed new amenities include an additional playground, an additional picnic area, two pickleball courts, and new landscaped open space where part of the wetland was. The applicant is also proposing new pedestrian walkway site lighting identified on the concept plan.

Landscaping

Lawn areas that are in poor condition will be replaced. Narrow lawn areas will be replaced with xeriscaping. Trees that have died will be replaced with trees or shrubs depending on the space available.

Parking

There are currently 626 total parking spaces on the site with 60 of the 626 being within garages. The proposed changes would result in 668 total parking spaces. The tables below show the parking requirements for the existing uses and the proposed uses. In summary, there is excess parking under both the existing and proposed development.

Existing Development

Residential Unit Type	# of Units	Required Stalls/ Unit	Required Stalls
1-Bedroom	48	1.5	72
2-Bedroom	136	1.75	238
3-Bedroom	60	2	120
Totals	244		430
Commercial Uses	Total Area in Sq. Ft.	Required Stalls/1,000 SF	Required Stalls
Office and Retail	21,054	4	84
Overall Project			Total Required Stalls
Total			514

Proposed Development

Residential Unit Type	# of Units	Required Stalls/ Unit	Required Stalls
Studio	12	1.3	16
1-Bedroom	54	1.5	81
2-Bedroom	148	1.75	259
3-Bedroom	60	2	120
Townhomes	17	4.75	81
Totals	291		557

Issues

Business Turnover
According to the applicant, the commercial space in the first floors of the mixed use buildings has not been successful. To help the Planning Commission evaluate this statement, staff has included with this report a spreadsheet of the license history for the commercial space on the subject property that is sorted based on the start date of the license. The current licensed businesses on the property, which are highlighted in yellow in the spreadsheet, include a medical office, cell phone store, dental office, a hair salon with permanent cosmetics, a laundromat, a nail salon with permanent cosmetics, and a barber shop. Since the project was completed there have been 35 business licenses terminated or closed and 9 with a delinquent status, meaning they have not renewed their license. In some cases, individuals working in hair salons, nail salons, and permanent cosmetic establishments have obtained their own licenses. Most of the prior licensed uses were similar to the current licensed uses.

Crime
In the applicant's justification for the changes, he mentioned that the commercial space led to public disturbances that required police attention. He also mentioned that the wetland area attracted transient persons.

The table below compares the 2021 volume of police calls for service for large (150 or more units) apartment developments within the City. At first look, the Village at River's Edge development has the highest call volume along with E Gate. However, a few factors should be considered to put this number in context.

First, the Village at River's Edge numbers include calls to the adjoining condos as well as the commercial space. The other apartment developments don't include condos or commercial space. When the Police Department enters the address for a call on an apartment, they sometimes but not always indicate the unit number of the apartment. If you sum up all of the calls to buildings with commercial use that do not have an apartment unit number in the address, the total was 203. So, it appears that a significant number of calls were in response to the commercial uses.

Second, the Village at River's Edge apartments are the closest apartments within the City to the homeless shelter just east of the City's border in South Salt Lake. Ever since the homeless shelter opened in South Salt Lake, the City has seen a significant increase in transient activity particularly in commercial areas closest to the shelter.

Name of Apartment Development	Address	# of Units	2021 Police Calls for Service	Calls/ Unit
Aspenwood	4139 S 4080 W	178	346	1.94
Boulder Pines	4040 S 1535 W	160	261	1.63
Crossroads	2240 W 3800 S	240	559	2.33
E Gate	2982 S Decker Lake Dr.	304	904	2.97
Enclave	3810 S Redwood Rd.	486	1,152	2.37

Hidden Point	3854 W Rockwood Way	216	393	1.82
Liberty Commons	2783 S High Commons Way	209	206	0.99
Overlook	2930 W 4700 S	304	334	1.10
Pinnacle at Highbury	5281 W Lake Park Blvd	290	408	1.41
Residences at Fairbourne Station Ph 1	2900 W Lehman Ave.	225	346	1.54
Sandalwood	2606 S Anna Caroline Dr.	278	524	1.88
Shadowbrook	3860 S Redwood Rd.	300	757	2.52
The Redwood	4000 S Redwood Rd.	437	934	2.14
Tuscany Cove	3856 W 3500 S	251	530	2.11
Valley Park	3600 S Orion Circle	212	157	0.74
Village at River's Edge*	1251 W 3300 S	284	843	2.97
*Includes 244 apartments, 40 condos and commercial space				

Wetlands
The proposed townhomes and new amenities are located on a wetland area. Filling this wetland area will require approval from the US Army Corps of Engineers.

Summary

In summary, the applicant is requesting an amendment to the General Plan and the existing development agreement to convert 21,054 square feet of commercial space to 30 apartment units and to fill a wetland area to build 17 rental townhomes. Included with this request are commitments from the applicant to build the new units to certain standards; build new amenities; repair/enhance the existing landscaping; repair and paint the stucco exteriors of the apartments, clubhouse, and adjoining condos; add additional site lighting; and adhere to management standards.

Staff Alternatives:

1. Approval. This application should be approved subject to a development agreement that includes the commitments made by the applicant as well as a requirement to include a new landscape plan for the entire apartment development as part of the permitted use application for the rental townhomes.

2. Continuance. This application should be continued for reasons determined during the public hearing.

3. Denial. This application should be denied as the Mixed Use zone was intended to have a mix of uses.

Discussion: Steve Pastorik presented the application. He noted that during the study meeting last week, there was a conversation about having the design of the proposed

structures match that of the existing buildings. Steve then presented three different concept plans. First was the original plan submitted by the applicant depicting a pitched parapet roof. The following image included suggestions from the staff, showing a more modern, flat parapet roof. Finally, Steve presented the concept plan to be considered by the Commission today. He then discussed the staff alternatives that are outlined in the staff report.

Commissioner Winters asked if the development agreement states that the applicant needs to acquire approval from the US Army Corps of Engineers regarding wetlands. Steve explained that since they are not part of the City, they would not be part of the development agreement. However, it is a requirement, and the applicant has been in contact with them.

Russell Platt, the applicant, said he is excited to have the opportunity to enhance this gateway into West Valley City. He asked if the Commission had any questions for him.

Commissioner Wood asked if the proposed courtyard in front of the existing commercial space was recently added to their plans. Mr. Platt said that apartments would replace the commercial space, and he wanted that area to be more residential-friendly. He explained that it would be a safe space for pets and create a buffer in front of the apartments.

Mr. Platt noted that they would like to improve the buildings that belong to the condo development, making the area more aesthetically pleasing. However, the decision is up to them.

Joe Colosmo, the property owner, explained that there had been a significant increase in police calls since 2019. He stated that the commercial space and the adjacent homeless shelter were the main contributors to the rise in police calls. Mr. Colosmo believes that adding a fence along 1200 West and developing the wetland space would decrease the number of police calls in the future.

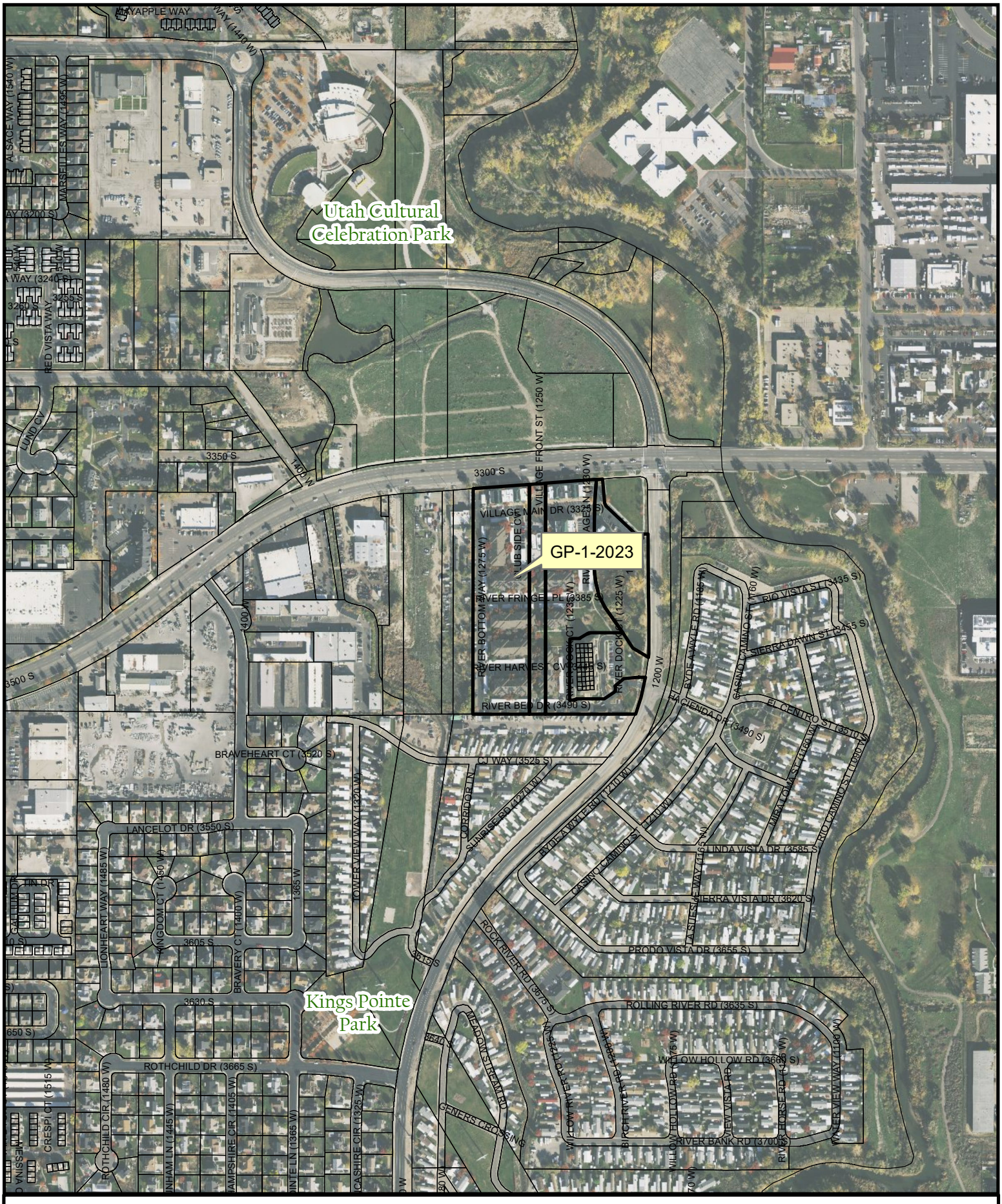
Motion: Commissioner Winters motioned to approve GP-1-2023 subject to a development agreement with the addition of streetlights along 1200 West.

Commissioner Wood seconded the motion.

Vote:

Commissioner Porter	Yes
Commissioner Wood	Yes
Commissioner Woodruff	Yes
Commissioner McEwen	Yes
Commissioner Winters	Yes
Chair Fuller	Yes

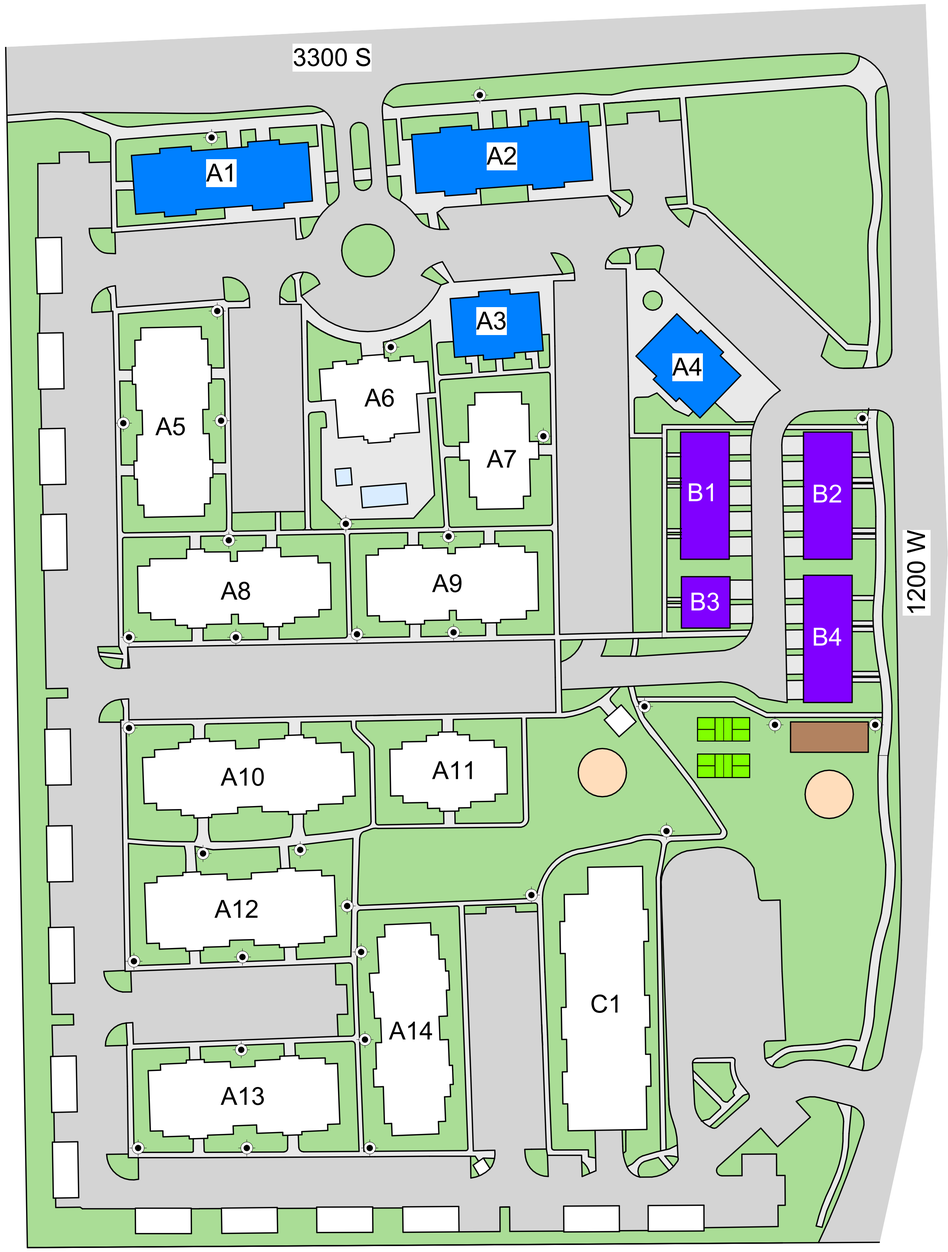
Unanimously – GP-1-2023 – Approved



GP-1-2023
Russell Platt
1251 West 3300 South

Legend

- Existing Building
- Remodeled Existing Building
- New Construction
- Road
- Sidewalk
- Landscaping
- Pool
- Playground
- Picnic
- Pedestrian Walkway Lighting



