

MINUTES OF THE VINEYARD  
CITY COUNCIL MEETING  
125 South Main Street, Vineyard, Utah  
September 12, 2018 at 6:00 PM

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**Present**

Mayor Julie Fullmer  
Councilmember John Earnest  
Councilmember Tyce Flake  
Councilmember Chris Judd  
Councilmember Nate Riley

**Absent**

**Staff Present:** City Manager/Finance Director Jacob McHargue, Public Works Director/City Engineer Don Overson, Assistant City Engineer Chris Wilson, City Attorney David Church, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, City Planner Elizabeth Hart, Planning Commission Chair Cristy Welsh, City Recorder Pamela Spencer, Building Official George Reid, Water/Parks Manager Sullivan Love, and Finance Intern Karuva Kaseke

**Others Speaking:** Resident Cienah Miller, Jacob Carlton with Gilmore & Bell, Steve Maddox and Brandon Watson with Edge Homes, Mike Hutchings with Anderson Geneva

**6:00 PM REGULAR SESSION**

Mayor Fullmer opened the meeting at 6:00 PM. Councilmember Judd gave the Pledge of Allegiance and invocation.

**OPEN SESSION – Citizens' Comments**

Mayor Fullmer opened the public session.

Resident Cienah Miller living in the Concord Apartments expressed concern with the parking situation in her complex for the next six weeks because of construction. She asked if the city could come up with a solution. Mayor Fullmer replied that there had been a meeting today to discuss solutions and that someone would get back to her on the results.

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

**MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS**

Councilmember Earnest reported on the Orem Hospital Outreach Program. He suggested that the city do some social media posts about events that would be taking place, such as, screenings for people who did not have health care or did not go to the doctor regularly and where prescription drop-off boxes are located. He said that they also had campaigns to make Naloxone more available to the citizens, hope squads in the schools for suicide awareness, etc.

Councilmember Judd reported that interest rates were going to continue to rise. He said that they could affect the building in Vineyard. He mentioned that he attended a conference where Natalie Gochnour with the David Eccles School of Business, Kem C. Gardner Policy Institute, and who is also the chief economist for the Salt Lake Chamber of Commerce, presented on the continued housing shortages. He mentioned that new legislation could be introduced during the next session about how to address the housing shortage.

Councilmember Flake reported that he electronically attended the Utah League of Cities and Town's Legislative Policy Committee meeting where they passed four resolutions, which were:

1. Medical Marijuana – the League opposes any legislation that preempts the city's ability to govern planning, zoning, business licensing, etc., as part of that activity.
2. Water – the League supports transparency and water retail rates and the setting of those rates. They also support an amendment to Article 2 Section 6 of the Utah Constitution that would prohibit the state from taking away from the city the right to oversee municipal water systems.
3. Motor fuel tax – 2018 House Joint Resolution 20 posed a question on the election ballot to determine if citizens were in support of a 10-cent tax on fuel. A portion will go to transportation and a portion will go to education. The committee passed that they wanted the legislation to be enacted as written.
4. Growth, housing, maintaining the individual character of communities, and the rights of city governments – the committee passed a statement that read “we support initiatives to accommodate the population growth through flexibility and alternative methods of creating housing. We support the accessibility of new rules, where appropriate, for accessory housing in cities. We want the ability to continue to set our own zoning and ordinances that are appropriate for the towns which each community has. We want more information from the state to press forward on the housing problem and how it can be taken care of.”

Councilmember Flake mentioned that there had been some questions about 2018 House Bill 259 - Moderate Income Housing. He said that there had been no decision made and would be up for further discussion. He explained that the main problem was that the legislature was looking at taking away zoning rights from the city.

Councilmember Riley reported that he had spoken with a Provo City Police Officer about the problem Provo had with predatory towing. He asked if Vineyard had a towing ordinance and how we would address predatory practices. He said that with the parking problem, the city could at least prevent further problems with predatory towing. He suggested that the city review the Provo City Ordinance and adopt something similar for Vineyard.

## **STAFF AND COMMISSION REPORTS**

City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that the city had started the soccer program last week and had 400 participants sign up. He explained that there had been an issue with parking at the first game. He said that there would be overflow parking available in the detention basin at Grove Park. He mentioned that they would be moving all

games to Grove Park. Councilmember Judd asked if the city had an agreement with Freedom Preparatory Academy to use their parking lot. Mr. McHargue replied that the city did not have an agreement with them, but an understanding that the parking lot was available if the school did not have an event going on.

Public Works Director/Engineer – Don Overson – Mr. Overson reported that opening Grove Park had created some issues for the Public Works Department. He said that every weekend there were crews working four to five hours cleaning up after people who had used the park. He expressed concerns with trying to curb the litter in the park. Mayor Fullmer asked if the city had put out any education to the residents. Mr. Overson replied that some of the people using the park were not residents so staff needed to be more diligent about cleaning up the park and making sure the people who rent the pavilions are cleaning up after themselves. Mayor Fullmer asked if the city had a litter ordinance. Mr. Church replied that they did. He asked how much was charged for the cleaning deposit. He suggested that they make it higher and not refund it if the pavilion was not cleaned. Mr. Overson explained that the pavilion rental was for the entire day and if they left early and afterwards anyone could use it and the city would not know who had left it dirty. There was further discussion about cleaning up the park. Mr. Overson stated that they had not set aside enough funds to cover the cost of cleaning up the park every day. He also stated that they did not have not enough staff to check it daily. Mr. Church suggested that the city hire a volunteer or part-time park ranger to check the park. Councilmember Judd asked it was a lack of trash receptacles. Mr. Overson replied that they had the trash receptacles, but people were not using them. There was further discussion about how to monitor the park. Mayor Fullmer asked staff to look at hiring a volunteer park ranger.

Mr. Overson reported that the city was in the process of bidding the Center Street Overpass. He hoped to present a contractor to the City Council by the second meeting in October.

City Attorney – David Church – Mr. Church had no new items to report.

Utah County Sheriff's Office – Sergeant Holden Rockwell – Sergeant Rockwell reported that the crosswalk safety shifts started this week during school hours. He said that there was a new crosswalk law on the Sheriff's Vineyard Facebook page and the City's Facebook page. He responded to Councilmember Riley's comments about predatory towing and said that in the staff meeting they had already discussed the Provo Ordinance so they were in the process of that. He explained that all of the deputies carry Naloxone (which is used for the emergency treatment of a known or suspected opioid overdose) and that there was a prescription drop box in the upstairs lobby of the City offices.

Community Development Director – Morgan Brim & Planning Commission Chair – Cristy Welsh – Ms. Welsh reported that the Planning Commission held a tour of the Walkara Way Project. She explained that it was the property on the south west side of Vineyard bordering the lake and would connect to Orem and Provo. She reported that they were working on getting names for the two Waters Edge parks and should have them ready to present at the next meeting. Mr. Brim explained that he had met with Jake and Keith Holdaway on the Walkara Way Project. He said that Orem wanted to make sure that the Utah Lake Commission would be the project

managers over the project. Mayor Fullmer stated that Eric Ellis, the Executive Director of the Utah Lake Commission, had spoken with the project coordinators.

Mr. Brim reported that the Mill Town project was proceeding nicely. He said that they had preliminary review of the full site plan and that the final site plan and conditional use permit would be submitted soon.

City Recorder – Pamela Spencer – Ms. Spencer had no new items to report.

Building Official – George Reid – Mr. Reid was excused. Mr. McHargue reported that the Building Department had hired a new Inspector-in-Training who had received his first “Residential Inspection” certification.

Water/Parks Manager Sullivan Love – Mr. Love reported that the Grove Park splash pad had been turned off for the season. He said that he had been working with the contractors for the splash pad and park to complete their punch list items. He reported that Flagship Homes was working with a new contractor on the park strip landscaping on Loop Road and Vineyard Road and they should see the landscaping up to a level that the city would be willing to accept it. Councilmember Earnest asked if the splash pad could be turned back on for the weekends. Mayor Fullmer explained that with it being the first year, they were still learning how it worked and were concerned with a frost. They would be researching it and maybe able to change the time for next year. Mr. Love stated that they were still working with the contractors to correct issues.

## **DISCUSSION ITEMS**

No items were submitted.

## **CONSENT ITEMS**

a) Approval of the August 22, 2018 City Council Meeting Minutes

Mayor Fullmer called for a motion.

**Motion:** COUNCILMEMBER FLAKE MOVED TO APPROVE THE MINUTES OF AUGUST 22, 2018. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

## **MAYOR’S APPOINTMENTS**

No names were submitted.

