

MINUTES OF A VINEYARD CITY COUNCIL MEETING

This meeting was held electronically, via Zoom,
due to the COVID-19 gathering restrictions
April 8, 2020 at 6:00 PM

Present

Mayor Julie Fullmer
Councilmember John Earnest
Councilmember Tyce Flake
Councilmember Chris Judd
Councilmember Cristy Welsh

Absent

Staff Present: Public Works Director/City Engineer Don Overson, Assistant City Engineer Chris Wilson, City Attorney David Church, Community Development Director Morgan Brim, City Planner Elizabeth Hart, Building Official George Reid, Water/Parks Manager Sullivan Love, City Recorder Pamela Spencer, Planning Commission Chair Anthony Jenkins, Planning Commissioners Bryce Brady, Jessica Welch, and Amber Rasmussen

Others Speaking: Residents David Lauret; Pete Evans, Nate Hutchinson, Bronson Tatton, and Stewart Park with Anderson Geneva, Ryan Hales with Hales Engineering

6:00 PM REGULAR SESSION

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT

Mayor Fullmer called the meeting to order at 6:00 PM. Councilmember Flake gave the invocation. Roll call went as follows: Mayor Fullmer, Councilmembers Earnest, Flake, Judd, and Welsh were present.

2. PUBLIC COMMENTS

“Public Comments” is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three minutes. Because of the need for proper public notice, immediate action **cannot** be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda; however, the Council may elect to discuss the item if it is an immediate matter of concern.

Mayor Fullmer called for public comments. Hearing none, she closed the public comments session.

3. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Mayor Fullmer mentioned that the budget document had been emailed to the council. She asked them to review it before the next council meeting.

Councilmember Earnest gave an update on statistics for the coronavirus pandemic. Health officials were projecting, especially in Utah County, that the next two (2) weeks the cases could ramp up. He said that if people felt they had symptoms of COVID-19 such as a fever, shortness of breath, and or coughing that lasts for more than a few days, then they should get tested. He said that Timpanogos Regional Hospital was the closest place for Vineyard residents to get tested. He added that the 911 operators were prepared to handle questions from people who did not know what to do.

Mayor Fullmer mentioned that Vineyard businesses were open and suggested residents support them.

Councilmember Judd explained that there were different types of loans that businesses could apply for relief during the coronavirus pandemic. He suggested that businesses reach out to the places they bank first. Mr. Brim mentioned that staff had sent out information about the grants and loans along with other resources to the Vineyard businesses. He said that businesses could also use the Utah Valley Business Resource Center at Utah Valley University (UVU). He mentioned that he and the Community Development Department intern would be contacting each business in Vineyard to see how they were doing and to make sure they were accessing these resources. Councilmember Judd explained how businesses needed to use the funds. Mayor Fullmer mentioned that there were Vineyard residents who worked for banks that were volunteering their time to help businesses.

4. STAFF, COMMISSION, AND COMMITTEE REPORTS

No reports were given.

5. DISCUSSION

No items were submitted.

6. CONSENT ITEMS

No items were submitted.

7. MAYOR'S APPOINTMENTS

No names were submitted.

8. BUSINESS ITEMS

8.1 DISCUSSION AND ACTION – Zoning Text and Map Amendment to the Town Center Form Based Code Special Zoning District 3 Ordinance 2020-02

(This item was continued from the April 1, 2020 Joint City Council and Planning Commission meeting. Public hearings were held on March 11, and April 1) Anderson Geneva, the applicant, is requesting proposed changes to the Town Center Code and Zoning Map. The mayor and City Council will act to adopt (or deny) this request by ordinance.

Mayor Fullmer turned the time over Community Development Director Morgan Brim.