NORTH

1 SITE PLAN
1" = 60'-0"

AREA BREAKDOWN

12.9 ACRES (563,513 SF) TOTAL SITE
17% 2.26 ACRES (98,790 SF) BUILDINGS
37% 4.9 ACRES (214,612 SF) ROADS AND PARKING
46% 5.9 ACRES (259,215 SF) OPEN SPACE INCLUDING ADDING NEW TOWNHOMES

PARKING REQUIREMENTS

244 EXISTING APARTMENT UNITS
48 (1) BEDROOM (1) BATH (1.5 STALLS PER UNIT REQUIRED = 72 STALLS)
28 (2) BEDROOM (1) BATH (1.75 STALLS PER UNIT REQUIRED = 49 STALLS)
108 (2) BEDROOM (2) BATH (1.75 STALLS PER UNIT REQUIRED = 189 STALLS)
60 (3) BEDROOM (2) BATH (2 STALLS PER UNIT REQUIRED = 120 STALLS)

30 NEW APARTMENT UNITS
12 (477 SF) STUDIO UNITS (1.3 STALLS PER UNIT REQUIRED = 16 STALLS)
6 (727 SF) (1) BEDROOM (1.5 STALLS PER UNIT REQUIRED = 9 STALLS)
12 (914 SF) (2) BEDROOM (2.5 STALLS PER UNIT REQUIRED = 30 STALLS)

17 NEW (2,000 SF) TOWNHOMES (4.75 STALLS PER UNITS REQUIRED = 81 STALLS (34 IN GARAGES))

NEW TOWNHOME PARKING = 34 STALLS IN GARAGES (2 PER UNIT)
34 STALLS IN DRIVEWAYS (2 PER UNIT)
13 STALLS SURFACE PARKED

TOTAL PARKING REQUIRED = 485 APARTMENT STALLS
81 TOWNHOME STALLS
566 STALL REQUIRED

EXISTING AND PROPOSED PARKING STALLS TO BE PROVIDED

566 EXISTING PARKING STALLS
60 EXISTING GARAGES
TOTAL EXISTING = 626 STALLS
NEW STALLS ADDED FOR TOWNHOME PARKING = 68 STALLS
26 PARKING STALLS TO BE REMOVED FOR NEW TOWNHOMES
TOTAL PROPOSED PARKING STALLS = 668 STALLS

ARCHITECT'S INFORMATION:

RUSSELL PLATT ARCHITECTURE
438 NORTH 300 WEST
SALT LAKE CITY, UTAH 84103
(801)-580-0181

PROFESSIONAL STAMP:

LICENSED ARCHITECT
9127889830
RUSSELL C PLATT
STATE OF UTAH

CODE OFFICIAL STAMP:

PROJECT NAME:

VILLAGE AT RIVERS EDGE

REVISIONS:

NO.	DATE	DESCRIPTION

ISSUED: MAY 16th, 2023

NO.	DATE	DESCRIPTION

OWNER PROJECT #:
RPA PROJECT #:
DRAWN BY:
CHECKED BY:
DESIGNED BY:

COPYRIGHT:
© 2018 RUSSELL PLATT ARCHITECTURE

SHEET TITLE:
COLORED SITE PLAN

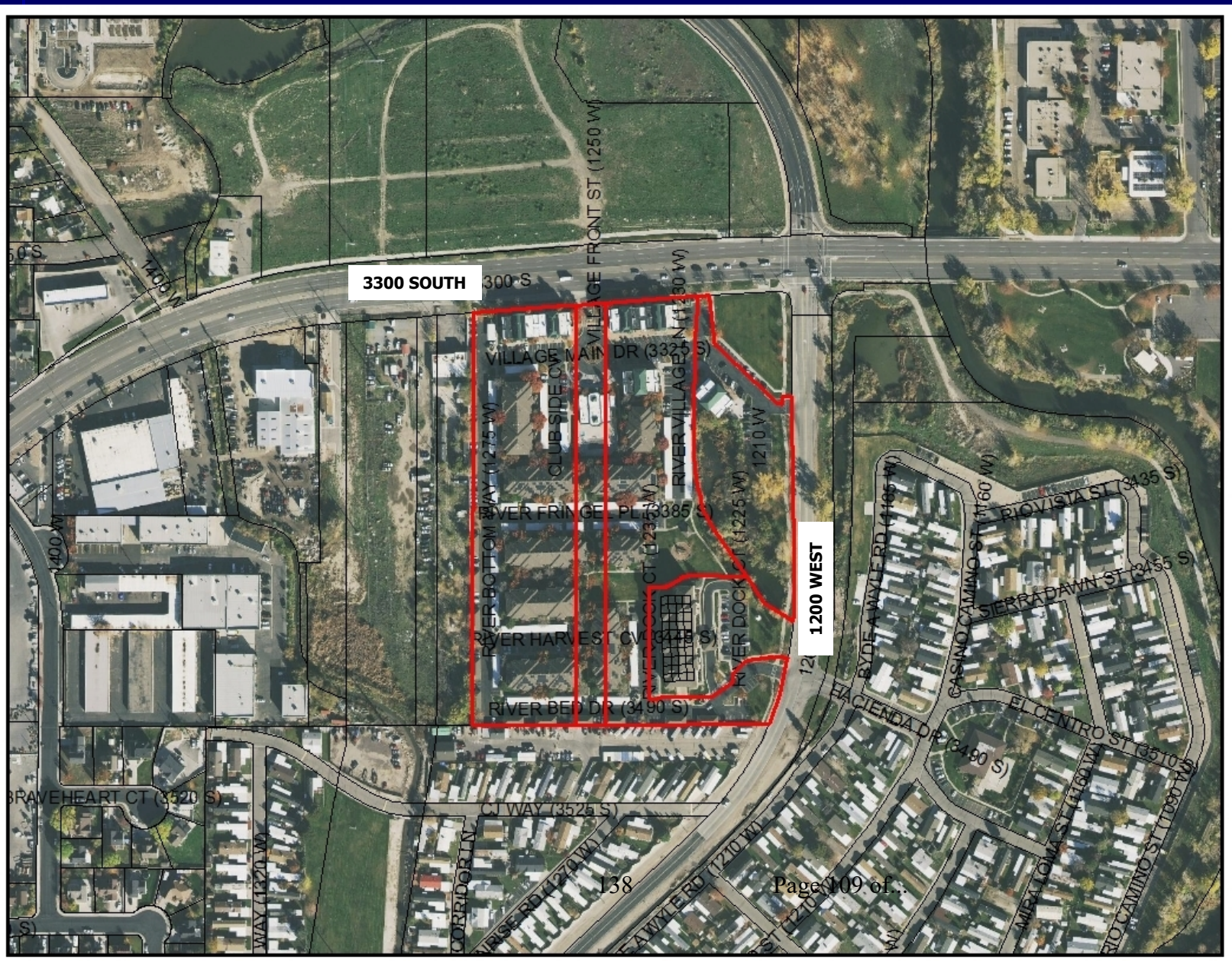
SHEET NUMBER:
A100

Last Plotted: 5/16/2023 10:31:33 AM

Blue Stakes of UTAH 811
Blue Stakes of Utah

GP-1-2023

Petition by RUSSELL PLATT requesting a General Plan amendment from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential. The property is located at 1251 West 3300 South on 13 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov).



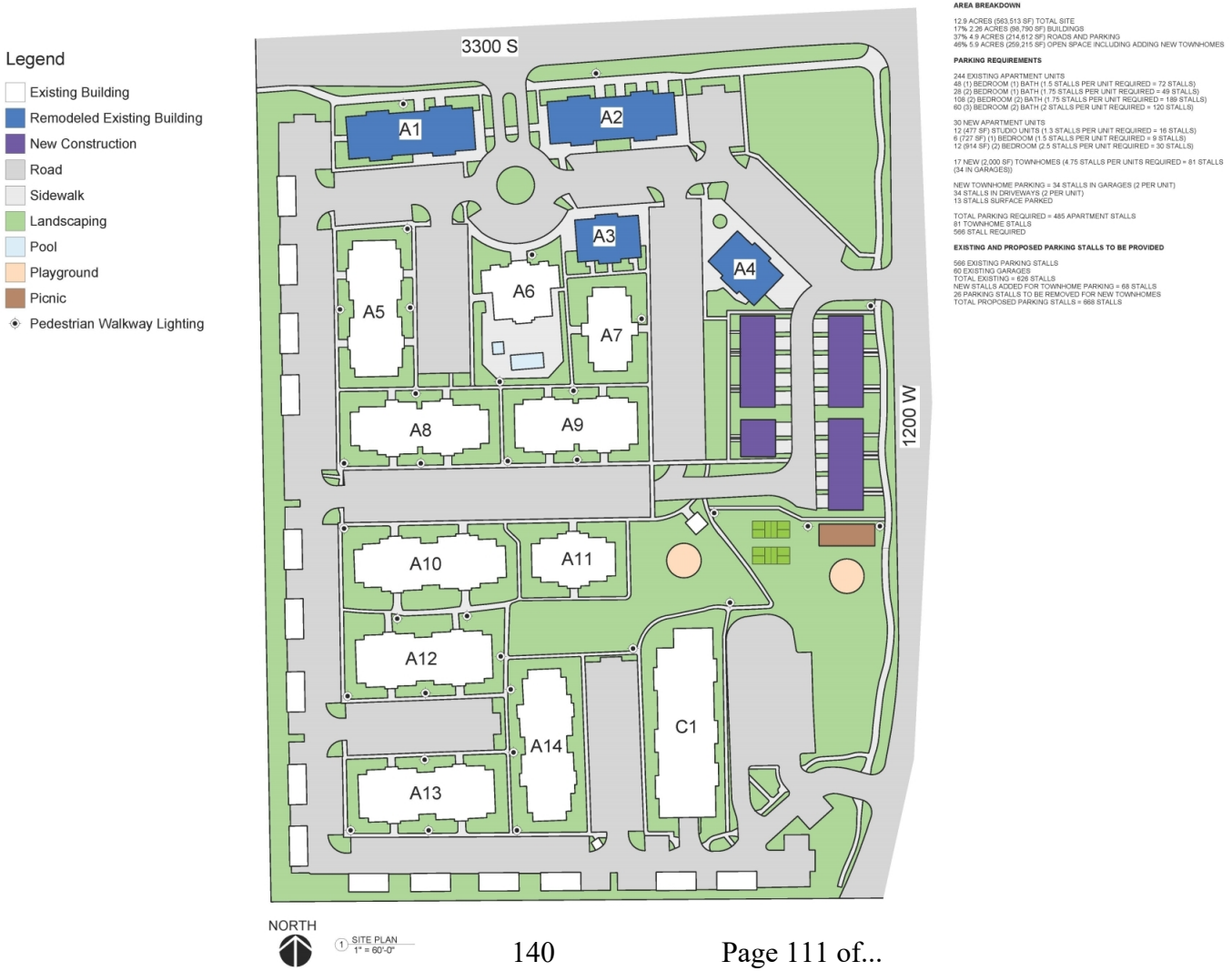
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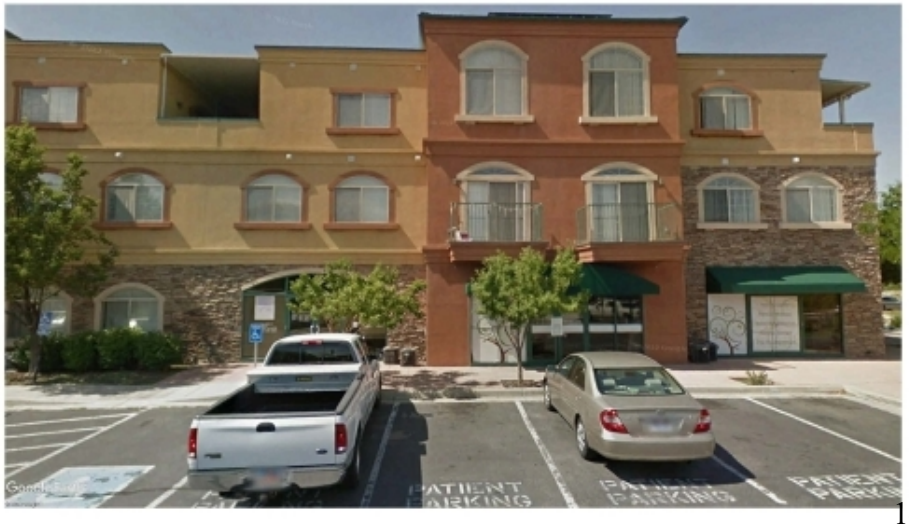


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GP-1-2023

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BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - ELEVATION VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - WEST TO EAST VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - EAST TO WEST VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - BIRDS EYE COURTYARD VIEW



GP-1-2023

Petition by RUSSELL PLATT requesting a General Plan amendment from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential. The property is located at 1251 West 3300 South on 13 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov).

BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - ELEVATION VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - WEST TO EAST VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - EAST TO WEST VIEW



BUILDING A1, & A2 FIRST FLOOR RESIDENTIAL RENOVATION - BIRDS EYE COURTYARD VIEW



GP-1-2023

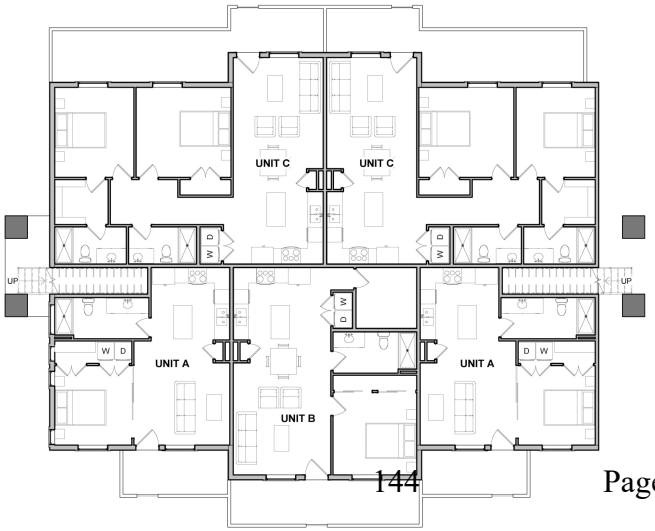
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1 BUILDINGS A1 & A2 - GROUND FLOOR
1/8" = 1'-0"

UNIT KEY

UNIT A - STUDIO UNIT (475 SF)
UNIT B - 1 BED (725 SF)
UNIT C - 2 BED (912 SF)



2 BUILDINGS A3 & A4 - GROUND FLOOR
1/8" = 1'-0"

GP-1-2023

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NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - FRONT VIEW



NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - GARAGE VIEW



NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - FRONT ELEVATION



NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - BIRDS EYE VIEW



GP-1-2023

Petition by RUSSELL PLATT requesting a General Plan amendment from Mixed Use with High Density Residential to Mixed Use with Very High Density Residential. The property is located at 1251 West 3300 South on 13 acres. (Staff – Steve Pastorik at 801-963-3545 or steve.pastorik@wvc-ut.gov).



GP-1-2023

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NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - FRONT VIEW



NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - GARAGE VIEW



NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - FRONT ELEVATION



NEW CONSTRUCTION RESIDENTIAL TOWNHOMES - BIRDS EYE VIEW



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NORTH EAST ISOMETRIC VIEW



NORTH WEST ISOMETRIC VIEW



SOUTH WEST ISOMETRIC VIEW



SOUTH EAST ISOMETRIC VIEW



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Item #:	
Fiscal Impact:	$1,090,699.40
Funding Source:	CIP
Account #:	57-7612-40740-00000-0000, 55-7612-40740-00000-0000
Budget Opening Required:	Yes

ISSUE:

A resolution to approve the purchase of new maintenance equipment for Stonebridge Golf Club and The Ridge Golf Club.

SYNOPSIS:

Parks and Recreation is requesting approval to purchase new maintenance equipment for Stonebridge Golf Club and The Ridge Golf Club to replace old and worn equipment in the amount of $1,090,699.40. A credit of $150,000 has been applied.

BACKGROUND:

Golf course maintenance equipment at both courses is worn down and not functioning as it should. It no longer performs as designed without significant repair time and new parts. Some of the failing parts have an 18-month replacement time or cannot be purchased at all. Some equipment is completely non-functional limiting what the staff has available to complete necessary tasks.

Maintenance equipment pieces include:

- Toro Groundsmaster 3310
- Toro Groundsmaster 4500 (3)
- Toro Groundsmaster 3500
- Greensmaster 3300 for greens (5)
- Greensmaster 3300 for tees (4)
- Reelmaster 3555-D (5)
- Sand Pro 3040 w/out Blade (2)
- Workman HDX

The total cost of this equipment (for both courses) comes to a total of $1,240,699.40. With a credit of $150,000, the total requested amount is $1,090,699.40. Suppliers are on the State Contract for purchasing.

RECOMMENDATION:

City staff recommends approval of the resolution for the purchase of golf course equipment for $1,090,69.40.

SUBMITTED BY:

Nancy Day, Parks and Recreation Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF GOLF COURSE MAINTENANCE EQUIPMENT.

WHEREAS, the City desires to purchase equipment for maintenance of the City's golf courses (the "Equipment"); and

WHEREAS, various providers hold the state contract to provide said Equipment; and

WHEREAS, the prices quoted by said providers are within City budget parameters; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interest of the health, safety and welfare of the citizens of West Valley City to authorize the purchase of said Equipment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah that the City is hereby authorized to purchase the Equipment for an amount not to exceed $1,090,699.40 and that the Mayor and the City Manager are hereby authorized to execute, for and on behalf of the City, any documents necessary to complete said purchase, subject to final approval of said documents by the City Attorney's Office.

PASSED, APPROVED, and **MADE EFFECTIVE** this _____ day of_____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item#: _____
Fiscal Impact: _____
Funding Source: _____
Account #: _____
Budget Opening Required: _____
Neighborhood: N/A

ISSUE:

SMI-12-2022 – Moody Subdivision

SYNOPSIS:

Applicant:	Fred Cox
Proposal:	Final Plat Approval
Location:	6780 West SR-201 North Frontage Road
Zone:	M
Lots:	9
Acres:	10

BACKGROUND:

Fred Cox, representing the property owner, is requesting final subdivision approval for the Moody Subdivision. The property is zoned manufacturing and is currently occupied by SealMaster, which is a pavement products and equipment business.

The subdivision will consist of 9 lots on approximately 10 acres. The existing business will remain part of the subdivision and will be located on what will become lot 1.

Access to the subdivision will be gained from SR-201 North Frontage Road and from an existing drive approach serving the existing SealMaster business. The new road is intended to be private. A new drive approach will be installed along the east boundary of the subdivision connecting with the SR-201 North Frontage Road.

RECOMMENDATION:

The Planning Commission approved this application.

SUBMITTED BY:

Steve Lehman
Current Planning Manager

SMI-12-2022
Moody Subdivision
6780 West SR-201 North Frontage Road
M Zone
9 Lots
10 Acres

BACKGROUND

Fred Cox, representing the property owner, is requesting minor subdivision approval for the Moody Subdivision. The property is zoned manufacturing and is occupied by SealMaster, which is a pavement products and equipment business. Said business will remain on what will become lot 1 within the subdivision.

STAFF/AGENCY CONCERNS:

Fire Department:

- Fire hydrants to be installed in accordance with the Uniform Fire Code. Access and turnaround proposals shall meet all fire codes.

Magna Water District:

- Project will need to run availability for water, sewer and fire protection.
- Subject to design and review inspections.
- Will need to coordinate services depending upon public or private street design.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- Revisions to plat are required.
- Will need to align the access for new lots perpendicular or to within 5 degrees of perpendicular with the SR-201 North Frontage Road.

- If the new road will be public, a soils report will be required.
- Will need to coordinate the new road with the City's Engineering Division. It is likely a delay agreement will be required for improvements.

ISSUES:

- Mr. Cox is requesting minor subdivision approval for a commercial/industrial Subdivision in the manufacturing zone. The subdivision will consist of 9 lots on approximately 10 acres. A proposed storm water retention pond is also being proposed for the subdivision.

- Access to the subdivision will be gained from SR-201 North Frontage Road and from an existing drive approach for the existing SealMaster business. It is anticipated the City will be doing a future improvement project on said right-of-way. The developer will need to coordinate future improvements with the Engineering Division. Should the City allow a delay agreement, these improvements will be postponed until such time that the City is prepared to begin work.

- At the present time, the access is intended to be a public road. However, the alignment shown on the plat does not meet with the City's Engineering standards. Primarily because the alignment causes an unsafe connection with the frontage road. Vehicular traffic would be looking over and behind their left shoulder in order to exist the subdivision. The City Engineering Division has provided some options as to how this road could work. These include:

    - Redesign the public street to intersect SR-201 North Frontage Road perpendicular or within 5 degrees of being perpendicular.

    - Install an approved drive approach (also perpendicular to SR-201 North Frontage Road) and build a private road.

- The existing business will stay on what will become lot 1. Access to said business will be gained from the existing drive approach.

- Should the new right-of-way be a public street, the applicant will be required to submit a soils report prior to City Engineering approval of the plat. If the proposed right-of-way will be private, a soils report is still recommended to ensure that the road is constructed with appropriate materials.

- The new road is located adjacent to the east property line. The developer will need to coordinate improvements to ensure that the property to the east is not negatively impacted. While the grades are relatively flat, a slope easement or other arrangements may be needed to install the new road.

STAFF ALTERNATIVES:

A. Grant preliminary subdivision approval for the Moody Subdivision subject to the following conditions:

1. That compliance be made with Magna Water District regarding water line extensions, sewer connections and fire protection.

2. That the subdivision name be approved by Salt Lake County.

3. That an appropriate ground water and soils investigation be made by a certified engineer. Said report shall be completed prior to City Engineering Approval.

4. That the new road (public or private) be reviewed and approved the City Engineering Division. Said road shall intersect SR-201 North Frontage Road perpendicular or within 5 degrees of perpendicular per City Engineering standards.

5. That the developer coordinate the improvements along the frontage road with the City Engineering Division. A delay agreement is likely to be required depending upon the timing of the City's road improvement project.

6. That the developer resolve all staff and agency concerns.

B. Continuation to address issues raised during the public hearing.

Discussion: Steve Lehman presented the application. He said the Engineering Department is working with the applicant to have the connection between North Frontage Road and Moody Drive as close to ninety degrees as possible for a safe transition. Steve explained that there would be a delay agreement as part of this proposed subdivision for a future City improvement project.
John Moody, the applicant, said he owns the existing business that would be on lot 1 of the proposed subdivision. He stated that the goal of this project is to provide space for local businesses to operate instead of a large company moving in from outside the City.
Fred Cox, representing the applicant, said they are willing to make minor adjustments to improve the drive connection.

Motion: Commissioner Winters motioned to approve SMI-12-2022 subject to the six staff alternatives.

Commissioner Porter seconded the motion.

Vote:

Commissioner Woodruff	Yes
Commissioner Winters	Yes
Commissioner McEwen	Yes
Commissioner Lovato	Yes
Commissioner Porter	Yes
Chairperson Fuller	Yes

Unanimously – SMI-12-2022 – Approved

SMI-12-2022

Petition by FRED COX requesting minor subdivision approval for the Moody Subdivision. The subdivision will consist of 9 lots on 10 acres. The subdivision is located at 6780 west SR 201 North Frontage Road and is zoned M (Manufacturing). (Staff – Steve Lehman at 801-963-3311 or steve.lehman@wvc-ut.gov)



SMI-12-2022

Petition by FRED COX requesting minor subdivision approval for the Moody Subdivision. The subdivision will consist of 9 lots on 10 acres. The subdivision is located at 6780 west SR 201 North Frontage Road and is zoned M (Manufacturing). (Staff – Steve Lehman at 801-963-3311 or steve.lehman@wvc-ut.gov)