## **BUSINESS ITEMS**

### **8.1 PUBLIC HEARING – TEFRA Bond Hearing Resolution 2018-13**

A public hearing will be held by the Vineyard City Council regarding the proposed issuance by the Arizona Industrial Development Authority of its revenue notes, bonds or other

obligations in one or more series from time to time pursuant to a plan of financing bonds in an amount not to exceed \$15,000,000. The public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. The proceeds from the sale of the Bonds will be loaned to Three Twenty East Gammon Road, LLC (the “Borrower”), a Utah limited liability company, the sole member of which is the Franklin Schools Foundation, dba Franklin Discovery Academy, a Utah nonprofit corporation and an organization described in Section 501(c)(3) of the Code, and used to (a) finance the cost of the acquisition and construction of charter school facilities and the associated improvements thereon, consisting of approximately 45,000 square-feet of elementary school facilities located on an approximately 5.0 acre site at 320 E. Gammon Road in Vineyard, Utah (the “Facilities”), (b) fund certain reserves as may be required, (c) fund capitalized interest on the Bonds, if any, and (d) finance costs of issuance of the Bonds (collectively, the “Project”). The Facilities will be owned by the Borrower and will be leased to and operated by Franklin Discovery Academy – Vineyard, a Utah nonprofit corporation and an organization described in Section 501(c)(3) of the Code. The mayor and City Council will act to approve this request by resolution.

Mayor Fullmer turned the time over to Jacob Carlton with Gilmore & Bell.

Mr. Carlton explained what a TEFRA (Tax Equity and Fiscal Responsibility Act) hearing was. He said that the City was not liable for payment of the bond. He said that this was to allow members of the public to express any concerns. He added that the bonds were being issued by the Arizona Industrial Development Authority. He said that this would allow the school to purchase their facilities.

Mayor Fullmer called for a motion to open the public hearing.

**Motion:** COUNCILMEMBER JUDD MOVED TO OPEN THE PUBLIC HEARING AT 6:31 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer called for public comments. Hearing none, she called for a motion to close the public hearing.

**Motion:** COUNCILMEMBER JUDD MOVED TO CLOSE THE PUBLIC HEARING AT 6:32 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer called for a motion to approve the resolution.

**Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE RESOLUTION 2018-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VINEYARD, UTAH, APPROVING THE ISSUANCE BY THE ARIZONA INDUSTRIAL DEVELOPMENT AUTHORITY OF ITS CHARTER SCHOOL REVENUE BONDS (FRANKLIN DISCOVERY ACADEMY PROJECT) SERIES 2018A IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

## **8.2 DISCUSSION AND ACTION – Vineyard Shores Preliminary Plat**

The applicant, Edge Homes, is requesting preliminary plat approval for the Vineyard Shores. The subject property is located within the Town Center Lake Front Residential district. The subject property extends north from 400 North to just south of the Vineyard Connector and extends west from the Waters Edge subdivisions the Preserve and Villas to the edge of the existing Vineyard Road and Utah Lake. The applicant is proposing fifteen (15) Single-Family Lots, forty (40) Condo buildings and forty-five (45) Townhome buildings for a total of 685 residential units. The mayor and City Council will take appropriate action.

Mr. Brim presented the site plan for reference. He noted that a full presentation was given at the last meeting. He said that staff had worked with the applicant on their transportation impact analysis. He added that there had been no major updates since the last meeting.

Councilmember Riley asked what the process was that staff had gone through to address the concerns that the residents had. Mr. Brim explained that staff had worked with the applicant for four to five months to meet code. He said that this plan presented to night was far from the original concept plan. He added that he was comfortable with the density and that he required the applicant provide a traffic impact study. He felt that the city had been forward thinking when they developed the Town Center Code in requiring specifications for the streets. He felt that according to the traffic study the infrastructure would handle the traffic. He said that Councilmember Judd had requested that the applicant swap the Townhomes with the Condominiums and stated that the applicant would be responding to his request.

Councilmember Riley stated that one of the residents said that they wanted to see that the applicant had met each section of the ordinance. He asked if staff was confident that the developer had met every single section of the ordinance. Mr. Brim replied that for the plat he felt comfortable with their meeting the code. He said that for the site plan they would have to provide details of architecture, meet the form-based code for the distance of each story, orientation of the buildings, landscaping, etc. He explained that the preliminary plat was where the council looked at the overall units and where they would be located. He said that staff felt that with the constraints with the powerlines, that all of the code requirements were met. He explained that this property was not given any density limitations but that it listed the uses they could have. He said that it required a mix of uses and that staff had worked with the applicant to include single-family homes, two different town home types, and multi-family units. He felt that they had come as close as possible to the mixed-use requirements. He explained that there was code section that required that the units front 300 West but there was another section in the code that allowed the city planner to work with the developer to make modifications. He said that because the doors would face powerlines they turned some of the units to face into the development. He felt that staff had done an exhaustive analysis with the zoning code. Mayor Fullmer mentioned that council could stipulate in the motion if they wanted some specific changes in the site plan. Mr. Brim explained that council could make a condition of approval that they orient some of the units to face 300 West. Councilmember Earnest felt that it did not make sense to have the units face the powerlines.

Mayor Fullmer turned the time over to Steve Maddox with Edge Homes.

Mr. Maddox said that he had taken copious notes at the last meeting and spent hours afterwards addressing the citizens' concerns. He said that he realized that there were market conditions with a housing crisis and housing affordability. He said that years ago he noticed a contradiction between the lake and the steel plant. He felt that there was now a contradiction of whether the lake was something to behold or stay away from. He said that he wanted to make a difference on the shoreline. He reported on what had happened in the last two weeks. He said that the project

was being looked at from north to south and east to west. He said that Mr. Church had stated at the last meeting the city's hands were tied by the code and Mr. Maddox stated that he wanted to do what was right. He said that Anderson Geneva had made commitments four years ago and he needed to listen. He said that one of the issues that kept coming up from staff was open space. He commented that he had recently learned about the promenade and the vision for it. He said that he had worked with Gerald Anderson and came to an agreement that Edge Homes would acquire five acres and dedicate that land to the city. He said that he would be taking the resources for the lakefront improvements and moving them to the promenade.

Mike Hutchings with Anderson Geneva explained that in discussions about the promenade he had heard that there were concerns if and how the promenade would be built. He said that Anderson Geneva would be willing to give the promenade ground. He suggested that they have a development agreement with the city to ensure that Anderson Geneva gives the ground, which was approximately 17 acres, and in return the city would agree to use the ground for the promenade and to implement the development code. He added that they wanted to stipulate that the promenade be used as open-space credit to developers when they build their portion of the promenade. He suggested that the developers be reimbursed for the improvements on the promenade exactly as was being done in the Flagship development. He said that if the council would like a certain amount of money that would be used by Edge Homes, that the same money be used to develop the promenade. He added that Edge Homes would not need credit for their open space because it was already being met in their development. He said that they were asking that the city transfer the open-space credit to other builders in the town center development. He suggested that they also consider in the development agreement how the infrastructure would be installed and paid for in and around the promenade area. He stated that Anderson Geneva was acting in good faith and did not have to do it.

Mr. Church expressed concern that the residents, staff, and council were treating the Edge Homes project like a standalone project. He explained that Edge Homes was applying to do only a part of a larger project. He said that the question was if Anderson Geneva would be selling off pieces of the project, how was the city going to ensure that plan was actually built. He said that the major road, which they were required to build, looked like a system road which would benefit the entire project. He said that Mr. Hutchings was willing to agree to a development agreement that laid out who would build each element. He said that no individual developer would be willing to build a piece of the promenade. He said that other items were the major road, parking around the FrontRunner station, sewer lines, etc. He said that they needed an agreement where they identified those things and they needed specific permission from Anderson Geneva to say that they were requesting as the landowner that they use RDA tax increment to build the infrastructure to further the development. He said he was assuming everyone was committed to the plan because of the ordinance. He stated that, according to staff, Edge Homes had complied with the procedural requirements up to this point. He said that with the development agreement with Anderson Geneva, and the conditions that the plan would place on Edge Homes, to get the first piece started. He said that if the economy stayed strong they could get more built, but if it did not then they would have the mechanism to get the project completed.

Mayor Fullmer asked if they needed to add a stipulation to the motion that a development agreement would be tied to the project. Mr. Church replied that the code as written anticipates that they had a development agreement as part of the approval. He said that the city would approve the site plan conditioned on the developer complying with the required elements of the code, the form-based code, etc., and that it be reflected in a development agreement.

