

Approved December 11, 2018

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, DECEMBER 4, 2018, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH**

PRESENT: Mayor Troy K. Walker, and Councilmembers Mike Green, Tasha Lowery, Alan Summerhays, Councilmember Vawdrey, and Michele Weeks

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Laura Oscarson, Deputy City Recorder; Scott Cooley, City Engineer; Hazel Dunsmore, Human Resource Director; John Eining, Police Chief; Russ Fox, Assistant City Manager; Rhett Ogden, Recreation Director; Cody Jolley, Battalion Chief, and Bob Wylie, Finance Director

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**Dinner/Study Meeting**

**1.0 Council/Manager Reports**

**Business Meeting**

**1.0 Call to Order: Mayor Troy K. Walker**

**2.0 Thought/Prayer and Pledge of Allegiance**

2.1 Jaxon Cathey offered the prayer.

2.2 Webelo Troop #4444 led the Pledge of Allegiance.

**3.0 Recognition: Melvin Richins for 15-Year Service on the South Valley Mosquito Abatement District Board**

3.1 Mayor Walker introduced Mr. Richins. He said he had served as a trustee on the South Valley Mosquito Abatement District for 15 years. Mayor Walker thanked Mr. Richins for his service.

**4.0 Recognition: Corner Canyon High School Football Team**

Mayor Walker recognized Corner Canyon High School's Football Team for their undefeated season, and for winning the 5A State Championship. He introduced Coach Eric Kjar and recognized him for his achievements.

**5.0 Presentation: Police Department Holiday Card Contest Winners**

Chief Eining was asked to present the awards:

- Ariana Larson, 2<sup>nd</sup> runner up for "Christmas in Draper"
- Eva Nguyen, 1<sup>st</sup> runner up for "Christmas in the Night"
- Kirah Patil, Winning Entry, for "Christmas Tree Delivery"

\*\* *Councilmember Vawdrey joined the meeting at 7:18 pm*

## **6.0 Public Comments**

To be considerate of everyone attending the meeting, public comments will be restricted to items not listed on this or a future agenda and limited to three minutes per person. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.

- 6.1 Catherine Holt, resident, said she was concerned about a development next to her home. The plat that was being developed should not be a valid plat. She explained this plat was interfering with her property; the Council had not addressed this issue and did not care. Furthermore, the developer had not done a good job working with the residents.
- 6.2 Greg Holt, resident, stated that he had the same concern as the previous resident. He explained they were forced into a lawsuit over the development and the City was unhelpful. He asked the Council to address the issue.
- 6.3 John Housley, resident, explained he was also concerned with the development. He said his biggest concern was with the permits issued by the City. The development had been causing a lot of dust and other nuisances. Additionally, the trucks had been blocking the private lane to their homes.
- 6.4 Tony Nelson, resident, said he wanted to address issues that arose during the study session. He had met the people affected by the development, and explained the developer had been causing a lot of problems for these residents. He asked the Council to stop the permit because the developer was not abiding by the City's laws.
- 6.5 Renee Wiegand, resident, said she agreed with the previous comments. She asked the Council to investigate the development. She thanked the Council for changing the speed limit on Traverse Ridge Road. She asked if the City would install additional lights on Traverse Ridge Road, as well as repaint the lines on the road.

## **7.0 Consent Items**

- a. **Approval of November 13, 2018 City Council Meeting Minutes.**
  - b. **Approval of November 20, 2018 City Council Meeting Minutes.**
  - c. **Approval of Resolution #18-88:** Approving the form of a master license agreement for small cell site licenses. Staff: Mike Barker.
  - d. **Approval of the 2019 Annual Meeting Schedule.**
- 7.1 **Councilmember Summerhays moved to remove Item C from the Consent Items, and approve Items A, B, and D. Councilmember Weeks seconded the motion.**
  - 7.2 **A roll call vote was taken with Councilmember Summerhays, Vawdrey, and Weeks voting "Aye." Councilmember Green and Councilmember Lowery voted "Nay." The motion carried with a majority vote of 3 to 2.**

- 7.3 Councilmember Summerhays said he wanted to ensure all the cell providers could use the smaller towers. He noted the coverage was poor throughout the City. Mike Barker, City attorney, said he spoke with several providers and they had different plans to provide coverage.
- 7.4 **Councilmember Summerhays moved to approve Item C. Councilmember Vawdrey seconded the motion.**
- 7.5 **A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**
- 8.0 **Public Hearing: Ordinance #1371, Day Dairy CSD Text Amendment—On the request of Adam Lankford, representing Wasatch Residential Group, for approval of a text amendment to 9-18E of the Draper Municipal Code to allow additional housing in the CSD-DD zone. Staff report by Dan Boles.**
- 8.1 Dan Boles, Planner, presented the staff report as well as an aerial map of the subject property. He then explained the history of the development. He said there would be two commercial retail buildings with residential elements. They planned on 228 units in the development. The residential portion would have 17 units per acre.
- 8.2 Councilmember Weeks clarified there would be two parking spots per unit. Mr. Boles said this was correct. Councilmember Weeks noted this would be less than the City's requirement. Mr. Boles explained that the garages would also be counted.
- 8.3 Councilmember Weeks said she had some issues with the commercial portion of the development. She said the parking was terrible, and including the residential portion would only worsen the problem. Councilmember Summerhays asked Councilmember Weeks if she thought the residents would park in the commercial area, to which she responded in the negative. She was concerned with the overall development, and reiterated her concerns with parking.
- Mr. Boles said the developer was considering the parking for residential and the commercial portion. Councilmember Weeks asked if there would be more parking. Councilmember Green further inquired as to whether or not there would be more parking for the commercial portion to accommodate the entire development. Mr. Boles said the development needed to be evaluated.
- 8.4 Councilmember Weeks was concerned that the original site plan had adequate parking. She asked why they were changing the zoning to residential from commercial. Mr. Boles said this was the purpose of the discussion tonight; he wanted the Councilmembers to determine if more residential should be added.
- 8.5 Adam Lankford, applicant, stated that the Wasatch Group was a fully integrated real estate company. They own and manage over 20,000 apartments and have many offices. They have the experience to make projects successful.

Councilmember Summerhays asked why a piece of property had sat vacant for five years. Mr. Lankford stated the property in question was closed in 2012. He read the CSD zone definition and explained their goals were within the definition. He noted they had not received any participation to assist their developments. He then explained they needed a new plan that was marketable. The plan was to create a mixed-use development, and the goal was to increase traffic circulation through the development and surrounding area. Parking was critical and Mr. Lankford was certain the amount of parking presented to the Council was sufficient.

Mr. Lankford presented potential designs for the development and described the amenities of each. Councilmember Weeks asked if these designs would replace the commercial not the high density residential. Mr. Lankford answered in the affirmative.

Councilmember Summerhays asked how many square feet the building was, to which Mr. Lankford responded 20,000 square feet. Councilmember Weeks stated they were eliminating some of the business in the back of the building. Mr. Lankford responded this was not their intention; plans had changed because of the market changes. Councilmember Weeks asked if they had a difficult time selling the spaces due to poor visibility from 12300 South. Mr. Lankford answered in the affirmative.

Mr. Lankford explained they were willing to work with the City to improve the area. Councilmember Summerhays asked if they were willing to increase their parking and lower their density.

Councilmember Green asked to whom Wasatch Group had spoken regarding occupancy of the commercial spaces. He asked if there was any reason they could not have smaller retailers. Mr. Lankford said the biggest issue was visibility.

Councilmember Green said he agreed with Councilmember Summerhays they should increase parking and lower density. He was also concerned with the building heights. He asked what prevented the residents from using the commercial parking spaces. Mr. Lankford responded they planned on regulating parking, and explained that they did not want too much parking.

Councilmember Weeks asked if they had met the requirements for parking, to which Mr. Lankford answered in the affirmative. Councilmember Weeks said she could not park because it was always full. She did not want to allow them to have less parking than the code required. Mr. Lankford responded parking was important to the company, and the parking problem had more to do with circulation. Councilmember Weeks said the access had little to do with the parking. Mr. Lankford disagreed.

## **8.6 Mayor Walker opened public hearing.**

- 8.7 Ted Ferris, resident, said there was enough residential high rises in this area. He was concerned with this development increasing traffic.