Mr. Brim reviewed the changes made to the text amendments:

- Heritage language was added in sections 3.02 Purpose, Vision, and Intent, 3.12.010 Open Space General Requirements, and 3.10.130 (new number 3.10.050) Building Standards Additional Design and Mix Standards
- 3.10.130 (new number 3.10.050) Building Standards Additional Design and Mix Standards (9) Amenity Requirements - adding clarifying language and additional amenities

There was a discussion about the differences in water features, additional cost to the city, and if the amenities would be public or private. Mayor Fullmer expressed concerns about private space being counted the same as public space for the open space requirements. Mr. Evans explained that they wanted to make sure they had the right balance between public and private open space. Higher density made it necessary to consolidate the public open spaces so that people had a place to recreate. He felt that they had distributed the public open space in a better way than they were before. Mayor Fullmer expressed concern about who would decide the amenities. Mr. Evans replied that the site plans would have to be approved through Planning Commission so the city would have input. Mr. Overson expressed concern that if the city were to approve an amenity there would not be manpower or funding to maintain it. Mr. Brim explained that the process was outlined in the code and that they had worked out the open space approval process through the development agreement. There was a discussion about open space, amenities, and who would have what levels of approval. The suggested amendment to the code was:

- “The city council will approve all amenities located within the public right-of-way and city-owned land. The Planning Commission will approve all elements of site plans for open space areas.
- Following Planning Commission approval, the Public Works Department shall approve construction drawings for all public infrastructure and open space areas.”

Mayor Fullmer asked what percentage of the required 20 percent open space would be public. Mr. Brim replied that it would be anything in the public right-of-way; the Lake Promenade, the North Promenade, Geneva Park, public roads, and trails. He said that about 13 to 14 percent of the open space would be public and the rest would be private. He added that the lakefront area was state land and could not be included in the open space. Mr. Hutchings mentioned that the percentages should include the open space in the Lake Front Residential, making the open space closer to 18 percent. There was a discussion about the required open space and averages around the state. Mayor Fullmer said that she wanted to ensure a balance of open space and the additional density the developer would be getting. The discussion continued. Mayor Fullmer asked staff to look up open space requirements for Salt Lake City. Mr. Evans said that the American Planning Association recommended 10 to 12 percent public open space. Mr. Hutchings said that Matt Lambert with DPZ recommended 15 to 20 percent. He added that there would be other amenities in addition to the minimum 20 percent required by the code.

Mayor Fullmer asked if they were adding more density than already approved. Mr. Hutchings replied that there was no additional density; they were just shifting where the density would be located. There was a discussion about density. Mr. Hutchings explained that the noncommercial and nonresidential uses in the transit area would be higher. Mr. Brim explained that the original code never included an overall project density cap. He said that code change would loosen up where the residential could be located. Mayor Fullmer asked if it could be a denser plan. Mr. Brim replied yes. Mr. Hutchings added that they had doubled the amount of nonresidential use. Mayor Fullmer said that she wanted to make sure they were getting a balance of open space.

Councilmember Judd reminded everyone that they were also counting the open space in the Lake Front Residential. The discussion continued. Councilmember Judd asked if any of the amenities could be doubled on the promenade. Mr. Evans replied that this was another way to amenitize the open space. The discussion continued. Mr. Hutchins explained that the city would have to approve the amenities going into The Promenade. The amenities discussion continued.

(Code amendments continued)

- 3.16.010 Parking General Requirements – adding parking study requirements and guidelines

Mr. Brim explained how the parking study was being proposed with different benchmarks. The purpose of the study was to determine the need for more or less parking.

- Student Housing will be added as a conditional use within the Downtown Station and Downtown Mixed-use districts.
- Table: 3.16.010(3) Minimum Required Parking by Use and District – adding student housing parking requirements per student

Mr. Brim explained that student housing parking was being added at .08 spaces per occupant per unit with no cap. Councilmember Judd asked how they would determine if the project was student housing. Mr. Evan replied that student housing was built differently. There was a discussion about student housing. Mr. Brim suggested that student housing be added to the use table as a conditional use in all of the residential districts.