Mr. Hutchings said that Anderson Geneva was willing to donate over \$5 million worth of property and that they were not asking for reimbursement. He felt that staff and council were concerned that Anderson Geneva was going to cherry pick the project and not build the promenade. He said that they wanted it to be a comprehensive plan. Mr. Church felt that it was important that the public focus on the whole Town Center plan. He said that if the Town Center had come in first with tall office buildings and the train station there would have been a different response. He explained that this was urban development and the first piece to come in was the least appealing because it was more of the same that the city already had. He felt that it was a lovely community even with the density. He said that the city needs the agreement to ensure that the whole project was built.

Mayor Fullmer said that on September 18 at 5:30 PM they would be having a General Plan discussion for the public to give input and learn why it had been planned that way.

Brandon Watson with Edge Homes stated that they were taking the citizens' and council's concerns from the last council meeting seriously and wanted to do the development in the correct way. He said that he wanted to address the parking concerns. He said that he had met with staff at The Preserve development to determine what could be done to resolve their parking issues. He said that they were able to carve out 35 extra parking stalls without using any of the open space. He stated for the record that they would be providing more open space than required in the Vineyard Shores development. He said that there would be almost 2,100 parking stalls, which was just shy of three parking spaces per unit. He added that there would be about 100 additional public parking spaces along 300 West, which was not included in the required parking. He stated that prior to final plat approval they would be presenting the site plan.

Councilmember Earnest asked if they were no longer doing the improvements along the lake shore. Mr. Maddox replied that they had allocated about \$1 million for the improvements and were now shifting the money to the land that Anderson Geneva would be donating to the city. They would design, build, or donate to the promenade as indicated in the agreement previously mentioned. Councilmember Earnest asked about access points to the lake. Mr. Maddox explained that accessibility from 300 West would be included in the development.

Councilmember Judd asked about the clubhouse on previous versions of the plan. Mr. Maddox explained that there would be a private clubhouse and amenities for the development. Councilmember Judd asked if the private clubhouse was included in the open space requirement. Mr. Watson replied that it was included in the 26 percent open space and was approximately three acres. Councilmember Judd asked how much space it would take up. Mr. Maddox replied that it would take up about 4,600 square feet. Mr. Brim explained that the footprint would not be included in the open space but the amenities would be included.

Councilmember Riley asked about the property under the powerlines. Mr. Brim explained that it could be used as open space but a lot of it would be adjacent to the road. Mr. Watson explained that the easement was 120 feet wide, which takes up eight acres of ground that could not be used. Councilmember Riley asked if they were counting the eight acres in the open space requirements. Mr. Watson stated that there would be an eight-foot trail. there was further discussion about the powerline corridor. Councilmember Riley stated that if they were counting those eight acres then they needed to make it usable, publicly-accessible open space. Mr. Brim responded that the code required open space but did not require it to be public. He added that the area where the trail runs would be public. Councilmember Riley asked how they were going to get improvements on the lake. Mr. Brim felt that the lake improvements were part of another discussion with the city. The lakeshore was state owned lands and they would need approval from them. Mr. Church explained that the lake improvements were only a quarter of a mile from



where the promenade was envisioned. There was a discussion about lake improvements and the promenade. Mr. Overson explained that the powerline corridor was laid out in the plan. Mr. Church stated that it was not intended to be empty property. It would include a road, trail, and parking.

Councilmember Flake stated that the proposed agreement would address some of the failures of the plan which did not include a funding mechanism or plan for the promenade. He said that he was good with the tradeoff of the lakefront improvements for the promenade.

Councilmember Earnest felt fundamentally there was code in place and it was the developers land. There was a beautiful plan in place and the city would be getting a nice addition with the promenade.

Mr. Maddox stated that he did not want to fail on this project. He said that if there was something above and beyond what was already in the code he would be open to working with the city to enhance the project and effectively make the power corridor more enjoyable.

Mayor Fullmer asked where the power corridor was on the plat. Mr. Watson explained where the 120-foot power corridor was located on the plat. There was a discussion about the power corridor and the development plan.

Mayor Fullmer asked the developers if they were set on naming the development Vineyard Shores. Mr. Watson replied no. Mayor Fullmer said that residents had asked if the city could limit the occupancy to two unrelated. Mr. Church replied that they could not, according to the state code, unless they had a university located in the city. There was a discussion about university owned land. Mr. Church stated they could strengthen the language on the definition of family.

Mayor Fullmer explained that she had cross-checked the code with the development plan. She acknowledged that a lot of the concerns would be addressed during the site plan process. She said that she did find a few things that did not meet the Town Center Code.

- The code stated that the buildings needed to face onto 300 West – The reason they were not facing 300 West was because of the powerline corridor. Mayor Fullmer added that families would like their children to be on smaller roads and 300 West would be a main thoroughfare.
- Building forms include a mixture of single purpose townhomes, mansion homes and small single-family lots – The developer had included every type except for mansion homes and was willing to adjust and add them if it was important to the city.
- Traffic and parking – There were three traffic studies done along with the traffic analysis that the developer had done. The roads that were interior
- Traffic and pedestrians should be able to traverse the area on bike, foot, and in a car easily. Mayor Fullmer asked Mr. Overson how they determine what was a low impact road. She also asked if there were sidewalks on the interior portions next to the homes. They needed to have walkable and bikeable areas. She said that they needed to create a bike path in the development beyond a shared lane. Mr. Watson replied that there would be a sidewalk on one side of the road. He added that there was a trail system that went up 300 West along with the sidewalks along Loop Road.

Mr. Overson explained that when master planning a community, they look at collector and arterial roads to move traffic in and out of the community. He stated that 300 West would be a collector road. He said that the roads were designed for a 35-mile-an-hour speed limit and they

had controlled crossings at intersections. He said that the difference between a collector road and a residential road is that the residential road is at a lower speed with more interactivity between bikes, pedestrians, and cars. He said that when they were talking about side streets, they need to know if they are a residential road or an alley. He explained that in this subdivision most of the streets were short and considered low-impact streets and people could use any type of transportation without much conflict. Councilmember Riley expressed concern that the traffic study had a passing grade on an intersection but had a failing grade on one piece of it. He suggested that there be a way to for a right out only onto the Vineyard Connector to get traffic out of the city. He stated that he did not want a left-hand turn that would fail. Mr. Overson noted that there was an addendum to the traffic study. He said that there was only one movement that actually failed in both of the intersections in the study. He said that the one of the assumptions that was made in the traffic study was that only 10 percent of the traffic would be going north on 300 west and eventually connecting to the freeway at some point. He said that when the road was improved there would be 30 percent of the traffic going to the Vineyard Connector. He said that when the traffic moved to the Connector that impact would go away on that intersection. He added that 400 North was not signalized and would require a signal at some point, which would create a break between 800 North and 400 North and bring the movement up to a passing grade. He mentioned that once the Center Street Overpass was opened up a lot of the traffic from the Homesteads development would use it and reduce the amount of traffic on Main Street.

Councilmember Riley clarified that the standard for this type of housing and units translated into so many trips per day for the study. He felt that with the growth in the city they were generating a lot more trips than anticipated based on how the housing was being utilized. He felt that they were underestimating the traffic. Mr. Overson explained that traffic flows were based on peak times of day. He said that normally they were from 7-9 AM and 4-6 PM and most college students did not impact the volume of traffic at peak times. He said it was children going to school and people trying to go to work. He said that the city had done a study at the same time that the transportation impact study was being done and neither study warranted a signalized intersection. He said that engineers had depended on being able to analyze and apply these methods for years. He said that he was not worried about someone not being able to get out of Vineyard. He felt that they had done a good job of designing the collectors and arterial roads and had not yet met the capacity of these roads.

Councilmember Riley asked if there would be a way to get on the Vineyard Connector from 300 West. Mr. Overson replied that 300 West would extend to 1100 North before it connected to the Vineyard Connector and that 1100 North would also connect into Main Street.

Councilmember Judd expressed concern with the engineers only picking one day for their study. Mr. Overson replied that most days were typically the same. Councilmember Judd asked what the city could do to push the completion of the Vineyard Connector to 1100 North. Mayor Fullmer replied that there was meeting schedule with UDOT and other entities to attempt to focus on completing the connector to 1100 North. Councilmember Judd hoped that if the promenade were to be completed then there would be more people using the Connector. Mayor Fullmer suggested that they write letters to show how much the city had been built out and that they were looking towards finishing the FrontRunner station. There was further discussion about the roads.