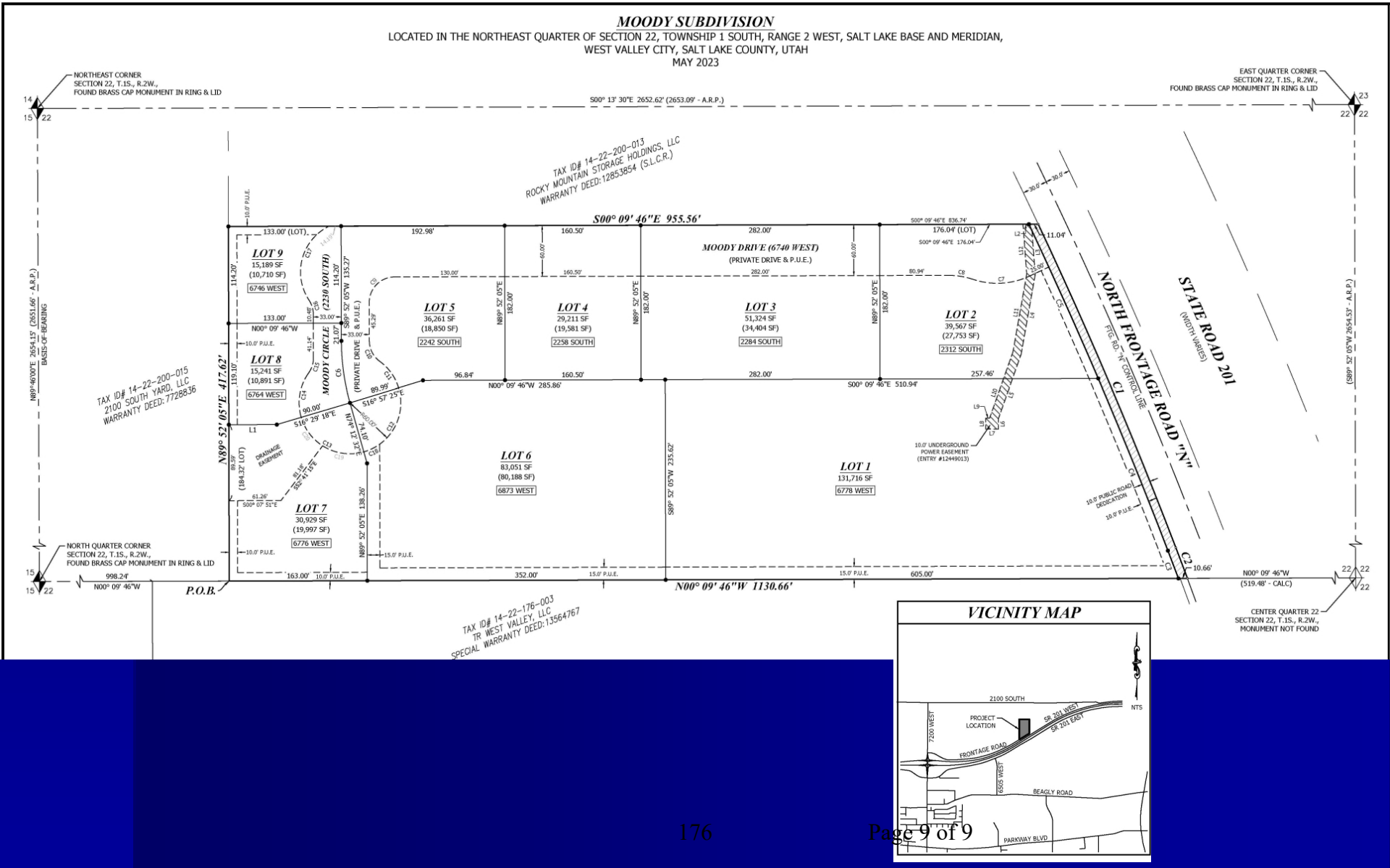
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Fiscal Impact:	NA
Funding Source:	NA
Account #:	NA
Budget Opening Required:	No

ISSUE:

A resolution for the acceptance of a Warranty Deed.

SYNOPSIS:

Bradley D. Jones has signed a Warranty Deed for property located at 2165 South 7200 West (14--22-101-010) which is the site for the JK Investments project.

BACKGROUND:

The JK Investments project is located on the west side of 2165 South 7200 West. As a condition of approval of the project, conveyance of additional 7200 West right-of-way was required.

RECOMMENDATION:

Accept Warranty Deed. Authorize City Recorder to record said Warranty Deed for and on behalf of West Valley City.

SUBMITTED BY:

Steven J. Dale, P.L.S., Right-of-way and Survey Manager

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A WARRANTY DEED FROM BRADLEY JONES FOR PROPERTY LOCATED AT 2165 SOUTH 7200 WEST.

WHEREAS, Bradley Jones ("Owner") is developing property located at 2165 South 7200 West (the "Project"); and

WHEREAS, a Warranty Deed (the "Deed") is required to convey right of way currently owned by Owner in order to construct the Project; and

WHEREAS, Owner has executed said Deed; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to accept the Deed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City, Utah, that the Deed is hereby accepted in substantially the form attached and that the City Recorder is authorized to record said Deed for and on behalf of West Valley City.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

WHEN RECORDED RETURN TO:
West Valley City Recorder
3600 South Constitution Blvd.
West Valley City, Utah 84119

Space above for County Recorder's use

Portion of PARCEL I.D. #**14-22-101-010**

WARRANTY DEED

Bradley D. Jones, GRANTOR, hereby conveys and warrants to WEST VALLEY CITY, a municipal corporation of the State of Utah, located at 3600 Constitution Blvd., West Valley City, Utah 84119, GRANTEE, for the sum of $10.00 and other good and valuable consideration, receipt of which is hereby acknowledged, a strip of land in fee, located at **2165 South 7200 West**, in West Valley City, Salt Lake County, State of Utah. The boundaries of said parcel of land conveyed by this Warranty Deed are described as follows:

A STRIP OF LAND SITUATE IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF 7200 WEST STREET, POINT BEING 439.159 FEET SOUTH 0°09'49" EAST ALONG THE WEST SECTION LINE OF SAID SECTION 22 AND 33.000 FEET NORTH 89°46'00" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 22; AND RUNNING THENCE SOUTH 0°09'49" EAST 270.77 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF 7200 WEST STREET; THENCE NORTH 89°46'00" EAST 7.000 FEET; THENCE NORTH 0°09'49" WEST 270.77 FEET; THENCE SOUTH 89°46'00" WEST 7.000 FEET TO THE POINT OF BEGINNING. CONTAINS 0.04 ACRES OR 1,895.4 SQ. FT.

Subject to easements, rights, rights-of-way, reservations, conditions, restrictions, covenants, and taxes and assessments of record or apparent or enforceable in law or equity.

WITNESSED the hand of said GRANTOR this 31 day of May, 2023.

GRANTOR
Bradley D. Jones

By: _____

Title:

State of Utah)
:ss
County of Salt Lake)

On this 31st day of May, 2023, personally appeared before me Nilton Giovanni Sandoval, the undersigned Notary Public, personally appeared **Bradley D. Jones**, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Witness my hand and official seal.

NILTON GIOVANNI SANDOVAL
Notary Public - State of Utah
Comm. No. 724100
My Commission Expires on
Apr 12, 2026

Notary Public

66.90

ST

208.20'

2100 S

ST

192.00

200024

208.70'

1.00

208.70'

294.68

321.75

514.80

128.70

28.37

101013

183.03

203.00

1.46

314.10

137.50'

101014

203.16

203.16

1.46

313.53

101005

676.93

5.0

676.93

101007

8.0

676.93

101008

676.93

2.0

126002

907.50

3.85

907.50

348.01'

321.75

101010

Bradley D. Jones

270.77

270.77

2.0

321.75

321.75

514.80

128.70

1287.13

132.14

101018

192.00

612.04

18.04

612.58

200031

3.80

1287.15

808.98

478.77

396.34

151030

.00

315.84

580.77

580.76

151034

14.94

539.55

151029

5.92

538.83

1457.98

ROW

164.93

33.00

1048.29

50 ft

478.91

215.00

263.91

285.69

258.00

298.00

151003

.73

146.00

169.00

168.87

150.00

L= 15 1.00

176.36

R = 560.96

231.30

151027

2.50

151020

3.10

508.73

515.73

514.40

508.62

7200 W

184.00

151004

1.087

161.00

298.00

225.89

R = 447.46

L= 42.89

L= 172.30

R=5639.58

L=264.15

R=5639.58

U-201

As of 04/26/2021, the SLCO Recorder's office will begin a full transition to electronically-generated Tax Plats. For parcel information regarding historic parcels, prior Tax Plats may need cross-referenced.

This Tax Plat is not intended to represent actual physical properties. In order to establish exact physical boundaries, a survey of the property may be necessary. Parcel numbers are for taxation reference purposes only and are subject to change.

Prepared and published by
Salt Lake County Recorder
Rashelle Hobbs
2001 S. State Street #N1-600
Salt Lake City, Utah 84190
385-468-8145
recorder.slco.org

N W E S

W 1/2 NW 1/4 Sec 22 T1S R2W

SALT LAKE COUNTY, UTAH

5/3/2022
181

Scale 1"=100'

0 100' 200'

Feet

14-22-11

	R3W	R2W	R1W	R1E	R2E	R3E
T1N	6	7	8	9	10	11
T1S	13	14	15	16	17	18
T2S	19	20	21	22	23	24
T3S	25	26	27	28	29	30
T4S	31	32	33	34		

Area

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Section

11	12	21	22
31	32	41	42

Page

Item:
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A

Budget Opening Required: ☐

ISSUE:

Member: Angie McConkey
Board: Board of Adjustment

SYNOPSIS:

Reappointment

BACKGROUND:

The Board of Adjustment is composed of five members and an alternate member appointed and reappointed by the City Manager with the advice and consent of the City Council. It is proposed that Angie McConkey be appointed to the Board of Adjustment to serve as a member.

Angie McConkey has lived in West Valley City for 20 years. She loves the area and the people. She is Project Accountant for Jacobsen Construction in Salt Lake City. Since 1996, she has served in various accounting roles such as controller, manager, and project specialist. Angie McConkey is dependable, hard-working, detail-oriented, and responsible.

RECOMMENDATION:

Approval of the Resolution reappointing Angie McConkey as a member of the Board of Adjustment.

SUBMITTED BY:

Steve Pastorik, CED Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF ANGIE MCCONKEY AS A MEMBER OF THE WEST VALLEY BOARD OF ADJUSTMENT FOR A TERM FROM JULY 1, 2023 TO JUNE 30, 2028.

WHEREAS, the Board of Adjustment shall consist of five members and such alternate members as the City Manager deems appropriate with the advice and consent of the City Council, and

WHEREAS, any member or alternate member may be appointed for a five-year term; and

WHEREAS, Wayne Pyle, City Manager, has recommended the reappointment of Angie McConkey to serve as a member of the Board of Adjustment for a term from July 1, 2023 to June 30, 2028; and

WHEREAS, such reappointment is made with the advice and consent of the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Manager's reappointment of Angie McConkey to the Board of Adjustment for a term from July 1, 2023 to June 30, 2028 is hereby consented to and ratified by the City Council.

PASSED and **APPROVED** this XX day of June, 2023.

WEST VALLEY CITY

_____

MAYOR

ATTEST:

_____

CITY RECORDER

Item:
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A

Budget Opening Required: ☐

ISSUE:

Member: Josh Pettersson
Board: Board of Adjustment

SYNOPSIS:

Reappointment

BACKGROUND:

The Board of Adjustment is composed of five members and alternate members appointed and reappointed by the City Manager with the advice and consent of the City Council. It is proposed that Josh be reappointed to the Board of Adjustment to serve as a regular member.

With the exception of a 2-year church mission, Josh Pettersson has lived in West Valley City his entire life. Josh Pettersson graduated from Cyprus High school in 1987 and has a BS in Electrical Engineering from the University of Utah. He also has an AS in Pre-Engineering from SLCC. Josh Pettersson currently works as the Division Manager for Wasatch Electric, where he has been since 1991. He handles contract and settlement negotiations, the resolution of disputes and conflicts, and also has electrical experience. His term would begin July 1, 2023 and expire on June 30, 2028.

RECOMMENDATION:

Approval of the Resolution reappointing Josh Pettersson as a member of the Board of Adjustment.

SUBMITTED BY:

Steve Pastorik, CED Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF JOSH PETTERSSON AS A MEMBER OF THE WEST VALLEY BOARD OF ADJUSTMENT FOR A TERM FROM JULY 1, 2023 TO JUNE 30, 2028.

WHEREAS, the Board of Adjustment shall consist of five members and such alternate members as the City Manager deems appropriate with the advice and consent of the City Council, and

WHEREAS, any member or alternate member may be appointed for a five-year term; and

WHEREAS, Wayne Pyle, City Manager, has recommended the reappointment of Josh Pettersson to serve on the Board of Adjustment for a term from July 1, 2023 to June 30, 2028; and

WHEREAS, such appointment is made with the advice and consent of the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Manager's reappointment of Josh Pettersson to the Board of Adjustment for a term from July 1, 2023 to June 30, 2028 is hereby consented to and ratified by the City Council.

PASSED and **APPROVED** this XX day of June, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item:
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A

Budget Opening Required: ☐

ISSUE:

Member: Sandy Naegle
Board: Board of Adjustment

SYNOPSIS:

Reappointment

BACKGROUND:

The Board of Adjustment is composed of five members and alternate members appointed and reappointed by the City Manager with the advice and consent of the City Council. Any Board of Adjustment member or alternate member may be reappointed for an additional term.

Sandy Naegle has been serving on the Board of Adjustment since July 1, 2003. She has expressed an interest to continue serving on the Board of Adjustment. Sandy Naegle's reappointed term will run from July 1, 2023 to June 30, 2028.

RECOMMENDATION:

Approval of the Resolution reappointing Sandy Naegle as a member of the Board of Adjustment.

SUBMITTED BY:

Steve Pastorik, CED Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF SANDY NAEGLE AS A MEMBER OF THE WEST VALLEY BOARD OF ADJUSTMENT FOR A TERM FROM JULY 1, 2023 TO JUNE 30, 2028.

WHEREAS, the Board of Adjustment shall consist of five members and such alternate members as the City Manager deems appropriate with the advice and consent of the City Council, and

WHEREAS, any member or alternate member may be appointed for a five-year term; and

WHEREAS, Wayne Pyle, City Manager, has recommended the reappointment of Sandy Naegle to serve on the Board of Adjustment for a term from July 1, 2023 to June 30, 2028; and

WHEREAS, such reappointment is made with the advice and consent of the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Manager's reappointment of Sandy Naegle to the Board of Adjustment for a term from July 1, 2023 to June 30, 2028 is hereby consented to and ratified by the City Council.

PASSED and **APPROVED** this XX day of June, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item:
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A

Budget Opening Required: ☐

ISSUE:

Member: Scott Spendlove
Board: Board of Adjustment

SYNOPSIS:

Reappointment

BACKGROUND:

The Board of Adjustment is composed of five members and alternate members appointed and reappointed by the City Manager with the advice and consent of the City Council. Any Board of Adjustment member or alternate member may be reappointed for an additional term.

Scott Spendlove has been serving on the Board of Adjustment since July 1, 2003. He has expressed an interest to continue serving on the Board of Adjustment. Scott Spendlove's reappointed term will run from July 1, 2023 to June 30, 2028.