- 8.8 Linnea Charmholm, resident, said she agreed they did not need more high density residential. She noted there were no traffic lights on the access points and this project would increase traffic.
- 8.9 Mayor Walker closed the public hearing.**
- 8.10 Councilmember Green moved to deny Ordinance #1371, Day Dairy CSD Text Amendment and give some guidance as to what has to happen to gain this body's approval. Councilmember Weeks seconded the motion.**
- 8.11 Jennifer Jastremsky, Head Planner, said if the Council wanted changes, she suggested continuing the ordinance.
- 8.12 Councilmember Green withdrew his motion and moved to continue this item to a date uncertain to allow the applicant time to make recommended changes. Councilmember Summerhays seconded the motion.**
- 8.13 Councilmember Weeks moved to amend Councilmember Green's motion to require another public hearing when it is brought back to the City Council. Councilmember Green seconded the motion.**
- 8.14 A roll call vote was taken on the amendment with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**
- 8.15 Councilmember Vawdrey stated she also was concerned with the parking and the density.
- 8.16 Councilmember Green reiterated the density was too high, parking was insufficient, and he wanted town homes over residential high rises. The buildings were too high and he wanted more commercial than residential.
- 8.17 A roll call vote was taken on the motion with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**
- 9.0 Public Hearing: Resolution #18-84—Request to declare property located at 14886 Traverse Ridge Road as surplus and authorize the sale of the property. Staff report by Russ Fox.**
- 9.1 Russ Fox, Assistant City Manager, explained they had a lease agreement for this property and the City decided to sell per the agreement. He noted they had made notice of its surplus.
- 9.2 Councilmember Weeks clarified the price was not set and it would be sold at the market value. Mr. Fox answered in the affirmative.

9.3 Tod Wadsworth, applicant, said this was a good faith agreement and he was pleased the City had followed through. He asked the Councilmembers if they had any questions. Councilmember Lowery thanked Mr. Wadsworth for his investment in the community. She asked if he intended to be in the area long term, and Mr. Wadsworth answered in the affirmative.

Councilmember Weeks thanked Mr. Wadsworth. She asked how he felt about the value for which they anticipated to sell the property. Mr. Wadsworth said he was content with the property being sold for market value.

Councilmember Lowery asked if they would expand the parking lot. Mr. Wadsworth answered in the affirmative.

**9.4 Mayor Walker opened the public hearing.**

9.5 Renee Wiegand, resident, stated she hoped they would approve the resolution.

**9.6 Mayor Walker closed the public hearing.**

**9.7 Councilmember Summerhays moved to approve Resolution #18-84. Councilmember Lowery seconded the motion.**

9.8 Mayor Walker stated it was a surprise they bought this building when the City purchased SunCrest. He was pleased Mr. Wadsworth was able to improve the building.

**9.9 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

**10.0 Council/Manager Reports, continued.**

10.1 Councilmember Green asked what the City's options were for dealing with the Big Willow development. Mr. Dobbins stated he wanted to follow up in writing. Mayor Walker asked for three Councilmembers to draft a document.

10.2 Councilmember Lowery asked about the reflectors on the concrete barriers in SunCrest. Mr. Cooley responded they had been stolen. He said they would fix them, and that they were covered after the snow storm. Councilmember Lowery asked about a red reflector line in the center of the road. Mr. Cooley asked for a more specific reference, so staff could understand what the resident wanted.

10.3 Councilmember Lowery asked Ms. Oliver about the All-Abilities park. Ms. Oliver responded they were working with Salt Lake County to discuss the park.

10.4 Councilmember Lowery asked Mr. Ogden to work with the Tree Commission and the Parks and Trails Commission to create a display of the landscaping and trees. Mr. Ogden said they could put something together.

10.5 Mayor Walker asked Councilmember Weeks to discuss the Design Review Committee (DRC) meeting she recently attended. Councilmember Weeks responded she thought it was very informative. She said it gave her more information that would help her with the issues they voted on. Mayor Walker said he was concerned about a Councilmember attending these meetings. He said this was an issue of influence, and it was inappropriate for her to attend these meetings. Councilmember Weeks said she did not think her presence made a difference.

Councilmember Green discussed the importance of clarifying the Council's role, and explained that he had drafted a policy proposal for the Council. Councilmember Lowery suggested drafting a policy that states that Councilmembers will not attend DRC meetings.

### **11.0 Adjournment**

**11.1 Councilmember Summerhays moved to adjourn the meeting. Councilmember Green seconded the motion.**

**11.2 A roll call vote was taken with Councilmembers Green, Lowery, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

11.3 The meeting adjourned at 8:49 p.m.