Councilmember Judd suggested that if staff felt that there should be a signal light at 400 North, then they should put it in. Mayor Fullmer asked if once they did a traffic study they had to follow it. Mr. Overson replied that it was the city's prerogative to put a signal where ever they wanted to. He was concerned that they would be setting a precedent and would have a hard time refusing future requests. Mr. Church stated that if the study warranted it, then putting it in early would not

be a problem. Mr. Overson stated that based on his experience it would be warranted in the future and he felt that there were a few places in the city they would have signals.

Councilmember Judd stated that there were going to be three parking spaces per unit according to the preliminary plat. He asked if they should allocate the extra six percent of open space for parking now. Mr. Maddox felt that if they provide too much parking, then they ran the risk of having additional residents. He said that they would like to see a mechanism from the city to educate the abusers on the code. He did not want to take out green space. Mr. Church said that the next step would be detailed plans that would include the cross sections, open space, parking, architectural requirements from the form-based code, and other details. He said that the motion should be to approve the preliminary plat with the condition that they comply with the code and the development agreement. He said that the Planning Commission and staff would have to work to tighten everything up.

Mr. Brim explained that the on-street parking would be a policy decision that the council would need to make. He said that it seemed appropriate to limit overnight parking, but they would need to provide a place where the public could park and not have it turn into overflow parking for the developments. He recommended that they determine how they would program it before it was built.

Mayor Fullmer stated that she was encouraged by the developer's commitment to work on parking issues. She asked if there was a mechanism or metric to determine where the city was off on parking requirements in the code. Mr. Brim replied that this development would have more parking than required and the street parking would provide 160 spaces to accommodate visitors. He said that staff had worked or were working with The Locks, Tucker Row, The Preserve, and The Concord Apartments to add additional parking spaces. He added that the Alloy had added an additional 60 parking spaces. Mayor Fullmer stated that she was specifically concerned with this because it was next to the Town Center. She asked staff to keep thinking about it to make sure they were planning accordingly. Mr. Brim recommended that they hold a work session every other meeting or so to discuss potential issues and look at the city holistically to show a comprehensive plan and to be proactive. He suggested that they also add the lake to the discussions.

Councilmember Earnest commented that the elected officials told the residents during the election cycle that they would keep building and developing. He said that they had an application to develop property with the city's consent and continued cooperation. He added that this now included a piece of the promenade that would add a lot towards the city's plan. He stated that he was ready to make a motion to approve the Vineyard Shores preliminary plat, based Mr. Church's recommended conditions. Mr. Church felt that they should include the following conditions:

1. That the development agreement be done with the major landowner for the Town Center Plan
2. The development agreement be completed with Edge Homes for their plan
3. That the developer comply with the requirements in the code for the next phase, which are the detailed site plans, architectural plans, and landscaping plans required by the Town Center Code.

Councilmember Riley asked if there were any conditions recommended by the Planning Commission. Mr. Brim replied that they had complied with the condition that the townhomes next to the clubhouse be removed. He felt that the current plan addressed the Planning Commission's comments. Mayor Fullmer asked if they wanted to add requiring mansion homes. Councilmember Earnest said that he was okay without mansion homes. Mayor Fullmer

suggested that they add a condition that the Planning Commission could add mansion homes if they felt it was important. Mr. Brim replied that they could discuss it without a condition in the motion. Councilmember Earnest reminded everyone that this was a decision made a long time ago. He said that in future plans and code they could make sure high density was controlled. Mr. Brim asked Councilmember Earnest that he add in his motion the conditions in the staff report.

**Motion:** Councilmember Earnest moved to approve the Vineyard Shores preliminary plat based on the following conditions:

1. That the development agreement be done with the major landowner for the Town Center Plan.
2. The development agreement be completed with Edge Homes for their plan.
3. That the developer comply with the requirements in the code for the next phase, which are the detailed site plans, architectural plans, and landscaping plans required by the Town Center Code.
4. The applicant works with staff on the northern extension of the Lake Front Street and with the required alignment for the westside Lake Promenade.
5. The applicant pays any outstanding fees and makes any redline corrections.
6. The applicant be subject to all federal, state and local laws.
7. Mayor Fullmer's request that the name may be changed.

COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

#### **CLOSED SESSION**

No closed session was held.

#### **ADJOURNMENT**

Mayor Fullmer called for a motion to adjourn the meeting.

**Motion:** COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 8:10 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is September 26, 2018.

MINUTES APPROVED ON: September 26, 2018

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