RECOMMENDATION:

Approval of the Resolution reappointing Scott Spendlove as a member of the Board of Adjustment.

SUBMITTED BY:

Steve Pastorik, CED Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF SCOTT SPENDLOVE AS A MEMBER OF THE WEST VALLEY BOARD OF ADJUSTMENT FOR A TERM FROM JULY 1, 2023 TO JUNE 30, 2028.

WHEREAS, the Board of Adjustment shall consist of five members and such alternate members as the City Manager deems appropriate with the advice and consent of the City Council, and

WHEREAS, any member or alternate member may be appointed for a five-year term; and

WHEREAS, Wayne Pyle, City Manager, has recommended the reappointment of Scott Spendlove to serve on the Board of Adjustment for a term from July 1, 2023 to June 30, 2028; and

WHEREAS, such reappointment is made with the advice and consent of the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Manager's reappointment of Scott Spendlove to the Board of Adjustment for a term from July 1, 2023 to June 30, 2028 is hereby consented to and ratified by the City Council.

PASSED and **APPROVED** this XX day of June, 2023.

WEST VALLEY CITY

_____

MAYOR

ATTEST:

_____

CITY RECORDER

Item:
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A

Budget Opening Required: ☐

ISSUE:

Member: Mathew Lovato
Board: Planning Commission

SYNOPSIS:

Reappointment

BACKGROUND:

The Planning Commission is composed of seven members and one alternate member appointed and reappointed by the City Manager with the advice and consent of the City Council.

Mathew Lovato has been recommended for reappointment as a member of the Planning Commission. He has been serving as a member of the Planning Commission since November 3, 2015. Mathew Lovato's term will run from July 1, 2023 to July 1, 2027.

Mathew Lovato has worked in the City for 27 years and is currently employed by Discover. He holds an MBA and has served on the City's Clean and Beautiful Committee. We believe Mathew Lovato will continue to be a valuable asset to the City in serving on the Planning Commission.

RECOMMENDATION:

Approval of the Resolution appointing Mathew Lovato as a member of the Planning Commission.

SUBMITTED BY:

Steve Pastorik, CED Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF MATHEW LOVATO TO THE WEST VALLEY PLANNING COMMISSION FOR A TERM FROM JULY 1, 2023 TO JUNE 30, 2027.

WHEREAS, the Planning Commission is composed of seven members and one alternate member appointed and reappointed by the City Manager with the advice and consent of the City Council, and

WHEREAS, Mathew Lovato has expressed a willingness to serve on the Planning Commission; and

WHEREAS, Wayne Pyle, City Manager, has recommended the reappointment of Mathew Lovato to serve on the Planning Commission for a term from July 1, 2023, to June 30, 2027; and

WHEREAS, such reappointment is made with the advice and consent of the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Manager's reappointment of Mathew Lovato to the Planning Commission for a term from July 1, 2023 to June 30, 2027, is hereby consented to and ratified by the City Council.

PASSED and **APPROVED** this XX day of June, 2023.

WEST VALLEY CITY

_____

MAYOR

ATTEST:

_____

CITY RECORDER

Item: _____
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A

Budget Opening Required: ☐

ISSUE:

A Resolution reappointing Larry Healey to the License Hearing Board.

SYNOPSIS:

The Resolution reappoints Larry Healey as a member of the License Hearing Board for a three-year term commencing July 1, 2023 and ending June 30, 2026.

BACKGROUND:

The License Hearing Board is composed of three members appointed by the City Manager with the advice and consent of the City Council. Larry Healey is willing to accept the reappointment as a member of the License Hearing Board for a three-year term.

RECOMMENDATION:

Approval of the Resolution reappointing Larry Healey as a member of the License Hearing Board.

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF LARRY HEALEY AS A MEMBER OF THE WEST VALLEY CITY BUSINESS LICENSE HEARING BOARD FOR A TERM COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2026.

WHEREAS, the Business License Hearing Board of West Valley City, Utah, consists of members reappointed for three-year terms by the City Manager; and

WHEREAS, the City Manager desires to reappoint Larry Healey as a member of the License Hearing Board of West Valley City for a term commencing July 1, 2023 and ending June 30, 2026; and

WHEREAS, Larry Healey is willing to accept said reappointment; and

WHEREAS, said reappointment requires the advice and consent of the City Council;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's reappointment of Larry Healey as a member of the License Hearing Board of West Valley City for a term commencing July 1, 2023 and ending June 30, 2026.

PASSED, APPROVED and MADE EFFECTIVE this XX day of June, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

ISSUE: _____
FISCAL IMPACT: N/A
FUNDING SOURCE: N/A

ISSUE:

A resolution reappointing Abigail Dizon-Maughan to the Professional Standards Review Board.

SYNOPSIS:

This resolution reappoints Abigail Dizon-Maughan as a member of the Professional Standards Review Board for a two year term commencing on July 1, 2023 and ending on June 30, 2025.

BACKGROUND:

The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Police Chief regarding these incidents.

RECOMMENDATION:

Ratify the City Manager's reappointment of Abigail Dizon-Maughan to the Professional Standards Review Board.

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF ABIGAIL M. DIZON-MAUGHAN TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2025.

WHEREAS, members of the Professional Standards Review Board are appointed for a two-year term by the City Manager; and

WHEREAS, the City Manager desires to reappoint Abigail M. Dizon-Maughan to serve on the Professional Standards Review Board for a term commencing July 1, 2023 and ending June 30, 2025; and

WHEREAS, Abigail M. Dizon-Maughan is willing to accept said reappointment; and

WHEREAS, said reappointment requires the advice and consent of the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's reappointment of Abigail M. Dizon-Maughan to the Professional Standards Review Board for a term commencing July 1, 2023 and ending June 30 2025.

PASSED AND APPROVED this XXth day of June, 2023.

WEST VALLEY CITY

_____

MAYOR

ATTEST:

_____

CITY RECORDER

ISSUE: _____
FISCAL IMPACT: N/A
FUNDING SOURCE: N/A

ISSUE:

A resolution reappointing Barbara Fields to the Professional Standards Review Board.

SYNOPSIS:

This resolution reappoints Barbara Fields as a member of the Professional Standards Review Board for a two year term commencing on July 1, 2023 and ending on June 30, 2025.

BACKGROUND:

The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Police Chief regarding these incidents.

RECOMMENDATION:

Ratify the City Manager's reappointment of Barbara Fields to the Professional Standards Review Board.

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF BARBARA FIELDS TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2025.

WHEREAS, members of the Professional Standards Review Board are appointed for a two-year term by the City Manager; and

WHEREAS, the City Manager desires to reappoint Barbara Fields to serve on the Professional Standards Review Board for a term commencing July 1, 2023 and ending June 30, 2025; and

WHEREAS, Barbara Fields is willing to accept said reappointment; and

WHEREAS, said reappointment requires the advice and consent of the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's reappointment of Barbara Fields to the Professional Standards Review Board for a term commencing July 1, 2023 and ending June 30, 2025.

PASSED AND APPROVED this XX day of June, 2023.

WEST VALLEY CITY

_____

MAYOR

ATTEST:

_____

CITY RECORDER

ISSUE: _____
FISCAL IMPACT: N/A
FUNDING SOURCE: N/A

ISSUE:

A resolution reappointing Micah Bruner to the Professional Standards Review Board.

SYNOPSIS:

This resolution reappoints Micah Bruner as a member of the Professional Standards Review Board for a two year term commencing on July 1, 2023 and ending on July 1, 2025.

BACKGROUND:

The Professional Standards Review Board reviews all allegations of police misconduct from a citizen's perspective and makes various recommendations to the Police Chief regarding these incidents.

RECOMMENDATION:

Ratify the City Manager's reappointment of Micah Bruner to the Professional Standards Review Board.

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF MICAH BRUNER TO THE PROFESSIONAL STANDARDS REVIEW BOARD FOR A TERM COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2025.

WHEREAS, members of the Professional Standards Review Board are appointed for a two-year term by the City Manager; and

WHEREAS, the City Manager desires to reappoint Micah Bruner to serve on the Professional Standards Review Board for a term commencing July 1, 2023 and ending June 30, 2025; and

WHEREAS, Micah Bruner is willing to accept said reappointment; and

WHEREAS, said reappointment requires the advice and consent of the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's reappointment of Micah Bruner to the Professional Standards Review Board for a term commencing July 1, 2023 and ending June 30, 2025.

PASSED AND APPROVED this XXth day of June, 2023.

WEST VALLEY CITY

_____

MAYOR

ATTEST:

_____

CITY RECORDER

Item:
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A

Budget Opening Required: ☐

ISSUE:

A resolution reappointing Misty Smith as a member of the West Valley City Clean and Beautiful Committee for a term commencing July 1, 2023 and ending June 30, 2027.

SYNOPSIS:

Misty Smith is willing to serve as a member of the West Valley City Clean and Beautiful Committee.

BACKGROUND:

Members of the West Valley City Clean and Beautiful Committee are appointed for a four year term by the City Manager with the advice and consent of the City Council.

RECOMMENDATION:

City staff recommends approval of the resolution reappointing Misty Smith as a member of the West Valley City Clean and Beautiful Committee.

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF MISTY SMITH AS A MEMBER OF THE WEST VALLEY CITY CLEAN & BEAUTIFUL COMMITTEE FOR A TERM COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2027.

WHEREAS, members of the West Valley City Clean & Beautiful Committee are appointed for a four year term by the City Manager; and

WHEREAS, the City Manager desires to reappoint Misty Smith as a member of the West Valley City Clean & Beautiful Committee, commencing July 1, 2023 and ending June 30, 2027; and

WHEREAS, Misty Smith is willing to accept said reappointment; and

WHEREAS, said reappointment requires the advice and consent of the City Council;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's reappointment of Misty Smith as a member of the West Valley City Clean & Beautiful Committee for a term commencing July 1, 2023 and ending June 30, 2027.

PASSED, APPROVED and MADE EFFECTIVE this XX day of June, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item:
Fiscal Impact: N/A
Funding Source: N/A
Account #: N/A

Budget Opening Required: ☐

ISSUE:

A resolution appointing Brian Blank as the chairperson of the West Valley City Clean and Beautiful Committee.

SYNOPSIS:

This Resolution appoints Brian Blank as the Chairperson of the West Valley City Clean and Beautiful Committee for a term commencing July 1, 2023 and ending June 30, 2024.

BACKGROUND:

The Chair of the West Valley City Clean and Beautiful Committee serves for a term of one year. Brian's term will commence July 1, 2023 and end June 30, 2024.

RECOMMENDATION:

Ratify the City Manager's appointment of Brian Blank as the Chairperson of the West Valley City Clean and Beautiful Committee.

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S APPOINTMENT OF BRIAN BLANK AS CHAIR OF THE WEST VALLEY CITY CLEAN AND BEAUTIFUL COMMITTEE FOR A TERM COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024.

WHEREAS, the Chair of the West Valley City Clean and Beautiful Committee is appointed by the City Manager; and

WHEREAS, the City Manager desires to appoint Brian Blank as Chair of the West Valley City Clean and Beautiful Committee for a term commencing July 1, 2023 and ending June 30, 2024; and

WHEREAS, Brian Blank is willing to accept said appointment; and

WHEREAS, said appointment requires the advice and consent of the City Council;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's appointment of Brian Blank as Chair of the West Valley City Clean and Beautiful Committee for a term commencing July 1, 2023 and ending June 30, 2024.

PASSED, APPROVED and MADE EFFECTIVE this XXth day of June, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item #:	
Fiscal Impact:	N/A
Funding Source:	N/A
Account #:	N/A
Budget Opening Required:	No

ISSUE:

A Resolution reappointing Steve Lehman as the Chairman of the License Hearing Board.

SYNOPSIS:

This Resolution reappoints Steve Lehman as the Chairman of the License Hearing Board for a term commencing July 1, 2023 and ending June 30, 2024.

BACKGROUND:

The License Hearing Board is composed of three members appointed and reappointed by the City Manager with the advice and consent of the City Council. Steve Lehman is willing to accept the reappointment as Chair of the License Hearing Board for a term commencing July 1, 2023 and ending June 30, 2024.

RECOMMENDATION:

Approval of this Resolution.

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF STEVE LEHMAN AS THE CHAIRMAN OF THE LICENSE HEARING BOARD.

WHEREAS, the License Hearing Board consists of members appointed for terms by the City Manager; and

WHEREAS, the City Manager desires to reappoint Steve Lehman as the Chairman for a term commencing July 1, 2023 and ending June 30, 2024; and

WHEREAS, Steve Lehman is willing to accept said reappointment; and

WHEREAS, said reappointment requires the advice and consent of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's reappointment of Steve Lehman as the Chairman of the License Hearing Board.

PASSED, **APPROVED** and **MADE EFFECTIVE** this XXnd day of June, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item #:	
Fiscal Impact:	N/A
Funding Source:	N/A
Account #:	N/A
Budget Opening Required:	No

ISSUE:

A Resolution reappointing Lars Nordfelt as the Chairman of the Audit Review Committee.

SYNOPSIS:

This Resolution reappoints Lars Nordfelt as the Chairman of the Audit Review Committee for a term commencing July 1, 2023 and ending June 30, 2024.

BACKGROUND:

The Audit Review Committee consists of five members who serve for a term of three years. The Committee is comprised of the City Manager, two members of the City Council, one appointed citizen and a finance director from another community. The City Manager has recommended that Lars Nordfelt be reappointed as Chairman of this Committee. Mr. Nordfelt is willing to accept this reappointment for the term commencing July 1, 2023 and ending June 30, 2024.

RECOMMENDATION:

Approval of this Resolution.

SUBMITTED BY:

James D. Welch, Finance Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. 23-XX

A RESOLUTION RATIFYING THE CITY MANAGER'S REAPPOINTMENT OF LARS NORDFELT AS THE CHAIRMAN OF THE WEST VALLEY CITY AUDIT REVIEW COMMITTEE.

WHEREAS, the West Valley City Audit Review Committee consists of members appointed for terms by the City Manager; and

WHEREAS, the City Manager desires to reappoint Lars Nordfelt as the Chairman for a term commencing July 1, 2023 and ending June 30, 2024; and

WHEREAS, Lars Nordfelt is willing to accept said reappointment; and

WHEREAS, said reappointment requires the advice and consent of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's reappointment of Lars Nordfelt as the Chairman of the West Valley City Audit Review Committee.

PASSED, **APPROVED** and **MADE EFFECTIVE** this XX day of June, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

Item #:	
Fiscal Impact:	None
Funding Source:	NA
Account #:	NA
Budget Opening Required:	NA

ISSUE:

Utah Infrastructure Agency Board member appointment

SYNOPSIS:

This resolution ratifies the City Manager's appointment of Dan Johnson to the UIA Board.

BACKGROUND:

The Utah Infrastructure Agency's bylaws require the City to appoint a member to the Agency Board. Dan Johnson is the City's Public Works Director and has the experience and expertise to represent the City's interests on the Board. Mr. Johnson's knowledge of public infrastructure needs makes him a unique fit to serve in this position.

RECOMMENDATION:

Approval of resolution appointing Dan Johnson to the UIA Board.

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

A RESOLUTION RATIFYING THE CITY MANAGER'S APPOINTMENT OF DAN JOHNSON TO THE UTAH INFRASTRUCTURE AGENCY BOARD.

WHEREAS, the City is required by the Utah Infrastructure Agency bylaws to appoint a member to the Agency's Board; and

WHEREAS, the City Manager desires to appoint Dan Johnson to serve on the Agency's Board; and

WHEREAS, Mr. Johnson is willing to accept said appointment; and

WHEREAS, said appointment requires the advice and consent of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that it hereby ratifies the City Manager's appointment of Dan Johnson to the Utah Infrastructure Agency Board, effective immediately upon passage of this resolution.

PASSED, **APPROVED** and **MADE EFFECTIVE** this _____ day of _____, 2023.

WEST VALLEY CITY

_____
MAYOR

ATTEST:

_____
CITY RECORDER

June 15, 2023

MEMORANDUM

TO: CITY COUNCIL

FROM: WAYNE T. PYLE, CITY MANAGER

RE: UPCOMING MEETINGS AND EVENTS

City Council Study Meetings are held at 4:30 P.M. every Tuesday unless otherwise noted.

City Council Regular Meeting are held at 6:30 P.M. every Tuesday unless otherwise noted.

June 2023

June 6 – July 1	Puffs Production; West Valley Performing Arts, 3333 S Decker Lake Dr
June 12 – August 4	Summer Lunch Program, 10 AM – 1 PM; Multiple Parks Depending on Granite School personnel
June 13 – August 3	SPARK Begins during Lunch Program (Tuesday, Wednesday, Thursday), time will vary depending on When Granite starts lunch in the park
June 20, 2023 *Tuesday*	My Hometown Piano Recital, 6 PM; 3835 S 2850 W
June 21, 2023 Wednesday	Hump Day Buffet, 5-8:30 PM; 3590 Market Street
June 21, 2023 *Wednesday*	Hump Day Buffet Special: African Cultural Showcase, 7 PM; Fairbourne Station Promenade, 3590 S Market Street
June 22-24, 2023 *Thursday – Saturday*	Gerald Wright Classic Fastpitch Tournament, 9 AM – 6 PM ; Centennial Park, 5405 W 3100 S

June 22, 2023 *Thursday*	World's Largest Swimming Lesson, 12 PM; West Valley City Family Fitness Center, 5415 W 3100 S
June 22 – Oct 5, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
June 22, 2023 *Thursday*	My Hometown Piano Recital, 6 PM; 3835 S 2850 W
June 22, 2023 *Thursday*	Movie in the Park – Top Gun Maverick, Starts at Dusk; Centennial Park, 5405 W 3100 S
June 23, 2023 *Friday*	ARTrageous Theater Arts Summer Camp Performance, 7 PM; Utah Cultural Celebration Center, 1355 W 3100 S
June 23, 2023 *Friday*	MyHT – Youth Council Movie in the Park, 7 PM; Parkway Park, 3405 W Pkwy Blvd
June 24, 2023 *Saturday*	MyHometown Day of Service North Granger, 8 AM – 12 PM; Various Location in North Granger
June 26-30, 2023 *Monday-Friday*	Harman Senior Recreation Center Camp Wrinkle; Harman Senior Recreation Center, 4090 S 3600 W
June 26, 2023 *Monday*	ARTrageous Thought Leaders Live with Jim Christian, 6 PM; West Valley Performing Arts Center, 3333 S Decker Lake Dr
June 26, 2023 *Monday*	Chill with the Chief, 6 PM; Glenn Weaver Memorial Park, 6380 Cape Ridge Lane
June 26, 2023 *Monday*	Utah Symphony Concert, 8:30 PM; UCCC, 1355 W 3100 S
June 28, 2023 *Wednesday*	Hump Day Buffet, 5-8:30 PM; 3590 Market Street
June 28, 2023 *Wednesday*	Charlie Puth, 7:30 PM; USANA, 5150 Upper Ridge Rd

June 29, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100

July 2023

July 3-7, 2023 *Monday - Friday*	Family Week Events, More Details to Come
July 3, 2023 *Monday*	West Valley Symphony Concert, 8 PM; UCCC, 1355 W 3100 S
July 4, 2023 *Tuesday*	Independence Day/City Office's Closed
July 4, 2023 *Tuesday*	Solomon Farms – Country Meadows Neighborhood Association Pancake Breakfast, 8-10 AM; Country Meadows Park 4175 W 3980 S
July 4, 2023 *Tuesday*	Chesterfield Residents Only 4th of July Breakfast, 9-11 AM; Jordan River Trailhead Park, 1055 W 2320 S
July 5, 2023 *Wednesday*	Hump Day Buffet, 5-8:30 PM; 3590 Market Street
July 6, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
July 6, 2023 *Thursday*	Nickelback, 6:30 PM; USANA, 5150 Upper Ridge Rd
July 6, 2023 *Thursday*	Movie in the Park – Lightyear (Starts at Dusk); Centennial Park, 5405 W 3100 S
July 7, 2023 *Friday*	Rock Crawling Demo, Crawler Course, Time TBD; Centennial Park, 5405 W 3100 S
July 7, 2023 *Friday*	Community First Friday, 6 PM; UCCC, 1355 W 3100 S
July 7, 2023	Fall Out Boy, 6:30 PM; USANA, 5150 Upper Ridge Rd

Friday	
July 7, 2023 *Friday*	Skate Jam, 7-9 PM; West Valley City Skatepark, 3137 S 5600 W
July 7, 2023 *Friday*	Bryan Adams w/ Joan Jett & the Blackhearts, 7:30 PM; Maverik Center, 3200 Decker Lake Dr
July 9, 2023 *Sunday*	Slightly Stoopid, 5 PM; USANA, 5150 Upper Ridge Rd
July 10, 2023 *Monday*	Trio Los Charros Concert, 8 PM; UCCC, 1355 W 3100 S
July 11, 2023 *Tuesday*	RC Crawler Course Ribbon Cutting, 3:30 PM; WVCFFC, 5415 W 3100 S
July 11, 2023 *Tuesday*	UNP Partners in the Park, 6 PM; Parkway Park, 3405 W Pkwy Blvd
July 11, 2023 *Tuesday*	Snoop Dogg, 6 PM; USANA, 5150 Upper Ridge Rd
July 11, 2023 *Tuesday*	Gallery Exhibit: What's on Your Plate Opens, 6 PM; UCCC, 1355 W 3100 S
July 12, 2023 *Wednesday*	Chat with the Chief, 6 PM; Live at facebook.com/WVCPolice
July 12, 2023 *Wednesday*	Hump Day Buffet, 5-8:30 PM; 3590 Market Street
July 12, 2023 *Wednesday*	Hump Day Buffet Special: Mexican Cultural Showcase, 6:30 PM; Fairbourne Station Promenade, 3590 Market Street
July 13-15, 2023 *Thursday – Saturday*	$1 Admission to Family Fitness Center; West Valley City Family Fitness Center, 5415 W 3100 S
July 13, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100

July 13, 2023 *Thursday*	Gallery Exhibit: Face of Utah Sculpture XIX Opening Reception, 6 PM; UCCC, 1355 W 3100 S
July 13, 2023 *Thursday*	West Valley High School Summer Showcase Art Exhibit Opens, 6 PM; UCCC, 1355 W 3100 S
July 13, 2023 *Thursday*	Disturbed, 6:30 PM; USANA, 5150 Upper Ridge Rd
July 15-18, 2023 *Saturday-Tuesday*	WestFest; Centennial Pak, 5405 W 3100 S
July 15, 2023 *Saturday*	Tree Planting, More Details to Come
July 15, 2023 *Saturday*	MyHometown Day of Service Granger, 8 AM – 12 PM; Various Locations in Granger
July 17, 2023 *Monday*	Chill with the Chief, 6 PM; Meadowlands Park, 3350 S 5800 W
July 17, 2023 *Monday*	The Soulistics Concert, 8 PM; UCCC, 1355 W 3100 S
July 18, 2023 *Tuesday*	Rocky Ridge Park Ribbon Cutting, 3:30 PM; 5250 S Summer Ridge Dr
July 19, 2023 *Wednesday*	Pop Up Play at Hump Day Buffet, 6:30 PM; Fairbourne Station Promenade, 3590 Market Street
July 19, 2023 *Wednesday*	Watch Wednesday – Parks and Recreation, 6:30-7:30 PM; West View Park, 4100 South 6000 West
July 19, 2023 *Wednesday*	The Avett Brothers, 7:30 PM; Maverik Center, 3200 Decker Lake Dr
July 20, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
July 20, 2023	3 Doors Down, 7:30 PM; USANA, 5150 Upper Ridge Rd

Thursday

July 20, 2023 *Thursday*	Movie in the Park – Sonic the Hedgehog 2, Starts at Dusk; Centennial Park, 5405 W 3100 S
July 21 – 23, 2023 *Friday – Sunday*	WVC Summer Sizzle Mini Z Race Event; UCCC, 1355 W 3100 S
July 21, 2023 *Friday*	50 Cent, 7 PM; Maverik Center, 3200 Decker Lake Dr
July 24, 2023 *Monday*	Pioneer Day Holiday/City Office's Closed
July 26, 2023 *Wednesday*	Senior County-wide Cornhole Tournament, 10 AM; Harman Senior Recreation Center, 4090 S 3600 W
July 26, 2023 *Wednesday*	Hump Day Buffet, 5-8:30 PM; 3590 Market Street
July 27, 2023 *Thursday*	Luau Party, 5-7 PM; Harman Senior Recreation Center; 4090 S 3600 W
July 27, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
July 28, 2023 *Friday*	Alicia Keys, 8 PM; Maverik Center, 3200 Decker Lake Dr
July 31, 2023 *Monday*	Chill with the Chief, 6 PM; Kingspointe Park, 1330 W Rothchild Drive (3665 S)
July 31, 2023 *Monday*	Coco Garcia Rumba Libre Band Concert, 8 PM; UCCC, 1355 W 3100 S

August 2023

August 1, 2023 *Tuesday*	National Night Out Block Parties, Various Times and Locations around the City
August 1, 2023	The Smashing Pumpkins, 6:30 PM; USANA, 5150 Upper

Tuesday	Ridge Rd
August 2, 2023 *Wednesday*	Hump Day Buffet, 5-8:30 PM; 3590 Market Street
August 2, 2023 *Wednesday*	Hump Day Buffet Special: BD Howes Band, 7 PM; Fairbourne Station Promenade, 3590 Market Street
August 3-26, 2023	West Side Story; West Valley City Performing Arts Center, 3333 Decker Lake Dr
August 3, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
August 3, 2023 *Thursday*	WVPAC Gallery Exhibit: West Side Story Exhibit Opening, 6 PM; WVPAC, 3333 Decker Lake Dr
August 3, 2023 *Thursday*	Luau at Centennial Outdoor Pool (Members Only Event), 6:30 - 8 PM; 5355 W 3100 S
August 3, 2023 *Thursday*	The Offspring, 7 PM; USANA, 5150 Upper Ridge Rd
August 3, 2023 *Thursday*	Movie in the Park, Starts at Dusk; Centennial Park 5405 S 3100 S
August 4, 2023 *Friday*	U of U Healthy Start Fair, Time TBD; Centennial Park, 5415 W 3100 S
August 4, 2023 *Friday*	Community First Friday: Face of Utah Sculpture Art Talk, 6 PM; UCCC, 1355 W 3100 S
August 4, 2023 *Friday*	Luke Bryan, 7 PM; USANA, 5150 Upper Ridge Rd
August 5, 2023 *Saturday*	My Hometown Day of Service West Granger, 8 AM – 12 PM; Various Locations in West Granger
August 6, 2023 *Sunday*	Yellowcard, 7 PM; USANA, 5150 Upper Ridge Rd

August 7, 2023 *Monday*	National Night Out Senior Safety Fair, 9-11 AM; WVCFFC, 5415 W 3100 S
August 7, 2023 *Monday*	National Night Out Family Safety Fair, 4:30 – 6:30 PM; WVCFFC, 5415 W 3100 S
August 7, 2023 *Monday*	Ghost Re-Imperatour U.S.A with Amon Amarth, 6:30 PM; USANA, 5150 Upper Ridge Rd
August 7, 2023 *Monday*	Smiling Souls Reggae Band Concert, 8 PM; UCCC, 1355 W 3100 S
August 8, 2023 *Tuesday*	Foo Fighters, 6:30 PM; USANA, 5150 Upper Ridge Rd
August 9, 2023 *Wednesday*	Hump Day Buffet, 5-8:30 PM; 3590 Market Street
August 10, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
August 11, 2023 *Friday*	Dierks Bentley, 7 PM; USANA, 5150 Upper Ridge Rd
August 11, 2023 *Friday*	ARTrageous Theater Arts Summer Camp Performance, 7 PM; UCCC, 1355 W 3100 S
August 11, 2023 *Friday*	Grupo Frontera "El Comienzo" Tour 2023, 8 PM; Maverik Center, 3200 Decker Lake Dr
August 12, 2023 *Saturday*	MyHometown Day of Service North Granger, 8 AM – 12 PM; Various Location in North Granger
August 16, 2023 *Wednesday*	National Night Out Harman Senior Recreation Center, 5-7 PM; 4090 S 3600 W
August 16, 2023 *Wednesday*	Hump Day Buffet, 5-8:30 PM; 3590 Market Street
August 17, 2023 S	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100

Thursday

August 18, 2023 *Friday*	103.5 The Arrow Presents Foreigner, 7 PM; USANA, 5150 Upper Ridge Rd
August 19, 2023 *Saturday*	MyHometown Day of Service Granger, 8 AM – 12 PM; Various Location in Granger
August 23, 2023 *Wednesday*	Hump Day Buffet, 5-8:30 PM; 3590 Market Street
August 24, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
August 25, 2023 *Friday*	National Night Out Block Parties, Various Locations and Locations around the City
August 25, 2023 *Friday*	Mudvayne, 5:30 PM; USANA, 5150 Upper Ridge Rd
August 29, 2023 *Tuesday*	Pantera, 7 PM; USANA, 5150 Upper Ridge Rd
August 30, 2023 *Wednesday*	National Night Out SummerFest, 5:30-8:30 PM; Fairbourne Station Promenade, 3590 Market Street
August 31, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100

September 2023

September 1, 2023 *Friday*	Community First Friday, More Details to Come
September 1, 2023 *Friday*	Gallery Exhibit: Nigerian Association of Utah Open, 9 AM; UCCC, 1355 W 3100 S
September 1, 2023 *Friday*	The Mega-Monsters Tour: Mastodon & Gojira w/ special guest Lorna Shore, 7 PM; USANA, 5150 Upper Ridge Rd

September 2, 2023 *Saturday*	Jelly Roll, 7 PM; USANA, 5150 Upper Ridge Rd
September 3, 2023 *Sunday*	The Lumineers, 7:30 PM; USANA, 5150 Upper Ridge Rd
September 4, 2023 *Monday*	Labor Day/City Office's Closed
September 4, 2023 *Monday*	Centennial Outdoor Pool Closes; 5355 W 3100 S
September 7, 2023 *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100 S
September 7, 2023 *Thursday*	Gallery Exhibit: Weavers Guild Opens, 6 PM; UCCC, 1355 W 3100 S
September 7, 2023 *Thursday*	Gallery Exhibit: Surface Design Group Opens, 6 PM; UCCC, 1355 W 3100 S
September 9, 2023 *Saturday*	MyHometown Day of Service West Granger, 8 AM – 12 PM; Various Locations in West Granger
September 13, 2023 *Wednesday*	ARTrageous Greek Theater Performance, 10 AM; UCCC, 1355 W 3100 S
September 13, 2023 *Wednesday*	Chat with the Chief, 6 PM; Live at facebook.com/WVCPolice
September 14, 2023 *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100 S
September 16, 2023 *Saturday*	MyHometown Day of Service North Granger, 8 AM – 12 PM; Various Location in North Granger
September 20, 2023 *Wednesday*	Watch Wednesday – Community Preservation, 6:30-7:30 PM, Community Preservation Building, 4522 W 3500 S
September 21, 2023	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100

S *Thursday*	
September 22, 2023 *Friday*	Counting Crows, 7:30 PM; USANA, 5150 Upper Ridge Rd
September 23, 2023 *Saturday*	Sting, 8 PM; USANA, 5150 Upper Ridge Rd
September 23, 2023 *Saturday*	MyHometown Day of Service Granger, 8 AM – 12 PM; Various Location in Granger
September 28, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
September 30, 2023 *Saturday*	Avenged Sevenfold, 6:30 PM; USANA, 5150 Upper Ridge Rd

October 2023

October 5-30, 2023	Sleepy Hollow; West Valley City Performing Arts Center, 3333 Decker Lake Dr
October 5, 2023 S *Thursday*	Farmers Market, 5-9 PM; Centennial Park, 5405 W 3100
October 7, 2023 *Saturday*	MyHometown Day of Service West Granger, 8 AM – 12 PM; Various Locations in West Granger
October 10, 2023 *Tuesday*	Billy Strings, 7:30 PM; Maverik Center, 3200 Decker Lake Dr
October 11, 2023 *Wednesday*	Chat with the Chief, 6 PM; Live at facebook.com/WVCPolice
October 14, 2023 *Saturday*	Zac Brown Band, 7 PM; USANA, 5150 Upper Ridge Rd
October 14, 2023 *Saturday*	Ryan Adams w/ The Cardinals, 7:30 PM; Maverik Center, 3200 Decker Lake Dr.

October 17, 2023 *Tuesday*	Shinedown, 6:50 PM; USANA, 5150 Upper Ridge Rd
October 20, 2023 *Friday*	Hozier: Unreal Unearth Tour, 8 PM; Maverik Center, 3200 Decker Lake Dr
October 21, 2023 *Saturday*	MyHometown Day of Service Granger, 8 AM – 12 PM; Various Location in Granger
October 24, 2023 *Tuesday*	Nirto Circus 20th Anniversary Tour, 7 PM; Maverik Center, 3200 Decker Lake Dr
October 28, 2023 *Saturday*	MyHometown Day of Service North Granger, 8 AM – 12 PM; Various Location in North Granger
October 31, 2023 *Tuesday*	Skillet & Theory of a Deadman, 7 PM; Maverik Center, 3200 Decker Lake Dr

November 2023

November 8, 2023 *Wednesday*	Chat with the Chief, 6 PM; Live at facebook.com/WVCPolice
November 15, 2023 *Wednesday*	Watch Wednesday – CPTED Holiday Safety Tips, 6:30-7:30 PM, Family Fitness Center, 5415 W 3100 S
November 18, 2023 *Saturday*	C&B Committee City Hall Lobby Decorating, 8 AM – 12 PM; 3600 S Constitution Blvd
November 18, 2023 *Saturday*	Survivors of Suicide Loss Event, 2-4 PM; UCCC, 1355 W 3100 S
November 23, 2023 *Thursday*	Thanksgiving/City Office's Closed

December 2023

December 17-21, 2023 *Sunday - Thursday*	Giving Tree Week

December 25, 2023 Christmas Day/City Office's Closed
Monday

Strategic Discussion List

1- **Budget Topics**
~~Finance Director Presentation~~ Complete- 2.7.23
~~Capital Expenditure Plan~~ – Discussed 2.14.23/ Follow Up Discussed 3.7.23
~~Budget Reduction Proposals-~~ Discussed 2.14.23/ Follow Up Discussed 4.18.23
Bond Rating Page 8,13- Discussed 2.14.23/ Meeting with Councilmember Nordfelt Completed
Limits on Fund Balance – Discussed 2.14.23/ Fund Balance History emailed to Council 2.27.23/ Waiting Council Discussion

2- Contract evaluation form for city manager
~~Employee manual~~- Discussed 5.13.23

3- **Public Works Topics**
~~Street Light Schedule / Plan for years 1-5~~ – Discussed 3.7.23
~~Sidewalk Installation / Plan for years 1-5~~ – Discussed 3.7.23
Recycling Issues

~~Dowdle Puzzle project~~ Presentation Conducted 2.28.23/ Scheduled for Discussion 3.7.23/ Additional information requested by staff emailed on 3.16.23/ Council directed to incorporate into upcoming budget for next year

4- **Parks Topics**
Park Land Review and Strategy- Information submitted via email 2.27.23/ Waiting Council Discussion

5- **Development Issues**
3500 South / Redwood Road
Tax Credit Veteran Housing

6- **Other**
Archives- Scheduled 04.11.23 / Wayne sent follow-up memo 5.22.23/Waiting Council Discussion
Hotels becoming long term rentals
~~Homeless task force invitation-~~ Discussed with Councilmember Whetstone 3.1.23

A Special Electronic Meeting of the West Valley City Redevelopment Agency will be held on Tuesday, June 27, 2023, at 6:30 PM, or as soon thereafter as the City Council Meeting is completed, in the Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend in person or view this meeting live on YouTube at https://www.youtube.com/user/WVCTV.

TOM HUYNH, CHAIR
LARS NORDFELT, VICE CHAIR

A G E N D A

1. Call to Order

2. Opening Ceremony

3. Roll Call

4. Approval of Minutes:

   A. June 6, 2023

5. Resolutions:

   A. 23-04: Authorize the Redevelopment Agency of West Valley City to Renew the Hometown Scholars Contribution Agreement with the University of Utah

6. Adjourn

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.
- Electronic connection may be made by telephonic or other means. In the event of an electronic meeting, the anchor location is designated as City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah.

MINUTES OF THE REDEVELOPMENT AGENCY REGULAR MEETING – JUNE 6, 2023
-1-

THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY MET IN REGULAR SESSION ON TUESDAY, JUNE 6, 2023, AT 7:05 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS ALSO HELD ELECTRONICALLY VIA ZOOM. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN TOM HUYNH.

THE FOLLOWING MEMBERS WERE PRESENT:

Tom Huynh, Chair
Jake Fitisemanu
William Whetstone
Scott Harmon
Karen Lang
Don Christensen *(electronically)*
Lars Nordfelt

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder
Nicole Cottle, Assistant City Manager/ General Counsel
Eric Bunderson, City Attorney *(electronically)*
Colleen Jacobs, Police Chief *(electronically)*
John Evans, Fire Chief
Jim Welch, Fiance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Nancy Day, Parks and Recreation Director
Sam Johnson, Strategic Communications Director *(electronically)*
Ken Cushing, IT

APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 2, 2023
The Board considered Minutes of the Regular Meeting held May 2, 2023. There were no changes, corrections or deletions.

Ms. Lang moved to approve the Minutes of the Regular Meeting held May 2, 2023. Mr. Fitisemanu seconded the motion.

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

PUBLIC HEARINGS

DRAFT

A. **ACCEPT PUBLIC INPUT REGARDING THE FY 2023-2024 BUDGET**

Wayne Pyle informed a public hearing had been advertised for the Regular Redevelopment Agency Meeting scheduled June 6, 2023, in order for the Board to hear and consider public comments regarding the FY 2023-2024 Budget.

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

> This resolution adopts the final budget for the Redevelopment Agency of West Valley City for the 2023-2024 fiscal year after receiving public comment at a hearing on June 6, 2023.
>
> The Redevelopment Agency adopted a tentative budget that was made available for public inspection during regular office hours in the City's Recorder's office and gave notice of a hearing to receive public comment, before adopting this final budget for FY 2023-2024.

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

ACTION: CONSIDER RESOLUTION 23-03, ADOPT THE ANNUAL BUDGET OF THE WEST VALLEY CITY REDEVELOPMENT AGENCY FOR THE FISCAL YEAR COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024

The Redevelopment Agency previously held a public hearing regarding proposed Resolution 23-03 that would adopt the annual budget of the West Valley City Redevelopment Agency for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

Upon inquiry by Chairman Huynh there were no further questions from members of the Authority, and he called for a motion.

Mr. Fitisemanu moved to approve Resolution 23-03.

Ms. Lang seconded the motion.

A roll call vote was taken:

Mr. Fitisemanu	Yes
Mr. Whetstone	Yes
Mr. Harmon	Yes
Ms. Lang	Yes

Mr. Christensen	Yes
Mr. Nordfelt	Yes
Chair Huynh	Yes

Unanimous.

MOTION TO ADJOURN
Upon motion by Ms. Lang, all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY, THE REGULAR MEETING OF TUESDAY, JUNE 6, 2023, WAS ADJOURNED AT 7:07 PM. BY CHAIRMAN HUYNH.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the Redevelopment Agency of West Valley City held Tuesday, June 6, 2023.

_____
Nichole Camac
Secretary

DRAFT

Item: _____
Fiscal Impact: $180,000.00
Funding Source: RDA 17C-1-411 Housing Funds
Account #: _____

ISSUE:

A Resolution authorizing the Redevelopment Agency of West Valley City to renew an Agreement with the University of Utah to partner with the Opportunity Scholars Program specifically for the My Hometown Scholarship for the benefit of West Valley City students in a program to promote higher education as part of the strategic goals set forth by the Council for Economic Development.

SYNOPSIS:

As part of the City Council's goal of creating and maintaining a sustainable city, the RDA has been tasked with improving opportunities for secondary education for West Valley City students. The City Council and the Board recognized that having an educated workforce present in the city provides for many economic development opportunities not otherwise available. As the City moves to the future it is important to maintain the workforce already in place and to increase the educational attainment levels of our residents. This is the sixth year of the Opportunity Scholars-RDA partnership.

This year the My Hometown Scholarship program assisted 27 West Valley City University Students. There have been 19 students graduate from the program with an additional 17 scheduled to graduate this year. This scholarship program is widely advertised and promoted at all of the City's High Schools as well as to WVC seniors that live in the City but may attend schools out of our boundary. If these students take the My Hometown scholarship monies they agree to represent West Valley City and will either remain living in the City or come back to the city and seek employment long term in the City as well. To this end, since its inception, 45 students have been involved in internships with various businesses in the City as well.

BACKGROUND:

The RDA will use its state law mandated housing set aside money to provide affordable housing and other tools to at least 16 students from West Valley City that will attend the University of Utah in the Fall of 2023. These students will be in the program, will live at Fairbourne Station, will attend classes via the Trax line, and will be provided other mentor and scholarship opportunities through the university to ensure their success. Opportunity scholars has a 93% graduation rate for those in its program. Opportunity scholars serves first generation college students. The Opportunity Scholars program provides retention resources such as tutors, mentors, internships, advising, career-services, service-learning projects, community outreach, networking opportunities, counseling, financial assistance, and access to the program director.

RECOMMENDATION:

Approval of the Resolution and Contribution Agreement.

SUBMITTED BY:

Nicole Cottle, Community and Economic Development Director

REDEVELOPMENT AGENCY OF WEST VALLEY CITY

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE REDEVELOPMENT AGENCY OF WEST VALLEY CITY TO RENEW THE HOMETOWN SCHOLARS CONTRIBUTION AGREEMENT WITH THE UNIVERSITY OF UTAH.

WHEREAS, the Redevelopment Agency of West Valley City (the "Agency") undertakes a variety of initiatives to promote economic development in the City; and

WHEREAS, one of the strategic long-term goals of the Agency is to promote the successful completion of higher education for West Valley City students as this provides for a strong capable workforce and a more stable economy in the City; and

WHEREAS, the University of Utah's David Eccles Business School (the "University") operates an Opportunity Scholars Program (the "Program") that offers mentoring, scholarships, and academic support to first generation immigrant students at the University; and

WHEREAS, the Program has achieved a 93% graduation rate for program participants, all of whom qualify for need based financial aid and who face substantial barriers to educational attainment prior to Program participation; and

WHEREAS, the Agency and West Valley City share a commitment to promoting an educated workforce in the City and supporting the continued vitality of West Valley City's immigrant community; and

WHEREAS, the Agency and the University have established the Hometown Scholars partnership that has produced excellent results for West Valley City residents; and

WHEREAS, the partnership between the Agency and the University has offered a unique opportunity to promote shared goals of supporting affordable housing options and investing in the future leaders of our City; and

WHEREAS, the Agency has prepared a Contribution Agreement (the "Agreement") between the Agency and the University to offer support to the Program and to continue a partnership between the Agency and the University; and

WHEREAS, the Board of Directors of the Redevelopment Agency of West Valley City finds that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to approve the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Redevelopment Agency of West Valley City that the Agreement is hereby approved in substantially the form attached, and that the Chief Executive Officer is hereby authorized to

execute said Agreement for and in behalf of the Agency, subject to approval of the final form of the Agreement by the City Manager and the City Attorney's Office.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____ _____, 2023.

REDEVELOPMENT AGENCY OF WEST VALLEY CITY

_____
CHAIR

ATTEST:

_____
SECRETARY

CONTRIBUTION AGREEMENT

THIS CONTRIBUTION AGREEMENT (the "Agreement") is entered into as of _____ _____ (the "Effective Date"), by and between the Redevelopment Agency of West Valley City, a Utah political subdivision ("AGENCY") and the University of Utah ("University"), a body politic and corporate of the State of Utah, on behalf of its David Eccles School of Business (the "Business School").

RECITALS

A. The Business School operates the Opportunity Scholars Program the ("Program"), which provides retention resources such as tutors, mentors, internships, advising, career-services, service-learning projects, community outreach, networking opportunities, counseling, financial assistance and anytime access to Latu Kinikini (the "Program Director");

B. The Business School's Opportunity Scholars Program offers first generation students who qualify for need-based financial aid a combination of scholarships and mentoring services that has proven extremely effective in increasing graduation rates and preparing students to maximize their opportunities following graduation; and

C. The AGENCY seeks to contribute funds to the Business School in support of a pilot program to facilitate academic success and offer support for the partial or full cost of attendance, including housing expenditures.

For the consideration set forth herein, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. Engagement; Services and Work Product. In exchange for the Contribution (as defined below), the AGENCY hereby engages the Business School as an independent contractor, and the Business School hereby accepts such engagement, upon the terms and subject to the conditions set forth in this Agreement.

1.1 Services. During the term of this Agreement, the Business School, through the Program, will use the Contribution for scholarships as set forth in Exhibit A.

1.2 Program Director. The Program Director responsible for supervising students engaged in the Program shall be Latu Kinikini, unless the parties agree otherwise. In the event the Program Director is unwilling or otherwise unable to continue performing services as the Program Director (for example, the Program Director terminates his or her employment with the University of Utah for any reason), the parties will in good faith select a replacement Program Director acceptable to both parties. If the parties are unable, for any reason, to identify a Program Director acceptable to both parties, either the AGENCY or the Business School may terminate this Agreement upon thirty (30) calendar days notice to the other party.

2. Contribution.

2.1 Contribution. In support of the Program, AGENCY shall contribute Seventy Nine Thousand Dollars ($79,000.00) (the "Contribution") to the Business School.

2.2 Cash Payment. The AGENCY shall pay the Contribution to the Business School within thirty days of execution of this Agreement.

2.3 Housing Units. The AGENCY shall secure, and be responsible for all payments associated with, four two bedroom housing units for use by Program participants selected by the Business School ("Units"). No portion of the Contribution made to the Business School is intended to be used to pay for, and shall not be used to pay for the Units. The Agency shall make these Units available to the Program participants free of charge. Program participants, and not the Business School, shall be responsible for any damage to the Units. The University and the Business School each hereby disclaim any liability with respect to the housing Units procured by the Agency for use by the students in the Program, including without limitation, the payment of any rent, down payments, security deposits, insurance and/or damages to any of the Units.

3. Changes to the Agreement. The Business School shall not change the use of the Contribution as set forth in Exhibit A without a written amendment signed by the AGENCY and the Business School.

4. Relationship of the Parties.

4.1 Status as an Independent Contractor. The Business School shall at all times during the term of this Agreement and in the performance of the Services be an independent contractor. Neither the Business School nor any employee or student of the Business School shall be considered an employee of the AGENCY for any purpose.

4.2 No Benefits. The Business School acknowledges and agrees that, as an independent contractor, neither the Business School nor any of its students, employees or subcontractors shall be entitled to participate in any employee fringe benefit, medical or life insurance, pension or other similar plan sponsored by the AGENCY.

4.3 Selection of Recipients. The Business School shall determine the method, details, and means of awarding scholarships as set forth in Exhibit A.

5. Term; Termination.

5.1 Term of Agreement. The term of this Agreement will commence on the Effective Date and will automatically expire on July 31, 2024 (the "Expiration Date").

5.2 Termination for Cause. Either party may terminate this Agreement, at such party's discretion, thirty (30) days after serving notice upon the other party to this Agreement of the occurrence of any event of default as set forth below on the part of the other party, unless such other party shall have cured such event of default within such thirty (30) day period.

5.3 Effect of Termination. Within thirty (30) days following the effective date of expiration or earlier termination of this Agreement, the Business School shall deliver to the AGENCY all funds from the Contribution that have not been awarded to students at the time of termination.

5.4 Survival. Sections 4.1, 4.2, and 5 through 10, inclusive, of this Agreement shall survive any expiration or earlier termination of this Agreement and shall continue in effect.

6. Confidentiality.

6.1 Confidentiality. The Business School shall maintain in strict confidence, and shall use and disclose only as authorized by the AGENCY, all Confidential Information (as defined below) that the Business School receives in connection with the performance of Services and development of the Work Product under this Agreement. Notwithstanding the foregoing restrictions, the AGENCY acknowledges that the Business School is a governmental entity and subject to the Utah Government Records Access and Management Act, Sec. 63G-2-101 *et seq.*, Utah Code Ann. ("GRAMA") and Sec. 53B-16-301 *et seq.*, Utah Code Ann., and that the Business School's confidentiality obligations shall in all cases be subject to its obligations under GRAMA, or to an order of any court or other governmental authority, but only after the AGENCY has been so notified and has had the opportunity, if possible, to obtain reasonable protection for such information in connection with such disclosure. Pursuant to Section 63G-2-309 of GRAMA, the AGENCY hereby claims that all properly identified Confidential Information provided to Business School in connection with the Services are "protected records" under Section 63G-2-305 of GRAMA and contain proprietary business information (including without limitation, trade secrets and commercial information). The Confidential Information is not publicly available, is critical to the AGENCY's operations, and would not be disclosed without assurance that the Confidential Information will remain confidential to the extent permitted by law.

6.2 Confidential Information. For purposes of this Agreement, "Confidential Information" means a properly identified trade secret or commercial information (as defined at Section 63G-2-305) provided to the Business School by the AGENCY, which may include (a) the name or address of any customer or supplier of the AGENCY, or of any other person or entity with which the AGENCY does business or any information concerning the transactions of any customer, supplier or other person or entity with the AGENCY; (b) any information relating to the contracts, agreements, business plans, budgets, or results of operations, or any other financial information of the AGENCY, to the extent such information has not been made available to the public by the AGENCY; and (c) any other trade secret or commercial information marked or noted to be confidential by the AGENCY at the time of disclosure. Confidential Information shall not include any information (x) that is or becomes generally known to the public through sources independent of the AGENCY and through no fault of the Business School; or (y) that is available or becomes available to the Business School from a third party who has a right to disclose it to the Business School other than in the Business School's capacity under this Agreement; or (z) that is independently developed or acquired by the Business School or the Business School's personnel other than in the course of performing Services under this Agreement and without reliance in any way upon Confidential Information.

7. Miscellaneous.

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7.1 Governing Law. This Agreement shall be construed in accordance with, and governed by the substantive laws of, the State of Utah, without reference to principles governing choice or conflict of laws.

7.2 Severability. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the validity of any other provision hereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provision were not contained herein; provided that the Agreement as so modified preserves the basic intent of the parties.

7.3 Assignment. The benefit of this Agreement may not be assigned or in any manner transferred and the obligations may not be delegated by either party, except with the prior written consent of the other party hereto. Subject to the foregoing limitation upon assignment and delegation, this Agreement shall be binding upon and inure to the benefit of the parties and their respective legal representatives, successors, agents, heirs and permitted assigns.

7.4 No Waiver. The failure of either party at any time to require performance by the other party of any one or more of the provisions of this Agreement shall not affect the right to require such performance at any time thereafter, nor shall the waiver by either party of a breach of any term or provision of this Agreement be interpreted or held to be a waiver of any succeeding breach of such term or provision or as a waiver of the term or provision itself.

7.5 Captions. The captions used herein are for ease of reference only and shall not define or limit the provisions hereof.

7.6 Notices. Any notice, request, consent and other communications hereunder shall be in writing and may be (a) delivered by hand, or (b) sent by courier service, or (c) by fax, or (d) by certified first class mail, postage prepaid, return receipt requested, to the addresses set forth below. Such notice shall be deemed to have been duly given (a) on the day of actual delivery, if delivered by hand or by courier, (b) on the date when sent, as evidenced by a printed confirmation report of delivery, if sent by fax, or (c) three (3) business days after deposit in the U.S. mail. Addresses may be changed by notice given pursuant to this Section.

If to the Business School: University of Utah

_____

_____

Tel _____

Fax _____

and to the address of the Faculty Supervisor.

If to the AGENCY: Redevelopment Agency of West Valley City
Attn: Wayne Pyle
3600 Constitution Blvd.
West Valley City, UT 84119

7.7 Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter contained herein, and there are no covenants, terms or conditions, express or implied, other than as set forth or referred to herein. This Agreement supersedes all prior agreements between the parties hereto relating to the subject matter hereof. No representation, oral or written, modifying or contradicting the terms of this Agreement have been made by any part except as contained herein. This Agreement may not be amended, modified or canceled except as provided herein or by written agreement of the parties signed by the party against whom enforcement is sought.

7.8 Uncontrollable Forces. Neither the AGENCY nor the Business School shall be considered to be in default of this Agreement if delays in or failure of performance hereunder shall be due to uncontrollable forces the effect of which the nonperforming party could not avoid by exercise or reasonable diligence.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

University of Utah, a body politic and corporate of the state of Utah	Redevelopment Agency of West Valley City
"BUSINESS SCHOOL"	"AGENCY"
_____	_____
NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
	ATTEST:
	_____
	Secretary

EXHIBIT A

CONTRIBUTION TERMS

The Business School shall use the Contribution, as follows:

1) The Business School shall fund scholarships only for students with a connection to West Valley City. A connection to West Valley City can be established by permanent residency in West Valley City, graduation from or attendance at a high school located in West Valley City, or other educational, vocational, or social connection to West Valley City sufficient to merit consideration for a scholarship in the discretion of the Business School.
2) The Business School shall offer mentoring services, academic support, and other assistance as required by and through the Opportunity Scholars Program.
3) The Business School shall provide sufficient information to the AGENCY to permit the AGENCY to evaluate the success of the Program, the contribution of the Program to student success, and the viability of a continued partnership between the AGENCY and the Business School. Such information shall be determined solely by the Business School and in no event shall the Business School provide, or be required to provide, any information that would violation any applicable laws, including without limitation, the Family Educational Rights and Privacy Act (**FERPA**).
4) For avoidance of doubt, the Contribution does not include any obligation with respect to the Units.