Ryan Hales with Hales Engineering said that there were not many places around the country that had done a backup study to see how the parking rates had related. He explained that vehicle trips into Orenco Station in Hillsboro Oregon were only generating about 42 percent of the recommended use listed in the Institute of Transportation Engineers' (ITE) parking guidelines. He said that there was a transit-oriented district (TOD) in Dallas Texas called Mockingbird Station which was along a rapid transit line and a major bus center. He said the it was in an auto-dominated area so 95 percent of the commuters used their vehicles. He explained the peak parking occupancy rate in the mixed-use was at 77 percent, retail was at 65 percent, office parking was at 71 percent, and residential was at 61 percent. They were only using about 48 percent of their parking. On the Town Center site, they were requiring a little over 12,625 stalls and at 47 percent they would only be utilizing about 6,008 stalls. He was recommending 11,084 stalls and felt that they were still overparking. He felt that they should look at it later and possibly lower the parking requirements.

Mr. Brim reviewed the conditions in the staff report. He said that one of the conditions was that “the developer will work with city staff to define allowable tree types and plantings permitted in each park strip type.” Another condition was that “if the required public improvements are not installed prior to a certificate of occupancy for associated buildings, the city may utilize RDA funds generated from this project area to bring public improvement to completion.”

Mr. Brim reviewed the amendments discussed tonight.

- The city council will approve all amenities located within the public right-of-way and city-owned land. The Planning Commission will approve all elements of site plans for open space areas.
- Student Housing will be added as a conditional use within the DTS and DTMU districts. There was a discussion about the location of student housing.

- Following Planning Commission approval, the Public Works Department shall approve construction drawings for all public infrastructure and open space areas. There was a discussion about plan approvals.

Mayor Fullmer asked about the sidewalk sizes. Mr. Brim reviewed the sidewalk requirements. There was a discussion about the sizes of the sidewalks. It was agreed to add language to the code stating that “The low-density side street section shall be amended to have a 6'-8' wide sidewalk and 9'-11' wide park strip.”

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE THE PROPOSED TOWN CENTER SPECIAL ZONING DISTRICT 3 TEXT AND DISTRICT MAP AMENDMENTS, ORDINANCE 2020-02, WITH THE FOLLOWING CONDITIONS:

1. THE DEVELOPER WILL WORK WITH CITY STAFF TO DEFINE ALLOWABLE TREE TYPES AND PLANTINGS PERMITTED IN EACH PARK STRIP TYPE.
2. INSERT THE FOLLOWING TEXT INTO THE ADMINISTRATION SECTION OF THE TOWN CENTER CODE: IF REQUIRED PUBLIC IMPROVEMENTS ARE NOT INSTALLED PRIOR TO ISSUANCE OF A CERTIFICATE FOR OCCUPANCY OF ASSOCIATED BUILDINGS, THE CITY MAY UTILIZE RDA FUNDS GENERATED FROM THIS PROJECT AREA TO BRING PUBLIC IMPROVEMENT TO COMPLETION.
3. THE CITY COUNCIL WILL APPROVE ALL AMENITIES LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY AND CITY-OWNED LAND. THE PLANNING COMMISSION WILL APPROVE ALL ELEMENTS OF SITE PLANS FOR OPEN SPACE AREAS.
4. STUDENT HOUSING WILL BE ADDED AS A CONDITIONAL USE WITHIN THE DTS AND DTMU DISTRICTS.
5. REQUIREMENT THAT FOLLOWING PLANNING COMMISSION APPROVAL, THE PUBLIC WORKS DEPARTMENT SHALL APPROVE CONSTRUCTION DRAWINGS FOR ALL PUBLIC INFRASTRUCTURE AND OPEN SPACE AREAS.
6. THE LOW-DENSITY SIDE STREET SECTION SHALL BE AMENDED TO HAVE A 6'-8' WIDE SIDEWALK AND 9'-11' WIDE PARK STRIP.

COUNCILMEMBER JUDD SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9. CLOSED SESSION

No closed session was held.

10. ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER JUDD MOVED TO ADJOURN THE MEETING AT 7:59 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer thanked everyone for their help on this project.

The next regularly scheduled meeting is April 22, 2020.

MINUTES APPROVED ON: May 13, 2020

CERTIFIED CORRECT BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER